



CHILD MARRIAGE

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# EDITORIAL

## TOO YOUNG TO WED: CHILD MARRIAGE IN EASTERN EUROPE AND CENTRAL ASIA



Werner Haug

The International Day of the Girl Child was marked for the first time on the 11th of October this year. The occasion is about protecting and empowering girls. They are a vulnerable group that continues to suffer from human rights violations and there are few issues that highlight this more than child marriage.

Children are considered incapable of giving free and full consent, making child marriage a violation of human rights and the rights of the child. Numerous international treaties and conventions have been signed to prevent it from taking place. These pertain to abolishing harmful customs and traditions (such as female genital mutilation), preventing violence against girls, ensuring marriage consent, verifying spouses are of marriageable age, requiring that marriages are registered and granting everyone the freedom to choose who they marry.

Much of eastern Europe and central Asia is known for its rapid development in recent years. However, as in all parts of the world, outstanding human rights issues need to be addressed across the Region and room for improvement exists. Child marriage is one such issue, primarily affecting girls, that needs more attention.

Child marriage and childbearing affect girls' physical and psychological health. Girls are not only at risk of early and unwanted pregnancies, but the complications associated with pregnancy and child birth are among the leading causes of death for girls aged 15-19 worldwide. In addition there are issues associated with empowerment. If a girl is married before she completes her education, her chances of finding employment and achieving a career are limited. This contributes to the cycle of poverty that often leads to the continuation of child marriage.

According to anecdotal information available in the Region, child marriage is on the rise. As a result of socioeconomic turmoil, conflict and the reassertion of cultural identities the phenomena has increased.

Child marriage generally tends to occur in disadvantaged areas and in groups lacking access to education, employment and health services, including in Roma communities. As a result of this, the girl spouse's sexual and reproductive health can suffer tremendously.

Since child marriage generally takes place in communities that face limited governmental monitoring and is sometimes completely undocumented, the state is often unaware that the problem exists. If authorities are aware, they usually do not realize the scale of the problem and don't adequately address it through national legislation and programmes.

The UNFPA supports governments in all countries in the Region, especially in those where issues of child marriage are acute, to:

- Develop and implement adequate legislation and policies;
- Raise awareness about women's and adolescents' human rights, including their right to information and education on sexual and reproductive health and access to reproductive health services;
- Improve the quality of health services provided to disadvantaged populations and guarantee access to contraception;
- Introduce and scale up sexuality education in and out of schools;
- Strengthen mechanisms to collect disaggregated data; and
- Support programmes on domestic violence prevention.

If we can end child marriage, we can change the lives of girls everywhere. We can help them enjoy their childhood, enroll them in schools, protect them from complicated pregnancies and births. We can keep girls safe. Therefore, as we do all of this we can break the cycle of intergenerational poverty and eliminate discrimination.

We call on governments, civil society, private sector, faith based organizations and the international community to accelerate efforts to:

- Enforce legislation to prevent child marriage;
- Improve equal access to quality education and health services for boys and girls;
- Mobilize communities to change discriminatory practices against girls and to create social, economic and civic opportunities for girls;
- Raise awareness among disadvantaged populations on human rights, sexual and reproductive health and gender equality; and
- Address root causes of child marriage including violence against women and girls.

The publication of this edition of *Entre Nous* is a positive step for raising awareness of the issue. Additionally, I invite you to visit <http://eeca.unfpa.org/public/pid/12420> to review the available evidence in its entirety.

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# EARLY MARRIAGE: CAUSE AND CONSEQUENCE OF GENDER INEQUALITY AND A VIOLATION OF HUMAN RIGHTS

To get married is a human right. Article 16 of the Universal Declaration of Human Rights clearly states that men and women of full age, without any limitations due to race, nationality or religion, have the right to marry and found a family. It further specifies that men and women are entitled to equal rights as to marriage, during marriage and at its dissolution. It also says that marriage should be entered into with the free and full consent of the intending spouses (1).

A number of different and important international human rights treaties also stipulate that a person's right to choose when, if, and whom he or she will marry must be protected and enforced by national laws (Text box 1). Marriage may, therefore, also be a violation of human rights – both in itself and through the limitations marriage may pose on an individual in certain circumstances.

All countries in the WHO European Region have set a minimum age for marriage, and in most countries this is 18. This is because under the Convention of the Rights of the Child a person under the age of 18 is generally considered a child (Text box 2) (2). Many countries are setting a lower age for marriage with parental consent and in countries where there is a discrepancy between the minimum age of marriage between men and women it is consistently lower for women. A different legal age of marriage between women and men is discriminatory and reflects gender inequalities.

The issue of free and full consent for entering into marriage is a complex matter and even more so when it concerns children. Moreover, in many European countries parents' consent overrides the legal age of marriage, which poses difficult questions from a human rights perspective. The Committee on the Elimination of Discrimination against Women is clear in its recommendation: "When men and women marry, they assume important responsibilities. Consequently, marriage should not be permitted before they have attained full maturity and capacity to act" (3).

Gender inequality is both a main cause and a consequence of early marriage. In most cases of early and forced marriage, the younger spouse is a girl and marriage has only a further disempowering impact on her. From a rights-perspective a number of serious concerns accompany child marriage for girls, such as: denial of childhood and adolescence; limits to personal freedom and development; reduced educational opportunities; as well as limitations to her right to health, including reproductive health and psychological well-being. Due to gender inequalities, young girls who get married are more likely to be forced into sexual intercourse, less likely to negotiate safe sex, and more likely to experience domestic violence. They are also less likely to take action against abuse (4).

Early marriage is present across the European Region. In western countries this is most predominant among migrant populations and among minorities such as Roma and travellers. It is important that governments take action to prevent early marriage and its impact. Existing laws should be strengthened in line with human rights commitments and correctly enforced and there should be a health and social support system available for girls who suffer the impacts of early marriage and/or are trying to avoid or escape from it. More importantly, however, there is a need to address the gender inequalities behind early marriage and invest in girls' empowerment, protecting and supporting adolescence by keeping girls in school. Action is also needed across society through a wide range of actors to

## Text Box 1.

### INTERNATIONAL HUMAN RIGHTS INSTRUMENTS AND EARLY MARRIAGE

A number of human rights instruments lay down norms to be applied to marriage, covering issues of age, consent, equality within marriage, and the personal and property rights of women. The key instruments and articles are as follows (paraphrased for clarity in some cases):

*Article 16 of the 1948 Universal Declaration of Human Rights* (UDHR) states: (1) Men and women of full age (...) have the right to marry and found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending parties.

Similar provisions are included in the 1966 *International Covenant on Economic, Social and Cultural Rights* and the 1966 *International Covenant on Civil and Political Rights*.

*Article 1 of the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery* includes in the institutions and practices similar to slavery: Article 1(c) Any institution or practice whereby: (i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family (...).

*Articles 1, 2, and 3 of the 1964 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*

state: (1) No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person (...) as prescribed by law. (2) States Parties to the present Convention shall (...) specify a minimum age for marriage ("not less than 15 years" according to the nonbinding recommendation accompanying this Convention). No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interests of the intending spouses (...). (3) All marriages shall be registered (...) by the competent authority.

*Article 16.1 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women* prescribes equally for men and women: (a) The same right to enter into marriage; (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent; (...). *Article 16.2* states: The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage.

*Article 12 of the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms* states: Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

Source: UNICEF, 2001 (5).



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bring marriage out of the private sphere and publicly discuss the many negative consequences early marriage may have, for the spouses, for the family and for society as a whole.

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### Text Box 2.

#### EARLY MARRIAGE AND THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC)

The CRC has been ratified by all countries with the exception of the United States and Somalia. Virtually every provision of the CRC is of some relevance to the issue of early marriage. Among the most pertinent, however, are the following (paraphrased for clarity in some cases):

- Article 1:* A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.
- Article 2:* Freedom from discrimination on any grounds, including sex, religion, ethnic or social origin, birth or other status.
- Article 3:* In all actions concerning children ... the best interests of the child shall be a primary consideration.
- Article 6:* Maximum support for survival and development.
- Article 12:* The right to express his or her views freely in all matters affecting the child, in accordance with age and maturity.
- Article 19:* The right to protection from all forms of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse, while in the care of parents, guardian, or any other person.
- Article 24:* The right to health, and to access to health services; and to be protected from harmful traditional practices.
- Articles 28 and 29:* The right to education on the basis of equal opportunity.
- Article 34:* The right to protection from all forms of sexual exploitation and sexual abuse.
- Article 35:* The right to protection from abduction, sale or trafficking.
- Article 36:* The right to protection from all forms of exploitation prejudicial to any aspect of the child's welfare.

Source: UNICEF, 2001 (5).

# CHILD MARRIAGE AND ROMA

## Introduction

International human rights standards classify marriages before the age of 18 as child marriages, reasoning that those under age 18 are unable to give informed consent.

Child marriages involving parental, partner and/or social influence, collusion or pressure are, de facto, forced. Forced and early marriages are serious human rights violations. Today, only a few countries in the eastern Europe and central Asian Region have specifically criminalized the practice of child marriage. However, even when legal protections against child marriage exist, legislation enforcement mechanisms are limited.

Child marriage is a complex issue. Poverty, lack of value placed in girls' education, geographical isolation, social exclusion, trafficking and emigration are all factors that are driving child marriage in many countries of central Europe. Roma girls are especially vulnerable to be married at early ages due to existing values, traditions, poverty and social exclusion.

