

Child Marriage in Kyrgyzstan (Overview)



If I could go back in time, I would refuse to get married. I would not be afraid to say that I didn't want to get married, and that I should go and complete my studies. Maybe during my studies I would have fallen in love with someone, or someone would have fallen in love with me. Maybe we would have gone on dates, maybe he would have said kind words to me, or we would have eaten ice cream together somewhere. But I didn't have any of that in my life...

—Child spouse¹

Child marriages

Child or early marriage is the union, whether or not official, of two persons, at least one of whom is under 18 years of age.² By virtue of being children, child spouses are considered to be incapable of giving free and full consent, meaning that child marriages should be considered a violation of human rights and the rights of the child. In the Kyrgyz Republic, child marriages occur in all regions of the country and among all ethnic groups.

Child marriage is a phenomenon that affects girls and boys in different ways. Overall, the number of boys in child marriages around the world is significantly lower than that of girls. Girl child spouses are also vulnerable to domestic violence and sexual abuse within relationships that are unequal, and if they become pregnant, often experience complications during pregnancy and childbirth, as their bodies are not ready for childbearing. Upon marrying, both boys and girls often have to leave education to enter the workforce and/or take up domestic responsibilities at home.

Various international treaties, conventions, and programmes for action address child marriage. These include: the 1962 Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages; the Convention on the Elimination of All Forms of Discrimination Against Women (1979); the Convention on the Rights of the Child (1989); and the 1995 Beijing Platform for Action (which followed the UN Fourth World Conference on Women). These international instruments cover the abolishment of harmful customs and traditions, violence against the girl child, marriage consent, marriageable age, registration of marriage, and the freedom to choose a spouse.

This fact sheet provides information about the issue of child marriage in the Kyrgyz Republic and offers recommendations aimed at addressing the issue. It includes a review of national legislation and the country's ratification of the various international standards relevant to the issue, analysis of current practices and attitudes towards child marriage, and statistical information about the prevalence of the practice. The methodology for this study involved a review of the existing legal framework and literature related to child marriage in the Kyrgyz Republic, and interviews with child spouses and experts working in the fields of children's and women's rights. The research was conducted in Osh, Jalalabad, Bishkek, and Chui oblast.

Child marriage is an appalling violation of human rights and robs girls of their education, health, and long-term prospects. A girl who is married as a child is one whose potential will not be fulfilled. Since many parents and communities also want the very best for their daughters, we must work together and end child marriage.

—Dr. Babatunde
Osotimehin, Executive
Director, UNFPA



Recommendations

- Draw the government's attention to the necessity for the Kyrgyz Republic to meet its international obligation to prevent child marriage, which is enshrined in: the Convention on the Rights of the Child; the Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages; and the Convention on the Elimination of All Forms of Discrimination Against Women.
- Conduct in-depth multidisciplinary quantitative and qualitative research into child marriage, as the development of policy and interventions demands more comprehensive information which is more representative of the country as a whole.
- Continue improving national legislation for the prevention of child marriage, increase the legal penalties for parents forcing their children into marriage, and advance a draft law to prevent the conducting of religious marriage ceremonies without legal registration of marriage.
- Develop lessons on healthy lifestyles, which would include reproductive health issues, and introduce them into the school education system. These lessons should take into account the cultural context and student ages.
- Conduct an awareness-raising campaign on the harmful consequences of child marriages for parents and schoolchildren, involving a wide range of participants: representatives of the authorities, healthcare professionals, teachers, NGOs, crisis centres, international organisations, religious leaders, and all other interested parties.
- Take measures to improve statistical data on child marriage.

Legal and national context

The Kyrgyz Republic has ratified the Convention on the Rights of the Child³ and the Convention on the Elimination of All Forms of Discrimination Against Women.⁴ The Kyrgyz Republic has also acceded to the Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages.⁵

Under the Kyrgyz Republic's Children's Code, Criminal Code, Civil Code, and Code on Administrative Violations, as well as other laws and regulations, persons under 18 years of age are recognised as minors. It is enshrined in the Constitution that the principle of ensuring the best interests of the child is adhered to in the Kyrgyz Republic.

However, under national legislation, a child can achieve majority before 18 years of age in two cases: 1) if the person under 18 years of age enters marriage, if this is permitted by law and a court has not declared the marriage invalid (Article 56 of the Civil Code); or 2)

upon 'emancipation', whereby a person under 18 years is considered fully capable under the law if that person is working under a labour contract or is, with the agreement of legal representatives, conducting entrepreneurial activities (Article 62, Civil Code). In practice, this means that 17-year-olds who marry in accordance with the law have the same legal rights as those over 18. For example, they can receive access to medical assistance and services without permission from their parents or guardians, and can be claimants or defendants in court cases.

Who can contract a marriage?

Under Article 14 (Marriageable age) of the Family Code, marriageable age is set at 18 years. If there is good reason for it, local government bodies at the place of residence of the persons wishing to marry have the right, at the request of those persons, to reduce the marriage age for men and women by not more than one year on the basis of a decision from the Commission on Family and child support departments.

Article 13(1) (Conditions for marriage) of the Family Code states the following: 'In order to contract a marriage it is necessary for there to be mutual consent of the man and woman entering the marriage, and they need to have attained marriageable age.'

Changes to the Criminal Code approved by the parliament in 2013 for the crime of abducting a woman in order to marry her against her will mean that this crime is now punishable by up to seven years' imprisonment,⁶ compared to three years previously (Article 155).

