



A photograph showing a group of young women looking out from a doorway. The woman in the foreground is wearing a dark headscarf and a patterned dress, seen from the back. Behind her, three other women are looking out, smiling. The woman on the left is wearing a white shirt and a dark vest. The woman in the middle is wearing a denim vest over a patterned top. The woman on the right is wearing a dark top. The doorway is made of dark wood and leads to a bright outdoor area. The wall to the right has a floral wallpaper pattern.

BREAKING BARRIERS: ADDRESSING CHILD, EARLY AND FORCED MARRIAGE IN EURASIA

Photo by Daro Sulakauri

About Equality Now

Founded in 1992, Equality Now is an international human rights organization that works to protect and promote the rights of all women and girls around the world. Our campaigns are centered on four program areas: Achieve Legal Equality, End Sexual Violence, End Harmful Practices, and End Sexual Exploitation, with a cross-cutting focus on the unique needs of adolescent girls. Equality Now combines grassroots activism with international, regional, and national legal advocacy to achieve legal and systemic change to benefit all women and girls and works to ensure that governments enact and enforce laws and policies that uphold their rights. Equality Now is a global organization with partners and members all around the world. You'll find our 70+ team in places such as Beirut, Cairo, Colombo, London, New Delhi, Geneva, San Jose, New York, Nairobi, Tbilisi, and Washington DC.

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ABBREVIATIONS AND ACRONYMS

BPfA The Beijing Declaration and Platform for Action

CEDAW Convention on the Elimination of All Forms of Discrimination against Women

CEDAW Committee Committee on the Elimination of Discrimination against Women

CEFM Child, Early, and Forced Marriage

CRC Convention on the Rights of the Child

GREVIO Group of Experts on Action against Violence against Women and Domestic Violence

ICCPR International Covenant on Civil and Political Rights

Istanbul Convention Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

MAM Minimum Age of Marriage

SRHR Sexual and Reproductive Health and Rights

UNFPA United Nations Population Fund

UNODC United Nations Office on Drugs and Crime

UDHR Universal Declaration of Human Rights

UNICEF United Nations Children's Fund

EXECUTIVE SUMMARY

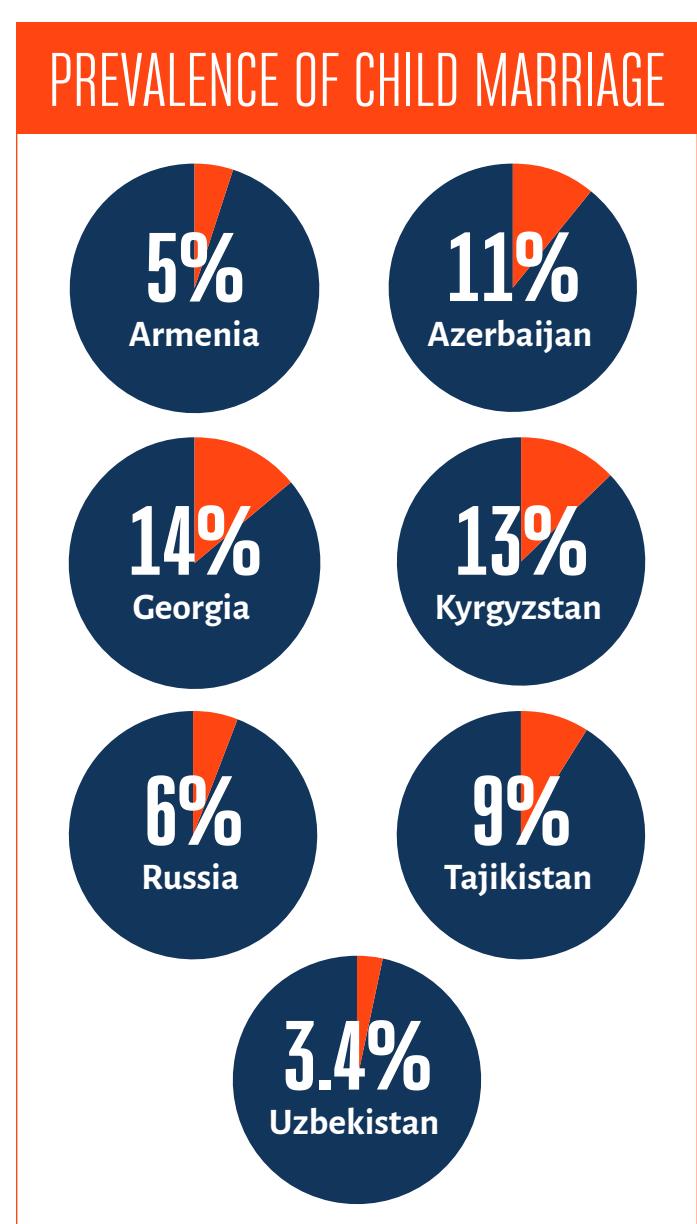
This report provides a comprehensive analysis of child, early and forced marriage (CEFM) in seven Eurasian countries: Armenia, Azerbaijan, Georgia, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan. It delves into the underlying causes, ramifications, legal and policy frameworks, and potential intervention strategies to address this human rights violation.