Within this context, the UNFPA Eastern Europe and Central Asia Regional Office conducted a study on child marriages in south eastern Europe (Albania, Bosnia and Herzegovina, Kosovo, the former Yugoslav Republic of Macedonia, Serbia), central Asia (Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan) and Turkey in 2012. The study included a review of secondary data on child marriages, as well as, collection and analysis of limited primary data input (from interviews with key experts and women/men who have experienced early marriage) (1).

This article is based on the results of the survey that covered the issue of child marriage among the Roma in five countries: Albania, Bosnia and Herzegovina, Kosovo, the former Yugoslav Republic of Macedonia and Serbia.

## Albania

For the Roma in Albania life is marked by unemployment, low income, poverty and low levels of education. Studies reveal

that Roma girls tend to marry at a much younger age and become mothers earlier than other ethnic groups. A study in 2002-2003 showed that the average age of marriage for Roma girls was 15.5 years, while the average age of Roma mothers at the birth of their first child was 16.9 years. In 2011, 31 percent of 13-17-year-old Roma girls were married or in union (2).

The available studies found that the main factors driving child marriages are cultural values, poverty, parents' fear of child kidnapping and prostitution and limited education on marriage and family planning. The outcomes of child marriage and childbearing, reported by the available studies, include low levels of education and high divorce rates (2).

While poverty is a major predictor of child marriage among the Roma, their values, beliefs, and attitudes towards what is considered honourable, moral and pure are important as well. Physical growth is considered an indicator of the readiness to enter marriage, rather than the child's actual age. Parents worry that once a child has reached puberty, he or she will begin dating and enter into a sexual relationship. Parents will arrange a marriage to ensure that the girl does not lose her virginity and to avoid the shame that would be brought onto the family's honour if this were to happen. In many cases, parents force their daughter to marry the boy she is dating.

The Criminal Code in Albania does not criminalize child marriage. The Civil Code states that a person attains full juridical capacity when he or she reaches 18 years of age. The code specifies, however, that if a girl marries before the age of 18, she automatically attains juridical capacity.

Child marriage among the Roma affects boys as well as girls. Two types of child marriages are common in Roma communities. The most frequent are arranged marriages as soon as the child is considered ready to marry (about 12-14 in females and 14-16 in males). The second type is marriage by elopement, where the couple decides to marry without their parents' approval. Roma marriages are rarely registered.

Child marriage is not common in all Roma communities in Albania. It is mostly found among more marginalized communities, who speak only Romani and are organized in big, extended families. Discrimination against them follows two primary routes: 1) the attitude of the majority Albanian population and 2) the legal and policy environment, which does not consider the specific needs of this group.

Roma child spouses usually continue the cycle of poverty into which they were born and, as their marriages are illegal, it is difficult for them to continue their education and to secure adequate housing or employment. Child marriages often do not last and a couple may separate and soon after remarry.

Early or child marriage is the union, whether official or not, of two persons, at least one of whom is under 18 years of age. By virtue of being children, child spouses are considered to be incapable of giving full consent, meaning that child marriages should be considered a violation of human rights and the rights of the child. Rates of child marriage are low in Albania, but the practice is found among Roma, and in some isolated rural communities.

Child marriage is a gendered 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 they often experience complications during pregnancy and childbirth, as their bodies are not ready for childbearing. On 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.



### Bosnia and Herzegovina

Almost as a rule, Roma do not register marriages and live births in the official registries. They practice common law marriages and they raise their children to follow the same customs. Roma consider such marriages as valid marriages in their community. While arranged marriages and early betrothals take place, it is more common for young Roma couples to elope without seeking their parents' advice or approval. The act of elopement then becomes the act of marriage. Once the 'marriage' is consummated all the parties are presented with a *fait accompli*. As marriages and births are rarely registered, there are no reliable records of who is related to whom by blood within Roma communities. This means that close relatives may end up living together in a common law marriage, sometimes resulting in health problems for their offspring.

According to the FGiH Family Law a person cannot contract a marriage if less than 18 years of age. A court can allow exceptions for a person who has reached 16 years old to contract a marriage if the person is physically and mentally able to fulfill the duties and rights of matrimonial life. Legally it is not possible for a person under 16 years of age to contract a marriage. If an adult is in a common law relationship with a juvenile under 16 years of age, it is considered a crime and according to the criminal code should be penalized. However, if marriage is contracted in such cases, criminal prosecution is not instituted.

Importantly and interestingly, Roma do not attribute child marriages to Roma tradition, but rather to the circumstances in which they live and to the consequences of these circumstances. They corroborate this claim by drawing attention to the marriage habits of Roma who are literate and have received an education, which resemble the patterns of the rest of the society. One Roma Non Governmental Organization (NGO) representative voiced the opinion that illiterate people are more prone to enter child marriages, which serve as a source of comfort and a 'place' to escape life's realities.

One of the important consequences of Roma lifestyle is that few Roma children have birth certificates, which makes it difficult for them to be enrolled in school. Later on, they face problems obtaining identification documents and registering with relevant authorities. The problems of illiteracy, lack of education, lack of skills, unemployment, poverty, poor health care, low standard of living, discrimination, and lack of perspective can make it very hard for some within the Roma community to avoid engaging in criminal activity.

### Kosovo

Although statistical data is unavailable, in the past, it appears that child marriage was fairly widespread in Kosovo. Anecdotal evidence suggests that child marriage remains prevalent among Roma, Ashkali and Egyptians, with some marrying as young as 12. In a 2008 survey of 270 Roma, Ashkali and Egyptian women, one-third believed child marriage could facilitate healthy childbirth and 60 percent felt parents should decide who their daughters marry (3).

Anecdotal information suggests that child marriage increased during the 1990s, especially during the war in 1999. Parents believed early marriage could protect their daughters. Young women who were left as heads of households hoped marriage would enable them to provide for their siblings. Other young women wanted to ensure that they could remain with their boyfriends who were emigrating. Nowadays, reasons cited for early marriage include love, family pressure, security, socioeconomic conditions, unplanned pregnancy, peer pressure and tradition.

Immediate registration is particularly rare in child marriages. One of the reasons why parents, guardians, or adult spouses who practice forced marriages are unlikely to alert the authorities to such marriages is the existing criminal penalties against child marriages. The existing Family Law regulates against forced marriages by coercion, threat, mistake or "any other lack of free will of

the future spouses" (4). Forced marriages are punished by imprisonment of parents or guardians under the Criminal Code. However, the survey respondents indicated that these legal provisions are not sufficiently implemented. For example, often when the authorities investigate suspected cases of child marriages community leaders might intervene to negotiate between police and parents (3). Another reason for unregistered marriages involving younger girls is the administrative procedures for legal child marriages, including court and forensic fees, which can be both time-consuming and costly. Instead, spouse(s) often wait until they reach the age of 18 to register their marriage.

### Serbia

According to the Multiple Indicator Cluster Surveys as many as 14 percent of Roma girls in the age group 15-19 years were married before reaching 15 years of age and one third had their first child before turning 18 (5). Nearly half of young Roma women in the age group 15-19 years were currently married or in union (44 %). This proportion varies between the urban (40 %) and rural (52 %) setting and is strongly related to the level of education. By contrast, only 19 % of Roma men in the age group 15-19 years were currently married or in union (5). As a rule, marriages in the Roma community are contracted in an unofficial manner, are not registered and are not reflected in the official statistics.

Although the Criminal Code of the Republic of Serbia stipulates that an adult living in a common law marriage with a minor shall be punished by imprisonment for a term of between three months and three years or, if the criminal offence was committed for gain, for a term of between six months and five years, in practice, few people convicted of this charge face imprisonment. During 2011, in the Republic of Serbia, 123 persons were reported for the criminal offence of common law marriage with a minor. Fifty-nine of them were convicted, but of these, in 47 cases the sentence was suspended, 4 people received unconditional

# CHILD MARRIAGE AND ROMA (CONTINUED)

prison sentences, 3 people were sentenced to a fine, 3 people were sentenced to a community order, 1 person was warned and 1 person was found guilty but freed without punishment (6). These statistics clearly portray the lenient treatment this criminal offence receives in the criminal justice system.

For a significant number of Roma women the cessation of education, reinforced by a lack of employment opportunities, paves the way to child marriage and early childbirth. This situation is reflected in the primary school dropout rate among girls from Roma settlements. Due to the belief that their daughters need to prepare for marital life and motherhood, Roma parents often withdraw them from school while they are still very young (12-14 years old). Furthermore, Roma girls face additional discrimination in relation to education. On one hand the school system is discriminatory with no measures to ensure the inclusion of Roma, while on the other, the family seldom supports schooling of female children. In addition, families also fear that social activities at school could lead to girls losing their virginity, which would inflict shame upon the girl and her family. The tradition of remaining a virgin until marriage, reinforced by the practice of virginity

testing, is still very common among Roma families in Serbia and is thus also closely linked to the high school-dropout rates of Roma girls in puberty.

The level of women's autonomy in the majority of Roma families is restricted in many aspects – in education, employment, family relations, and family planning. Serbian society in general and the Roma community in particular are very patriarchal and this is reflected in the low, subordinate status of the Roma women. Roma women enter the process of biological reproduction very early and are active during the whole period of fertility (7). Young married Roma women face another challenge – domestic violence, not only from their husbands, but also from their in-laws. Roma families are often large with several generations sharing a communal household.