In the same year, a further amendment to the criminal code increased the penalty for the crime of forcing a person under the age of 17 into marriage, or entering into *de facto* married relations with a person under 17 years of age. This crime can now be punished by up to ten years' imprisonment (Article 154). In 2011, 28 criminal cases were registered by the Ministry of Internal Affairs relating to forced marriage of women, including underage girls. At the same time, the law does not specify what measures should be taken if no element of compulsion was involved or if the minor was forced to get married by her parents or legal guardians.

At a recent seminar on domestic and gender-based violence against women, the Deputy General Prosecutor noted that very few criminal cases have been initiated under Articles 154 and 155 of the Criminal Code (159 cases between 2000 and 2012). In his opinion, this does not reflect the real scale of bride abduction and forced marriage in the country: 'This is because victims of the crime do not seek assistance from law-enforcement agencies because of the mentality of society and the fear of public condemnation.'⁷ The results of this pilot study indicate that of 11 cases of child marriage included here, four were the result of bride abduction.

Article 132 of the Criminal Code provides for liability for sexual intercourse and other activities of a sexual nature with persons under 16 years of age in the form of deprivation of liberty for up to three years.

Under Article 11 of the Family Code, only marriages registered at a register office have legal status.

“Our laws are very good – you could say very progressive – we have now adopted the Children’s Code, which is a very good document that testifies to the importance of the problems of children and the state’s desire to resolve them. Our main problem is with implementation: there are neither finances nor personnel [to do so]... If we get our laws to work it will be a great success.” (Public official)

Taking into account the comments and recommendations of the CEDAW Committee in 2008 on increasing the age of marriage and the widespread negative practice of bride kidnapping in the Kyrgyz Republic, parliamentary hearings were held 21 June 2011 on changes and amendments to the Family Code, the Criminal Code, the Code of Administrative Responsibility, and the Law ‘On freedom of conscience and religious practice’. The draft law proposed that religious rites should be performed only after civil marriage registration in the register office. These amendments met fierce resistance in parliament from male MPs. As a result, the proposed amendments to the Administrative Code and the Law ‘On freedom of conscience and religious practice’ were not adopted.⁸ In the view of some MPs, the bill needs to be reviewed, because it does not stipulate effective mechanisms to fine religious figures for conducting *nikah* marriage ceremonies without registration.⁹

Family planning and reproductive rights

The Kyrgyz Republic recognises all the main international documents in the field of sexual and reproductive rights.¹⁰ The reproductive and other rights of citizens that allow for reproductive health are guaranteed under the Constitution (Article 47) and in national legislation.¹¹ National Statistical Committee figures for 2010 indicate that 30.3 per cent of women between 15 and 49 years use various forms of contraceptives.¹² These figures are not disaggregated by age group.

Article 13 of the Law ‘On the reproductive rights of citizens and guarantees of their implementation’ provides for the rights of children and adolescents in the field of reproductive health. The article establishes that children and adolescents have the right to have their reproductive rights protected, and also to education in the field of sexual and reproductive health, and preparation for married life. The article also establishes that responsibility for increasing the educational level

of children and adolescents in the field of sexual and reproductive health lies with parents, educational institutions, and healthcare facilities. Under the law, reproductive health protection services for children and adolescents are provided free of charge by healthcare organisations under the State Guarantee Programme.

In practice, schoolchildren gain their first knowledge about reproductive organs and their functions in anatomy classes at senior school. However, as of yet there are no classes on sexual behaviour and healthy lifestyles.¹³ In some places doctors are invited to conduct mini-lectures on reproductive health. But essentially at school level, and particularly in rural areas, these issues are to all intents and purposes not addressed. Current social attitudes mean that parents do not talk about reproductive health either.

“Nobody talked to me about it, nobody taught me anything. Nobody worked with me. Nobody explained to me how to look after myself, how to wash... I was not asked if my periods were regular or irregular, painful or not.” (Child spouse, married at 17)

Article 14 of the law ‘On the reproductive rights of citizens and guarantees of their implementation’ stipulates that a woman has the right to motherhood, protection of health during pregnancy, and medical assistance in childbirth and the postnatal period using methods that minimise risk to her health and the health of the foetus and new-born. A woman cannot be forced to become pregnant or to have an abortion. Such actions are considered as violence against the woman.

Almost none of the child spouses who participated in this research knew anything about reproductive health and family planning when they married. Before the marriages, the girls knew almost nothing about modern contraceptive methods, or about prevention of STIs, HIV, and AIDS. Some of the girls who had completed their schooling remembered that they gained their first knowledge of human reproductive functions in anatomy lessons at school. Most often girls received their information about women’s health from elder sisters or aunts; the level of scientific accuracy and reliability of this information is highly questionable. According to the study, none of the girls who were interviewed went to see a doctor before getting married to receive information about reproductive health, as visiting a gynaecologist before marriage is culturally unacceptable.

“I was in hospital with my daughter. Nobody came to visit us there, and my husband said it was a punishment because I had had a girl. They required a boy.” (Child spouse, married at 16)

Most of the young women interviewed revealed that they became pregnant straight after getting married. In all the cases the pregnancy was unplanned. Most of the girls who were interviewed stated that their husbands forbade the use of any form of contraceptive in the first years of married life (as many did in later life as well). Therefore, in many cases the second pregnancy occurred within seven to nine months of the first birth. Cases were revealed during the research of 21-year-old women who had already given birth to three children.

