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Forced Marriage by Non-state Armed Groups: Frequency, Forms, and Impact

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Cover Photo: Fati (right), age fifteen, now in the Minawao camp for Nigerian refugees with her mother and her baby sister, had been abducted by Boko Haram insurgents, given to a man, and forced to be his wife. She was eventually freed by Cameroonian soldiers and reunited with her family. April 5, 2016. UNICEF/UN015785/Prinsloo.

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ABBREVIATIONS

CNDD-FDD	National Council for the Defense of Democracy–Forces for the Defense of Democracy
CPN-M	Communist Party of Nepal-Maoist
CRSV	conflict-related sexual violence
DDR	disarmament, demobilization, and reintegration
FM NSAG	Forced Marriage by Non-state Armed Groups
ICC	International Criminal Court
IDDRS	Integrated Disarmament, Demobilization, and Reintegration Standards
ISIS	Islamic State
KIA	Kachin Independence Army
KIO	Kachin Independence Organization
LRA	Lord's Resistance Army
OHCHR	Office of the UN High Commissioner for Human Rights
RSVAC	Repertoires of Sexual Violence in Armed Conflict
SDG	Sustainable Development Goal

Executive Summary

Many non-state armed groups use forced marriage during armed conflict. Forced marriage tends to increase during armed conflict both because economic and physical insecurity makes girls and women more vulnerable to the practice and because non-state armed groups perpetrate forced marriage as part of their wartime strategies and operations. This practice has been documented across all geographic regions, in every decade since the 1940s, and across non-state armed groups with many different ideologies.

Conflict-related forced marriages can be understood as relationships that (1) are facilitated or enforced by armed actors; (2) are referred to as "marriages," involve a marital ceremony, or result in the parties being called spouses; and (3) are conducted without the complete and free consent of one or both parties. Conflict-related forced marriages can also be divided into three types, each of which can have distinct impacts on survivors:

- **Member–member forced marriage** involves non-state armed group leaders forcing lower-ranking members into marriages with one another. These marriages often appear to be a strategy to build internal cohesion within an armed group and prevent members from leaving by creating familial bonds. By cutting off survivors from their families and other social ties, they can complicate demobilization and reintegration after conflict.
- **Member–civilian forced marriage** involves civilians (overwhelmingly women) being compelled to marry non-state armed group members. It is by far the most common type of forced marriage perpetrated by non-state armed groups and is often linked to abduction. It can have deep economic, social, and health impacts on survivors, including by stigmatizing them and interrupting their education, as well as on their families and entire communities.
- **Civilian–civilian forced marriage** involves non-state armed groups dictating that civilians living under their control must marry one another. It is often part of a strategy to tighten social control over civilian populations and even to engineer a certain type of population.

International organizations, national governments, and civil society organizations have made major strides in highlighting, preventing, and addressing forced marriage, including forced marriage in armed conflict, often as part of broader efforts to address conflict-related sexual violence (CRSV). These have included efforts to ban forced marriage, including through international human rights conventions and national laws; collect and report data on forced marriage; sanction perpetrators of CRSV under UN sanctions regimes; prosecute perpetrators of forced marriage under international criminal law; and make special provisions for the reintegration of survivors.

Yet further research, policy, and programming is needed, and existing efforts should account for the different types of forced marriage and their distinct impact on survivors. To this end, researchers, member states, and the UN should consider the following recommendations:

- **Data collection:** Disaggregate data on CRSV by the form of violence (when possible), avoid linking sexual slavery and forced marriage, and gather more data on the unique needs of survivors of forced marriage.
- **Criminal accountability:** Continue prosecuting forced marriage as a distinct crime against humanity and promote the inclusion of forced marriage as a distinct crime against humanity during negotiations on the treaty on crimes against humanity.
- **Sanctions:** Continue to include information on CRSV in the reports of sanctions monitoring committees, ensure that sanctions listing criteria are applied against perpetrators of forced marriage, and ensure that every panel of experts includes at least one member with expertise on gender issues or CRSV.
- **Reintegration:** Factor the different types of forced marriage into the design of reintegration programs and provide support that considers the unique needs of individuals exiting forced marriage.

Introduction

After the Taliban seized power in Afghanistan in 2021, they issued a decree banning forced marriage.[1] Yet numerous reports indicate that the Taliban have wielded their power and influence to force civilian women to marry their members.[2] Forced marriage is not a new tactic for the Taliban. From 2001 to 2020, when the Taliban were operating as a non-state armed group, they commonly forced women into marriages with Taliban fighters.[3]

Forced marriage is not a tactic unique to the Taliban; many non-state armed groups use forced marriage during armed conflict.[4] Throughout its nearly sixty years of existence, the Kachin Independence Organization (KIO) and its armed wing, the Kachin Independence Army (KIA), have forced civilian women living in their territory in Myanmar to marry male soldiers.[5] While fighting the Indian state, the non-state armed group United Liberation Front of Asom (ULFA) forced soldiers in its ranks into "revolutionary marriages" with one another.[6] Al-Shabaab, an armed group operating in Somalia and several other East African countries, has compelled numerous families to marry their daughters to al-Shabaab fighters.[7] Hamas forces civilian women living in Gaza to marry their rapists, despite recent changes to the Palestinian penal code that outlawed this practice.[8]

These examples illustrate both the range of non-state armed groups that use forced marriage and the different forms that forced marriages can take. Forced marriage by non-state armed groups can vary in type, mode of coercion, and institutionalization. Non-state armed groups might force civilian women to marry fighters, force fighters to marry one another, or force civilians to marry each other. They might also force marriage through violence and abduction or more "indirect" coercion like economic extortion or extreme social pressure. Lastly, some non-state armed groups enforce a policy of forced marriage, while for other armed groups, forced marriage is a practice but not a formalized policy. While policymakers, scholars, and practitioners recognize forced marriage as an important form of conflict-related sexual violence (CRSV), there are no frameworks for conceptualizing the frequency and range of forms of forced marriage that occur in conflict.

> The original dataset introduced in this report can be a tool for policymakers and practitioners to understand the impacts of forced marriage in armed conflict and better design prevention strategies and survivor-centered responses.

This report focuses on patterns of forced marriage by non-state armed groups in conflict settings. Forced marriage tends to increase during armed conflict both because economic and physical insecurity makes girls and women more vulnerable to the practice and because non-state armed groups perpetrate forced marriage as part of their wartime strategies and operations.[9] While non-state armed groups are not the only armed actors that use forced marriage, this report focuses on forced marriage by non-state armed groups given the number and range of these groups that use forced marriage during civil war.[10] The focus is on armed conflict not to ignore forced marriage outside of conflict but to

1 The decree did not clearly define forced marriage but stated that women cannot be coerced or pressured into marriage. It did not set a minimum age for marriage. Ruchi Kumar and Hikmat Noori, "What It's Like Being a Woman in Afghanistan Today: 'Death in Slow Motion,'" NPR, July 27, 2022.

2 Amnesty International, "Death in Slow Motion: Women and Girls under Taliban Rule," July 27 2022; "The Taliban Continue Eroding the Rights and Visibility of Afghan Women and Girls," NPR, December 22, 2022; Saeed Shah, "Afghans Tell of Executions, Forced 'Marriages' in Taliban-Held Areas," *Wall Street Journal*, August 12, 2021.

3 Human Rights Watch, "Humanity Denied: Systematic Violations of Women's Rights in Afghanistan," October 2001.

4 We define a non-state armed group as "any non-governmental group of people having announced a name for their group and using armed force to influence the outcome of the stated incompatibility." Uppsala Conflict Data Program, "UCDP Actor Dataset Codebook Version 2.2-2015," 2015.

5 Jenny Hedström, "The Political Economy of the Kachin Revolutionary Household," *Pacific Review* 30, no. 4 (December 2017).

6 Roshmi Goswami, "Of Revolution, Liberation and Agency: Aspirations and Realities in the Lives of Women Combatants and Key Women Members of the United Liberation Front of Assam (ULFA)," Heinrich Böll Foundation, September 2015; Munmi Pathak, "Warrior Mothers: Narratives of Women from the United Liberation Front of Assam (ULFA)," *Journal of International Women's Studies* 22, no. 9 (September 2021).

7 Phoebe Donnelly, "Wedded to Warfare: Forced Marriage in Rebel Groups," PhD Diss. Fletcher School of Law and Diplomacy, Tufts University, April 2019.

8 Human Rights Watch, "Palestine: 'Marry-Your-Rapist' Law Repealed: Revoke Other Discriminatory Laws against Women," May 10, 2018.

9 UN Human Rights Council Resolution 41/8 (July 11, 2019), UN Doc. A/HRC/RES/41/8.

10 Rachel P. Jacobs, "Marriage by the Revolution: Forced Marriage as a Strategy of Control in Khmer Rouge Cambodia," *Journal of Genocide Research* 24, no. 3 (2020).

examine whether there are commonalities in this pattern of violence across conflicts.

The report begins with a definition of conflict-related forced marriage that distinguishes the phenomenon from sexual slavery and other forms of CRSV. It then presents an original dataset tracking forced marriage in armed conflict and uses the data and illustrative examples to divide forced marriage in armed conflict into three types: member–member forced marriage, member–civilian forced marriage, and civilian–civilian forced marriage. These three types of forced marriage during armed conflict are likely to have distinct drivers and impacts and necessitate different policy responses.

The original dataset introduced in this report and the conceptualization of different types of forced marriage can be a tool for policymakers and practitioners to understand the impacts of forced marriage in armed conflict and better design prevention strategies and survivor-centered responses. The report thus concludes with an overview of existing policy, legal, and programmatic responses to forced marriage in conflict settings, including by non-state armed groups, and provides recommendations for how these responses can better address this complex phenomenon.