## The former Yugoslav Republic of Macedonia

In general, according to NGO respondents in the former Yugoslav Republic of Macedonia, child marriages are most frequently found among the Roma population in the country. There are numerous reasons to justify the contracting and existence of child and common law marriages. The most frequent are the girl's

pregnancy, the need to preserve the family's honour, and "a better life in western countries". The "better life" justification particularly applies to cases where the groom, who is employed abroad, comes back home to find a bride to take back with him. This is a particularly desirable outcome for families experiencing economic hardship. Failure to continue with education (school dropout) is also particularly associated with child marriage. According to the interviews with child spouses, as well as NGO activists, the decision to drop out of school at an early stage of education is made by the parents predominantly among the Roma population. This attitude towards girls' education is rooted in the belief that a girl's place is at home and that removal from the school environment will ensure that she receives a proper preparation for marriage and that her virginity will be preserved. The patriarchal values and attitudes of parents to family honour, morality and girls' virginity perpetuate the discrimination of the Roma girls within the Roma population.

According to the Criminal Code, the act of an adult living in a common law marriage with a juvenile between 14-16 years of age is a crime punishable by imprisonment. The same punishment is applicable to parents or guardians who allow or force a juvenile to live in a common law marriage. However, the courts have adopted a lenient approach towards the perpetrators of this criminal offence. A study undertaken by UNICEF in 2010 on child sexual abuse found that "for the crime of extra-marital life with a juvenile between 14 and 16 years of age, a conditional sentence has been issued in 78.5 % of the cases" (8).

The current practice on marriages among the Roma is not to register marriages officially. It is a distinct feature of young Roma to live in common law marriages, which are regarded as valid marriages in their community. In the case of common marriages, child spouses are left without any institutional support and protection. The issues underlying this pattern are numerous but include: lack



of personal identification documents; poverty; low levels of education; unemployment; costs associated with obtaining the required documents for contracting a marriage; and the fact that one (usually the girl) or both members of the couple are too young to legally contract a marriage.

### Conclusion and Recommendations

While the findings from the study highlight the diversity of the factors contributing to Roma child marriage, in all of the countries common issues were identified where increased attention needs to be focused. Common issues that need to be addressed include, but are not limited to:

1. **Data:** Data on child marriages is lacking and or scarce in all of the studied countries, which makes effectively being able to address the issue challenging. Efforts need to focus on finding ways to provide reliable data on the issue so that the extent of child marriage, including who is affected and where it is occurring, can be known and progress and challenges in tackling child marriage can be appropriately measured and evaluated.
2. **Education:** Education was identified across all countries as both a risk factor for and outcome of child marriage. Measures to ensure that Roma children are not excluded from existing educational systems should be implemented by governments. In addition, education activities on women's and children's human rights, including consequences of child marriage, should occur on a regular basis in the Roma settlements and should be supported and introduced in the Roma Health Mediators programmes.
3. **Reproductive health:** Access to free reproductive health services and

education, including family planning, is needed in communities most affected by child marriages. Increasing access and education will help to decrease unplanned pregnancy, which was a common factor cited leading to child marriage and also help to delay pregnancy in those who are in child marriages.

4. **Policies and legislation:** Lack of identification documents and absence of registration of existing common law marriages in Roma communities contributes to the vulnerabilities faced by these communities and to their social exclusion. Access to proper documentation and registration of marriages (both child and common law) is needed in order to reduce and prevent child marriages.

Child marriage is not an isolated event. It is related to other social problems faced by the Roma families, such as economic difficulties, lack of adequate housing and lack of access to education and health services. If we wish to make progress in addressing the issue we need to recognize the importance of the contributing factors and encourage action at all levels of society and across all social, cultural, religious and economic disciplines.

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# CHILD MARRIAGE IN CENTRAL ASIA

## Introduction

It is difficult to make generalities when describing the attitudes and trends of the diverse societies that inhabit the central Asian republics. More than 150 ethnic groups from different socioeconomic, religious and ethnic backgrounds live in the Region, which, at 4 million square kilometres, is almost the size of the European Union. Approximately 65 million people live here in geography that varies from desert, to steppe, to lush green valleys and mountain ranges. Levels of development are also as varied, from isolated traditional homes in the Pamir Mountains to newly built skyscrapers in Astana.

These differing attitudes and trends also apply to the issue of child marriage in the Region. Child marriage is perpetuated by a variety of different factors that differ not only when describing the issue on a country level, but also when detailing the nature of the phenomenon in different communities. Factors including history, cultural background, community desire to perpetuate gender roles, economics, armed conflict, lack of registration and non-enforcement of legislation all contribute to child marriage being an ongoing issue in the Region.

The following article examines the issue in light of these factors and is based

on UNFPA field research completed earlier this year.

## Historical and Cultural Background

Historically, the prevalence of child marriage during pre-Soviet times in the central Asian republics (Kazakhstan, Uzbekistan, Kyrgyz Republic, Turkmenistan and Tajikistan) is hard to determine due to a lack of records prior to the collapse of the Russian Empire. In addition, the attitudes and values of the people living in this vast territory towards gender roles were not at all homogenous. Much of the population, including the Kazakhs, Kyrgyz and Turkmen, lived as nomads, while settled populations existed predominantly in areas that are now part of Uzbekistan and Tajikistan. Amongst many of the nomadic populations, women were relatively empowered and typically not veiled. Tribal laws, as opposed to Islamic ones, were more prevalent in such societies. The opposite could generally be applied to the settled populations.

That women were subservient to men is widely documented. That child marriage took place is also known, with the minimum age for marriage being 13 for boys and only 10 for girls. A tradition of paying Kalym (bride price) for brides was also in place. Such a practice would mean

that grooms were generally older than their brides due to the time taken to earn and save the amount of wealth demanded for Kalym.

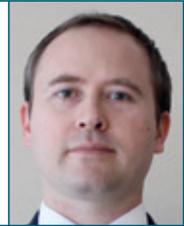
It is important to note that European influence was limited in central Asia - the southern flank of the Russian Empire. For the most part, Tsar's vassals, who were mostly local nomadic leaders and feudal Khans, ruled this vast territory. There was little cultural and social influence from the European areas of Russia. Accounts from travelers visiting a century ago describe a society more analogous to neighbouring Persia or Afghanistan rather than the areas of eastern Europe under Russian control.

The establishment of much firmer Bolshevik rule brought radical social change to the area that would become the central Asia republics. Access to education and healthcare became almost universal. The tradition of Kalym was outlawed and the legal age for marriage was raised to 18. Marriage registration was introduced. Efforts to eradicate child marriage were made with varying degrees of success (often ways were found to deceive the authorities). In addition to this, Soviet propaganda aimed at emancipation played a strong role in influencing attitudes towards women, especially in the urbanized areas. However, despite these changes, child marriage continued to take place unofficially.

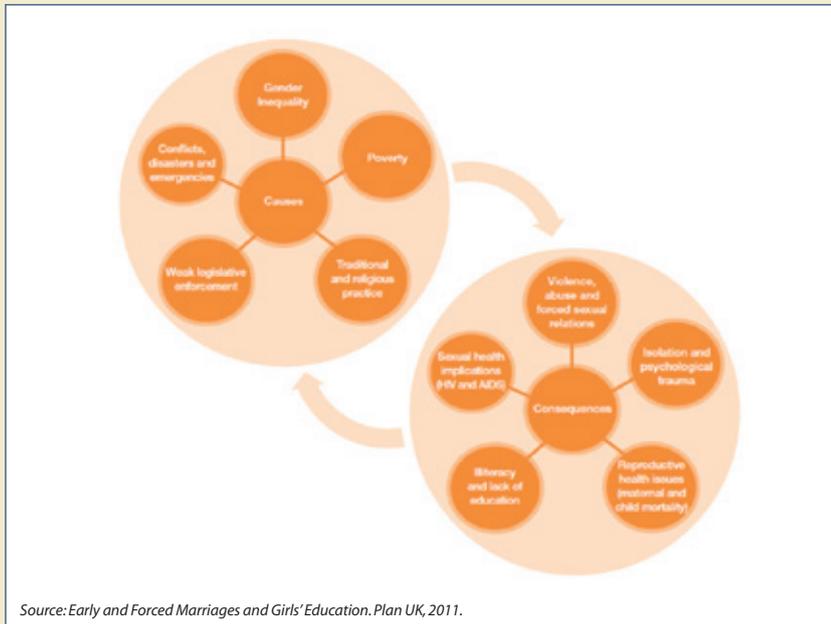
After almost seven decades of Soviet rule the Region underwent dramatic economic and political change following the collapse of the USSR. The 1990s were difficult times for the newly independent central Asian states and vulnerable groups suffered as a result.

During this time many of the gains to women's empowerment made during socialism evaporated as newly independent states struggled to stabilize economically, socially and politically. Soviet era positive discrimination policies, which mandated quotas for the number of women employed by state controlled entities, became a thing of the past. Critically, a return to traditionalism and newfound nationalism became prevalent in much of the Region.





**Figure 1. Cyclical relationship between causes and consequences.**



Source: Early and Forced Marriages and Girls' Education. Plan UK, 2011.