Child marriage in the Kyrgyz Republic

As of yet, no specialised research has been carried out in the country into the scale, causes, and consequences of child marriage at a national level. One of the reasons for this is how hidden the issue is, and the fact that statistics on the topic are incomplete. Usually information about child marriage is a side product of research conducted into gender-based violence, reproductive health, or child rights.¹⁴

“I cannot say if child marriage is widespread, or how widespread it is. There is no research on it, so the issue needs to be studied.” (Public official)

Information about the number of registered marriages by age group cannot be used to investigate trends in child marriage, as most marriages at age 17, and all those up to 16 years, are not officially registered. The data from the Multiple Indicator Cluster Survey (MICS) provides some indication of the prevalence of child marriage (registered and unregistered). According to 2006 MICS data, about 12.2 per cent of the women in the Kyrgyz Republic married before the age of 18. This occurred more often in rural areas than in urban areas (14.2 and 9.7 per cent respectively). Child marriage was more common among women in poor households (16.5 per cent) than in rich households (9.1 per cent). In addition, the number of women aged 15 to 19 in rural areas who were married or cohabiting was higher than in urban areas (10.1 and 4.1 per cent respectively).¹⁵

Most of those surveyed reported that child marriage is not currently a priority in the context of other problems faced by children. Experts referred to many other, higher-priority child-rights issues in the Kyrgyz Republic, including growth in the number of street children, neglect of children, child labour, school non-attendance, various facilities for children, and healthcare concerns.

“The priorities for protection of child rights in our country are the right to childhood, the right to education, and the rights to life and health. In this context, little attention is paid to child marriage, unfortunately.” (City administration representative)

Research participants noted that the issue of child marriage is mainly being addressed by organisations working on gender-based violence. It was noted, in particular, that women’s crisis centres are most likely to raise these issues in society.

In general, both at the state and the societal level, the issue of child marriage is not taken seriously, although in the opinion of experts interviewed for this research, child marriage should be considered a form of labour and sexual exploitation of children.

“The main responsibility for child marriage lies with parents, who consciously choose this route. Though they are aware of the legislation ... they marry off their daughters as minors. This is where you need to talk about child marriage. While bride kidnapping involves violence from men, in child marriage you can talk of parental violence. Forced child marriage is the purest form of violence against girls.”

(Local state administration representative)

National and regional experts interviewed here believe that child marriage occurs within all ethnic groups, and throughout the country. Nevertheless, many respondents also stated that child marriage is more widespread among certain ethnic groups, including Uzbeks, Dungans, Turks, and Tajiks. There is evidence that child marriage is also widespread among Central Asian Lyuli people (related to Roma).¹⁶ The experts believe that child marriage is particularly widespread in Osh, Jalalabad, Batken, and Chui oblasts, and in Osh city.

The experts who took part in the research have observed a rise in the frequency of child marriage in recent years. This is particularly noticeable in Osh and Jalalabad oblasts, following the June 2010 events there.¹⁷ Experts believe that the significant rise in the number of child marriages in the south of the country in the last two years is a result of rapes that occurred during these events. Information from interviews with child spouses also indicated that child marriage increased in their communities after the June 2010 events.

The research indicates that the main reason for child marriage is ethno-cultural tradition, which has strengthened in the post-Soviet period. State officials interviewed here believed that ‘early marriage happened before, in the Soviet Union, but not to this extent’.

A not-insubstantial factor behind the increased number of child marriages, according to experts interviewed, is the greater influence of Islam. All the child marriages encountered during this research were contracted by means of the nikah religious ceremony. During one ceremony, a religious leader asked about the ages of the couple and found out that the prospective female spouse

had not attained the legal age of marriage. However, not one of the girls stated that a religious leader tried to persuade the parents or prospective spouses to halt the marriage. Almost all the child marriages researched had not been legally registered at the time of the marriage, and in all cases nikah was conducted. In a few cases, when the girl reached the age of 18, and in some cases much later, the marriage was officially registered. However the research also revealed many cases in which the couple separated before legal registration. As a rule, in this situation, the young women received no support from the husband following the divorce. Survey participants stated that without official registration of the marriage, it is so difficult to 'win' alimony from the former husband that many women do not even try to approach the court for a ruling.

“After the events of 2010 there was simply a rush of child marriages. Parents clearly believed that the earlier they married off their daughters, the sooner they would rid themselves of problems with the girl. When a girl reaches the age of majority, the family has to think of how to protect her from prying eyes, from too many words. How good it is to marry her off with dignity, so that she remains intact until her marriage! That's what it's like in many families. Particular care is taken of girls from the age of 14 until marriage. As soon as she is married off she is no longer considered a problem for the family, as she has now become a ward in the care of her husband. Now the task of protecting her belongs to the family that she has been married into.” (Public servant, Oblast administration representative)

“After the 2010 events everyone was married off, like me.” (Child spouse, married at 16, Osh city)

The information collected indicates that child marriages take place among families with different standards of living. At the same time, there are many cases of girls being married off because of family poverty. However the research hypothesis that one reason for early marriage is the desire of parents to enrich themselves through bride price was not confirmed. Child spouses who participated in this research explained that the amount of bride price received by parents in many cases was less than the amount spent on goods to accompany the daughter as she began married life. Most experts also agreed that bride price is not a cause of child marriage.

