



CHILD MARRIAGE

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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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