The reassertion of ethnic identities led to more women taking on the traditionally subservient role, especially in rural areas. This has led to a marked increase in child marriage.

### Trends and Contributing Factors

The issue of child marriage in central Asia is itself extremely complex. The conditions that create it are often perpetuated by the practice itself. For example, non-completion of secondary school is a high risk factor for child marriage. Being born to a child mother lessens a child's chance of completing secondary school and thus raises the chance of becoming a child spouse.

Other factors that both result from and contribute to the likelihood of child marriage include: socioeconomic conditions, attitudes towards sexuality from cultural, religious and social perspectives and community attitudes towards women.

The primary cause of child marriage relates to gender discrimination. It mostly affects and is propelled by a lack of value for girls' potential, in terms of education and career. It is also perpetuated by the idea that a wife should be a servile, domestic woman who raises children and

whose sexuality is linked to a concept of community honour and should thus be controlled. Furthermore, both the absence of laws to protect girls, or the lack of enforcement of such laws by authorities, are critical contributing factors to the continuation of the practice.

The cycle is further exacerbated by poverty, geographical isolation and conflict. The latter was most recently seen during ethnic clashes in the southern Kyrgyz Republic in 2010.

### Continuation of Traditional Gender Roles

One of the reasons that communities support child marriage is the fact that it is seen as a continuation of the traditional role of women. It is also perceived as a measure to protect the girl herself: by being married a girl does not lose her virginity out of wedlock and find herself unable to attract a husband as a result. Fear of the latter was documented in some instances as a motivation to remove girls from secondary school. Parents, afraid their daughters would meet a boy in school and become 'ruined', decided the best way to prevent such a terrible thing happening was to take the girls out

of secondary education altogether. This approach is also fed from the lack of value placed on girls' education.

Men also perceive child spouses to be better choices due to the fact that they are less assertive. This means that they are more likely to be a good, servile traditional wife.

### Exploitation of Child Brides

Because the majority of female child brides end up living with their husband's family, they are often vulnerable to exploitation. Being the lowest ranked member of the extended family they are often overly burdened with unpaid domestic duties, or in some cases physical labour (in rural settings). As children they find it difficult to stand up for themselves against adults in the households, and find themselves in a servant-like position. Once Kalym has been paid the husband's family often feels a sense of entitlement for treating the girl bride this way. The girl herself may feel as if the family has 'bought' her.

Family patriarchs play a role in this situation. Firstly, they are often instigators of the marriage to begin with, identifying and arranging suitable matches. Secondly, mother-in-laws have been known to abuse and bully child brides while instructing child brides on how to be good wives.

Sexual exploitation in this environment has also been reported. Dominated by her husband and his family, child brides have found themselves having no control over sexual contact.

### Married Against Their Will

As already touched on, the fact that many child marriages in central Asia are arranged by parents and grandparents means that a child bride's decision to enter a marriage is not her own. While the girl may not be physically forced into the marriage, the substantial pressure applied by family members can be overwhelming for the girls involved. This is often motivated by the desire to rid the family of the burden of supporting the girl, or a response to the attention she is receiving from men.

The practice of bride kidnapping still takes place across central Asia. Traditionally it was often a rehearsed event carried out so that young couples could elope without family permission. Now, it is a literal abduction of the bride against her will, which often results in sexual and physical assault at the hands of the husband.

## The Role of Economics

Poverty, intersecting with other cultural issues, is often a contributor to child marriage. With little value placed on a girl's economic potential due to prevailing cultural attitudes, she is often seen as a burden. By marrying her off she is no longer a drain on family resources. The payment of Kalym is also a financial incentive for many families to continue to practice child marriage – the financial gain is an important consideration for parents struggling to raise a family. In both the Kyrgyz Republic and Kazakhstan cases have been documented of girls being married off as a means of continuing their younger siblings' education.

Yet, despite the contributing role of poverty to child marriage, child marriage is not limited to the poor and not all economically disempowered communities in central Asia practice the tradition. In Uzbekistan and Tajikistan there are documented cases of wealthy families also arranging marriage for their children. In these cases it appears the tradition of child marriage is done primarily with the

motivation of finding a husband from a 'good family' who would be a suitable match for the girl involved. As well, there are also cases of poor and isolated communities in the Pamir Mountains where child marriage is rare. This is due to the value the communities place on girls' education. With marriage being an obvious impediment to a girl's studies it is not promoted. In contrast communities that face exclusion are much more likely to practice child marriage. For example, marginalized minority groups in Kazakhstan demonstrate the highest levels of child marriage in the country.

## Lack of Registration

The vast majority of child marriages in central Asia are unregistered. The marriage may be carried out with a religious ceremony (despite not being condoned by most religious leaders) but official documentation of the event usually does not take place. In many cases documentation may be postponed until after the girl has reached an age whereby she can legally be married, years after the actual event took place.

Such lack of registration represents a serious impediment to efforts by the authorities to address the issue. Without concrete evidence and documentation of such events it is difficult for authorities to know both the scale of the phenomenon and where it is occurring in the country and Region.

## The Influence of Conflict

Despite the numerous potential possibilities for armed conflict created by overlapping ethnic and geographical borders, rising nationalism and economic uncertainties, central Asia, to date, has experienced relatively little armed conflict since the collapse of the Soviet Union. This is particularly true when compared to neighbouring regions such as the Caucasus. The exception to this trend is Tajikistan, which suffered civil war during the 1990s and the south of the Kyrgyz Republic, which saw wide scale inter-ethnic violence most recently in 2010. Both of these conflicts caused child marriage to increase in the affected areas.

Parents looking to protect their daughters from the horror of these conflicts, including rape, saw child marriage as a means of achieving this. Men who lost their wives in the course of these conflicts sought out replacement wives to care for themselves and their children. There are even documented cases of girls being forced to marry under threat of violence by armed men. The polarizing effect of conflict in terms of emphasizing ethnic identity and traditions also played an important role in perpetuating the practice.

## The Need to Enforce Legislation

It must be noted that in all 5 republics, laws are in place to prevent child marriage. However these are not always effectively enforced; legal dispensations are sometimes granted and authorities

**Globally ten million girls under the age of 18 marry each year.**

That's around ...

- 833,333 a month
- 192,307 a week
- 27,397 a day
- 19 every minute

**Or, around one girl every three seconds.**

sometimes choose not to intervene. This may be because local law enforcement sees the custom as benign, or is simply not aware of it taking place. Families often know how best to prevent detection and evade these laws. As a result the practice continues, despite being outlawed and condemned from the highest levels of government.

### Conclusion

While briefly touching on many of the

trends and drivers of child marriage in central Asia, this article is by no means a completely extensive analysis of the issue. It is a complex phenomenon that demonstrates diverse differences both within (at community level) and across countries (at national level). Common drivers across the Region include: history, cultural background, community desire to perpetuate gender roles, economics, armed conflict, lack of registration and non-enforcement of legislation.

For further information, please visit <http://eeca.unfpa.org/public/pid/12420> to view additional UNFPA research detailing the specifics of child marriage in the republics of central Asia.

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# EARLY MARRIAGES AND GLOBAL RESEARCH PRIORITIES ON ADOLESCENT SEXUAL AND REPRODUCTIVE HEALTH

## Adolescent sexual and reproductive health: research priorities

Problems associated with sexual behavior and sexual and reproductive health (SRH) contribute to significant morbidity and mortality among adolescents, particularly in low and middle income countries.

In these countries, complications of pregnancy and childbirth are the leading cause of death for girls aged 15-19 (1). Another cause of death in the 15-29 years age group is HIV/AIDS (2) and in 2009 an estimated 40% of all newly acquired HIV infections were among those aged 15-24 years old (3). Unsafe sex (leading to sexually transmitted infections (STIs)) and lack of access to contraception (leading to pregnancy) are key risk factors for disability adjusted life years lost (DALY) among 10-24 year olds (4).

While political commitments have been made to address these problems, inadequate evidence deters action. Where evidence does exist, it often reflects the adult population exclusively. The evidence is also often more descriptive than intervention oriented and is rarely being translated into programmes and policies (5). Findings from research are important to provide vital information for the public and to influence health policies.

To stimulate greater attention to research on adolescent sexual and reproductive health (ASRH), the World Health Organization (WHO) conducted a global exercise to set priorities for research on ASRH by using the Child Health and Nutrition Research Initiative approach. The first step of the process was to identify ten ASRH outcome areas, based on their contribution to the global burden of disease. This list was ranked by almost 100 ASRH experts and was narrowed down to seven outcome areas, used for the remainder of the exercise. The seven outcome areas are:

- To improve adolescents' access to and quality of antenatal, delivery, postpartum and newborn care;
- To improve adolescents' access to contraception;
- To prevent and mitigate gender-based violence;

- To improve testing, treatment and care for HIV;
- To prevent unsafe abortion and improve access to post-abortion care;
- To improve strategies for the integration of family planning and HIV/AIDS services; and
- To improve adolescents' access to interventions for the prevention, diagnosis and treatment of STIs (5).

In the next phase, approximately 300 researchers, programme managers and representatives from various UN agencies, governments, donor communities, national and international non-governmental organizations from all the six WHO regions were involved. They were asked to identify priority research issues and formulate these into research questions relating to each of the outcome areas. In the last phase of the exercise these research questions were scored by the same persons using the criteria: clarity, answerability, impact, implementation and equity. The exercise resulted in a ranking of research questions for each of the outcome areas (5).