Conceptualizing Forced Marriage by Non-state Armed Groups and Its Types

In this section, we define forced marriage by non-state armed groups, discuss why and how forced marriage is distinct from other forms of CRSV, and explain the three different types of forced marriage perpetrated by non-state armed groups.

Definitions of Forced Marriage

In some official documents, forced marriage is listed as a form of CRSV. For example, the UN secretary-general's annual report on conflict-related sexual violence defines CRSV as "rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity."[11] While this definition is useful in recognizing that CRSV is a broad phenomenon, the report does not define each of the forms of violence listed.

The Office of the UN High Commissioner for Human Rights (OHCHR) defines forced marriage as "a marriage in which one and/or both parties have not personally expressed their full and free consent to the union."[12] This definition is valuable but does not necessarily account for the complicated nature of forced marriage perpetrated by armed actors in conflict-affected contexts.

Conflict-related forced marriage requires a specific definition and dedicated attention because armed conflict disrupts existing societal norms, and armed actors are often seeking to exert authority over civilians' lives and affairs.[13] Conflict thus complicates what constitutes a marriage. During conflict, moreover, the parties responsible for conducting marriage ceremonies and keeping marriage records may shift.

For this reason, the Appeals Chamber of the Special Court for Sierra Leone adopted a more nuanced definition when prosecuting perpetrators of forced marriages that occurred during the civil war in Sierra Leone, defining forced marriage as follows:

> a situation in which the perpetrator through *his words or conduct*, or those of someone for whose actions he is responsible, *compels a person by force, threat of force, or coercion* to serve as a *conjugal partner* resulting in severe

11 UN Security Council, *Conflict-Related Sexual Violence—Report of the Secretary-General*, UN Doc. S/2022/272, March 29, 2022.

12 This definition of forced marriage includes all child marriages, as children are unable to consent to marriage. OHCHR, "Child and Forced Marriage, Including in Humanitarian Settings," available at https://www.ohchr.org/en/women/child-and-forced-marriage-including-humanitarian-settings .

13 For a more detailed discussion on the definition of forced marriage in conflict and its distinction from arranged marriage, see: Annie Bunting, Benjamin M. Lawrance, and Richard L. Roberts, "Something Old, Something New? Conceptualizing Forced Marriage in Africa," in *Marriage by Force Contestation over Consent and Coercion in Africa*, Annie Bunting, Benjamin M. Lawrance, and Richard L. Roberts, eds. (Athens, OH: Ohio University Press, 2016).

> suffering, or physical, mental, or psychological injury to the victim [emphasis added].[14]

This definition does not use the term "marriage," which does not have a universal definition given cultural variation. Instead, it uses the term "conjugal partner," which implies a relationship that extends beyond a sexual relationship. Additionally, the diverse types of force included in this definition demonstrate that forced marriage not only happens through physical abduction but can also involve other forms of force and coercion. Some academic experts also use this legal definition of forced marriage in their research.[15]

One shortcoming of this definition is that it uses gendered language, presuming the perpetrator of forced marriage is always male, which suggests a dynamic where men perpetrate forced marriage against women. Yet it can be challenging to determine which parties are the victims of forced marriage during armed conflict.[16] In many cases of forced marriage, men have more power in determining the nature of the relationship, including by picking their forced wife or being assigned a forced wife as a reward.[17] Because of these power dynamics, women and girls are frequently the primary victims of forced marriage in armed conflict. However, men and boys can also be victims of forced marriage in armed conflict.[18] In general, forced marriage blurs clear distinctions between victim and perpetrator.[19]

We adapt these existing definitions of forced marriage to account for the complicated nature of forced marriage by non-state armed groups. We define "conflict-related forced marriages" as relationships that:

1. Are facilitated or enforced by armed actors;
2. Are referred to as "marriages," involve a marital ceremony, or result in the parties being called spouses; and
3. Are conducted without the complete and free consent of one or both parties.[20]

Distinguishing Forced Marriage from Sexual Slavery

Importantly, we do not include sexual slavery in our definition of forced marriage.[21] What distinguishes the two is that in forced marriage, the non-state armed group deems the forced relationship a marriage, deems its participants spouses, or officiates the relationship with a marital ceremony or documentation.[22]

This distinction between forced marriage and sexual slavery is not just semantic. While survivors of forced marriage are likely to have been forced to perform sexual acts, and survivors of sexual slavery might have been forced to perform "wifely" duties, forced marriage encompasses more than a sexual relationship. Writing about women and girls forced into marriages by fighters in the Lord's

14 Morten Bergsmo, Alf Butenschøn Skre, and Elisabeth J. Wood, eds., *Understanding and Proving International Sex Crimes* (Beijing: Torkel Opsahl Academic EPublisher, 2012), p. 242.

15 See, for example: Erin Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army," *Journal of Peace Research* 51, no. 3 (March 2014), p. 407.

16 Regardless of the gender of the victim of forced marriage, being a victim of forced marriage or abduction, as seen in the case of Dominic Ongwen at the International Criminal Court, does not absolve an individual of legal responsibility. For more on this, see: Ella Riise MacLeod, "The Ongwen Judgement and Its Significance for Dual Victim Perpetrator Status Before the International Criminal Court," Centre for African Justice, Peace and Human Rights, n.d.

17 This dynamic can also be present in forced marriage outside of conflict contexts.

18 Omer Aijazi and Erin Baines, "Relationality, Culpability and Consent in Wartime: Men's Experiences of Forced Marriage," *International Journal of Transitional Justice* 11, no. 3 (November 2017); Myriam S. Denov and Mark A. Drumbl, "The Many Harms of Forced Marriage: Insights for Law from Ethnography in Northern Uganda," *Journal of International Criminal Justice* 18, no. 2 (May 2020).

19 Aijazi and Baines, "Relationality, Culpability and Consent in Wartime"; Erin Baines, "Gender, Responsibility, and the Grey Zone: Considerations for Transitional Justice," *Journal of Human Rights* 10, no. 4 (October 1, 2011); Khristopher Carlson and Dyan Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda," Feinstein International Center, May 2008, p. 14.

20 Measuring this third criterion was not always straightforward. For our purposes, we considered this criterion fulfilled if source material stated that one or both people were coerced into marriage, had no choice but to marry, or did not wish to marry.

21 The International Criminal Court lists four elements of the crime of sexual slavery: "(1) the perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons…; (2) the perpetrator caused such person or persons to engage in one or more acts of a sexual nature; (3) the conduct was committed as part of a widespread or systematic attack directed against a civilian population; and (4) the perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population." International Criminal Court, "Elements of Crimes," Art. 7(1)(g)-2, 2013.

22 There has been renewed focus on documenting slavery, including sexual slavery, in armed conflict with the release of the Contemporary Slavery in Armed Conflict (CASC) dataset. However, this dataset combines sexual exploitation and forced marriage. See: Angharad Smith, Monti Narayan Datta, and Kevin Bales, "Contemporary Slavery in Armed Conflict: Introducing the CSAC Dataset, 1989–2016," *Journal of Peace Research* (2022).

Resistance Army (LRA), Khristopher Carlson and Dyan Mazurana note that,

> Distinct from sexual slavery or enslavement, the element of a conjugal union makes forced marriages an independent crime. Mistakenly, females forced into marriage are commonly referred to as "sex slaves." This inaccurate categorization of their activity within the LRA perpetuates a common misunderstanding about their roles and experiences.[23]

By describing women and girls forcibly married by the LRA as "sex slaves," outsiders misunderstand the ways in which familial relationships were created within the LRA structure and the variety of nonsexual roles women and girls fulfilled. The label of "marriage" and the roles that traditionally come with it (husband and wife) can add complications to these relationships that are distinct from sexual slavery. In some instances, parties to the marriages may even accept these relationships and remain in them after they have disassociated from a non-state armed group. In the LRA, Erin Baines found that some women stated they eventually grew to like or love their forced husbands.[24]

Relatedly, forced marriage and sexual slavery might victimize different populations. The survivors of sexual slavery are overwhelmingly abducted civilian women.[25] Survivors of forced marriage, on the other hand, can be people who decided to join a non-state armed group, civilians living in territory controlled by an armed group, forced recruits, or individuals who are forced into marriage to join an armed group. Even the same non-state armed group might target different groups for forced marriage and sexual slavery. For example, al-Shabaab has used forced marriage in Somalia against Somali women but perpetrates sexual slavery and sexual trafficking (without the marriage label) of Kenyan women at the Kenya–Somalia border.[26] ISIS has targeted Yazidi girls and women with sexual slavery and used forced marriage against girls and women who are Sunni Muslim.[27] We hypothesize that the targeted victims of forced marriage are women who are part of communities that non-state armed groups seek to govern or "claim" as constituents. In the case of sexual slavery, however, the survivors are from communities outside of the groups' core areas of influence and stated constituency, or even communities they aim to destroy, as in the case of ISIS's genocidal violence against Yazidi women and girls.

Distinguishing forced marriage from sexual slavery improves our understanding of the motivations and targets of each form of CRSV. It is important to understand the different forms of CRSV to design targeted policies to prevent and respond to the different patterns of each. However, differentiating between these forms of CRSV is not meant to suggest one form is worse than any other or to compare their impacts (what is often referred to as a "hierarchy of harm").[28]

Types of Forced Marriage

The most common understanding of forced marriage during armed conflict involves cases in which young women and girls are forcibly abducted and married to members of armed groups. Cases of forced marriage perpetrated by the LRA and Boko Haram have particularly caught international attention.[29] However, forced marriage can take forms other than the abduction of girls. For example, in Somalia, members of al-Shabaab would show up at the homes of young women they wanted to marry. They would be armed and would "ask" the parents if they could marry their daughter.[30] Members of the community knew that this request was ceremonial, and they could not refuse. In India, women recruits to the Sikh insurgency were required to marry a male

23 Carlson and Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda," p. 14.

24 Baines, "Forced Marriage as a Political Project," p. 407, footnote 3.

25 Sonja Wölte, "Armed Conflict and Trafficking in Women: Desk Study," Deutsche Gesellschaft für Technische Zusammenarbeit, 2004.

