

Child Marriage in Uzbekistan (Overview)



I myself have been told by my parents to get married. I don't know what to do; I'm desperate. I'm 16 years old: help me!

–Girl at risk of child marriage

Child marriages

Early¹ or child marriage is the union, whether official or not, 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 Uzbekistan, child marriages are more prevalent in rural areas, and are more closely linked to maintaining traditions than to economic status, level of education, or other social attributes.

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 Uzbekistan 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 Uzbekistan, and interviews with child spouses and experts working in the fields of children's and women's rights.³

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

- National legislation on the minimum age for contracting marriage should be re-examined, with an eye towards ensuring conformity with international law. Marriageable age for women should be increased and equalised with that for men: until 18 years of age it should not be legal either for men or for women to register marriage, except in exceptional circumstances clearly stated in law.
- As the process of improving legislation intended to protect the rights of married women continues, particular attention should be paid to girls who married as children. In cooperation with local government bodies (*mahallas*) and NGOs, the true numbers of unregistered child marriages and possibilities for establishing social guardianship over them should be clarified.
- Campaigning work against child marriage should be intensified even further. This should include continuing to work through the mass media and local government. It is essential to stress the value of education and self-sufficiency, and to make the whole population, particularly the parents of young men and women, fully conscious of the fact that girls can be educated and enter professions.
- Work should continue to introduce courses into the compulsory curricula of specialised secondary and higher educational institutions to prepare young people for married life. These should address psychological issues, the ethics of family life and sexual relations, family planning, reproductive health, and the right of women to choose.

Legal and country context

International standards

The Convention on the Rights of the Child was ratified by the Republic of Uzbekistan in 1992. In 2011, the country submitted a periodic report to the UN Committee on the Rights of the Child. The report noted that the country has undertaken a comparative analysis of internal legislation and the extent to which it conforms with the requirements of the UN Convention, and that suggestions made about enshrining in national legislation the principle of equality between men and women in contracting marriage, and preventing the contracting of child marriages, are currently being discussed in society.

On 19 July 1995, the country acceded to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In its

Concluding Observations to the 2010 report, the Committee expressed its concern about the ongoing prevalence of child marriages in the country, the different ages for marriage for men and women, and also the fact that the state allows the minimum marriage age to be reduced further by one year.⁴

National legislation

The country has adopted a law ‘On guarantees of child rights’.⁵ The protection of children’s rights, as well as marriage and family relations, is also regulated by the country’s Family Code,⁶ Civil Code,⁷ Criminal Code,⁸ and Code on Administrative Responsibility.⁹ None of these documents, with the exception of the Family Code, defines the term ‘child’. However all of them, to some extent, regulate the protection of the rights of the child.

Under the Family Code, a child is defined as a person under 18 years of age.¹⁰ The law stipulates that if marriage is contracted before a person reaches the age of majority, that person acquires full rights and responsibilities (capacities); i.e. the ability to take decisions and to personally take responsibility for them.¹¹

Who can contract a marriage?

The Family Code, which came into force in 1998, stipulates that men have the right to contract a marriage from the age of 18, and women have this right from the age of 17. However, international standards stipulate that the minimum age for contracting marriage both for men and for women should be 18 years.

In exceptional circumstances the *khokim* (mayor) of a district or town has the right to reduce marriageable age, but not by more than a year, under Article 15 of the Family Code. The code does not provide a precise list of such exceptional circumstances, leaving this to the discretion of the authorities. In practice, these circumstances can include unplanned pregnancy and emigration.

Article 13 of the Family Code states that religious marriages are not considered legal by the state.

With regard to free and full consent to marriage, Article 14 of the Family Code states: ‘In order for marriage to be contracted the future spouses must have the ability to freely express their consent. Forcing someone to marry is prohibited.’ In practice, this means that on contracting the marriage at the register office consent is expressed openly and loudly in front of witnesses, and requires a signature. If a negative answer is made, the marriage is not contracted.¹²

Article 136 of the Criminal Code imposes criminal liability for ‘forcing a woman to marry or to continue in cohabitation, or kidnapping for purpose of marriage against her will, and also impeding a woman from contracting marriage’. It envisages a fine, corrective labour, or imprisonment for up to three years. During this research it was not possible to access statistics on criminal cases initiated under Article 136, due to limited access to and lack of availability of official statistics concerning criminal cases.¹³