In spite of the diversity of the people in the generation and scoring of the questions the results showed a high degree of consensus. Results are being published separately (5, 6).

## Early marriage and ASRH: missing on the agenda

One of the key determinants of adolescent SRH problems is marriage at a young age. In fact, early marriage is a key determinant for most of the conditions in the seven outcome areas. Contrary to the common thought that marriage is a safe institution, it may expose an adolescent girl to various risks associated with frequent and unprotected sex (7, 8). Studies from developing countries show that most unprotected sex in adolescents occurs within marriage (7, 8). There is often a disparity in age between the adolescent girl and her husband, increasing the likelihood that he has had other sexual partners and has acquired an STI, which could include HIV (8). Married

adolescents are more likely to experience violence, as well as, being coerced into having sex (7).

Data from 2000-2009 show that early marriage is most common in sub-Saharan Africa and South Asia, with Niger (75%), Chad (72%) and Mali (71%) ranging highest, followed closely by Bangladesh (66%), Guinea (63%) and the Central African Republic (61%) (9). Even though not as widespread as in these regions, early marriages are also an issue in the European Region. Amongst European countries, data from the same period shows that up to 19% of women between 20-24 years old were married or in union before they were 18 years old, with the highest rates found in the Republic of Moldova (19%), Georgia (17%), Turkey (14%) and Tajikistan (13%) (9). In contrast, in most parts of the world the average age of marriage is rising (7).

Despite the relationship between early marriage and the ASRH outcome areas, early marriage was infrequently raised by the respondents in the research priority exercise. Of a total number of 212 questions raised, early marriage was the focus of only four questions. After the scoring, only one of the research questions related to early marriage was highly ranked: "What are effective strategies for delaying first births among married adolescents?" (6).

## Placing early marriage on the agenda

WHO published guidelines on "Preventing early pregnancy and poor reproductive outcomes among adolescents in developing countries" last year. Among six main recommendations, one relates to the prevention of marriage before the age of 18 (1). The guidelines present guidance regarding what is required to prevent early marriage, such as:

- Prohibit early marriage – a call for policy makers to put in place and enforce laws that prohibit marriage before the age of 18;
- Keep girls in school – education opportunities for girls must be increased, as this has positive effects



on their health, and also decreases the chance of getting married; and

- Influence cultural norms that support early marriage – a need to work with all stakeholders to challenge and change norms around early marriage (1).

At the request of one of the WHO's Member States, the 65th World Health Assembly in 2012 discussed early marriage, where the WHO secretariat prepared a paper for discussion (10). In total, 30 countries (of which many represented additional countries) from all the WHO Regions and seven observers made comments on the paper in the discussion. A majority of these comments were supportive of the recommendations in the paper, which were based on the WHO guidelines (1). Some countries reported on the situation of early marriage among adolescent girls, others on the action they were taking to address it. Numerous countries acknowledged early marriage as a human rights violation undermining the health and development of adolescents (11).

The positive reception of the paper from a diversity of countries reflects a readiness to address the topic. However, evidence of the effectiveness of interventions to prevent early marriage is inadequate. The WHO guidelines point to various areas requiring further investigation: interventions that result in formulation and enforcement of laws and policies; the impact of providing economic incentives to adolescent girls and their families to delay the age of marriage; the effect of informing and empowering girls in combination with influencing family and community norms; the impact of improved education and school enrolment; and lastly how livelihood programmes can delay the age of marriage (1).

Attention to early marriage is coming from a number of organizations outside of the UN. "Girls not brides" is an example of a global partnership consisting of more than 170 organizations working to end child marriage globally. They work to raise awareness of the impact of child

marriages, to facilitate learning between organizations and to mobilize policy, financial and other support to end child marriage (12). In addition, for the first time ever, the International Day on the Girl Child was celebrated this year, on October 11th. Focusing on barriers to education, poverty, early and forced marriage (14), this day provides an important opportunity to spread awareness and advocate for girls' and adolescents' health and rights.

The WHO is also fully committed to focus on prevention of early marriages in order to improve the health of adolescents. One of its priority activities within adolescent SRH is to "Understand the determinants of early pregnancy and identify effective and feasible legal, social and economic measures of preventing it" (13). Early marriages must receive enough attention as an important part of improving ASRH. Improved evidence in this field will help both existing and new initiatives to move forward.

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# EARLY AGE OF FIRST SEXUAL INTERCOURSE: ITS RELATIONSHIP TO EARLY MARRIAGE AND SEXUAL HEALTH RISKS IN ALBANIAN FEMALE ADOLESCENTS

## Introduction

The beginning of sexual relations at an early age, as well as, the tendency of marriages at a younger age is characteristic of the time-period in Albania today. This article provides an overview of the relationship between sexual debut, early marriage and sexual and reproductive health of adolescent females in Albania.

## General overview of sexual debut

Median age at first sexual intercourse among women has decreased since 2002. Based on recent studies, it appears that the age of sexual debut is between 15 and 19 years of age, although a small percentage of girls less than 15 have had intercourse. In a study conducted with 400 high school students in 2006, the average age of first sexual experience for girls was 16 years of age (1). Another study conducted by the National Public Health Institute in 2009, with a representative group of 2172 high school students, found that 29% of respondents had sexual intercourse, with a mean average age of 15.2 years (2). The Health Behaviour in School-Aged Children Study, conducted in 2009-2010, showed that 14% of students aged 13-15 years were involved in sexual relations (3). This data appears consistent with findings from the 2008-2009 Albanian Demographic Health Survey (ADHS) which found that more than a third of the 15-49 year old women surveyed (36%) had their first sexual intercourse between the ages of 15 and 19 and a small percentage (1%) reported their first sexual intercourse before the age of 15 years. Women in rural areas had the first sexual intercourse somewhat earlier than urban women (4).

## Sexual debut, early marriage and reproductive health

In Albania, the number of early marriages for females under 19 years of age is higher, especially in rural areas. Data from the 2002 ADHS showed that 26.2% of marriages in Albanian occurred under the age of 19 for females (5). According to the 2008-2009 ADHS approximately

one in ten women aged 20-49 were married for the first time before the age of 19. There was an increase in the percentage of women married for the first time before the age of 19 years and the percentage of women in the ages of 15-19 years currently married or with someone (7% of women in the age group of 15-19 are currently married or within a relationship) compared to the 2002 study. The ADHS also revealed important differences in early marriage based on location and education: the percentage of women married before age 18 is higher in rural areas (11%) than in urban areas (7%); and the percentage of women married before their eighteenth birthday has been decreasing significantly with higher level of education (22% among women with no education or primary education versus 1% of marriages among women with college education or higher education). Similarly, the percentage of women married before age 19 has an indirect relationship with socioeconomic status – the higher the socioeconomic level the lower the number of marriages before the age of 19.

While early marriage results in early sexual debut, the reverse is not necessarily always true. Yet, both early sexual debut and early marriage have been well documented to increase risk of exposure to adverse sexual and reproductive health consequences, such as unplanned pregnancy, abortion, pregnancy complications (due to an underdeveloped physical body) and sexually transmitted infections, including HIV.

ADHS data showed that in the same rural areas that early marriage is prevalent, pregnancy and childbearing under the age of 19 was three times higher when compared with under 19 year old females in urban areas, where early marriage is less common (5). Not surprisingly the same factors that also influence early marriage, education and socioeconomic status, also affect early pregnancy and childbearing. Female under 19 with 8 years of education or less and with lower socioeconomic status were more likely to have started childbearing early when

compared to those with higher education and socioeconomic status (5).

In 2010, the Albanian Ministry of Health, under the technical support of the WHO, implemented the programme “Working with individuals, the family and communities-IFC framework”, a methodology which contributes to strengthening the participation of individuals, families and communities in the identification of and problem solving of key issues and implementation of maternal, newborn and child health interventions, in three pilot districts of the country. During the round-table discussions, as part of this programme, one of the key issues identified affecting maternal, newborn and child health by the community was that of early marriage and pregnancy. The issue of early marriage and pregnancy was especially prevalent in the traditional rural areas (6). According to roundtable discussions with mothers, husbands and local leaders in these districts parents from these areas had a tendency to encourage or to impose girls to marry at an early age. This is due to the fact that Albanian traditional rural society’s value system dictates that sex and childbearing is only socially acceptable within marriage. In many cases the reason why parents have forced their daughters to marry early is due to unplanned pregnancy before marriage.

Although there are no gender disaggregated data for contraceptive use for the age group of 15-19 year olds, the ADHS reports that 41% of young adults aged 15-24 (male and female) use traditional methods. The frequency of not using condoms at first sexual intercourse in the 15-24 year old age group is higher among women (22.8%) than males (18.8%), and specifically for 19 year old females (28.8%) when compared to 22 year old (51.2%) and 24 year old females (58.4%) (4). Also, there is a growing trend in the number of abortions amongst young women. Based on national statistical data from 2011, 5.1% of the total numbers of abortion were in the 14-19 year old age group and 7% of these cases were unmarried women. (7). Abortion was also sig-



**Lumturi  
Merkuri**



**Alban  
Ylli**

nificantly higher among those with only eight years of education (46.9%) when compared to those with higher levels of education (7).