Prevalence and cultural drivers

CEFM persists across seven Eurasian countries included in this report due to gender inequality and a combination of cultural, religious, social, and economic factors, exacerbated by inadequate legal frameworks, limited data, underreporting, and enforcement gaps. Despite variations within countries, rural areas, marginalized communities, and lower wealth quintiles consistently show higher prevalence rates of child marriage. Some women and girls face heightened vulnerability to CEFM due to various forms of discrimination, notably among rural Yezidi (in Armenia), Roma, Azeri (in Georgia), Uzbek (in Kyrgyzstan), North Caucasian (in Russia) communities.

CEFM in Eurasian countries is deeply rooted in gender discrimination and violence. Adolescent girls and young women often lack decision-making power over their own sexuality and reproduction, leading to early motherhood, multiple pregnancies, gender-based violence, lower educational attainment, higher levels of poverty, increased unpaid care responsibilities, and limited economic opportunities.

Abduction for forced marriage also still occurs in Armenia, Azerbaijan, Kyrgyzstan, Russia, and Georgia, disproportionately affecting certain ethnic and religious communities. This harmful practice also perpetuates child marriage, as the fear of abduction prompts early marriage for the “protection” of girls. Despite efforts to deter this practice and decreasing trends in countries like Georgia, it remains prevalent, especially in regions with strong religious influence.



Protection gaps in legal and policy frameworks

The legal and policy frameworks in the countries reviewed often fall short of effective protection against child marriage. While some countries have made progress in recent years in raising the minimum legal age for marriage, only two of the seven countries (Georgia and Azerbaijan) set the minimum age of marriage at 18 without exceptions. Azerbaijan introduced this amendment only recently, with the adoption of the Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024,¹ which enters into force on July 1, 2025.

Legal frameworks on forced marriage are also laden with additional protection gaps. In Armenia, Azerbaijan, the Russian Federation, Tajikistan, and Uzbekistan, forced marriage is not explicitly criminalized and instead falls under general provisions like abduction or illegal deprivation of liberty, which fails to recognize its gendered nature. Sanctions are often inadequate and do not reflect the gravity of the crime. In some cases (e.g., Azerbaijan and Russia), perpetrators can avoid punishment if the victim is voluntarily released. Additionally, there are unreasonably short statute of limitations for prosecuting such crimes, further limiting justice.

Additionally, most of the reviewed countries in this report do not have a specific national action plan or policy towards addressing CEFM, although Kyrgyzstan has put in place comprehensive measures.² Weak and inadequate implementation of the existing laws and policies, as well as ineffective coordination mechanisms, constitute a significant issue, leaving girls vulnerable and leading to underreporting. Cultural norms and societal acceptance often outweigh legal mandates, leading to minimal consequences for perpetrators of child and forced marriage.

Lack of public awareness and support systems

There is a significant lack of public awareness about the legal prohibitions against child marriage. Existing support systems and shelters are often under-resourced and not tailored to the specific needs of child and forced marriage survivors. Moreover, victims face significant social stigma, which hinders their access to support and justice.