26 Charlotte Attwood, "The Sex Slaves of al-Shabab," BBC, May 25, 2017. See also: Katharine Petrich and Phoebe Donnelly, "Worth Many Sins: Al-Shabaab's Shifting Relationships with Women," *Small Wars and Insurgencies* 30, nos. 6–7 (2019).

27 Ariel I. Ahram, "Sexual Violence and the Making of ISIS," *Survival*, 57 no. 3 (May 2015).

28 Aisling Swaine, "Beyond Strategic Rape and Between the Public and Private: Violence Against Women in Armed Conflict," *Human Rights Quarterly* 37 (2015).

29 For example, forced marriage perpetrated by Boko Haram was reported in *The Guardian* and NPR. Forced marriages by the LRA were described to and prosecuted by the International Criminal Court.

30 Donnelly, "Wedded to Warfare."

combatant to formalize their entry into the group.

This diversity of types of forced marriage demonstrates the need to expand the picture of what forced marriage perpetrated by non-state armed groups looks like. To that end, we conceptualize three types of forced marriage by non-state armed groups: member–member forced marriage, member–civilian forced marriage, and civilian–civilian forced marriage (see Table 1). These three categories are not mutually exclusive; some armed groups employ multiple types of forced marriage.

> Distinguishing forced marriage from sexual slavery improves our understanding of the motivations and targets of each form of conflict-related sexual violence.

By expanding the understanding of forced marriage beyond the abduction of civilian girls and women, we can better understand patterns of sexual violence in armed conflict and the ways in which non-state armed groups seek to control and manipulate populations and their own group members. Recognizing the range of methods and targets of forced marriage by armed groups may also provide insights into the reasons armed groups use forced marriage. Researchers have found that forced marriages are key to armed groups' military operations, political and ideological projects, recruitment and retention of male fighters, and governance strategies.[32] Distinguishing between the types of forced marriage perpetrated by non-state armed groups could help researchers pinpoint why non-state armed groups are engaging in this practice.

Table 1. Three types of forced marriage

Type	Description	Examples
Member–member	Non-state armed group leaders force lower-ranking members into marriages with one another. While armed group "membership" and individual contributions to a rebellion can take many forms, we define armed group members as individuals who have a formal role in the armed group, either as fighters or governing authorities. This helps to distinguish member–member forced marriage from other forms of forced marriage.	• Sikh insurgency in India • CPN-M in Nepal
Member–civilian	This type of forced marriage compels civilians (overwhelmingly women) to marry armed group members. It might be the case that armed groups force civilians with no interest in joining the group to marry armed group members or, alternatively, that they require people to marry a member in order to join the armed group. Civilians might also become "members" of the group after they enter forced marriages.	• LRA in Uganda • KIO/KIA in Myanmar • Al-Shabaab in Somalia • CNDD-FDD in Burundi
Civilian–civilian	Forced marriages between civilians occur when armed groups dictate that civilians living under their control must marry one another.	• Polisario Front in Western Sahara • Mahdi Army in Iraq • Hamas in Palestine

31 Laurent Gayer, "From Militancy to Activism? Life Trajectories of Sikh Women Combatants," in *Activists Forever? Long-Term Impacts of Political Activism*, Olivier Fillieule and Erik Neveu, eds. (Cambridge: Cambridge University Press, 2019).

32 See: Baines, "Forced Marriage as a Political Project," p. 407; Valerie M. Hudson and Hilary Matfess, "In Plain Sight: The Neglected Linkage between Brideprice and Violent Conflict," *International Security* 42, no. 1 (2017); Megan Mackenzie, *Female Soldiers in Sierra Leone: Sex, Security, and Post-conflict Development* (New York: New York University Press, 2012); Sophie Kramer, "Forced Marriage and the Absence of Gang Rape: Explaining Sexual Violence by the Lord's Resistance Army in Northern Uganda," *Journal of Politics and Society* 23, no. 1 (2012).

Patterns of Forced Marriage by Non-state Armed Group"

The "Forced Marriage by Non-state Armed Groups" (FM NSAG) dataset presented in this report reveals both the prevalence of forced marriage among armed groups and the diverse types of forced marriage these groups perpetrate. The dataset includes 432 non-state armed groups active in armed conflicts between 1946 and 2021.[33] About 17 percent of these groups (seventy-two) used forced marriage. This suggests that forced marriage is used by almost as many non-state armed groups as perpetrate wartime rape, which, according to the Repertoires of Sexual Violence in Armed Conflict (RSAVC) dataset, has been used by 18.5 percent of non-state armed groups during conflict.[34]

As with other forms of CRSV, it is likely that there are "hidden" cases of forced marriage due to underreporting.[35] Moreover, we found minimal information about twenty-eight of the armed groups included in the dataset, making it difficult to draw conclusions about whether these groups used forced marriage. These groups are coded as not using forced marriage, but these could be cases where lack of reporting and sources on certain types of armed groups (e.g., groups that fought in conflicts in the 1940s and 1950s, small splinter groups) might obscure cases of forced marriage. Therefore, this finding should be interpreted as the lower-bound estimate of forced marriage by non-state armed groups.[36]

The FM NSAG dataset provides a binary indicator of whether non-state armed groups perpetrated forced marriage. It does not provide estimates of how frequently non-state armed groups perpetrated forced marriage. However, we found evidence that armed groups perpetrated forced marriages either as a policy or as a frequent practice in all but three of these seventy-two groups.[37] Forced marriage as a policy or frequent practice is distinct from one-off or very occasional cases where forced marriage may have occurred because of the decision (or presumed opportunity) of an individual or a small group. The data should be interpreted as documenting policies and practices, rather than occasional use, of forced marriage by non-state armed groups.

Member–civilian forced marriage was by far the most common type of forced marriage perpetrated by non-state armed groups. Of the seventy-two groups that perpetrated forced marriage, fifty-six (78 percent) used member–civilian forced marriage, fourteen (19 percent) used member–member forced marriage, and five (7 percent) used civilian–civilian forced marriage (see Figure 1). These types of forced marriage are not mutually exclusive; three groups that used member–civilian forced marriage also used member–member forced marriage.

Evidence of forced marriage by non-state armed groups was most common in Africa and Asia but occurred across all geographic regions (see Figure 2). Forced marriage also occurred across time. The data is not sufficiently fine-grained to document when armed groups adopted and abandoned the practice of forced marriage, but forced marriage was used by armed groups that fought during every decade covered by the data. Forced marriage was also employed by armed groups with diverse characteristics, including non-state armed groups with different ideologies (see Figure 3).[38]

33 See Annex for coding procedures.

34 Logan Dumaine et al., "Repertoires of Conflict-Related Sexual Violence: Introducing the RSVAC Data Package," *Journal of Peace Research* 59, no. 4 (2021). It is important to note that this statistic cannot be directly compared to our findings on forced marriage as we used different coding procedures and our data has different scope conditions. The RSVAC data also reports on the use of forced marriage but does not distinguish it from sexual slavery. RSVAC finds that 6.8 percent of armed groups use sexual slavery/forced marriage.

35 Dumaine et al., "Repertoires of Conflict-Related Sexual Violence."

36 The authors of the Contemporary Slavery in Armed Conflict (CSAC) dataset found that sexual exploitation or forced marriage occurred in 34 percent of armed conflicts. This could also signal that the actual percentage of rebel groups that use forced marriage is even higher than 17 percent. Smith, Datta, and Bales, "Contemporary Slavery in Armed Conflict."

37 For the People's Liberation Army in India, the West Side Boys in Sierra Leone, and the Ambazonia Insurgents in Cameroon, we only found anecdotal evidence of sporadic forced marriage. We did not find definitive evidence that these groups only used forced marriage occasionally, but the evidence was insufficient to conclude that they used forced marriage as a strategy or practice. For a discussion of the distinction between strategy and practice, see: Elisabeth Jean Wood, "Rape as a Practice of War: Toward a Typology of Political Violence," *Politics & Society* 46, no. 4 (2018).

38 We use data from both the Women in Armed Rebellion Dataset and the Non-State Actors in Armed Conflict Dataset to identify group ideology. We consider all groups listed as leftist or communist to be leftist, those listed as religious or Islamist to be religious, and those listed as nationalist to be nationalist. Groups deemed to be anti-system, right, or other are included in the "other" category, as there were not many anti-system or right groups in our data. Groups with multiple ideologies are "double counted" (e.g., if a group is both nationalist and leftist, it is included in both categories).