Experts cited other reasons for child marriage, including pregnancy. However, not one of the girls interviewed during this research was pregnant when she married. All the girls were married off under an agreement made by their parents, and their first sexual experience was with their husbands after marriage. What is more, many of the survey participants believed that it is specifically the desire of the parents to preserve the girls' virginity so they are 'not spoiled', and the desire to set them up for their lives, which are the main reasons for child marriage.

“No, bride price and compensation are not reasons for child marriage. The Uzbek mahr is an insignificant sum. Kyrgyz pay a crazy kalym [bride price], which grows every year. But that's not connected to child marriage.”* (NGO head)

** Mahr in Islam is the wedding present to the female spouse, one of the conditions for contracting marriage. Paying the mahr can be deferred by agreement after the wedding. If the couple divorce, the mahr stays with the wife. The Koran makes mahr compulsory [4:4].*

In most cases, according to the research results, the girl does not make the decision to marry, if her parents have made an agreement and even more so if she is abducted. In practice, the first reaction of all the girls to the idea was negative: they didn't want to get married. However, after facing pressure, threats, and persuasion from their parents and other relatives, the girls resigned themselves to it and consented to the marriage.

Usually the prospective spouses did not know each other well before the marriage, and quite often they had only met each other a few times.

In most cases the age difference between the spouses was three to four years, but there were cases of eight or more years' difference. In one case, for example, the female spouse was 16 and her husband 27. Not one case was reported during the research of boys marrying at 16 or 17 years of age.

In the Kyrgyz Republic, boys are twice as likely not to complete school as girls. Boys leave school to begin working and feed their families.¹⁸ In contrast, girls leave school because of child marriage. The research indicated that some girls were married off right in the middle of the school year. After marrying, the girls did not return to school, and most of them never studied again.

“It was difficult for mum to [put us through school] ... She is a teacher, but teachers have small salaries. My brother was little as well. And children need a lot. She probably thought that if I studied, she couldn't pay the fee. She probably married me off because of hardship.” (Child spouse, married at 17)

Of the child spouses who took part in this study, almost all were taken to the husband's parents' house to live, where many of the husband's relatives lived, including his parents, his brothers, and their wives and children. Immediately after getting married the girls became housewives – cooking, cleaning, washing clothes, looking after the elderly and small children in the family, working in the fields and the garden, herding livestock and milking cows. There were many cases in which the child spouse could only talk with her own family at specific dates and times, and communication could only take place at other times with the permission of the husband and parents-in-law. In contrast, the husbands continued with the lives they were accustomed to. For the husbands, marriage didn't change anything; they continued to meet their friends, work, and study.

“As a young wife I could only go outside with permission. I even needed permission to visit my parents, and had to go at set times. We had to leave at nine, and be home by four.” (Child spouse)

Analysis of the interviews conducted shows that child marriage in almost all the cases studied was accompanied by violence, irrespective of whether the girl was kidnapped or given away with the agreement of her parents. After marrying, nine of 11 child spouses admitted that they faced psychological abuse from their in-laws and husband's relatives; four suffered physical abuse from their husbands, including one case in which the girl and her children were beaten not just by her husband, but by his parents as well. Two of the girls suffered not just psychological and physical abuse from their husbands, but also sexual abuse.

“I completed school with a gold medal and was accepted to university. At the beginning of September my parents-in-law came and said that they would take me to marry their son, and mum agreed. Dad thought, like mum, that a girl should marry early, so as not to end up a spinster. At first I refused and said I wouldn't marry ... And I decided that when we went to the register office I would meet my prospective spouse and do something so he wouldn't like me. And I waited for that day. But mum had already given him my passport. And they had registered the marriage without me... They brought the marriage certificate home.” (Child spouse, married at 17)

It should be noted that not one of the child spouses interviewed sought assistance with regard to the abuse from law-enforcement agencies, crisis centres, or local authorities. None of them knew about the Law 'On socio-legal protection from domestic violence', and some did not even realise that their marriages had violated legislation on marriage which forbids the marriage of persons under 18 years of age.

“From interviews with child spouses:
... My father-in-law beat me. He threw stones. When he got drunk, he couldn't see what he was throwing things at. I ran away from him, closed the door and hid. However, my father-in-law threw a fork right into my son's eye, and he started bleeding. Then I couldn't control myself and I started shouting: 'You beat me, insulted me, now you're after the children. What have they done to you – they're your grandchildren!' But my parents-in-law scolded me, shouting: 'Have you [lost your mind] or something? This is our house, get out!' I locked myself in a room with the children, and they banged the door, making a hole in it. Early in the morning, when they were sleeping, I went out with the children.

My husband kidnapped me when I was 17. He started beating me three days later. When I was three months pregnant he beat me so hard that I lost the baby.

My husband beat me, and then he raped me. He was aroused when I was bruised and crying out in pain, and especially when he pulled my hair. I didn't understand that before, and I put up with it.”

According to the research findings, child spouses never participated in family budgeting decisions and did not have pocket money. In order to buy any small items, including those needed for personal hygiene, they had to ask for money from their husbands or mothers-in-law. It was revealed that even when working abroad, the husbands did not send money to their young wives but sent it to their parents. Most of the research participants said that they never felt equal to their husbands – the opinions of their mothers-in-law and husbands always took precedence.