The results of surveys conducted by the consultant preparing this report give the impression that violent abduction for forced marriage has been almost eliminated in the country. Almost all the interviewees, both child spouses and staff members of state and non-state organisations, denied the existence of this phenomenon, equating it just with traditions around the wedding ceremony.¹⁴ During the research, representatives of NGOs and state bodies and people from the Republic of Karakalpakstan interviewed for this research stated that bride kidnapping is only conducted with the mutual consent of the parents of the groom and bride and also – without fail! – with the free will of the groom and bride, when they need to ‘bypass’ certain traditions.¹⁵ For example, in one interview a girl admitted that she had been ‘kidnapped’ at the suggestion of her own mother: the family was in mourning because of a family member’s death, and so it was not possible to hold a wedding. Bride ‘kidnapping’ allowed the couple to contract the marriage before the end of the family’s year-long mourning period.¹⁶

Another of the girls questioned stated that the decision to ‘kidnap’ had been taken jointly by her parents, the spouse’s parents, and the young couple, in order to avoid the cost of conducting the type of large and expensive wedding that is customary in the country.¹⁷

Family planning and reproductive rights

Data from the Multiple Indicator Cluster Survey (MICS 2006), which was conducted by the government with the support of UNICEF, indicates that about 80 per cent of 15- to 19-year-old women were not using any form of contraception (data from 2006).¹⁸

The Government of Uzbekistan, in cooperation with international organisations and local NGOs, is fully committed to increasing awareness among women of reproductive health: the national ‘Healthy mother – healthy child’ project is set to include free anonymous consultations for girls all around the country on starting a family and family planning;¹⁹ and all women’s clinics provide opportunities for discussions on family planning and right to free choice.²⁰

“At our clinic there is information hanging on every door about the fact that the women’s clinic provides free contraceptives. Do you think women are queuing for them? Nothing of the sort! They say that their husbands do not allow their use. They usually come with their mother-in-law, the wife of the husband’s older brother, or sister-in-law. They sit nearby, and want to know everything that’s going on. Sometimes you have to ask them directly to leave us alone with the patient, referring to medical ethics.”

(Gynaecologist, district women’s clinic)

Children and adolescents are expected to study reproductive health issues in schools, academic lyceums, and professional colleges,²¹ during lessons on the basics of health, which form part of the academic programme for senior classes.²² However in practice, according to representatives of Uzbekistan’s Women’s Committee, these lessons are often held irregularly and unprofessionally, and therefore they do not always have the desired effect.

“Reproductive health lessons are less common in the school curriculum, but in colleges and lyceums they are incorporated from the first year of study. These courses should be conducted separately for girls and boys. Another thing is that often they are not conducted at all, or just once every six months. This is not right.”

(Women’s Committee representative)

Before getting married, a couple must undergo a free medical check-up, which includes visiting a range of medical professionals, including a gynaecologist for the female partner and a urologist for the male. This is enshrined in law.²³ In addition to determining her health status,²⁴ the gynaecological consultation also covers family planning, precautions, care for her health, and soon.²⁵

After a girl under 18 has contracted a marriage, she has full legal capacity, and has the right to visit a gynaecologist and other specialists without being accompanied by her mother or another adult.²⁶ However, in practice, according to child spouses and healthcare professionals interviewed here, female child spouses go to the doctor with their husbands or mothers-in-law.²⁷

“I don’t know if I wanted children. Now that I have them, I love them very much, so it is scary to think of how I lived without them. But I was 16 years old when I got pregnant, almost still a child myself, only just married yesterday. I knew nothing about what to do with a child, or how to look after myself after giving birth. I was ill for a long time, with some kind of inflammation. I was in despair.”

(Child spouse)

Most of the child spouses interviewed for this research stated that they did not know enough about sex, that they only knew a little about contraceptive methods from unreliable sources, and that they knew nothing about the rights of women to free choice and participation in family planning, or about prevention of sexually transmitted infections (STIs). The girls interviewed stated that they received their information about sex, female and male physiology, pregnancy, and childbirth from female friends, sometimes from older women in their families, and in some cases over the internet.

Traditionally, a newly married couple is expected to produce their first child within the first year of married life, irrespective of the wife’s age, according to an interview with a representative from the Ministry of Health. The survey of child spouses indicated that within the first year of married life, all the couples had their first child (apart from atypical cases which were not covered during this research): by the age of 20, many of the respondents already had two children. Most of the interviewees stated that they had been victims of latent pressure to have children: though they were not directly forced to conceive, husbands and relatives expected a first child to be born within the first year of marriage.