Figure 1. Number of non-state armed groups using different types of forced marriage

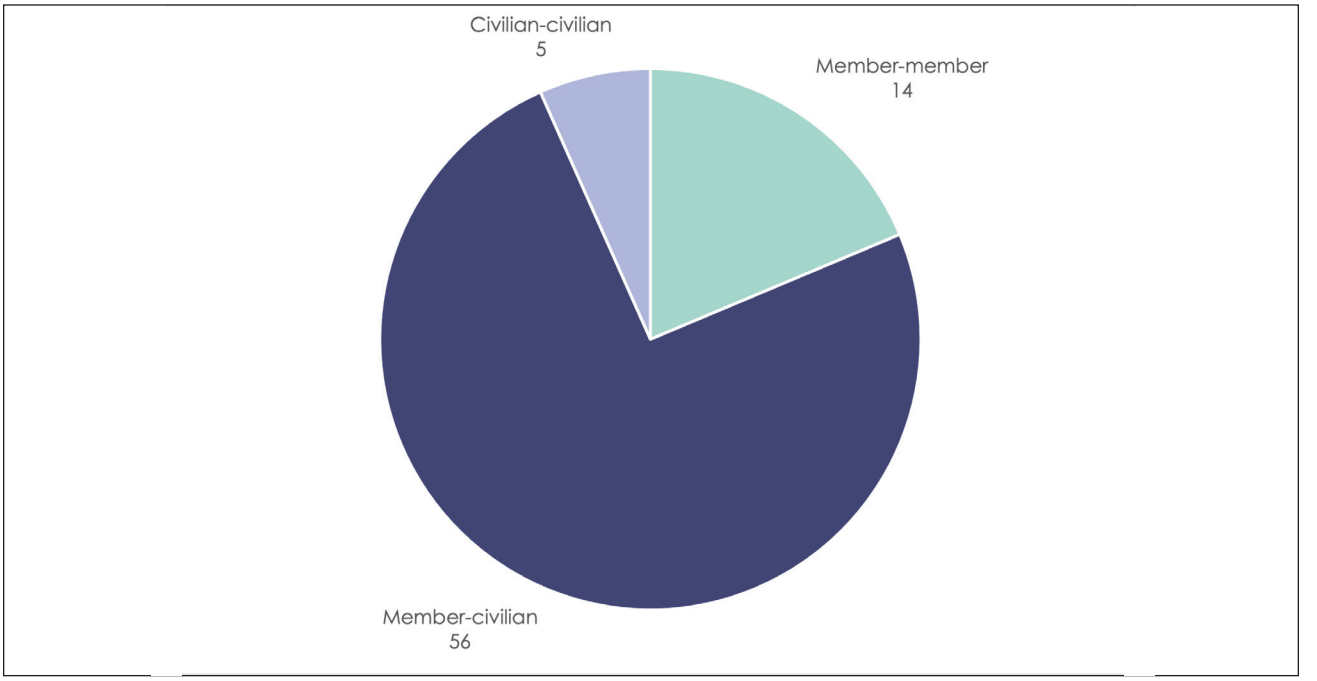


Figure 2. Instances of forced marriage by non-state armed groups across countries

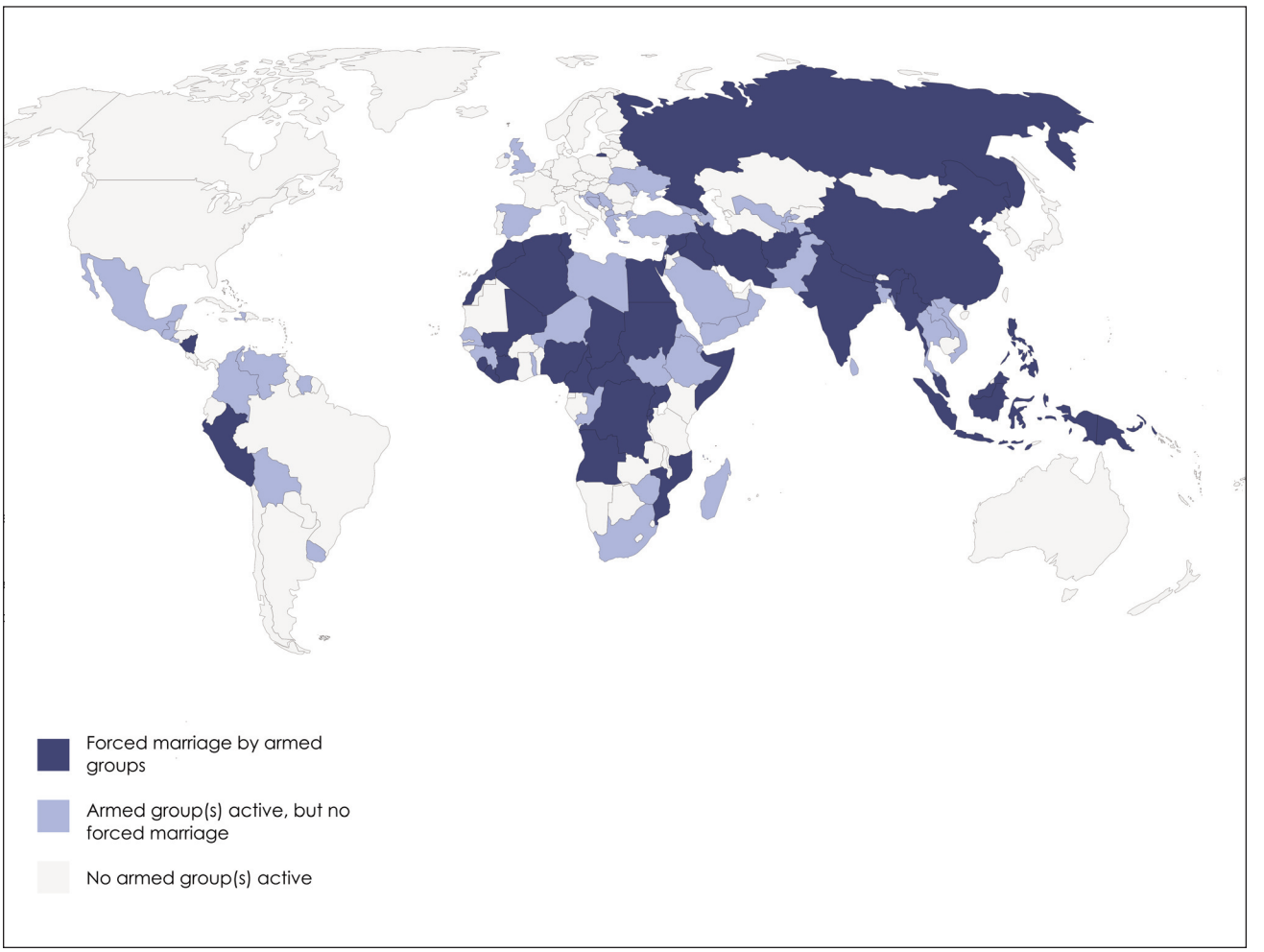
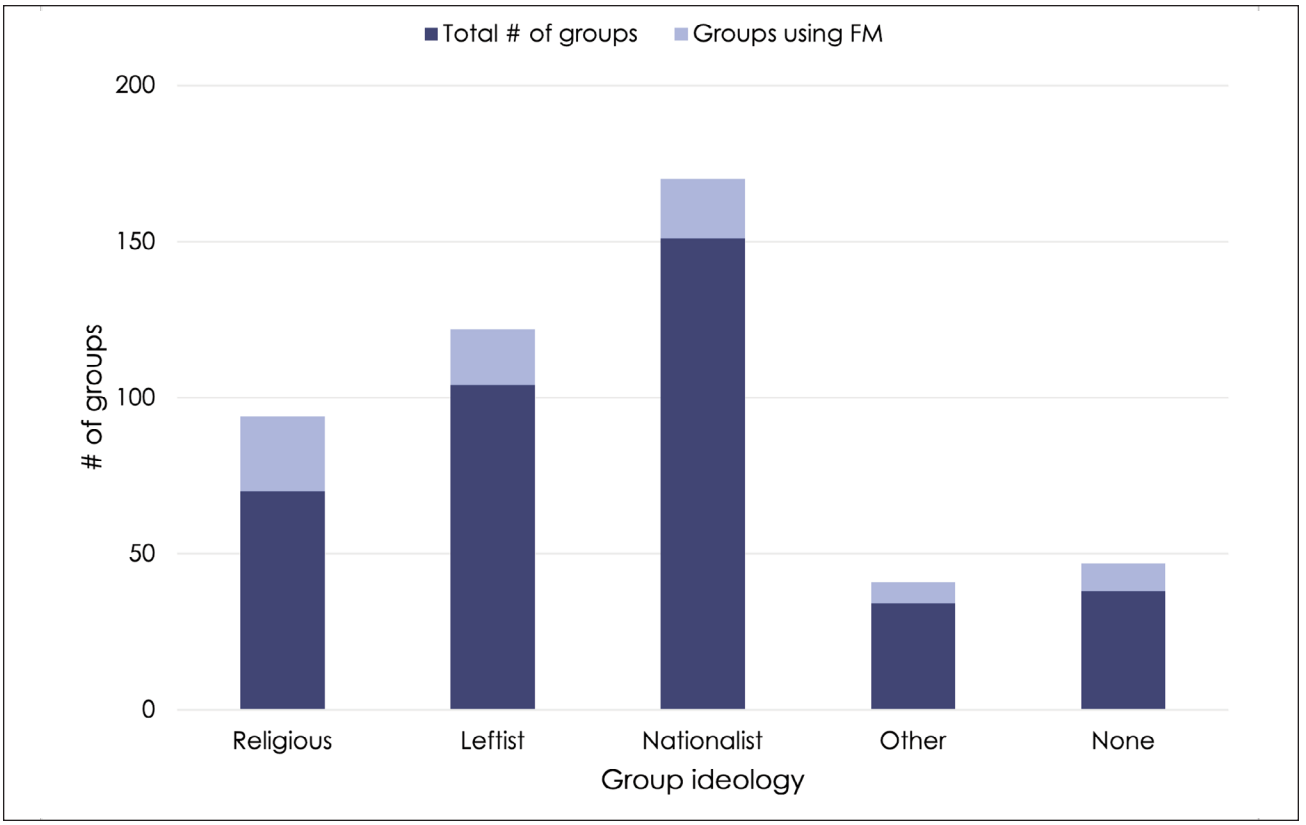


