



THE BEST INTERESTS OF REFUGEE GIRLS VICTIMS OF FORCED MARRIAGE IN THE EUROPEAN JUSTICE: THEIR FAMILY REUNIFICATION AND PRIVATE LIFE

This paper focuses on the analysis of forced marriages that take place outside the European territory. Specifically, it analyses the right to family life and family reunification of child victims of forced marriage who are recognized as refugees in Europe. It raises as a research problem the dilemma between fighting against child marriages and the recognition of refugee girls' privacy. It raises the question of whether, under the Model of Individual Child approach, in some cases it is advisable to recognize child marriage in the best interests of girls so that they can exercise their right to private and family life. For this purpose, two judgments will be taken as analysis, one from the Court of Justice of the European Union that resolves a preliminary question on the Directive on family reunification; and another from the European Court of Human Rights against Switzerland whose case focuses on the right to private and family life recognized in Article 8 of the European Convention on Human Rights.