For the child spouses interviewed, this had led in some cases to serious health problems connected with early pregnancy and birth, including infertility after the first

child, chronic inflammation, or other chronic diseases. Female child spouses noted that medical complications that result from pregnancy and childbirth also cause further problems in their relationships with their husbands, as these diseases make sex and housework more difficult, and influence the general condition of the young woman, her mood and so on.

Child marriage in the Republic of Uzbekistan

The statistical information that is available does not cover all child marriages, but only those which were officially registered, with state registration bodies. Registered child marriages amount to 2.7 per cent of the total number of marriages registered.²⁸

“When you are 16 or 17, everyone wants to marry you: when you’re 20 or 21, nobody does!”

(Woman married at the age of 16)

However, legal registration is only possible from the age of 18 for men and 17 for women. In some cases, the marriageable age can be reduced by one year, if permission is obtained from the local authorities.²⁹ The women’s rights experts interviewed for this study believe it is not difficult for the marriage of a 16 year old to be authorized: the law does not state in what circumstances the age can be reduced, leaving it to the discretion of *khokimiats* (mayors’ offices).³⁰

At the same time, the results of the survey of child spouses, their relatives and their friends,³¹ and representatives of state bodies and NGOs, indicate that most child marriages are not officially registered or are registered only after the couple reaches the legal age for marriage. The couple usually begin living together right after their religious wedding – *nikah* – even if the woman and/or the man has not reached the marriageable age set in law. There are no data in the country on the number of religious marriages, as these are not registered.

According to a State Statistical Committee representative, persons under 18 years of age living in rural areas are more likely to marry early than urban residents. Representatives of women’s rights NGOs stated that girls get married before the age of 18 dozens of times more often than boys, and so the negative impacts of child marriage are far more likely to affect girls.

In 2009 the Spiritual Administration of Muslims of Uzbekistan adopted an internal regulation³² that stated that *nikah* could only be carried out by an official imam, and only after official state registration of the

marriage.³³ This regulation was intended to protect the rights of women and should have decreased the number of child marriages.³⁴ However in practice, as madrassa students interviewed for this research noted, couples getting married have begun to ask religious figures from their areas to perform *nikah*, rather than official mosque imams. In their opinion, *nikah* can be performed by any faithful Muslim. All the child spouses interviewed here reported that during their *nikah* ceremonies the religious leader did not ask them about their age, or whether they had completed their state registration.

Religious marriage without legal registration makes girls extremely vulnerable. A family law expert stated that if the couple divorces, the wife receives no alimony, property, or other financial support.

Ethnic factors are unquestionably important, but they are not crucial factors: The study revealed that child marriage is not only widespread among the majority population but also common among minority ethnic groups.

“She didn’t love him, and wouldn’t have married him, but she very much wanted to leave Bukhara, and there was a chance of going to Russia. She was 16.”
(Sister of an ethnic Tajik child spouse)

However, the reasons for contracting child marriage may differ between ethnic groups. While child marriage among the majority population is primarily the result of traditional attitudes towards the role of women in society, among other groups the reasons could include romantic infatuation, the possibility of emigration from the country, or unplanned pregnancy.³⁵

“My wife should sit at home and bring up my children: there’s no reason for her to work. I don’t want to offend you, but women can only do one thing well: run a house and take care of children. It suits both of us.”

(Husband of a child spouse, 32 years old)

The interviews revealed that the economic status of the family does not always play a major role in the contracting of child marriage. Child marriage takes place in families with different income levels, and in fact cases of girls being married off because of family poverty are rather rare, according to the girls and NGO

representatives who were interviewed. Payment of bride price has been consigned to the past, and replaced by gold jewellery – a personal wedding present to the bride from her spouse. Meanwhile, according to an NGO representative, the giving away of a daughter usually costs a fortune for her parents, who save for it for years. Survey participants believe that the main reason for child marriage is the traditional understanding of the role of women in society and in the home. Families believe that their daughter’s main destiny is to marry. During the research, the opinion was expressed that if a girl has to get married in any case, it’s better for it to happen earlier rather than later.

“It would surely be better for parents first to ensure their daughter is educated and has a profession, because this is free, and then together start saving for a wedding. However they [instead] choose to marry her off as quickly as possible.”
(Director of an academic lyceum)

At the same time it is important to point out that state social policy with regard to families with minor children is rather progressive, and that reforms carried out in the education system have made 12 years of vocational or academic education free and compulsory for all. However, despite this, some girls are forced to leave their studies at the urging of their families to get married or start preparing for married life, as marriage is considered more important than an education.