Figure 3. Forced marriage by non-state armed group ideology



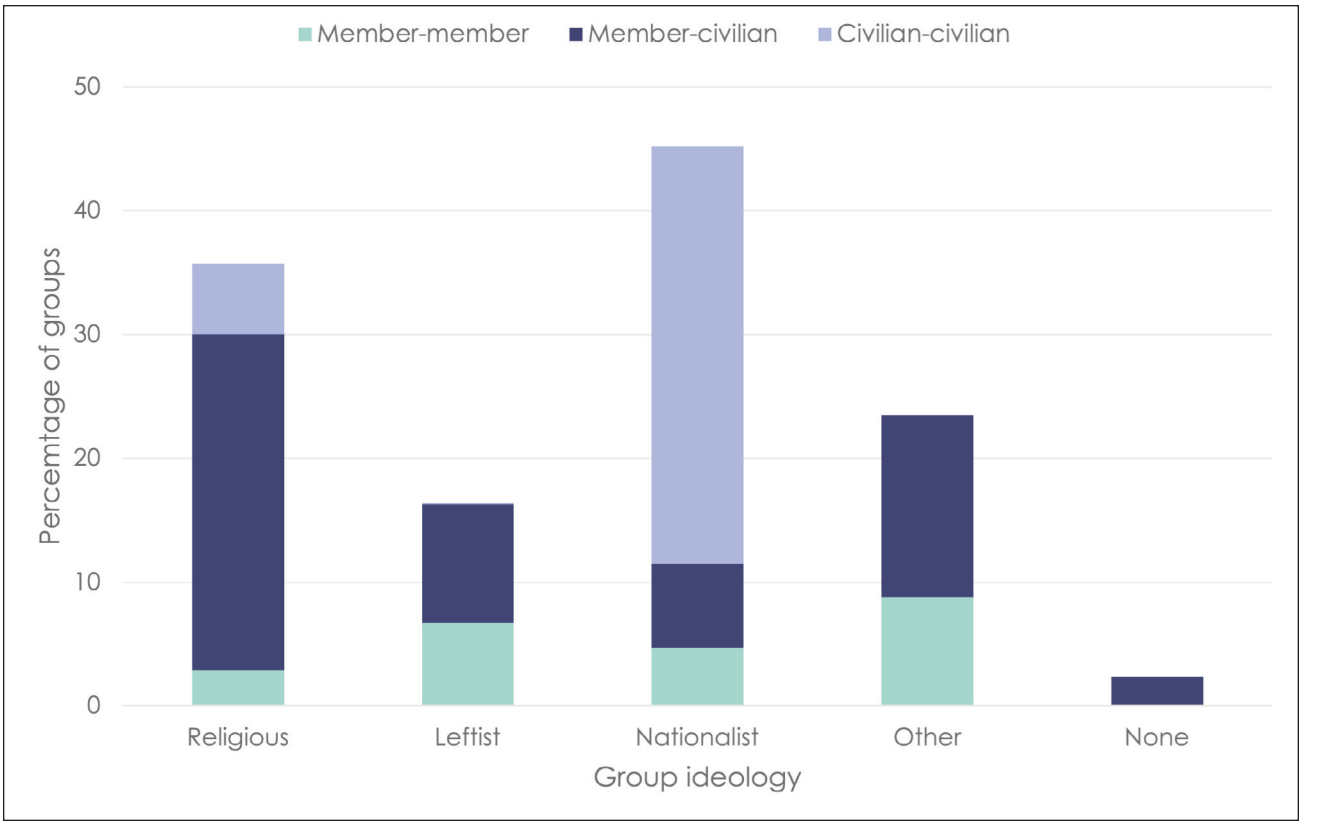
The data also reveals differences in the types of forced marriage used by different types of non-state armed groups (see Figure 4). For example, civilian–civilian forced marriage appears to be more common among nationalist groups, which could potentially be explained by these groups' desire to create and control a new nation. Member–member forced marriage may be more likely in non-state armed groups that recruit women as members in large numbers, as heterosexual member–member forced marriage requires groups to have both men and women as members.[39] While almost all non-state armed groups include women in some form, leftist armed groups are more likely to fully integrate women into their ranks and use women as frontline fighters.[40] Future research could explore the link between the ideology of a non-state armed group, its membership, and the likelihood that it uses forced marriage (including different types of forced marriage).

The FM NSAG dataset can be used by researchers in the future to understand the causes and consequences of forced marriage by non-state armed groups writ large and of each specific type of forced marriage. For example, researchers, policy-makers, and practitioners could use the dataset to examine whether certain characteristics of non-state armed groups or certain conflict environments are more associated with forced marriage. They might also examine whether forced marriage between non-state armed group members and civilians indeed enhances armed groups' control over civilian populations.

39 Srila Roy, "The Grey Zone: The 'Ordinary' Violence of Extraordinary Times," *Journal of the Royal Antropological Institute* 14, no. 2 (June 2008); Purna Banjeree et al., "Why So Much Blood? Violence against Women in Tripura," *Economic and Political Weekly* 49, nos. 43/44 (November 2014).

40 Jakana L. Thomas and Kanisha D. Bond, "Women's Participation in Violent Political Organizations," *American Political Science Review* 109, no. 3 (August 2015); Reed M. Wood, *Female Fighters: Why Rebel Groups Recruit Women for War* (New York: Columbia University Press, 2019).

Figure 4. Type of forced marriage by non-state armed group ideology



Impact of Forced Marriage by Non-state Armed Groups

Forced marriage, whether it occurs inside or outside of the context of conflict, can have devastating impacts on survivors' lives. Individuals who are forced into marriage (predominantly women and girls) are more likely to experience domestic violence and less likely to stay in school. Forced marriage negatively impacts physical health, particularly when girls become pregnant as children. It also takes a toll on mental health; women and girls forced into marriage frequently become isolated from their communities and social networks. Survivors of forced marriage also have worse economic outcomes than their peers.[41] The impact of forced marriage on men has been understudied, but there may be distinct negative consequences for men in forced marriages in conflict.[42]

While policymakers have recognized that non-state armed groups perpetrate forced marriage, the specific ways that forced marriage by non-state armed groups might impact survivors remains poorly understood. This section uses specific cases to detail the different types of forced marriage the authors identify as well as the ways in which these types of forced marriage impact individuals and communities.

Member–Member Forced Marriage

Some armed groups force their members to marry one another. These forced marriages often appear to be a strategy to build internal cohesion within an armed group and prevent members from leaving by creating familial bonds.[43] When armed group

41 OHCHR, "Child and Forced Marriage"; UNICEF, "Child Marriage," available at https://www.unicef.org/protection/child-marriage . These findings cover forced marriage that occurs both inside and outside of conflict-affected contexts. They are not specific to conflict-related forced marriage.

42 Aijazi and Baines, "Relationality, Culpability and Consent in Wartime."

43 See: Donnelly, "Wedded to Warfare"; Dara Kay Cohen, *Rape during Civil War* (Ithaca: Cornell University Press, 2016); Judith Verweijen, "Soldiers without an Army? Patronage Networks and Cohesion in the Armed Forces of the DR Congo," *Armed Forces & Society* 44, no. 4 (2018); Wood, *Female Fighters*.

members are forced to marry one another, they are forced to make a commitment not only to another individual but also to the organization.[44]

For example, forced marriage to a male Sikh fighter was the last step of women's official enrollment in the Sikh insurgency in India.[45] The marriage ceremony bound the bride to the movement and isolated her from those outside the movement:

> In several cases, parents could not attend the ceremony [of the militant weddings]. This was a clear breach from tradition, which isolated the bride from her original milieu.... Rather than marking the entry of the bride into a new family, these weddings incorporated her, by body and soul, to a political collective set apart from the rest of society.[46]

The Communist Party of Nepal–Maoist (CPN-M) also encouraged "revolutionary marriages" between its fighters. While the majority of these were "love marriages" in which both partners wished to marry and had to seek permission from their commanders to do so, some marriages were forced. The CPN-M largely recruited unmarried women who then faced pressure—and were sometimes forced—to marry a male CPN-M member.[47] These "revolutionary marriages" were an effort to insert the armed group into its fighters' private lives and ensure commitment to the movement.

> While policymakers have recognized that non-state armed groups perpetrate forced marriage, the specific ways that forced marriage by non-state armed groups might impact survivors remains poorly understood.

Understanding how member–member forced marriages impact armed group dynamics and the individuals forced into these marriages is critical to understanding conflicts and post-conflict processes. During conflict, member–member forced marriages can influence conflict dynamics. If member–member forced marriages work as intended and strengthen individual fighters' commitment to the organization, they may increase the cohesion of a non-state armed group.

Member–member forced marriages also have major social, political, and economic consequences after war by cutting off survivors from their families and other social ties, thereby complicating demobilization and reintegration after conflict. Forced marriage outside of conflict contexts has been shown to be socially isolating.[48] Because "revolutionary marriages" and other marriages orchestrated by armed groups often go against traditional marriage norms, and because ex-combatants, especially women, already face high levels of stigma, this social isolation may be particularly pronounced for people in member–member forced marriages.[49] For example, many "revolutionary marriages" during Nepal's civil war were inter-caste marriages, which were viewed as unacceptable by large portions of Nepali society. Women who entered these marriages during the war were frequently ostracized by their families and in-laws following the war. For many ex-combatants, being in an inter-caste marriage led to economic discrimination alongside social discrimination.[50]

Member–Civilian Forced Marriage

The most common type of forced marriage is member–civilian forced marriage. In the dataset, about 80 percent (fifty-six) of the non-state armed

44 Jeff Goodwin, "The Libidinal Constitution of a High-Risk Social Movement: Affectual Ties and Solidarity in the Huk Rebellion, 1946 to 1954," *American Sociological Review* 62, no. 1 (February 1997).

45 Laurent Gayer, "Liberation and Containment: The Ambivalent Empowerment of Sikh Female Fighters," *Pôle Sud* 1, no. 36 (2012); Gayer, "From Militancy to Activism?"

46 Gayer, "Liberation and Containment," p. 4.

47 Judith Pettigrew and Sara Shneiderman, "Women and the Maobadi: Ideology and Agency in Nepal's Maoist Movement," *Himal Southasian* 17, no. 1 (2004).