In the third and fourth periodic reports of the Kyrgyz Republic under the UN Convention on the Rights of the Child, it is noted that early marriage has a negative influence on the health of both mother and child.¹⁹ This was supported by the opinions of experts who took part

in the research. The experts believe that child marriage invariably leads to early pregnancy, which in many cases is a cause of maternal mortality.²⁰ Vice Prime Minister Uktomkhan Abdullaeva said at a parliamentary hearing on *Gender aspects of legislative norms about marriageable age* that '15- and 16-year-old girls are not ready for motherhood: their psyches and characters are not yet formed... Therefore married life brings them continual stress, and as a result they could give birth to children with disabilities, lose their children, or die themselves.'²¹

“*My daughter died after birth. She just lived for 18 days. The doctors said that this was either because I was working hard, or very worried, or because of taking some medicine.*

But they didn't know for sure.”

(Child spouse, married at 17)

“*The doctors said that I was small and thin, and needed a Caesarean. My mother-in-law didn't allow this, saying I should give birth myself. It was probably to do with money. I gave birth myself: it was very difficult and I thought I would die. I lost my strength after the birth and fell unconscious. I didn't have enough milk ... After the birth I was too weak: I couldn't manage housework and the baby as well. My mother-in-law didn't like that.*”

(Child spouse, married at 17)

All of the negative consequences of child marriage described by healthcare professionals during the research were confirmed. Of the 11 girls interviewed who had entered child marriage, nine had reproductive problems of varying degrees, during or after pregnancy. Thus, from the small sample, the first pregnancy ended in miscarriage for two girls, the child died in one case, in four cases the pregnancy was difficult (anaemia, threat of miscarriage), and in one case there was a complication after birth as the child was born with a health problem.

The research showed that almost all the child spouses interviewed had continued to carry out all their household duties during pregnancy and after giving birth. Many said they had no opportunities to sleep or rest in the day, while at night they had to get up for their babies and were expected to continue having sex with their husbands.

Most of the child spouses included in this research (nine out of 11) regretted that at the time they were forced to marry, they had not stood their ground and refused to do so. They all believed that they should have finished school, learned a profession, and only then married. They also believed that legal registration of marriage is

necessary, as this would help greatly in cases of divorce. Some of the child spouses interviewed suggested that if they had been older when they married, they might not have had to put up with so much abuse from their husbands' families, as they could have stood up for themselves.

In general, summarising the views and attitudes of the women survivors of child marriage, we can say that these are life stories with many 'didn'ts': didn't finish school and didn't finish playing with their friends, didn't have chances to love, live with their parents, dress up, go somewhere, or learn something.

“*I was engaged in ninth grade during the winter holiday. When I went to school after the holiday my classmates started teasing me, and my parents told me that I didn't need to study any more. So I didn't complete school. My father-in-law later brought me a certificate of school completion; I don't know how he got it.*” (Child spouse, married at 16)

Policy responses

The Osh Resource Centre of the Interbilib International Centre implemented a small project in 2011, in which 20 girls participated. The project involved raising awareness of and promoting the idea of the inadmissibility of marriage before the age of 18. The participants undertook training on how to convince their parents not to marry off their daughters before the age of 18. The project was initiated by one of the participants in this research, who had been married as a child.

On 14 June 2012 in Osh city and 15 June 2012 in Jalalabad city, at the initiative of the southern regional representative office of the National Red Crescent Society and with the financial support of the British Red Cross, roundtables were held on the theme 'The influence of early marriage on the reproductive health of girls'. The aim of the roundtables was to consolidate forces to reduce the incidence of child marriage, which negatively influences the reproductive health of girls, and to inform the population of the south about the legal minimum age for marriage.

In the framework of the 'Strengthening human rights in Kyrgyzstan' project implemented with the support of the US Agency for International Development (USAID), the NGO Agency for Social Technologies developed several informational booklets and posters on the prevention and elimination of gender-based violence, domestic violence, bride kidnapping, and unregistered child marriage for Committees to Prevent Domestic Violence, which are being created in pilot local government bodies.

Key points

Despite the fact that legislation stipulates a minimum age of 18 to marry, children marry before this age. The law stipulates what should be done if a marriage is forced. However, there is no practice of applying these laws if minors are forced to marry by their legal representatives, i.e. parents or guardians.

Apart from age limits for marriage and responsibility for forced marriage, the country has no state programmes to prevent child marriage. As child marriage often occurs with parental consent, the existing mechanisms to bring those guilty of forcing children into marriage do not work – the overwhelming majority of persons who participate in this crime remained unpunished.

Child marriage is not a priority child-protection issue. In most cases, child rights defence organizations focus on reducing the number of street children, child labour and exploitation, protection from violence and school racketeering, adolescent crime, and non-attendance at school.

Child marriage is not well researched. One of the reasons for this is the fact that it is usually not considered a problem. In addition, official statistics about child marriage, particularly that involving girls under 17 years of age, do not exist at the level of state authorities. Specialised research has not been carried out on child marriage at the national level. Therefore information about child marriage is usually a side product of other research.

In most cases, child marriage is a result of bride kidnapping or parental arrangement. In almost all cases of child marriage, there is an element of compulsion for the female spouse to marry. In most cases decisions about child marriage are not taken by the prospective female spouse, and in cases of parental agreement, the prospective male spouse also often doesn't play a role.

Child marriage is one of the main reasons why girls leave school early. After getting married girls do not go back to school, and thus many do not have school-completion certificates.

The research revealed many cases in which child marriage was accompanied by not just psychological abuse and financial control, but also physical and sexual abuse.