Economic and educational factors

Poverty and economic hardships drive many families to marry off their daughters early, perceiving it as a means of financial relief or security or protecting the daughter's "honor." Lack of access to quality education further exacerbates the issue, leaving young girls ill-equipped to challenge societal expectations and norms, often having to drop out of school to get married.

Need for a multi-sectoral approach

Legislation and criminal justice measures alone are insufficient to address CEFM, which is deeply rooted in gender discrimination and marginalization. Therefore, comprehensive strategies to address CEFM holistically using a multi-sectoral approach are necessary. Such an approach would include strengthening legal frameworks, raising public awareness, providing comprehensive support services, enabling economic empowerment, and engaging communities in transformative practices. Some of the promising practices used to address CEFM in other countries around the world have been highlighted in the Annex of this report to assist in informing relevant stakeholders in Eurasia about the development of comprehensive strategies.

¹ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, "On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan", <https://e-qanun.az/framework/57541>

² E.g., Resolution of the Cabinet of Ministers of the Kyrgyz Republic No. 25-r dated January 25, 2023 (On the approval of the Action Plan of the Cabinet of Ministers of the Kyrgyz Republic for the Prevention of Child and Forced Marriages for 2023-2024), <https://cbd.minjust.gov.kg/57-18729/edition/1223560/ru>

Recommendations

There is an urgent need to prioritize addressing CEFM in Eurasia and to improve legal standards, policies, prevention and protection measures, as well as support services for survivors. Efforts must also focus on comprehensive data collection and community-based interventions to protect vulnerable populations.

1 LEGISLATIVE AND POLICY REFORMS

- Set the minimum age of marriage to 18 for both women and men without exceptions.
- Enhance the enforcement of existing laws on CEFM and close legal protection gaps that hinder access to justice for CEFM.
- Adopt a comprehensive, rights-based, gender-responsive Government Strategy and Action Plan, which will provide effective cross-government coordination and referral mechanism for multisectoral prevention and support programs, complemented by law enforcement efforts. Design targeted interventions for individuals most at risk of CEFM.
- Develop and implement comprehensive national action plans targeting the prevention of child marriage and support for its victims.

2 PUBLIC AWARENESS AND EDUCATION

- Launch extensive campaigns to educate communities about the harms of CEFM and the legal age of marriage.
- Integrate education on human rights, gender equality, and the harmful effects of CEFM into school curricula.
- Engage traditional and religious leaders in efforts to change cultural norms and practices that support CEFM.

3 SUPPORT SERVICES AND ECONOMIC INTERVENTIONS

- Establish sufficiently funded and specialized support services, including shelters, counseling, and legal aid for survivors of CEFM.
- Take measures to facilitate the re-entry of survivors of CEFM into education and employment.
- Provide financial incentives to families to discourage child marriage and keep girls in school.
- Implement programs offering economic opportunities and resources to communities at higher risk of CEFM.

4 MONITORING AND DATA COLLECTION

- Improve data collection methods to accurately assess the prevalence of CEFM and monitor progress.
- Gather disaggregated administrative data, by sex, age, ethnicity, and other relevant factors, on the response of the justice system to cases of CEFM and support services provided to victims.

TERMINOLOGY AND DEFINITIONS

The terms “child marriage,” “early marriage,” and “forced marriage” are frequently used interchangeably, yet they represent distinct phenomena with unique implications and challenges. The lack of clarity on the meaning of these terms can blur the focus of discussions and weaken the effectiveness of legal frameworks and interventions aimed at addressing these harmful practices.