“That’s how it happens in the regions, at our seminars: a woman proudly tells us how her daughter is an excellent student at school, so clever, the best at maths and languages. Then a year later at another seminar, you meet her and ask how her children are and she answers that her son is studying at an institute in Tashkent, and her daughter’s at home. You ask her, why – you told me that your daughter was a better student than your son, she was the best in the class! And she answers – she’s a girl. She needs to be married, not educated.”
(NGO representative)

“My stepfather married me off. We didn't even live in Nukus, but in a nearby village. I was considered beautiful there, worthy of attention. My stepfather was very worried that I would be spoiled before my wedding, so he could hardly wait until I turned 17 when he gave me to the first [man who asked], in order to rid himself of the responsibility.” (Child spouse)

In general, according to the study findings, the initial decision on child marriage is most frequently made by the parents, who both insist on marriage and search for suitable candidates. Traditionally, one of the most important tasks of parents or guardians is to set in place the family arrangements of their children, particularly girls: The sooner this 'parental duty' is fulfilled, the sooner they can relax. A daughter is informed about her impending marriage and about who will be her husband only after the groom's parents have sent official matchmakers to the girl's parents, and they have agreed to the marriage. The reaction of the girls interviewed for this study varied: some refused initially, but when faced with persuasion and pressure, reconciled themselves to it, while others agreed immediately.

“His parents tell him: You need to marry. He shrugs his shoulders - if I need to, I need to – and looks for a wife. The parents, as a rule, already have a girl in mind and go to her parents. They also don't rush to refuse, if it is a good boy from a good family: Why lose such a chance – what if there won't be another one?”
(NGO representative)

Another reason for child marriage, according to representatives of women's rights NGOs, is desire to preserve the innocence of the girl 'for the husband' and, thus, marry her off 'before she is spoiled'. In Uzbekistan, loss of virginity before marriage is considered a disgrace to the entire family, and so they try to marry off their daughters as soon as possible, in order that they are 'pure' when they are given to their husbands. For this reason, child marriage because of unplanned pregnancy is relatively rare among ethnic Uzbeks, and in general is characteristic of other ethnic groups, who are more accepting of premarital sex.

Typically, the boy and girl see each other two or three times before the wedding, usually in the presence of two women from each family, according to child spouses and representatives of social assistance centres interviewed here. After their engagement, the couple can sometimes meet by themselves, and talk for long periods on the telephone. With regard to the difference in age between the spouses, most respondents were married to men who were six to seven years older, although in some cases, the age difference was more than 10 years.³⁶

In almost all the cases considered, the newlyweds go to live with the husband's family, where the girl, as the youngest daughter-in-law, quickly assumes responsibility for housework and serves, in essence, her husband's whole family. The girls surveyed here do not see in this any violation of their rights, which probably also can be explained as the influence of traditional values.

“I pined for my home: I missed my mother and always wanted to see her, but my mother-in-law said that now I had another family, and I should always be with them. I could go to my family on holidays to congratulate them, or they could visit me at the weekends, but my mother-in-law was always nearby. My mother and I couldn't even talk properly...”
(Female child spouse)

The child spouse interviewed for this study noted that, as a rule, the girl is not prevented from communicating with her own family, but communication is significantly limited. She should inform her new family of trips to her parents in advance, and leave at the arranged time.

Domestic violence is still a very serious issue in the country that is usually hushed up, so its true extent is unknown. Statistics on the issue are not available, because in patriarchal families it is not acceptable to 'wash dirty linen in public', and any violence remains within the family.³⁷ The child spouses surveyed refused to talk about the topic; denied that violence occurred; or revealed evidence that some form of violence had taken place, but that the victims had not even considered it to be violence, as it had been imprinted in their minds that quarrels, insults, and slaps are an integral part of family life.³⁸ The child spouses did not understand that sexual assault can also take place between spouses: In the worldview of the child spouses interviewed here, the husband cannot sexually assault his wife because he has the right to her and her body at

any moment.³⁹ Meanwhile, as an NGO representative noted, child spouses rarely seek assistance because they are ashamed of their situation, do not know who to ask, or try to reconcile themselves and not take their personal problems outside of the home.

According to another legal expert on women's rights, the situation is aggravated by the fact that the girl, even if she decides to seek assistance, often cannot do anything because she is isolated and it is difficult for her to leave her home or make a phone call. Her parents also do not rush to help her if her marriage is causing her to suffer. They urge her to tolerate it, put up with it, and be more diplomatic, in order not to 'displease her husband'.