Quotes

I think that changes need to be made in the legislation and the term 'child marriage' should be used instead of 'early marriage'. And administrative responsibility should be introduced for child marriage, including parental responsibility. Such draconian measures are needed because just by raising awareness we cannot eliminate the practice of child marriage, which has endured for a long time already. (Representative of Osh oblast administration)

It is already so ingrained that it is perceived as the norm. Today nobody, not one neighbour, not one acquaintance of this family, not the neighbourhood committee, not even the school, nobody is surprised, and nobody says: 'What are you doing?' Because it is considered normal. This is such a cultural stereotype; if we can't change it through moral persuasion, we need to use the law. (Representative of Osh oblast administration)

In our country, children are involved in providing for their families from an early age, earning, and being parents themselves. And because of this the child goes to work, abandons school, does not get educated. ... There are many problems. Children's bodies are not yet fully grown; they are [still] being formed, but the child is already doing hard physical work. Child marriage is not a priority in comparison to these problems: little is being done. (Representative of Osh city administration)

From official figures, we can only judge the scale of child marriage with regard to 17-year-olds. These marriages are still registered to some extent, though only a small proportion are. However marriages under 17 years are illegal, and so there are no statistics whatsoever. We can indirectly estimate the number of child marriages by the number of women who give birth before 18 years of age. But this doesn't capture the whole phenomenon as there are cases when women emigrate to find work and give birth in Russia or somewhere else. There are lots of examples of this. (Head doctor at a maternity hospital)

They made him marry as well. He didn't want to either. When we argued he told me that he didn't want to marry me either: he just wanted someone to serve his parents and took me as a maid. (Child spouse, married at 17)

I married in December, in the middle of the academic year. I don't have a certificate of completion of ninth grade. (Child spouse, married at 16)

When I was pregnant my husband often beat me. He insulted me, scolded me, and beat me. He put me in a corner. I had to stand in the corner until he let me leave. He took a spoon, heated it at the fire, and burned me with it. He drew a moustache on me, humiliated me. He told me that if I complained to someone he would shave off my eyebrows, and no one would look at me. He threatened to disfigure me. My mother-in-law knew but she also told me I was to blame myself. (Child spouse, married at 16)

Data overview

Population (2012):	5,551,888 (49.4% males; 50.6% females) ²²
Life expectancy at birth (2011):	69.6 (overall); 65.7 (males); 73.7 (females) ²³
Population under age 19 as of 2011:	40.8% ²⁴
Population aged 15-19 (2012):	10.3% ²⁵
Population below national income poverty line (2011):	36.8% ²⁶
Unemployment rate (2010):	8.8% (overall); 7.7% (males); 9.9% (females) ²⁷
Literacy rate among youth ages 15-24 (2009):	99.2% ²⁸
Female youth literacy rate as percentage of male rate, among ages 15-24 (2009):	100% ²⁹
State health expenditure per capita per year (2010):	US \$53 ³⁰
Main ethnic groups (2009):	Kyrgyz (72.2%); Uzbek (14.3%); Russian (6.9%); Dungan (1.1%); Uighur (0.9%); Tajik (0.9%); Turkish (0.7%); other (3.0%) ³¹
Main religions:	Islam, Orthodox Christianity ³²
Main languages:	Kyrgyz (state language), Russian (status of 'official' language) ³³
Average age at time of first marriage (2011):	26.9 (males); 23.4 (females) ³⁴

Child marriage statistics

Table 1. Marriage by age of bride at first marriage (2010)³⁵

Total number of women marrying for the first time	Age of bride (years)	
	Under 15	15-19
48,136	Unknown	9,197 (19.1%)

Table 2. Marriage by age of groom at first marriage (2010)³⁶

Total number of men marrying for the first time	Age of groom (years)	
	Under 15	15-19
46,598	Unknown	799 (1.7%)

Table 3. Percentage of women married by age of 18 by place of residence (2006)³⁷ (no comparable data for men)

Place of residence	Percentage of women marrying before the age of 18
Urban areas	9.7
Rural areas	14.2

Table 4. Percentage of women married by age 18 by wealth quintile (2006) (no comparable data for men)

Wealth quintile	Percentage of women marrying before the age of 18
Poorest	16.5
Second	13.4
Middle	12.9
Fourth	11.0

Table 5. Percentage of women married by age 18 by educational attainment (2006)³⁸ (no comparable data for men)

Educational attainment	Percentage of women marrying before the age of 18
Not completed secondary	28.4
Secondary	13.1
Higher	6.1

Table 6. Number of live births to women aged 15-19 years (per 1,000 women in this age group)

Age	2005	2006	2007	2008	2009	2010
15-17	4.5	4.4	4.7	4.6	5.2	6.0
18-19	54.9	59.9	61.6	62.7	68.4	75.7

Since 2006, steady growth has been seen in the birth rate among 15- to 17-year-old girls: from 4.4 children per 1,000 girls of this age group in 2006 to 6.0 children in 2010. The birth rate of 18- to 19-year-old women has also increased, from 54.9 per 1,000 in 2009 to 75.7 in 2010.