Early sexual debut also increases risk of exposure to sexually transmitted infections (STIs). Despite the few and often missing data for STIs in the adolescent age group, in recent years there has been a trend towards increasing numbers of STIs in young women aged 15-24, including gonorrhoea, Chlamydia and herpes viruses (1). An Albanian study conducted over the last three years on the prevalence of Chlamydia trachomatis infections in women showed that 4.8% of the total cases occurred in women who were 20 years of age or less (8). HIV also appears to be increasing among this age group. According to the most recent epidemiological data, over the past few years there has been a feminization of the HIV epidemic, with an increase in the number of HIV cases among females including those between the ages of 15-24. Data from 2011 found that 30.7% of the total cases of HIV were among females, with the 16-24 year old age group representing 36.4% of the cases (9).

### Conclusion

Determining the exact extent of the relationship between sexual debut, early marriage and sexual and reproductive health is not easy. As mentioned earlier, while early marriage does lead to early sexual debut and exposure to pregnancy, it is not necessarily true that early sexual debut will lead to early marriage, except perhaps in those circumstances where unplanned pregnancies occur. Even in these situations it is fair to assume that not all unplanned pregnancies will lead to early marriages. What is certain is that early sexual debut, whether as a result of early marriage or personal choice, does increase the risk of adverse sexual and reproductive health consequences, especially if access to reproductive health education, information and care is not easily available. Thus, while community-based mobilization programmes need to be implemented to raise awareness

to young people, parents and all of the Albanian community toward the negative impact that early marriages have upon the sexual and reproductive health of adolescent females, improved access to reproductive health services, education and information must also be a priority to reduce the risks of sexually active married and unmarried adolescents.

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# CHILD MARRIAGES IN KYRGYZSTAN: DISADVANTAGES WITHOUT ADVANTAGES

***“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**

## Introduction

The minimum legal age for marriage in Kyrgyzstan is 18, however, 12.2 percent of women in Kyrgyzstan get married before they reach 18 years of age (1). This occurs more widely in rural areas, where 14.2 percent of women marry before they reach the legal adult status. In urban areas, this statistic stands at 9.7 percent (1).

Child marriages are generally not legally registered. As a result, children born in such marriages either have no birth certificate or receive a birth certificate at a later stage. Furthermore, women and girls coerced into child marriage often become the victims of forced domestic labor; they are denied opportunities for education and are rarely granted property rights (2).

This social drama is complicated by the fact that in most cases child marriages are accompanied by family violence and considered to be a normal practice in the public consciousness of some groups of the population (2).

In spite of the fact that international legal instruments, as well as, country-specific laws have been created to condemn and criminalize the practice of child marriage, it continues and is actu-

ally increasing in the country. Therefore, efforts are needed to raise awareness among young people and adolescents, as well as, policy makers to protect girls' rights and prevent the continuation of such a harmful practice through media, public events and national campaigns.

## Country policy and legislation

Under the Kyrgyz Republic's Children's Code, Criminal Code, Civil Code, and Code on Administrative Violations, as well as other laws and regulations, people under 18 years of age are recognized as minors. The Criminal Code states that “forcing and entering into de facto married relations with a person under 17 years of age is punishable by a fine of 100 to 500 standard units or corrective work for a period of up to 2 years or deprivation of liberty for up to 5 years” (Article 154, Criminal Code).

In practice only a few cases have been registered under Article 154 of the Criminal Code. Between 2000 and 2012 only 159 cases were brought forward, which does not adequately reflect the scale of the problem of child marriage. The fact that so few cases are registered is because the

victims do not seek law enforcement due to the fear of public condemnation and stigmatization.

Within the country, child marriage has not been discussed widely in public and is not recognized as a major problem. Moreover, it is not a priority issue in the country's child protection agenda. Rather the issue of child marriage problem has been looked at as a supplementary aspect under the umbrella of violence against women and girls, as well as, adolescents' sexual and reproductive health issues.

## Central Asian study on early marriages

In 2012, the UNFPA Regional Office in Eastern Europe and Central Asia supported the *Central Asian Study on Early/Child Marriages* (3), an analysis aimed to provide an insight of current practices and attitudes towards child marriage in the Kyrgyz Republic, as well as, statistical information about the prevalence of the practice.

The methodology for this study involved a review of the existing legal frameworks and interviews with child spouses and experts working in the fields



Young girl in Bishkek learns about child marriage



**Nurgul  
Kinderbaeva**

of children's and women's rights. The research was conducted in Osh, Jalalabad, Bishkek, and Chui oblasts.

### **Reproductive health impact of child marriage**

Child marriages are usually not officially registered and often break up. According to the 2012 *Central Asian Study on Early/Child Marriage in Kyrgyzstan*, out of the 11 child spouses interviewed, 7 were divorced without any right for family property and no child support (3).

The reproductive and other rights of citizens that allow for reproductive health are guaranteed under the Constitution (Article 47). Under the law "*On reproductive rights of the citizens and guarantees of their implementation*" reproductive health protection services for children and adolescents are guaranteed free of charge by healthcare organizations.

Almost none of the child spouses who participated in the recent study conducted by UNFPA in Kyrgyzstan knew anything about reproductive health and family planning before their marriage. This was primarily because culturally it was not acceptable to visit a gynaecologist. They had very little knowledge about modern contraceptive methods or sexually transmitted infections, including HIV and AIDS. The girls learned about their reproductive functions from either older sisters or aunts. Very few mentioned the anatomy school classes where they learned about human physiology.

This finding of little to zero knowledge on reproductive health lends additional support to one of UNFPA's most strongly

advocated recommendations: design and introduce healthy life style programmes for middle and high school students with culturally sensitive and age appropriate curriculae that includes information on sexual and reproductive health.

### **UNFPA prevention actions on ending child marriage**

On this year's International Day of the Girl Child, the UNFPA called for action against child marriages in Kyrgyzstan by renewing local attention to the critical issue and promoting accountability from the decision makers. The campaign also included the opening of "*TOO YOUNG TO MARRY - The sold childhood*", an art exhibition highlighting the personal narratives of Kyrgyz girls married against their will at early ages.

An additional activity supported by the UNFPA is the creation and strengthening of the youth networks at the national and community levels to address gender based violence and HIV prevention, including gender transformative programming. These educative sessions focus on changing gender norms in society and target men, women, girls and boys in becoming agents for change on gender norms and stereotypes. Topics focused on include women's reproductive health and the roles of men and boys in the family planning, gender-based violence and HIV prevention. The ultimate goal of these educational sessions is to end harmful practices, such as child marriages and bride kidnapping, in this generation and to change cultural attitudes to the protection of the rights of girls in the country.

Furthermore, as religious conservatism plays a strong explanatory role in the increasing number of child marriages in Kyrgyzstan, the UNFPA also supports the development and dissemination of information and educational materials among religious groups. These materials are aimed at educating religious communities about the negative impacts of such a harmful practice on adolescent girls' reproductive health and future potential.

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# CHILD MARRIAGE IN TAJIKISTAN

## Introduction

Child marriages are a widespread albeit hidden problem. In Tajikistan child marriages are intrinsic to the local culture. Until recently, the legal minimum age of marriage was 17 (1).

Historically, girls in Tajik families were considered as temporary family members. Upon marriage, they become part of the in-laws' family and have low status. To raise their status in their husband's family, child brides are pressured to demonstrate childbearing, even if biologically they may not yet be ready. During the Soviet times these traditions were repressed, but were revived after the country's independence.

Poverty, male labor migration and the impact of the civil war exacerbated gender inequalities. Civil armed conflict induced child-related social stress, including child neglect. According to the Tajikistan Millennium Development Report school attendance decreases among girls as they reach age 15, with up to 17% of girls dropping out of school (2). Child marriage further cuts off girls' opportunities for continuing education: young and early-married women become economically disempowered while also being overloaded with unpaid domestic work.

Nowadays, marriage of a female child is often seen as a strategy for the economic survival of a family in an attempt to reduce the number of dependents.

Since parents of a young bride could be penalized under the law, child marriages are usually not legally registered. As a result, the problems of child-married women are invisible, their rights are neglected and the government is not able to make policy decisions based on valid and reliable information.

## Impact of child marriage

Currently, the Tajikistan Living Standards Survey of 2009 (3) and the Multi-Indicator Cluster Survey (MICS) of 2005 (4) are two major multi-topic nationally representative surveys used to assess progress towards achieving the Millennium Development Goals and to monitor various country-level programmes. According to these two surveys, 8.5% (3) and 6.4% (4) of women aged 15-19 are currently married or in union. Of the child-married women the majority were rural women with incomplete secondary education. They were also more likely to marry older men and tend to have more children (4).

To further explore factors associated with child marriage and its impact on women's status in Tajikistan the authors used the MICS 2005 database (10 626 interviewed women) to construct a cohort of 5 216 women aged 15-49 to perform comparison of select reproductive health indicators recommended by the WHO (5). The MICS database was chosen as it provides up-to-date information of women and children's status in the country. The sample was divided into 3 comparison groups: 1) women 15-19 years of age currently married or in union; 2) women aged 20-49 whose first marriage was before 18; and 3) those aged 20-49 married at 18 and above. Statistical analysis was performed using STATA 10. Table 1 presents results as weighted percentages across the selected indicators.