In regard to equality between spouses, most of the child spouses interviewed reported that they do not feel equal to their husbands, and cannot be equal to them, as the husbands earn money and provide for the family. The child spouses themselves, as a rule, did not participate in family budget planning. Some of them received small sums for incidental expenses, but most received money strictly for household needs. The child spouses who were interviewed for this study reported that they needed to ask for money for their personal needs from other family members, in particular from the husband, mother-in-law, or father-in-law.

Finally, it should be stressed that, according to a register office worker, the divorce rate from child marriage is very high. The child spouses interviewed here state that this is often because they cannot cope with the situation anymore and leave the families. Meanwhile, women's rights NGO staff members point out that often husbands throw their young wives out themselves.

In most cases, the child spouses who participated in this study admitted that they had made a mistake in agreeing to marriage. In the interviews they stated that if they could repeat that part of their lives, they would have insisted on marrying later, and dedicated those years to themselves: to studying, working, meeting people, and spending time with peers.

“I shouldn't have got married. I should have argued with mum, with everybody. I should have run away from home to my friends in Tashkent, but I shouldn't have married at 16. Maybe I'd have studied, and then met a good boy. I wouldn't have been caring for a son alone now.”
(Child spouse)

Policy responses

In recent years, the government has taken significant measures to prevent child marriage. According to the Women's Committee, prevention of child marriage and its social consequences is being actively discussed at various levels of government. However, because of limited availability of data and information on child marriages, the researcher was unable to fully access the work being carried out by state bodies.

The information that it was possible to obtain appears to indicate that the state is concerned about the socioeconomic consequences of child marriage and is actively engaging administrative bodies at the local level, law enforcement agencies, the mass media, and regional bodies in work to prevent child marriage.

Uzbekistan's Women's Committee is conducting a systematic awareness-raising campaign among the population about the harm caused by child marriage and early births. The committee regularly holds public meetings with community representatives and girls studying in schools, colleges, and lyceums, in order to raise awareness of the importance of education, self-reliance and financial independence, the right to a free choice, and so on. Such work takes the form of seminars, roundtable discussions, and meetings with citizens in educational institutions and hospitals. It is also conducted in cooperation with local *mahalla* committees.⁴⁰

In May 2013 new provisions were introduced into the Administrative and Criminal Codes to increase punishment for officials, parents, and religious leaders who allow early marriages to take place. The provisions stipulate a large fine and imprisonment of up to three months in cases where the law has been breached repeatedly.

NGOs are also doing important work in cooperation with state bodies. For example, since 2009 the administration of Samarkand oblast, in cooperation with Sabr NGO, has introduced the practice of premarital consultations for would-be spouses. When submitting an application to the registrar, if one member of the couple is not yet 18 years old, they are both sent to Sabr to meet with a psychologist. During these meetings, a Sabr staff member seeks, from a position of trust, to explain as much as possible to the couple about the particularities of married life, and the difficulties which young couples can face, to help clarify to what extent they are ready and willing to get married.⁴¹

Key points

Despite the great attention being paid by the government to the problem of child marriage, the issue is not well-studied. There is a lack of real statistics, and studies of the phenomenon are usually fragmented, forming part of separate studies on gender issues.

The law sets the marriageable age lower (17 years) than that enshrined in international law. What is more, it allows it to be reduced further. In addition, the law does not list the conditions under which marriageable age can be reduced, leaving this to the discretion of the local authorities, thereby increasing the risk of corruption.

Most child marriages are initially contracted on a religious basis, often without subsequent official registration. This makes female child spouses vulnerable in regard to their rights and legal interests, and in case of divorce leaves them without alimony, a place to live, or financial assistance.

Child marriage often results in girls leaving education. Some female child spouses are ordered to give up their studies, while others find they are unable to continue studying because of the growing pressure of housework and childbearing.

Girls who marry early often do not have enough knowledge and understanding in the field of reproductive health and family planning. Lessons are supposed to be conducted in educational institutions on preparation for family life, but in practice these are often not regularly conducted.

The influence of tradition on the contracting of child marriage is very high, and is more significant than socioeconomic factors or educational attainment. Traditionally, parents play the key role in contracting marriages, trying to determine their children's lives, and often not upholding their right to free choice.

There is a need to develop additional mechanisms to influence the contracting of child marriage, in particular through active involvement of NGOs. There are not enough NGOs and crisis centres in the country that can help children who have married.