In 2010, a total of 14,421 abortions were conducted (excluding vacuum extraction abortions). Of these, 1.4 per cent were carried out on 15- to 17-year-old girls, and 8.5 per cent on 18- to 19-year-old women. There were 7,254 vacuum extraction abortions conducted in 2010, of which 27 were carried out on 16- to 17-year-old girls (0.4 per cent) and 471 on 18- to 19-year-old women (6.5 per cent).³⁹

Notes and references

- 1 Here and henceforward in the text, statements made by study participants are reproduced verbatim with minimal editing.
- 2 A child is 'every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier'. United Nations Convention on the Rights of the Child (1989), available at: <http://www2.ohchr.org/english/law/crc.htm> (accessed 29 May 2012).
- 3 By Parliamentary Decree 1402 of 12 January 1994.
- 4 By Legislative Assembly (Lower House) Decree 3 N 320-1 of 25 January 1996, and Assembly of People's Representatives (Upper House) Decree P N 257-1 of 6 March 1996. The Convention was adopted by the UN General Assembly on 18 December 1979.
- 5 By Legislative Assembly (Lower House) Decree 3 N 322-1 of 25 January 1996, and Assembly of People's Representatives (Upper House) Decree P N 260-1 of 6 March 1996.
- 6 Criminal Code 68 of the Kyrgyz Republic of 1 October 1997, Article 155.
- 7 From the speech Deputy General Prosecutor of the Kyrgyz Republic, U. Khaldarov made at the roundtable, 'On creation of the system on interagency cooperation of the departments of Bishkek city on domestic and gender-based violence'. Ak-Keme hotel, 12 March 2012.
- 8 Association of Crisis Centres. 'Promotion of women's rights at the legislative level', available at: http://www.acc.web.kg/womanrightslaw_rus.html (accessed 14 September 2012).
- 9 Kant.kg (2012) 'Jogorku Kenesh reviewed the bill to impose sanctions on conducting [a] religious marriage ceremony without state registration of marriage', 21 January 2012.
- 10 These include: the International Conference on Population and Development (Cairo, 1994); the Declaration and Action Plan of the fourth World Conference on the Status of Women (Beijing, 1995); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1997); the Universal Declaration of Human Rights (1948); the Millennium Development Goals (2000); the Global Reproductive Health Strategy (2004); the Regional Sexual and Reproductive Health Strategy of the WHO European Regional Bureau (2001); the Strategic Action Plan on Women's Health in Europe (2001); the WHO reproductive health strategy to accelerate progress towards the attainment of international development goals and targets (2004); and the International Planned Parenthood Federation Charter on Sexual and Reproductive Rights (1996).
- 11 Law of the Kyrgyz Republic 'On protection of civil health in the Kyrgyz Republic' of 9 January 2005 N6, National Strategy on protection of reproductive health of population of the Kyrgyz Republic till 2015 of 15 July 2006 N387, 'On reproductive rights of citizens and guarantees on their realisation' of 10 August 2007 N147, 'On HIV/AIDS in the Kyrgyz Republic' of 13 August 2005 N149, 'On state guarantees of equal rights and equal opportunities for men and women' of 4 August 2008 N184, 'On socio-legislative protection against domestic violence' of 25 March 2003 N62, 'On state allowances in the Kyrgyz Republic' of 5 March 1998 N15.
- 12 National Statistical Committee (NSC KR) (2011), Statistical collection 'Men and Women in the Kyrgyz Republic', NSK KR, Bishkek, p.36.
- 13 CenterAsia (2004) 'In Kyrgyzstan they have banned the school textbook "A Healthy Way of Life" by [horny] Doctor Shapiro', 16 September, <http://www.centrasia.ru/newsA.php?st=1095296460> (accessed 14 September 2012). In 2003, the school textbook 'A Healthy Way of Life' was developed. However, a group of people accused the authors of 'promoting sex', publicly burned the textbook, and filed a lawsuit against the authors for corrupting young people. After this, the textbook was removed from libraries in the country. Since then, there has been no textbook, and the subject has not been taught.
- 14 Third and fourth periodic reports of the Kyrgyz Republic, submitted in accordance with Article 44 of the Convention on the Rights of the Child; Ilibzova, L. (2010) *Знания, отношения и практические методы религиозных лидеров по вопросам гендерного насилия* [Knowledge, attitudes and practical methods of religious leaders on the issue of gender-based violence research report (taking four focus communities as examples)], Bishkek; Haar, Robin N. (2009) 'Child Abuse and Neglect in Families in the Kyrgyz Republic', UNICEF, Bishkek; NSC KR and UNICEF (2006) 'Monitoring of the situation of children and women. Multiple Indicator Cluster Survey', NSC KR and UNICEF, Bishkek; El Pikir and ECPAT International (2004) *'Ситуационный анализ по коммерческой эксплуатации детей в Кыргызской Республике'* [Situation Analysis on Commercial Exploitation of Children in the Kyrgyz Republic], El Pikir and ECPAT International, Bishkek.
- 15 NSC KR and UNICEF (2006) 'Monitoring of the situation of children and women. Multiple Indicator Cluster Survey', NST KR and UNICEF, Bishkek.
- 16 *'Участие общины и условия жизни цыган (люли) в г.Ош'* [Public participation and living conditions of gypsies (lyuli) in Osh city], Bishkek, 2004. *Lyuli* are related to Roma. They live across Tajikistan, Uzbekistan, Kazakhstan, and Kyrgyzstan and can also be found in Russia and Afghanistan. They are Muslims.
- 17 On 10-14 June 2010, mass clashes took place between ethnic Kyrgyz and ethnic Uzbeks in Osh city and Osh and Jalalabad oblasts of the Kyrgyz Republic. The conflict led to many casualties on both sides.
- 18 Third and fourth periodic reports of the Kyrgyz Republic, submitted in accordance with Article 44 of the Convention on the Rights of the Child, p.76.
- 19 *Ibid.*, p.59.
- 20 There are also several non-medical trends that influence maternal mortality. These may include child marriage, the statistics for which have only become accessible in the last three years. Every year 11 to 12 marriages are officially registered in which the female spouse is less than 16 years of age, and about 300 cases in which she is younger than 17. Source: Third and fourth periodic reports of the Kyrgyz Republic to fulfil obligations under the Convention on the Rights of the Child, p.53.
- 21 Voice of Freedom Central Asia (2009) *'Ранние браки в Кыргызстане: Когда традиции мешают прогрессу'* [Child marriages in Kyrgyzstan: when tradition hinders progress], 30 March 2009, available at: <http://vof.kg/?p=3721> (last accessed 14 September 2012).
- 22 NSC KR (2012) *'Основные социальные показатели Кыргызской Республики'* [Main social indicators of the Kyrgyz Republic].
- 23 Life expectancy at birth, NSC KR, 2011.
- 24 NSC KR (2012) *'Электронная база данных. Численность постоянного населения по полу и возрастным группам'* [Electronic database. The number of permanent residents by sex and age group].
- 25 *Ibid.*
- 26 NSC KR (2012), Electronic database, Table 5.04.00.14 Reference data on income.
- 27 Statistical collection, *Women and Men of the Kyrgyz Republic*, Bishkek, 2011, p.86.
- 28 UNESCO Institute for Statistics (2010). Youth Literacy Rates (15-24), available at: <http://stats.uis.unesco.org/unesco/ReportFolders/ReportFolders.aspx> (accessed 10 July 2012).
- 29 UNESCO Institute for Statistics (2010). Youth Literacy Rates (15-24), available at: <http://stats.uis.unesco.org/unesco/ReportFolders/ReportFolders.aspx> (accessed 11 September 2012).
- 30 The World Bank. Health expenditure per capita (in current US\$), available at: <http://data.worldbank.org/indicator/SH.XPD.PCAP> (accessed 11 September 2012).
- 31 NSC KR (2012) Electronic database, Table 5.01.00.03. Ethnic composition of the population, 2012.
- 32 BBC (no date) *'Киргизия [sic]: краткая справка'* [Kyrgyzstan: brief notes], http://www.bbc.co.uk/russian/international/2010/01/100110_in_depth_kyrgyzstan.shtml (accessed 11 September 2012).
- 33 Constitution of the Kyrgyz Republic, adopted by referendum 27 June 2010, Article 10, http://www.gov.kg/?page_id=263.
- 34 NSC KR (2011) *Statistical collection, Women and Men of the Kyrgyz Republic, op. cit.*, p.56.
- 35 *Ibid.*, p.55.
- 36 *Ibid.*, p.55.
- 37 NSC KR and UNICEF (2006) *Monitoring of the situation of children and women. Multiple Indicator Cluster Survey*, Early marriage and polygamy, p.131.
- 38 *Ibid.*
- 39 Republican Medical Information Centre, *'Сводный отчет об абортax за 2010 год'* [Consolidated report on abortions for 2010].