Child married women in Tajikistan are less likely to receive antenatal care during pregnancy and opt for assisted delivery at a health facility. Married 15-19-year-olds make up only 0.66% of women using any family planning method, compared to older women married before 18 (4.3%) and those married at or after 18 (95.03%). Also, just over 5% of women who ever heard about HIV/AIDS are

**Table 1. Characteristics of child-married women (n= 5 216), Tajikistan, 2005.**

Indicator	Percentage of women 15-19 married/in union	Percentage of women 20-49 married before age 18	Percentage of women 20-49 married at 18 and after
<b>Reproductive Health</b>			
Received antenatal care by skilled provider*	3.57	8.71	87.72
Delivered at health facility*	4.68	8.92	86.32
Used any method of contraception to avoid pregnancy	0.66	4.03	95.03
Ever heard of HIV/AIDS	1.09	4.17	93.92
<b>Domestic Violence**</b>			
Believe husband is justified in beating his wife for any reason	87.7	80.17	75.75

\* Out of women who had given birth within two years prior the interview

\*\* Column percentages



**Lola  
Yuldasheva**



**Aziza  
Hamidova**



**Nargis  
Rakhimova**



**Khurshed  
Irgitov**

young girls married before 18 and among women ever tested for HIV/AIDS this group accounts for the smallest share (only 4%).

In terms of attitude to domestic violence, women were surveyed about whether they believe their husband is justified in beating his wife for various reasons, including: 1) when she goes out without telling him, 2) when she neglects the children and 3) when she argues with him (6). Our analysis shows the vast majority of child-married women think it is normal for a husband to beat his wife for any of the above-mentioned reasons. The wide husband-wife age gap further widens the power gap between men and women, favoring greater power to men, which is already often found in traditional Tajik families.

### Challenges

Tajikistan has made significant steps to promote child rights and eliminate child marriages. Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) stating that "...the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage..." In response to the recent CEDAW recommendations, in July 2010 the Parliament made amendments to the Family Code shifting the legal marriage age from 17 to 18 years (1). This law became effective in January 2011.

Yet challenges remain. Despite this positive action from the government, implementation of the new Family Code is not as simple. For example, "exceptional" circumstances, provided for by the Civil Code, allows for marriage to happen under the official age minimum. In addition, parents have been tempted to falsify the supportive documentation (including birth certificate) needed to apply to the court for making decisions about child marriages. In some cases, the clergy may approve child marriage and perform an

"unofficial" marriage: as a result married young wives lose all legal rights they might have had under the Family Code if married officially. In fact, one of the religious leaders serving the population in the capital of Tajikistan stated that in "marriage" season he gets up to 7 requests weekly for child marriage approval. Currently, because of close and fruitful collaboration between the government and clergy, religious leaders tend to refuse requests to approve child marriages. Such action by the religious leaders is essential as public education on women's rights and their role in the family is pivotal and largely depends on what religious leaders promote.

The challenge of endogamous marriages is also a reality in Tajikistan, as for reasons of economic safety parents are tempted to give daughters to closely related family. Tajik scientists think the tendency to endogamous marriages has been increasing since the 1990s (7). Marriage between close relatives may have political and social consequences, in addition to the well-documented risk of increased health problems (developmental, congenital) in their offspring.

Finally, the majority of child marriages are unregistered and their numbers thus underestimated. Current independent estimations are based on nationally representative surveys and smaller independent studies that mainly rely on respondents' answers and are subject to recall bias. Sparse official statistics of registered child marriages do not reflect the actual situation, as a result, important data that would otherwise inform and impact policy decision-making is lacking.

Thus, while Tajikistan's steps to eliminate child marriage and promote child rights should be applauded, it is important that we remain aware of the continued, existing challenges on the ground in our effort to raise awareness of young women about their rights and decrease the number of child marriages that occur in the country.

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# THE DESTINY OF YOUNG PEOPLE IN TURKEY

## Introduction

According to data from the Turkish Statistical Institute in 2011 the population of Turkey was 74 724 269, with adolescents and young people (10-24 year age group) accounting for 25.9% (19 144 779) of the population (1).

In many countries, including Turkey, the health of young people has been somewhat neglected, as youth are perceived as generally healthy and relatively disease free. However, research on youth has revealed that negative socioeconomic and cultural factors may affect their physical, mental and social development. For example sexual and reproductive health (SRH) problems experienced in this period may impact many other health concerns in the future (2). This paper provides an overview of the current health situation of youth in Turkey, focusing on age of first marriage and SRH.

## Age of first marriage and marital status

In Turkey, early marriage is defined as marriage at 17 years of age or younger and can include both official and unofficial religious marriages. In Turkey early marriage is traditionally widespread. Even though the age of first marriage has been decreasing steadily over the past 20 years (3), early marriage remains a very real issue in Turkey. Historically data has been scarce as many of the marriages are unregistered and thus go undetected by the state. Since 2008 a team from the Hacettepe University Institute of Population Studies<sup>1</sup> has been working on a national study of marriage practices. Data from the study, presented to the Turkish Grand National Assembly in January 2011, found that the rate of early marriage in Turkey was much higher than previously thought. At least 40% of Turkish women between the ages of 15-49 were married before the age of 18, with the highest rates in the rural and poor regions of the country (4).

In 2002, Civil law regulations were changed to ensure that the minimum age for marriage for both men and women was 17 years of age and that this age limit

was the same for both sexes. Despite this legal requirement young women are usually forced into a religious marriage before the required legal age (5); in 2011 24.2% of young women were married compared with only 5.8% of young men (6) and one in ten had dowry paid for the marriage (6).

Such early marriage impairs young girls' future life in terms of education, employment, reproduction and overall health. Among young women 31.9% encountered physical violence, 13.5% had sexual violence and 21.3% encountered physical or sexual violence in their lifetime (6). At least a quarter of female suicides among women in Turkey occur in girls between the ages of 14-16 (6). Furthermore, the majority of women married at an early age have quite low levels of education and were more likely to be married to relatives (6).

## SRH status of adolescents/youth

SRH is one of the most important issues for the health and the future of adolescents, including those in early marriages. When sexual activity starts at an early ages in combination with insufficient knowledge and/or decision making capabilities on sexuality and reproduction, adolescents are at risk of severe educational, economic, psychosocial and health problems caused by unwanted pregnancies, sexually transmitted infections (including HIV), tobacco and alcohol use, drug substance abuse, unhealthy nutritional habits, accidents and suicide attempts (6,7). For example, as the husbands of child brides are often older men with more sexual experience, these girls are at higher risk of contracting HIV. They are also more vulnerable to sexual and domestic violence at the hands of their husbands – and are more likely to think that it is okay when they are victims of abuse. As well, due to the age gap that is often present between child brides and their husbands, the power to negotiate safe sexual practices and/or to seek SRH care may not be possible.

It has been well documented that pregnancy before the age of 18 is more likely

to lead to complications of pregnancy or death in childbirth. In fact, the leading cause of death among girls ages 15-19 worldwide is medical complications due to pregnancy (8). Girls between the ages of 10 and 14 are five times more likely to die in pregnancy or childbirth than women aged 20 to 24 (8). In addition early motherhood impairs the social development and education of young girls (9). Despite this, childbearing is an expected outcome following early marriage in Turkey. According to the latest nationwide survey around one in every ten married women at the age of 15-19 is either a mother or pregnant. Among these women 36.5% has one child, 3.7% has two and 0.6% has three children. Termination of unwanted pregnancies in this age group is 3.2 % (3).

In terms of appropriate SRH knowledge, studies in Turkey have shown that even among higher educated young people knowledge is quite limited. For instance:

- 3666 first year students from 2 universities in Turkey thought that only men could be affected by gonorrhoea and nearly the same number of students were not aware of the period in the menstrual cycle where women have the highest chance of conceiving (7); and
- In an other study carried out on 3101 first year students from 8 Turkish universities, despite evidence of sexual activity (12.4% of all students) only one in 5 students had correct knowledge about menstruation and only half the students knew about emergency contraceptives. Every 9 out of 10 students stated that they either needed or wanted to receive SRH services (9).

Given that girls in early marriage are often less educated and forced to leave school upon marriage, it may be reasonable to assume that their knowledge would be even more limited when it comes to SRH.



**Ayse  
Akin**



**Sare  
Mihciokur**

### **The Role of Youth Friendly Health Services**

The National Strategic Action Plan of the Ministry of Health (MoH) identified young people as one of the five priority areas in SRH. Development and implementation of access to Youth Friendly SRH (YFSRH) services was planned for the period 2005 – 2015, with the Action Plan clearly stating that “Access to YFSRH services will be increased to have one unit providing these services for every 150 000 young people by the year 2015” (10).

Following the joint 2001 WHO collaborating study on SRH in youth (7), YFSRH services had already been developed as a pilot model with the collaboration of UNFPA in 8 university health centres. The MoH had also established YFSRH units at the primary health care level, either as a part of health centres or Maternal Child Health–Family Planning centres. Yet, by the year 2007 the number of such centres had increased to only 38 in number. Thus, the majority of youth remain unable to access much-needed YFSRH. A further challenge to the establishment of the YFSRH has been a major change in the Turkish health care system, called the “Family Physician’s Health Care System”. Begun as a pilot programme in 2004, it was expanded across the entire country at the end of 2010. In this new system all primary health care services are provided by family physicians who are general practitioners with some additional training of ten days duration. Additional health care providers with more specialized skills are no longer part of the health centre team. Recognizing the loss of these specialized skills, the reestablishment of “YFSRH services” should be considered seriously. Otherwise young people, despite their high risk taking behaviors and needs in SRH, are very likely to remain deprived of YFSRH services. Given the poor knowledge of Turkish youth when it comes to SRH and the high rates of early marriage, access to such services is essential if we wish to improve the health outcomes and lives of our young population.