Quotes

Large-scale research needs to be conducted within the country, at least so the government itself can know how many children in the country are [starting] their own families. But it is not clear how this can be done, as families hide information and are frightened. There are statistics about the demand for registered marriages, as these are legal. But this is just the tip of the iceberg. Nobody knows the real figures. (Representative of Uzbekistan's Women's Committee)

In practice it is very easy to register a marriage at a register office before 17 years of age: as the law does not stipulate clear conditions when it is allowed and when it is forbidden, everything is resolved 'with an envelope'. Or even more simply, the register office is replaced by nikah. There you can guarantee nobody will consider age. (NGO representative)

Divorce in a religious marriage is not a problem. The husband says 'divorce' three times to renounce his wife, and she can [get lost]. There's no talk of any alimony, or any division of property. She's told: 'You came as a ragamuffin, now leave like that', and she's kicked out on the street. The things her family provided for the marriage are not returned, of course. (Representative of a women's rights NGO)

I had to give up school, there was no time, and my mother-in-law and husband said that I shouldn't study. They told me I was already a grown woman, with a family and a husband. Look how long others search for and wait for that! That's enough studying: live and be grateful. (Child spouse)

You asked about the bed... It was the main problem. I didn't know anything when I got married: I'd just been told a bit by my friends and gleaned something from the internet. Then my husband told me everything. But I still had such problems!!! (Child spouse)

You know, I've thought a lot about why I got married. I don't think anyone made me; they didn't beat me or tell me I must. I could have said no. But how do you refuse if everyone marries early? You start to think: what if I can't marry later? And I lose my chance... (Child spouse)

We've been approached by girls who have been driven to the edge. They phone or sneak out to us when their mothers-in-law and husbands are not aware. We try to help them if it's possible, by sending them to crisis centres. But then she lives there for a short time – and then what? Back to her parents? But how will she earn money? We first need to recognise that we have this problem, and then start to really help. (Representative of women's rights NGO)

Data overview

| | |
|---|---|
| Population (beginning of 2012): | 29,600,000 ⁴² |
| Life expectancy at birth (2010): | 70.5 (males); 74.4 (females) ⁴³ |
| Population under age 18 as of 2010: | 40% ⁴⁴ |
| Population below national income poverty line (2008): line (2011): | 22% ⁴⁵ |
| Unemployment rate (2012): | 5% ⁴⁶ |
| Youth literacy rate for ages 15-24 (2010): | 99.34% ⁴⁷ |
| Youth literacy ratio (female rate as a percentage of the male rate, age 15-24) (2010): | 100.12% ⁴⁸ |
| State health expenditure per capita per year (2010): | US\$ 82.43 ⁴⁹ |
| Main ethnic groups (2010): | Uzbeks (more than 80%), Tajiks (4%), Russians (4%), Kazakhs (2.5%), Karakalpaks (2.5%), Kyrgyz (1%) ⁵⁰ |
| Main religions: | Islam, Orthodox Christianity ⁵¹ |
| Main languages (2012): | Uzbek (state language), Russian, Tajik, Karakalpak ⁵² |
| Average age at time of marriage (2012): | 25.7 (males); 22.4 (females) ⁵³ |

Child marriage statistics

Table 1. Marriage by bride's age⁵⁴

| Total number of marriages | Age of bride (years) | |
|---------------------------|----------------------|------------------------|
| | Under 18 | 18–19 |
| 299,048 | 7,839 (2.6%) | 63,283 (21.2%) (22.6%) |

Table 2. Marriage by groom's age⁵⁵

| Number of men marrying for the first time | Age of groom (years) | |
|---|----------------------|--------------|
| | Under 18 | 18–19 |
| 299,048 | 11 (less than 0.01%) | 5,114 (1.7%) |

According to the 2006 MICS, the proportion of women marrying for the first time was virtually the same in urban areas (12.6 per cent) as it was in rural areas (12.5 per cent).⁵⁶

Table 3. Proportion of women marrying for the first time before the age of 18, by educational attainment, 2006⁵⁷

| Level of education | % of women married by 18 |
|-------------------------|--------------------------|
| Not completed secondary | 22.1% |
| Secondary | 15.3% |
| Specialised secondary | 6.7% |
| Higher | 3.2% |

Table 4. Proportion of women marrying for the first time before the age of 18, by income quintile, 2006⁵⁸ (no data available for men)

| Income quintile | % of women married by 18 |
|-----------------|--------------------------|
| Poorest | 13.8% |
| Second | 13.1% |
| Middle | 13.8% |
| Fourth | 11.5% |
| Richest | 10.6% |