Key messages

When a girl delays marriage, everyone benefits. A girl who marries later is more likely to stay in school, work, and reinvest her income into her family. Crucially, a girl who marries later is more empowered to choose whether, when, and how many children to have. When investments in girls are made, everyone benefits: their families, communities, and most importantly, the girls themselves.

There is a huge cost to inaction on child marriage. It is time for policy-makers, parliamentarians, communities, families, and young people to address this issue head on. Let's deliver a world where every pregnancy is wanted, every birth is safe, and every young person's potential is fulfilled. Let girls be girls.

Child marriage violates girls' rights, denies them of their childhood, disrupts their education, jeopardises their health, and limits their opportunities. No cultural, religious, or economic rationale for child marriage can possibly justify the damage these marriages do to young girls and their potential. A girl should have the right to choose whom she marries and when. Parents want the best for their children, and need to support their girls' choices and decisions to marry.

UNFPA is working with governments and partners at all levels of society to deliver comprehensive programmes addressing the needs of vulnerable and married girls, and providing access to livelihoods, social support and health programmes, including sexual and reproductive health. The ultimate aim is to end child marriage in this generation and to shift cultural attitudes to protect girls' rights.

What must be done to break the silence on child marriage?

Bring greater attention to the situations faced by married girls and girls at risk of child marriage, and advocate strongly for their rights. Child marriage is not good for girls or development. The world cannot afford to see the rights, health, and potential of thousands of girls being squandered each day.

Promote investments that build up adolescent girls' capabilities and skills, especially education. Girls' education, particularly post-primary and secondary, is the single most important factor associated with age at marriage. Girls especially need social support and access to programmes that provide life skills, literacy, livelihoods, and sexual and reproductive health information and services, such as family planning and life-saving maternal health services.

Invest in adolescent girls!

Investments should provide platforms for vulnerable girls to develop life skills and critical health knowledge, obtain access to social services including sexual and reproductive health and HIV prevention, gain vocational and employable skills for work, and have access to friends and mentors.

Married girls need special targeted strategies that provide access to education, life skills, health including SRH and HIV prevention, and opportunities to participate fully in society. Maternal health programmes need to be reoriented with dedicated outreach for the youngest, first-time mothers, to enable them to use antenatal, essential and emergency obstetric care, and post-delivery services.

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