48 OHCHR, "Child and Forced Marriage"; UNICEF, "Child Marriage."

49 Adriana Erthal Abdenur, "In Colombia, Female Ex-Combatants Still Face Risk of Stigmatization," PassBlue, March 13, 2018; Sabine Schmitt, Katy Robjant, and Anke Koebach, "When Reintegration Fails: Stigmatization Drives the Ongoing Violence of Ex-Combatants in Eastern Democratic Republic of the Congo," *Brain and Behavior* 11, no. 6 (June 2021); Michanne Steenbergen, "Female Ex-Combatants, Peace, and Reintegration: Reflections on the Disarmament, Demobilisation, and Reintegration Programmes in Liberia and Nepal," Centre for Women, Peace and Security, 2020.

50 Luna K. C., "Everyday Realities of Reintegration: Experiences of Maoist 'Verified' Women Ex-Combatants in the Aftermath of War in Nepal," *Conflict, Security & Development* 19, no. 5 (2019).

groups that used forced marriage forced civilians to marry non-state armed group members. This is the type of forced marriage that has been most studied and has received the most attention from policymakers. Even within this category, however, there is variation in the form that forced marriages can take.

Member–civilian forced marriage can be linked to abduction. The LRA in Uganda is a well-documented example, and research findings on the impact of forced marriage in the LRA may be useful for other less well-documented cases of member–civilian forced marriage. The LRA, which kidnapped approximately 60,000 children in northern Uganda, had a policy of forcibly marrying abducted girls to its fighters, including male forced recruits.[51] Estimates of the number of women and girls who were forcibly married to group members vary, but one study, likely representing the lower bounds of the true number, found that a quarter of abducted women became forced wives.[52] The LRA's leadership used a highly controlled system of forced marriage to build a cohesive, family-like structure within a group mainly composed of abducted youth. After girls were abducted, they either were assigned as a wife to a man in the LRA or, if LRA leaders deemed them too young to be a wife, were assigned as a domestic servant in a commander's home.[53] The number of wives a man had in the LRA was a symbol of status, with high-ranking commanders having as many as fifteen forced wives, and low-ranking fighters having an average of two.[54]

> The most common type of forced marriage is member–civilian forced marriage, often linked to abduction.

One study on the LRA found that women and girls who were kept as forced wives were released by the LRA at significantly lower rates than other abducted women and girls. The women and girls who were forcibly married into the LRA became so embedded in the group that LRA leaders were reluctant to release them. Women and girls who were released or who escaped from the LRA, especially mothers, often did not receive formal support services. For forced wives exiting the LRA with children, who are in need of particular forms of support, only approximately half entered reception centers, meaning that the other half did not have formal support.[55]

The LRA's strategy of forced marriage has had deep economic, social, and health impacts in northern Uganda. A longitudinal study on the long-term effects of sexual violence in northern Uganda, including forced marriage, found that households with a member who had experienced wartime sexual violence were more vulnerable to crime and faced higher economic and food insecurity than other households. These negative impacts were even greater where women had children as a result of wartime sexual violence.[56] Though this study sought to measure the impacts of all wartime sexual violence, not forced marriage specifically, there are few documented cases of the LRA using forms of CRSV besides forced marriage, as members were strictly prohibited from having sexual relations outside of these marriages.[57]

Forced marriage in northern Uganda was incredibly stigmatizing, especially for women and girls who were forced to have children with their abductors. These marriages were seen as violating traditional community norms around marriage and complicated the return of girls and women to their prewar families and communities. Moreover, women and girls faced stigmatization because of their association with the LRA and the ways in which the relationships in the LRA fell outside traditional community norms.[58] Forced marriage

51 Carlson and Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda."

52 Jeannie Annan, Christopher Blattman, Khristopher Carlson, and Dyan Mazurana, "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (SWAY) Phase II," Feinstein International Center, April 2008.

53 Donnelly, "Wedded to Warfare."

54 Carlson and Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda," p. 42.

55 Annan et al., "The State of Female Youth in Northern Uganda."

56 Teddy Atim, Dyan Mazurana, and Anastasia Marshak, "School's Out: Why Northern Uganda's Girls and Boys Are Not Getting an Education and What to Do about It," Secure Livelihoods Research Consortium, August 14, 2019.

57 Donnelly, "Wedded to Warfare."

58 Atim, Mazurana, and Marshak: "School's Out"; Carlson and Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda"; Holly Porter, "After Rape: Justice and Social Harmony in Northern Uganda," thesis presented to London School of Economics and Political Science, 2013; Letha Victor and Holly Porter, "Dirty Things: Spiritual Pollution and Life after the Lord's Resistance Army," *Journal of Eastern African Studies* 11, no. 4 (2017).

also often interrupted girls' educations, and many women who were subjected to forced marriage never returned to formal education after the war.[59]

Other non-state armed groups have forcibly married civilians to fighters using their governing authority rather than abduction. For example, the Kachin Independence Organization (KIO) and its armed wing, the Kachin Independence Army (KIA), commonly organized mass weddings between KIA soldiers and civilian women. While some of these couples wanted to get married and had to seek permission from the KIO to do so, others were forced to marry. The women forced into marriages were not abducted, however. Rather, they were Kachin civilian women who lived under KIO authority.[60]

Al-Shabaab perpetrated forced marriage in a similar manner, using its power over the community to force families to marry their daughters to al-Shabaab fighters.[61] The National Council for the Defense of Democracy–Forces for the Defense of Democracy (CNDD-FDD) in Burundi used its justice system to force women into marriages with fighters. When women were sexually assaulted by CNDD-FDD fighters, the result of their "trial," overseen by CNDD-FDD authorities, was often that they had to marry the perpetrator.[62]

By forcing civilian women living under their control to marry fighters, armed groups can bind not only the women and girls forced into marriages but also entire families and communities to the rebellion.[63] For example, the KIO used its control over marriages—including the ability to force marriages—to militarize Kachin communities and maintain the gendered division of labor needed to sustain the war.[64]

Member–civilian forced marriage, whether it occurs through abduction or through non-state armed groups exerting their governing authority, impacts not only those who are forced into the marriages but also their families and entire communities. Moreover, the perception that the women and girls who are forced into marriages with non-state armed group members are linked to the armed group can exacerbate the stigma of being in a forced marriage.

Civilian–Civilian Forced Marriage

A less common, though still important, type of forced marriage perpetrated by non-state armed groups is civilian–civilian forced marriage. The Polisario Front in Western Sahara, for example, has forced both underage boys and girls living in the Sahrawi refugee camps it administers to get married on a mass scale.[65] The Mahdi Army in Iraq forced Christian families living in its territory who could not pay taxes to the group to marry their daughters to Muslim men in the community.[66] And though Palestine abolished its "marry your rapist" law in 2018, Hamas has continued to force women living in the Gaza Strip, where it is the de facto governing authority, to marry their rapists.[67]

Non-state armed groups seemingly force marriages between civilians to tighten their social control over civilian populations and even to engineer a certain type of population. For example, analysts and survivors have argued that Polisario's forced marriage policy is an effort to increase the birth rate and produce offspring who will sustain the group's political movement.[68] These policies can be highly racialized, with armed groups attempting to ensure the dominance of their identity group, as in the case of the Mahdi Army.

59 Atim, Mazurana, and Marshak, "School's Out."

60 Jenny Hedström, "We Did Not Realize about the Gender Issues. So, We Thought It Was a Good Idea: Gender Roles in Burmese Oppositional Struggles," *International Feminist Journal of Politics* 18, no. 1 (2015).

61 Donnelly, "Wedded to Warfare."

62 Angela Muvumba Sellström, "Burundi's Rebel Groups and the Stigmatisation of Wartime Sexual Violence," *Journal of Sexual Aggression* 25, no. 3 (2019).

63 Donnelly, "Wedded to Warfare"; Hedström, "Gender Roles in Burmese Oppositional Struggles."

64 Hedström, "Gender Roles in Burmese Oppositional Struggles."

65 Hassan al-Ashraf, "Morocco Activists Slam Forced Marriages," Al Arabiya, August 8, 2010; James Wilson, "Oppression of the Sahrawi People by the Polisario Front: Time for Justice," EU Political Report, 2021.

66 "Mahdi Army Orders Christian Women in Baghdad to Veil Themselves," AINA News, May 30, 2007.

67 Human Rights Watch, "Palestine: 'Marry-Your-Rapist' Law Repealed."

68 Al-Ashraf, "Morocco Activists Slam Forced Marriages"; Wilson, "Oppression of the Sahrawi People."

The consequences of these policies are vast. Forced marriages between civilians remake the family structure according to the armed group's priorities and wishes. This is especially true when children are born from these marriages. These policies are likely to isolate survivors from their families and social networks. Moreover, those forced into marriages might be vulnerable to further victimization and intimate partner violence, especially when, as in the case of Hamas, they are forced to marry their abusers.[69]

Policy, Legal, and Programmatic Responses to Forced Marriage

International organizations, national governments, and civil society organizations have made major strides in highlighting, preventing, and addressing forced marriage, including forced marriage in armed conflict, often as part of broader efforts to address CRSV. These have included efforts to ban forced marriage at the international and national level, collect and report data on forced marriage, prosecute and sanction perpetrators of forced marriage, and reintegrate survivors.