Table 5. Proportion of women marrying for the first time before the age of 18, by area, in 2006, out of the total number of marriages contracted in the country⁵⁹ (no data available for men)

| Region | % of women married by 18 |
|----------------------|--------------------------|
| Western regions | 12.8% |
| Central regions | 11.4% |
| Southern regions | 13.1% |
| East-central regions | 11.6% |
| Eastern regions | 14.1% |
| Tashkent city | 9.5% |

Notes and references

- 1 Referred to subsequently in the text as child marriage.
- 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 It is worth noting that Uzbekistan is a highly centralised state with limited access to information. Sometimes information is classified and access is impossible. In other cases access requires the following of certain procedures, which take several months to complete, making it impossible for the purposes of this study. This is why some of the information provided in the text is out of date and other information is missing.
- 4 Concluding observations of the Committee for the Elimination of Discrimination Against Women, Uzbekistan, CEDAW/C/UZB/CO/4, 26 January 2010, paragraph 43.
- 5 Adopted by the Legislative Chamber on 23 November 2007, and approved by the Senate on 1 December 2007.
- 6 Family Code of the Republic of Uzbekistan, Law 607-1 of 30 April 1998, entered into force 1 September 1998.
- 7 Civil Code of the Republic of Uzbekistan, Law 257-1 of 29 August 1996, entered into force 1 March 1997 by Oliy Majlis Regulation.
- 8 Criminal Code of the Republic of Uzbekistan, Law 2012-XII of 22 September 1994, entered into force 1 April 1995.
- 9 Code on Administrative Responsibility of the Republic of Uzbekistan, Law 2015-XII of 22 September 1994, entered into force 1 April 1995.
- 10 Family Code, Article 15; Law 'On Guarantees of the Rights of the Child', Article 3.
- 11 Civil Code, Article 22.
- 12 From interview with register office staff.
- 13 From private interview with prosecutor's office staff.
- 14 From interviews with female child spouses, and staff of NGOs and Women's Committees; and from private interview with prosecutor's office staff.
- 15 The practice of abduction for forced marriage is primarily associated with the Karakalpakstan region.
- 16 From interview with female child spouse (who contracted marriage at the age of 17).
- 17 *Ibid.*
- 18 State Statistical Committee of the Republic of Uzbekistan, UNICEF, UNFPA (2006) *Multiple Indicator Cluster Survey, 2006. Monitoring of the situation of children and women, Uzbekistan*, State Statistical Committee of the Republic of Uzbekistan, Tashkent, p.108.
- 19 Resolution of the Cabinet of Ministers of the Republic of Uzbekistan 'On additional measures to improve the upbringing of children to ensure the healthy and harmonious development of a generation' of 14 October 2011. Action Plan available at http://lex.uz/Pages/GetAct.aspx?lact_id=1883278 (accessed 1 October 2012).
- 20 From interview with Ministry of Health representative.
- 21 Lyciums and professional colleges cover the last four years of schooling (9th – 12th class).
- 22 The Ministry of Popular Education, recommendations for conducting 'Basics of Health' in senior secondary classes, available at: <http://uzvedu.uz/rus/info/tutorials/modul1/> (accessed 1 October 2012).
- 23 Regulation on medical examination of persons contracting marriage, Number 36 of 25 August 2003.
- 24 *Ibid.*, point 20
- 25 From interview with Ministry of Health representative.
- 26 Civil Code, Article 22.
- 27 From interviews with female child spouses.
- 28 Women's Committee of the Republic of Uzbekistan.
- 29 Family Code, Article 15, point 2: 'If there is good reason, in exceptional circumstances the *khokim* of the district or town where the state registration of the marriage is applied for can, at the request of the persons wishing to contract the marriage, reduce the marriageable age, but not by more than one year.'
- 30 *Ibid.*
- 31 In order to examine the issue from all perspectives, the survey participants were not just child spouses, but also everyone who is indirectly involved with child marriages. This includes their friends, neighbours, colleagues, acquaintances, and so on. The information received from these respondents did not go directly into the report, but helped to create an overall picture of the state of child marriage in the country. A total of 112 people were surveyed in this way.
- 32 It is not possible to cite the regulation, as it is an internal document circulating within the Spiritual Board of Muslims. It is binding but is not published in official collections of documents.
- 33 Family Code, Article 13: 'Marriage is contracted at state registration offices. Marriages contracted under religious law do not have any legal status.' Information obtained during an interview with the rector of a mosque in Khiva, and confirmed by NGO representatives and representatives of Uzbekistan's Women's Committee.