### **Conclusion**

The high rates of early marriage in Turkish society combined with the large gaps in SRH knowledge and access to services among all youth means that a significant number of young people in Turkey are faced with very real SRH challenges. Beside the activities related to combating poverty, ensuring gender equality in all fields of life and changing the traditional patriarchal structure of the society are extremely important in order to improve the future life of young people, particularly girls, and make their destiny brighter. A brighter future for our youth will translate into improvement of the country as a whole.

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# INTERNATIONAL DAY OF THE GIRL CHILD 2012: MY LIFE, MY RIGHT, END CHILD MARRIAGE

**The following is a reprint from a document prepared by UNFPA, UNICEF and UN Women, in consultation with the Inter-Agency Network on Women and Gender Equality (IANWGE).**

## Key Messages

Girls face discrimination and violence every day across the world. The International Day of the Girl Child focuses attention on the need to address the challenges girls face and to promote girls' empowerment and the fulfillment of their human rights.

For the inaugural day, UN agencies have come together to focus on child marriage, which is a fundamental human rights violation and impacts all aspects of a girl's life. Child marriage denies a girl of her childhood, disrupts her education, limits her opportunities, increases her risk of violence and abuse, and jeopardizes her health.

Globally, more than one in three young women aged 20-24 years were first married before they reached age 18. One third of them entered into marriage before they turned 15. Child marriage results in early and unwanted pregnancies, posing life-threatening risks for girls. In developing countries, 90 per cent of births to adolescents' aged 15-19 are to married girls, and pregnancy-related complications are the leading cause of death for girls in this age group.

Girls with low levels of schooling are more likely to be married early, and child marriage has been shown to virtually end a girl's education. Conversely, girls with secondary schooling are up to six times less likely to marry as children, making education one of the best strategies for protecting girls and combating child marriage.

Preventing child marriage will protect girls' rights and help reduce their risks of violence, early pregnancy, HIV infection, and maternal death and disability, including obstetric fistula. When girls are able to stay in school and avoid being married early, they can build a foundation for a better life for themselves and their

families and participate in the progress of their nations.

Governments in partnership with civil society actors and the international community are called upon to take urgent action to end the harmful practice of child marriage and to:

- Enact and enforce appropriate legislation to increase the minimum age of marriage for girls to 18 and raise public awareness about child marriage as a violation of girls' human rights.



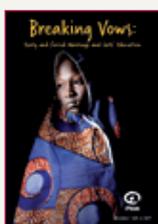
- Improve access to good quality primary and secondary education, ensuring that gender gaps in schooling are eliminated.
  - Mobilize girls, boys, parents, leaders, and champions to change harmful social norms, promote girls' rights and create opportunities for them.
  - Support girls who are already married by providing them with options for schooling, sexual and reproductive health services, livelihoods skills, opportunity, and recourse from violence in the home.
  - Address the root causes underlying child marriage, including gender discrimination, low value of girls, poverty, or religious and cultural justifications.
- Empowering girls and safeguarding their rights is at the heart of the issue. Governments, civil society and UN agencies are working together to end child marriage; further commitment and resources are required to accelerate action that will empower girls and scale up successful interventions.





## **Marrying too young: end child marriage, UNFPA, 2012.**

This excellent report documents the current status of child marriage, highlighting its scope and prevalence. It calls for decision makers, families and communities to take action to end child marriage through various means such as prevention programmes, national laws, education and empowerment. Available in English at: <http://www.unfpa.org/public/home/publications/pid/12166>



## **Breaking Vows: Early and Forced Marriage and Girls' Education Plan, 2011.**

This in-depth review of the causes and consequences of child and forced marriage, explores its global impact and the action needed to increase girls' access to their rights, including the role of education. Available in English at: <http://www.plan-uk.org/resources/documents/Breaking-Vows-Early-and-Forced-Marriage-and-Girls-Education/>



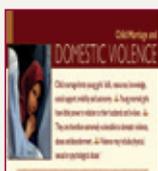
## **Girl Power and Potential: A Joint Programming Framework for Fulfilling the Rights of Marginalized Adolescent Girls, United Nations Interagency Task Force on Adolescent Girls, 2009.**

This brief provides a programming framework overview that targets those adolescent girls who are most vulnerable, including those involved in child marriages and its consequences. Available in English at: [http://www.unfpa.org/public/cache/bypass/home/publications/pubs\\_youth](http://www.unfpa.org/public/cache/bypass/home/publications/pubs_youth)



## **Ending Child Marriage: A Guide for Global Policy Action, International Planned Parenthood Federation and the Forum on Marriage and the Rights of Women and Girls, 2006.**

This guide uses statistics and evidence to appeal to key policy makers to take urgent action to improve the quality of life of millions of girls and young women forced into child marriages. Available in English at: <http://www.forwarduk.org.uk/resources/resources#id7>



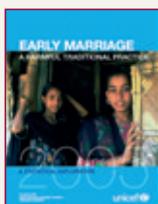
## **Too Young to Wed: Child Marriage Advocacy Toolkit, International Center for Research on Women, 2006.**

The contents of this toolkit provides an overview of child marriage around the world, focusing on key issues such as child marriage and domestic violence, education, health, poverty and laws and civil society. Available in English at: <http://www.icrw.org/publications>



## **Solutions to End Child Marriage: What the Evidence Shows, International Center for Research on Women, 2011.**

This systematic review of existing child marriage prevention programmes provides important evidence on interventions that work. Available in English at: <http://www.icrw.org/publications/solutions-end-child-marriage>



## **Early Marriage: A Harmful Traditional Practice, UNICEF, 2005.**

Using data from the Demographic and Household Surveys, this publication estimates the prevalence of child marriage and seeks to identify and understand the factors associated with child marriage and cohabitation. Available in English at: [http://www.unicef.org/publications/index\\_26024.html](http://www.unicef.org/publications/index_26024.html)



Lisa Avery



### **Child Protection Information Sheets, UNICEF, 2006.**

This information booklet highlights how child protection is crucial to the achievement of the Millennium Development Goals. Covering different forms of abuse, including child marriage, these sheets also outline how to build a protective environment for children. Available in English, French and Spanish at: [http://www.unicef.org/publications/index\\_34146.html](http://www.unicef.org/publications/index_34146.html)



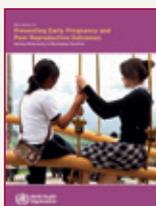
### **New Insights on Preventing Child Marriage. A Global Analysis of Factors and Programs, USAID and the International Center for Research on Women, 2007.**

Designed for policy makers and programme implementers, the information contained in this report provides an overview of programmes that work and enables development workers to identify points of intervention to help prevent child marriage. Available in English at: <http://www.pactworld.org>



### **Advancing Equal Rights for Women and Girls. The Status of CEDAW Legislative Compliance in Eastern Europe and Central Asia, UNFPA, 2009.**

This report reviews the degree to which national legislation in eastern Europe and central Asia is congruent with international legal norms and instruments, focusing on gender equality and sexual and reproductive rights, including child marriage. Available in English at: <http://eeca.unfpa.org/public/pid/11789>



### **Preventing Early Pregnancy and Poor Reproductive Outcomes among Adolescents in Developing Countries: What the Evidence Says, WHO, 2011.**

This excellent resource for policy makers provides evidence to help develop or reshape national policies and strategies, emphasizing optimal approaches to prevent early pregnancies among adolescents and on reducing morbidity and mortality associated with pregnancy and childbirth. Available in English, French and Spanish at: <http://www.who.int/reproductivehealth/publications/adolescence/>



### **Ending Forced Marriage, Plan and Demos, 2012.**

This report provides insight into the issue of forced marriage in the United Kingdom and recommends a shift of the current approach to stopping forced marriages from prosecution to prevention. Available in English at: <http://www.plan-uk.org/assets/Documents/pdf/Demos-Ending-Forced-Marriage.pdf>

## **Useful websites**

**International Center for Research on Women:** [www.icrw.org](http://www.icrw.org)

**Care International:** [www.care.org](http://www.care.org)

**Forward UK:** [www.forwarduk.org](http://www.forwarduk.org)

**UNFPA:** [www.unfpa.org](http://www.unfpa.org)

**UNFPA Eastern Europe and Central Asia Regional Office:** [www.eeca.unfpa.org](http://www.eeca.unfpa.org)

**UNICEF:** [www.unicef.org](http://www.unicef.org)

**Girls not Brides:** [www.girlsnotbrides.org](http://www.girlsnotbrides.org)

**Save the Children:** [www.savethechildren.org](http://www.savethechildren.org)

**Plan:** <http://www.plan-uk.org>

**UN Women:** [www.unwomen.org](http://www.unwomen.org)

## *Entre Nous*

*The European Magazine  
for Sexual and Reproductive Health*

WHO Regional Office for Europe  
Division of Noncommunicable Diseases  
and Health Promotion  
Sexual and Reproductive Health  
(incl. Maternal and newborn health)

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