Child marriage	<p>This term is used internationally to describe a formal marriage or informal union where at least one party is under 18 years old.³</p> <p>Child marriage is considered a form of forced marriage under international human rights law, as one or both parties have been married too young to be physically and psychologically ready to provide full, informed, and free consent.⁴</p> <p>Child marriage is an international designation that, in the context of this report, is not dependent on different domestic laws governing attainment of the age of majority.⁵</p>
Early marriage	<p>Often used interchangeably with child marriage, “early marriage” typically refers to marriages involving individuals under the age of 18. This term can also extend to those who are 18 and older who may not be able to provide informed consent due to factors like emotional immaturity or inadequate understanding of the implications of marriage.</p> <p>Early marriage can sometimes be a subset of child or forced marriage, depending on the context and how much autonomy and consent are involved in the process. Thus, while primarily synonymous with child marriage, the scope of early marriage can be broader.⁶</p>
Forced marriage	<p>This is a union where one or both parties have not personally expressed their full, informed, and free consent to the marriage.⁷ It can also involve a marriage, which one of the parties wants to end or leave but is not able to.⁸</p> <p>Forced marriage affects both adults and minors.⁹</p> <p>Forced marriage encompasses a range of situations, including marriages lacking consent, involving slavery or human trafficking, child marriage, exchange or trade-off marriage (e.g. baad and baadal), servile and levirate marriages (coercing a widow to marry a relative of her deceased husband), abductions for marriage, marriage brokering, marriages as dispute settlement, fictitious marriages, marriage to acquire citizenship, and those bonded by financial transactions like dowries or bride prices.¹⁰</p> <p>Forced marriages can also happen during migration to ensure marrying within the community or to provide documents for migration. Armed groups may also use it during conflict or it may be used as a means for a girl to escape post-conflict poverty.¹¹</p>

³ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, § 21, 22 (May 8, 2019) [hereinafter Joint general recommendation].

⁴ *Id.*, § 20; Rep. of the Office of the United Nations High Commissioner for Human Rights, *Adverse impact of forced marriage on the full and effective enjoyment of all human rights by all women and girls* § 10, U.N. Doc. A/HRC/52/50 (Feb. 2, 2023) [hereinafter A/HRC/52/50]; Virtual Knowledge Center to End Violence against Women and Girls, *Defining and Establishing Consent*, UN Women (Jan. 27, 2011), <https://endvawnow.org/en/articles/615-defining-and-establishing-consent.html>.

⁵ Convention on the Rights of the Child art. 1, Nov. 20, 1989, U.N.T.S 1577 (stating that a child is defined as anyone under the age of 18 years of age, unless the law states that majority is reached at an earlier age).

⁶ *Child Marriage - Frequently Asked Questions*, UNFPA (February 2022), <https://www.unfpa.org/child-marriage-frequently-asked-questions>

⁷ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, (May 8, 2019), § 22, 23.

⁸ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023) [hereinafter A/HRC/RES/53/23].

⁹ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, (May 8, 2019), § 22, 23.

¹⁰ Virtual Centre to End Violence against Women and Girls, *Definitions and forms of forced and child marriage*, UN Women (Jan. 27, 2011), <https://endvawnow.org/en/articles/614-definition-of-forced-and-child-marriage.html>.

¹¹ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, (May 8, 2019), § 22, 23.

Full, free and informed consent	<p>Full, free, and informed consent is defined as a “capacity to understand the meaning and responsibility of marriage, to have access to full information about one’s future spouse and knowledge about the institution of marriage, and the right to exercise a choice about whether to marry, who to marry and when to marry. Consent to marriage cannot be free and full when one party is insufficiently mature or experienced to make an informed decision about a life partner.”¹²</p> <p>Marriages that occur under physical, emotional, or financial duress, coercion, deception by family members, the spouse, or others, or through violence, force, or threats do not involve full and free consent.¹³</p>
Informal or de facto union	<p>These are relationships characterized by cohabitation without formal recognition by the law. Often linked with child and early marriages, these unions are typically governed by social and familial norms. They represent a form of relationship that may escape regulatory oversight while potentially involving minor or coerced partners.¹⁴</p>
Abduction for forced marriage (also known as ‘bride kidnapping’)	<p>This harmful practice involves abducting a woman or girl for the purpose of marriage without her consent, often accompanied by physical or psychological coercion.¹⁵ It regularly involves gender-based violence, including rape of the victim.¹⁶</p> <p>Abduction for forced marriage has to be distinguished from consensual elopement, which traditionally takes place with the mutual prior consent of the bride and groom.¹⁷</p> <p>Internationally, the term “bride kidnapping” has been used to refer to the act of abducting a girl for marriage against their will. In this report, the term “abduction for forced marriage” is used as it is considered a more accurate denomination for this harmful practice.</p>

GC/31/Rev.1–CRC/C/GC/18/Rev.1, § 21, 22 (May 8, 2019), § 23.

