

Challenges of understanding sham marriages connections with human trafficking

Conference “Exploitative Sham Marriages:
Exploring the Links between Trafficking in Human Beings and
Sham Marriages”

Riga, Latvia, 14 – 15 November 2016

NGO Living for Tomorrow
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Facts

- According to Estonian Embassy in Ireland the phenomena „sham marriages“ started in 2004, bigger wave in 2006 and peak in 2009
- involvement of Estonian citizens in sham marriages have increased – for exp in Ireland 2013 (around 45), 2014 (around 50), 2015 (around 33) with **Indian, Pakistan, also Bangladesh, Mauritius, Nigeria, South-Africa**;
- most popular destination countries for the organisation of sham marriages involving Estonian women were **Cyprus and Ireland**, followed by occasional cases in **the United Kingdom, the Netherlands and Italy**;
- the third-country nationals who were suspected of being party to the sham marriages have **never entered Estonia**.



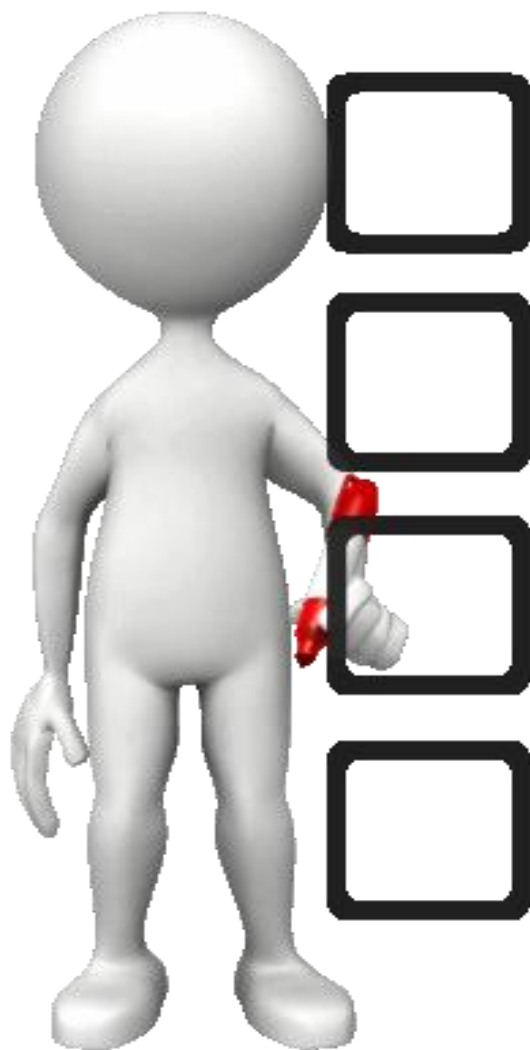
Facts about recruitment

- a third party in the organisation of the sham marriages
- usually female recruiters who claim to have previously entered into sham marriages (*appr 200 eur for each recruited now girl*)
- recruiting is happening in internet (through social media – Facebook, VKontakt, Odnoklassniki) presenting it as an easy way to make money (*personal approach*)
- the financial reward (*appr 700 to 4000 eur*) that is promised for marrying a third-country national is never paid
- the recruiters disappear after the contraction of the marriage
- **preparation of the „bride“ - what to say and how to act - leaving the impression of the girl free will**



„Brides“

- mostly 18-22 years old, russian speaking, from **North- and East part of Estonia**
- **don't speak any other language** than their own mother tongue
- some have **slight mental or physical disability or addiction** (drug, alcohol)
- usually from really poor and unsocial families or with orphanage background
- family members dosen't usually know about the marriage
- municipality social worker or child protection specialist have had previous contact with a „bride“ and usually knows their background from the childhood



Types of sham marriages

- **marriages by deception** - where one party believes the marriage intentions to be genuine
- **“business” sham marriages** - where both parties actively seek to benefit from the marriage, by gaining either financial reward or migration preferences;
- **deceitful sham marriages** - where one of the parties has been misled about the conditions of the marriage during the recruitment process;
- **exploitative sham marriages** - where one party (generally a woman holding an EU passport) is actively recruited into the marriage through deception, coercion or ***abuse of vulnerability***, and is subjected to different forms of exploitation in the process.



Challenges

- Public awareness of sham marriages and the potential connection to human trafficking **remains relatively low**
- ✓ no understanding that the actual **marriage certificate is real** and „promised“ **divorce doesn't happen by itself**
 - ✓ sham marriage **„comes out“ in a really unpleasant moments** (after child birth, requesting social assistance etc)
 - ✓ girls stay in sham marriage as a prisoner because **divorce is difficult to get** from a „husband“ and the procedure costs money and takes time
 - ✓ Sham marriage is seen mostly as a way for girls to earn easy money and **not been noticed the role of well organized act by the third party**, who since the beginning know **who to target, how to attract and mislead and hide** all the traces



Recomendation

- **Examine the possibility of modifying Estonian legislation** in order to establish the criminal responsibility of facilitators of sham marriages *(the current practice situates the victim's testimony as primary evidence, creating a heavy burden on the victim)*
- **Include indicators of exploitative sham marriages into the pre-existing national guidelines** for the identification of victims of trafficking in human beings.
- Organise **multi-institutional training for specialists** (law enforcement, municipal social workers and consular officers) in order to facilitate the exchange of experiences on the issues of prevention of trafficking in human beings and identification of exploitative sham marriages
- **Apply preventative measures** specifically developed for trafficking in human beings involving sham marriages and **organise educational events** on the issue for national minorities, students of vocational schools and minors in the foster care system

NGO Living for Tomorrow thanking
all project partners and funders.

We are grateful being part of a professional team and giving our
efforts to explore the issue of exploitative sham marriages.

Associated Partners:

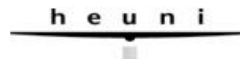


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