Preventing and Ending Forced Marriage

UN member states have repeatedly committed to ending forced marriage. The Convention on the Rights of the Child sets a minimum marriage age of eighteen, establishing that marriage under the age of eighteen is a human rights violation. Similarly, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) obliges state parties to ensure marriages are between freely and fully consenting adults. General Recommendation no. 30 of the CEDAW Committee recommends that state parties "prevent, investigate and punish gender-based violations such as forced marriages, forced pregnancies, abortions or sterilization of women and girls in conflict-affected areas."[70] Under Target 5.3 of Sustainable Development Goal (SDG) 5, states have pledged to eliminate child, early, and forced marriage.[71]

In 2015, the UN General Assembly passed Resolution 69/156, which focused on child, early, and forced marriage. The resolution urges states to "enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk and to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses."[72] The General Assembly has since passed several other resolutions on the issue.[73] While these resolutions address all forms of forced marriage, almost all of them recognize that conflict can exacerbate forced marriage. Several of the UN Security Council's women, peace, and security (WPS) resolutions also discuss CRSV, though none of them mention forced marriage specifically.[74]

Since the passage of Resolution 69/156, the Office of the UN High Commissioner for Human Rights (OHCHR) has submitted biannual progress reports on efforts to reduce forced marriage. In 2017 and 2019, these reports focused specifically on forced marriage in humanitarian settings and recognized that armed actors can be responsible for forcing marriages.[75] The UN Framework for the Prevention of CRSV also includes information aimed at helping member states and other stakeholders prevent forced marriage during armed conflict.[76]

At the national level, governments have committed

69 Human Rights Watch, "Palestine: 'Marry-Your-Rapist' Law Repealed."

70 UN Convention on the Elimination of All Forms of Discrimination against Women, General Recommendation No. 30 on *Women in Conflict Prevention, Conflict and Post-Conflict Situations*, UN Doc. CEDAW/C/GC/30, October 18, 2013.

71 See: UN Department of Economic and Social Affairs, "Goal 5: Achieve Gender Equality and Empower All Women and Girls," available at https://sdgs.un.org/goals/goal5 .

72 UN General Assembly Resolution 69/156 (January 22, 2015), UN Doc. A/RES/69/156.

73 UN General Assembly, *Seventy-Seventh Session of the Third Committee, Agenda Item 64(a): Promotion and Protection of the Rights of Children*, UN Doc. A/C.3/77/L.19/Rev.1, November 9, 2022.

74 The WPS resolutions mentioning CRSV include Resolutions 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013), and 2467 (2019).

75 UN Human Rights Council, *Expert Workshop on the Impact of Existing Strategies and Initiatives to Address Child, Early and Forced Marriage—Report of the United Nations High Commissioner for Human Rights*, UN Doc. A/HRC/RES/35/5, March 24, 2017; UN Human Rights Council, *Child, Early and Forced Marriage in Humanitarian Settings—Report of the United Nations High Commissioner for Human Rights*, UN Doc. A/HRC/41/19, April 26, 2019.

76 UN Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, "Framework for the Prevention of Conflict-Related Sexual Violence," September 21, 2022.

to addressing forced marriage by becoming parties to the above-mentioned UN conventions and passing laws establishing a minimum marriage age and requiring free and full consent for marriage. Some national governments reference conflict-related forced marriage in their national action plans on women, peace, and security.[77]

Collecting Data and Reporting on Forced Marriage

The main mechanism within the UN for collecting data on CRSV is the Monitoring, Analysis and Reporting Arrangements (MARA), which was created by UN Security Council Resolution 1960 in 2010. The guidance note for the MARA does not list forced marriage as a specific form of CRSV but does list rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization, or "any other forms of sexual violence of comparable gravity, against women, men, girls or boys."[78] However, the secretary-general's annual report on CRSV includes information on the perpetration of forced marriage in specific contexts.[79] The secretary-general's report on "Women and Girls Who Become Pregnant as a Result of Sexual Violence in Conflict and Children Born of Sexual Violence in Conflict" also discusses specific incidents of forced marriage by armed actors.[80]

Other institutions are also making efforts to diagnose and address data gaps on child, early, and forced marriage in humanitarian settings.[81] UNICEF maintains a publicly available database on child marriage, drawn largely from SDG indicators and multiple-indicator cluster surveys.[82] Moreover, there are several ongoing initiatives and research partnerships that aim to collect more localized, detailed data on the drivers and prevalence of child, early, and forced marriage.[83] Organizations like Human Rights Watch, Amnesty International, and others have also documented forced marriage by armed groups in their reports.

Sanctioning Perpetrators of Forced Marriage

UN Security Council sanctions regimes are a tool that could be used to prevent and monitor forced marriage in armed conflict. The UN Security Council has mandated fifteen sanctions regimes that are currently in effect, nine of which include forms of CRSV as part of their designation criteria, either through a specific reference to CRSV or as part of the broader rubric of violations of international humanitarian and human rights law.[84] There do not appear to have been sanctions issued against individuals or organizations for forced marriage specifically, though not all listings have descriptions of the reason for the listing.[85]

Nonetheless, some of the reports by the panels of experts for the sanctions regimes have specifically referenced forced marriage. For example, the 2022 report from the Group of Experts on the Democratic Republic of the Congo briefly mentions incidents of forced marriage.[86] Forced marriage has also been discussed in reports on the Central African Republic and Darfur sanctions regimes.[87] However, it is unclear to what extent the panels of

77 One example is the Solomon Islands. See: Solomon Islands Ministry of Women, Youth, Children & Family Affairs, "Women, Peace and Security National Action Plan 2017–2021, available at http://1325naps.peacewomen.org/wp-content/uploads/2020/12/Solomon-Islands-NAP-2017-2021.pdf .

78 Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, "Provisional Guidance Note: Implementation of Security Council Resolution 1960 (2010) on Women, Peace and Security (Conflict-Related Sexual Violence)," June 2011. However, the UN secretary-general's definition of CRSV, noted in the annual reports, specifically identifies forced marriage as a form of CRSV. See, for example: UN Doc. S/2022/272.

79 For example, the 2022 report includes information on forced marriage in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Iraq, Mali, Mozambique, and South Sudan. UN Doc. S/2022/272.

80 UN Security Council, *Women and Girls Who Become Pregnant as a Result of Sexual Violence in Conflict and Children Born of Sexual Violence in Conflict—Report of the Secretary-General*, UN Doc. S/2022/77, January 31, 2022.

81 Dyan Mazurana and Anastasia Marshak, "Addressing Data Gaps on Child, Early and Forced Marriage in Humanitarian Settings," Save the Children, December 2019.

82 The database is available here: https://data.unicef.org/topic/child-protection/child-marriage/ .

83 For an overview of these initiatives, see: Mazurana and Marshak, "Addressing Data Gaps on Child, Early and Forced Marriage in Humanitarian Settings," p. 19.

84 Sophie Huvé, "The Use of UN Sanctions to Address Conflict-Related Sexual Violence," Georgetown Institute for Women, Peace and Security, 2018; UN Security Council, "Sanctions," available at https://www.un.org/securitycouncil/sanctions/information .

85 This is based on a search of the UN Security Council Consolidated List. See: UN Security Council, "United Nations Security Council Consolidated List," available at https://www.un.org/securitycouncil/content/un-sc-consolidated-list .

86 UN Security Council, *Midterm Report of the Group of Experts on the Democratic Republic of the Congo*, UN Doc. S/2022/967, December 16, 2022.

87 Huvé, "The Use of UN Sanctions to Address Conflict-Related Sexual Violence."

experts include gender experts.[88]

Prosecuting Perpetrators of Forced Marriage

Within international criminal law, forced marriage has been included in the category of crimes against humanity under "other inhumane acts." Several international courts and hybrid tribunals, including the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, and the International Criminal Court (ICC), have prosecuted individuals for forced marriage as a crime against humanity.

A pivotal moment for the recognition of forced marriage as an international crime was the 2008 ruling by the Appeals Chamber of the Special Court for Sierra Leone in a judgment in the Armed Forces Revolutionary Council case. This was the first time forced marriage was recognized as an international crime.[89] However, forced marriage as a crime against humanity is still being contested in international law.

Forced marriage as a crime against humanity is still being contested in international law.

In 2021, the ICC found Dominic Ongwen guilty of forced marriage as a crime against humanity. This was the first conviction for the crime of forced marriage at the ICC. Ongwen appealed the conviction specifically to challenge his conviction for forced marriage (and forced pregnancy). On December 15, 2022, the ICC's Appeals Chamber upheld Ongwen's conviction, differentiating between forced marriage and other sexual violence crimes:

> The central element of forced marriage is the imposition of a conjugal union and the resulting spousal status on the victim. In this regard, the Appeals Chamber notes that the notion of "conjugal union" is associated with the imposition of duties and expectations generally associated with "marriage," which may be established on the facts of the case.[90]

This ruling creates an important precedent for other legal mechanisms to recognize the distinct crime of forced marriage.

Reintegrating Survivors of Forced Marriage

The UN, member states, and civil society organizations have sought to provide for the needs of survivors of CRSV, including forced marriage, during reintegration processes. The UN's framework for disarmament, demobilization, and reintegration (DDR), the Integrated DDR Standards (IDDRS), acknowledges that individuals might become associated with armed groups through forced marriage and that forced marriage might complicate DDR processes. The IDDRS also include girls who were recruited for the purposes of forced marriage in their definition of children associated with armed forces and groups. Moreover, the IDDRS state that in situations of forced marriage, girls and women should be given protection and remain separated from their partners to reunite with their family members and decide whether they want to rejoin their partners. The standards also provide guidance on how to prepare for violent protests from male partners. Lastly, the IDDRS state that trained child protection staff should be responsible for activities aimed at children.[91]

While the IDDRS acknowledge the complications of disengaging women and girls from forced marriages, in practice, many DDR-related processes struggle to design programming for women and girls who had been married to members of non-state armed groups. For example, a review of the DDR process in Somalia noted the challenges of reintegrating and rehabilitating women associated with al-Shabaab, including through marriage. One of the challenges has been the wide variation in the types of relationships women had with al-Shabaab members:

88 According to the Security Council Affairs Division, these experts need to have expertise in one of approximately seventeen subject matters, one of which is "gender issues." UN Security Council, "Security Council Affairs Division Pool of Experts," available at https://www.un.org/securitycouncil/sanctions/Pool_of_Experts .