- 34 Uznews.net (2009) 'Никах без загса не получится' ['You can't have *nikah* without the register office'], 13 August 2009, at http://www.uznews.net/news_single.php?lng=ru&sub=&cid=4&cnid=11017 (accessed 1 October 2012).
- 35 From interview with NGO staff members, and also information obtained from the survey of girls who had contracted marriage, and representatives of the Ministry of Health.
- 36 The research showed that the typical age difference between spouses in child marriage is five to six years. As a rule, the brides are 16-17 years old, and the grooms more than 20 years old. During the study, meetings were held with family members of girls who had married at 16 to men older than 30. However, this does not appear to be typical.
- 37 According to information obtained from a consultation centre specialising in protecting women from domestic violence, the true scale of the problem is impossible to ascertain, as the state prefers to close its eyes to the problem. The woman will be dissuaded from making complaints to the authorities or breaking up the family, and preventative work will be conducted with the man – all at the local level (*maballa* committees). If radical protest occurs against domestic violence (self-immolation or another method of attempting suicide), this is carefully hidden from the prosecutors and police in order to avoid publicity. It thus follows that both the true numbers of victims of domestic violence and the actions of the authorities against the perpetrators remain unknown.
- 38 Information from interviews with female child spouses, and also interview with representative of women's rights NGO.
- 39 Marital rape is not in fact recognized as a specific criminal offence in Uzbekistan. Social Institutions and Gender Index (2012) 'Uzbekistan country profile', http://www.genderindex.org/country/uzbekistan#_ftnref27 (accessed 20 September 2012).
- 40 From interview with representatives of the Women's Committee. *Maballa* committees are local government bodies for the residents of small neighbourhoods. They play a role in social regulation of these territorial units, and can act, for example, as arbiters in disputes.
- 41 From interview with NGO representatives. This information was confirmed by the director of an academic lyceum.
- 42 Ratio of Young Literate Females to Males (% Ages 15-24) in Uzbekistan, www.stat.gov.uz.
- 43 Statistics from the site of the UN in Uzbekistan, available at <http://www.un.uz/ru/page/1-about-uzbekistan.html> (accessed 1 October 2012).
- 44 Ministry of Foreign Affairs press release to mark the day the Convention on the Rights of the Child was adopted, available at: http://mfa.uz/rus/prensa_i_media_servis/press_relizi/20_noyabrya_den_priinyatiya_konvenii_po_pravam_rebenka.mgr (accessed 1 October 2012).
- 45 World Bank, Country overview report, available at <http://web.worldbank.org> (accessed 1 October 2012).
- 46 UzDaily (n.d.) 'Уровень без работы в Узбекистане составляет 5%' ['The unemployment rate in Uzbekistan is 5%'], with a link to the State Statistical Committee: <http://lifestyle.uzdaily.uz/articles-id-11007.htm> (accessed 1 October 2012).
- 47 *Высокий уровень образования – одно из высших достижений страны* [High educational attainment is one of the greatest achievements of the country], www.samarqandinfo.uz, with reference to UNDP Uzbekistan; see also www.stat.gov.uz.
- 48 Trading Economics, 'Ratio of young Literate Females to Males (% ages 15-24) in Uzbekistan', <http://www.tradingeconomics.com/uzbekistan/ratio-of-young-literate-females-to-males-percent-ages-15-24-wb-data.html>, with link to World Bank Report (accessed 1 October 2012).
- 49 Trading Economics, "Health expenditure per capita in Uzbekistan" <http://www.tradingeconomics.com/uzbekistan/health-expenditure-per-capita-us-dollar-wb-data.html> with link to World Bank Report (accessed 1 October 2012).
- 50 Data from www.stat.uz.
- 51 US Department of State (2012) *International Religious Freedom Report 2011: Uzbekistan*, <http://russian.uzbekistan.usembassy.gov/082812ru.html> (accessed 1 October 2012).
- 52 Data from www.state.uz.
- 53 Data from www.gender.stat.uz.
- 54 *Ibid.*
- 55 *Ibid.*
- 56 State Statistical Committee of the Republic of Uzbekistan, UNICEF, UNFPA (2006), *op. cit.*, p.129.
- 57 *Ibid.*
- 58 *Ibid.*
- 59 *Ibid.*

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 lifesaving 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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Contact Details:

UNFPA Uzbekistan: 14, M. Tarobiy Str. Tashkent, 100090, Uzbekistan; Loginova@unfpa.org; tel: +998 71 281 5881/83

UNFPA EECCARO: Hakki Yeten Caddesi, Selenium Plaza, No:10/C Kat 18-19, 34349 Besiktas, Istanbul, Turkey; eeccaro@unfpa.org

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