89 Neha Jain, "Forced Marriage as a Crime against Humanity: Problems of Definition and Prosecution," *Journal of International Criminal Justice* 6, no. 5 (2008).

90 *Judgment of the Appeals Chamber in the Prosecutor v. Dominic Ongwen,* International Criminal Court, Case No. ICC-02/04-01/15, December 15, 2022.

91 UN Disarmament, Demobilization and Reintegration Resource Centre, "Integrated Disarmament, Demobilization and Reintegration Standards," available at https://www.unddr.org/the-iddrs/ .

> They either married al-Shabaab members, or their husbands joined the group while they were married. Some were supportive of their husband's involvement and of the group's ideology, while others were against it. In many cases, interviewed women claimed they never knew their husbands were members. Some wives married these men voluntarily, while some were compelled. Some wives carry out roles for al-Shabaab over and above their duties as wives, while most, it seems, do not.[92]

The distinction between these types of forced marriage is important to reintegration programs because reintegration processes rely on screening tools to classify individuals and provide them with a plan for exiting the group and reintegrating into society. In the study on al-Shabaab, the researchers suggest that services for women exiting the group should be tailored based on women's risk levels, as determined by their role in the group and level of radicalization. Women who held active roles in the group might need more in-depth rehabilitation support.[93]

Survivors of forced marriage may also need specific support that differs from other survivors of CRSV.[94] For example, survivors of forced marriage might need assistance engaging in and documenting a divorce process or getting death certificates for partners who were members of armed groups. Some women and men may choose to remain with their forced partners and might need support to formalize and legalize these marriages. Women married into armed groups might also need help maintaining custody of their children and securing identity documents for their children. In addition to their unique needs, women survivors of forced marriage also have similar health needs as other survivors of CRSV, including treatment for sexually transmitted infections, obstetric services, and mental healthcare.

Children born out of forced marriages also face specific challenges.[95] For example, they might be particularly vulnerable in societies where access to legal identity documents, social services, and support systems is based on paternal lineage.[96] Children born from forced marriages may also face stigma.[97] For example, children born into al-Shabaab have been ostracized and at times excluded from their societies.[98]

Survivors of forced marriage may need specific support that differs from other survivors of conflict-related sexual violence.

During the reintegration process, local civil society organizations have often played a critical role advocating for and addressing the needs of women and girls forced into marriages by armed groups, as well as their children. For example, in Uganda, the Women's Advocacy Network brings together survivors of forced marriage perpetrated by the LRA to ensure they have access to necessary economic and health services, seek justice and reparations, promote reconciliation, and support their children.[99]

Conclusion and Recommendations

Forced marriage in armed conflict is a prevalent form of CRSV that requires further research, more detailed policy, and specific programmatic interventions. Any further efforts to address forced marriage in armed conflict should also account for the different types of forced marriage.

92 Orly Stern and Catherine Peterson, "Assisting Women Formerly Associated with al-Shabaab: A Proposed Approach to Programming," Adam Smith International, 2022, p. 4.

93 Ibid., p. 5.

94 For more context-specific examples of approaches to CRSV, see: Cristall Downing, Kato Van Broeckhoven, and Siobhan O'Neil, "New Data Underscores Urgent Need for Holistic Approaches to Conflict-Related Sexual Violence," United Nations University Centre for Policy Research, June 18, 2021.

95 Kimberly Theidon, Dyan Mazurana, and Dipali Anumol, eds., *Challenging Conceptions: Children Born of Wartime Rape and Sexual Exploitation* (Oxford: Oxford University Press, 2023).

96 Judith Gardner and Judy El-Bushra, "The Impact of War on Somali Men and Its Effects on the Family, Women and Children," Rift Valley Institute, February 2016.

97 For research on the topic of stigmatization and reintegration, see: Rebecca Littman et al., "Community Acceptance of Former Boko Haram Affiliates," United Nations University Centre for Policy Research, July 2021.

98 Phoebe Donnelly, "The Unknown Youth of al-Shabaab: Children Born from al-Shabaab Sexual Violence," in *Challenging Conceptions,* Theidon, Mazurana, and Anumol, eds.

99 Women's Advocacy Network, "About WAN," available at https://blogs.ubc.ca/wanuganda/about-wan/ .

To this end, researchers, member states, and the UN should consider the following recommendations for preventing and responding to forced marriage through improved data collection, accountability mechanisms, and reintegration programs.

- **Data collection:** Researchers and others gathering data on CRSV should ensure that this data is disaggregated by the form of violence being recorded (when possible) and avoid linking sexual slavery and forced marriage. Researchers should also gather more data on the unique needs of survivors of forced marriage and whether these differ based on the type of forced marriage. In doing so, it is critical that they prioritize the safety of survivors of forced marriage at every stage of data collection and data sharing, including by protecting their identities, while still facilitating learning among stakeholders.
- **Criminal accountability:** As modeled in the Appeals Chamber of the Special Court for Sierra Leone and the ICC in the Ongwen case, prosecutors should continue to prosecute forced marriage as a distinct crime against humanity. In addition, member states engaged in the negotiations on the treaty on crimes against humanity at the UN General Assembly should support the inclusion of forced marriage as a distinct crime against humanity.
- **Sanctions:** The panels of experts for UN sanctions committees should continue to include information on CRSV in their reports and provide as much detail as possible on different forms of CRSV, including forced marriage. There is a risk that if sanctions regimes do not specifically highlight forced marriage as a form of CRSV, actors in armed conflict could use marriage as a cover for other forms of sexual violence such as rape.[99] UN Security Council sanctions committees should also continue to include CRSV in sanctions listing criteria and ensure that the listing criteria are applied against perpetrators of forced marriage. Finally, every panel of experts should include at least one member with expertise on gender issues or CRSV.
- **Reintegration:** Those designing and implementing DDR or rehabilitation programs should factor in the different types of forced marriage occurring in the context and use this knowledge to tailor screening processes and support for those exiting non-state armed groups. This support should consider the unique needs of individuals exiting forced marriage, including legal assistance, services for children, and health and psychosocial support.

100 For example, in the Central African Republic between 2013 and 2017, researchers found that rape cases were resolved through "amicable settlements" and survivors were forced to marry perpetrators. This same report also documents this pattern in Darfur between 2005 and 2007. See: Huvé, "The Use of UN Sanctions to Address Conflict-Related Sexual Violence."

Annex 1. Coding Procedures

The goal of our data collection was to identify all non-state armed groups that used forced marriage during an internal armed conflict between 1945 and 2021 and, for groups that used forced marriage, to identify the type of forced marriage they used.[101] Our data covers 432 armed groups.

To determine whether an armed group used any form of forced marriage, coders first checked the Repertoires of Sexual Violence in Armed Conflict (RSVAC) dataset. This dataset codes forced marriage and sexual slavery as a single category but identifies whether armed groups used forced marriage, sexual slavery, or both in the "victim notes—sexual slavery" column. If the RSVAC dataset indicates that an armed group used forced marriage, we coded the armed group as having employed forced marriage.

We also searched for additional sources to confirm the RSVAC coding. The RSVAC dataset is based on three sources: US State Department country reports on human rights practices, Amnesty International annual and special reports, and Human Rights Watch annual and special reports. While the RSVAC provides rich information on sexual violence during armed conflict, we believed examining additional sources was necessary to determine whether armed groups used forced marriage. Therefore, if the RSVAC dataset does not indicate that an armed group used forced marriage, coders consulted academic articles and books, news sources, and reports from additional human rights organizations for evidence of forced marriage. We used the following key search terms to identify these sources:

- [Armed group name] + marriage
- [Armed group name] + forced marriage
- Romantic relationships in [armed group name]
- Gender in [armed group name]
- Women in [armed group name]
- Sexual relationships in [armed group name]
- Marriage during [name of civil war]
- Forced marriage during [name of civil war]

We coded an armed group as having used forced marriage if these sources mentioned that members of an armed group coerced individuals into relationships that were referred to as marriages, forced individuals to wed, or forced women to be wives or men to be husbands. If no such evidence was found, we coded the armed group as not having used forced marriage. If we found no relevant information on an armed group, we noted that a conclusion could not be drawn. We documented all sources used in the dataset

101 We define non-state armed groups as "any non-governmental group of people having announced a name for their group and using armed force to influence the outcome of the stated incompatibility." Uppsala Conflict Data Program, "UCDP Actor Dataset Codebook Version 2.2-2015." We include groups that fought in a dyadic conflict against a state actor that caused at least twenty-five battle deaths in one year. We exclude military factions, coup d'état organizations, and groups that are not defined as a distinct organization by UCDP.

Annex 2. Existing Data on Forced Marriage by Armed Actors or in Conflict Settings

Dataset name	Unit of analysis	Coverage	Information on forced marriage by armed groups	Limitations
Repertoires of Sexual Violence in Armed Conflict (RSAVC)	Armed actor–year	All armed actors active between 1989 and 2015	Includes an indicator of whether armed actors employed forced marriage and/or sexual slavery in a given year	Does not distinguish forced marriage from sexual slavery
Contemporary Slavery in Armed Conflict (CSAC)	Armed actor–year	All armed actors active between 1989 and 2016	Includes an indicator of whether armed actors employed forced marriage and/or sexual slavery in a given year	Does not distinguish forced marriage from sexual slavery
UNICEF Child Marriage Data (drawn from demographic and health surveys and multiple-indicator surveys)	Country	All countries (data availability varies by country)	Includes several indicators of child marriage	Cannot distinguish types of child, early, and forced marriage in conflict settings (e.g., by armed actors, due to economic pressure, by parents, etc.); only focuses on child and early marriage

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