12 UN Women et al., Legislating and Enforcing the Minimum Age of Marriage: A comparative study of experiences and lessons learned in ending the legalization of child marriage 27 (2023) [hereinafter Legislating and Enforcing].

13 Rep. of the Office of the United Nations High Commissioner for Human Rights, *Adverse impact of forced marriage on the full and effective enjoyment of all human rights by all women and girls*, U.N. Doc. A/HRC/52/50 (Feb. 2, 2023) [hereinafter A/HRC/52/50]; Virtual Knowledge Center to End Violence against Women and Girls, *Defining and Establishing Consent*, UN Women (Jan. 27, 2011), <https://endvawnow.org/en/articles/615-defining-and-establishing-consent.html>. § 11, 12.

14 Margaret Greene, A hidden reality for adolescent girls: Child, Early and Forced Marriages and Unions in Latin America and the Caribbean 15, Plan International Americas & UNFPA (2019); Inter-American Commission on Human Rights, Violence and discrimination against women, girls and adolescents: Best Practices and Challenges in Latin America and the Caribbean § 215 (2019); Girls Not Brides, Child, Early and Forced Marriages and Unions in Latin America and the Caribbean (2020).

15 Virtual Knowledge Centre to End Violence against Women and Girls, *Defining other forms of forced marriage: bride kidnapping*, UN Women, <https://endvawnow.org/en/articles/622-defining-other-forms-of-forced-marriage-bride-kidnapping.html>.

16 CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* § 13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018) [hereinafter CEDAW/C/OP8/KGZ/1]; Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, § 22, 23.

17 CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* § 13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018) , § 12; Pauline Jones Luong, *The Transformation of Central Asia: States and Societies from Soviet Rule to Independence* 62 (2004).



Photo by Daro Sulakauri

INTRODUCTION

Child, early and forced marriage (CEFM) remains a persistent challenge globally, with profound implications for human rights, gender equality, and socio-economic development. In the Eastern Europe and Central Asia region,¹⁸ this issue casts a shadow over the lives of millions of children, particularly girls, jeopardizing their futures and perpetuating cycles of inequality and injustice.¹⁹

¹⁸ The Eastern Europe and Central Asia region is made up of the following countries: Albania; Armenia; Azerbaijan; Belarus; Bosnia and Herzegovina; Bulgaria; Croatia; Georgia; Kazakhstan; Kyrgyzstan; Montenegro; Republic of Moldova; Romania; Russian Federation; Serbia; Tajikistan; North Macedonia; Turkey; Turkmenistan; Ukraine; and Uzbekistan.

¹⁹ UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview> [hereinafter Child marriage in Eastern Europe].

Impacts of child, early and forced marriage

The consequences of CEFM are severe and far-reaching, with long-term implications for the well-being of individuals, families, communities, and societies at large.²⁰ Among the most concerning repercussions is the heightened risk of domestic violence and abuse faced by girls and young women forced into marriage. The inherent power imbalance and lack of agency within such relationships create fertile ground for exploitation and mistreatment, perpetuating cycles of trauma and suffering.

Furthermore, child marriage disrupts the educational and economic prospects of young girls, hindering their opportunities to pursue academic and vocational paths.²¹ Entrapped in traditional gender roles, such as domestic duties, girls forced into marriage find themselves ensnared in cycles of poverty and dependency. This not only impacts individual well-being but also undermines broader socio-economic development efforts within communities and societies, perpetuating cycles of disadvantage and marginalization.²²

Health outcomes for child brides are equally concerning, and early pregnancies are a common consequence. These pregnancies expose young brides to a number of health risks, including complications during childbirth, maternal mortality, and heightened risk of HIV infection.²³ Moreover, lack of access to adequate reproductive healthcare and sexual and reproductive health and rights (SRHR) exacerbates these challenges, perpetuating a cycle of poor health outcomes for both the mother and child.

Additionally, married children often experience social exclusion and marginalization within their communities. The assumption of marital responsibilities at a young age isolates them from their peers and restricts their social interactions, leading to feelings of isolation and alienation. Research also shows that CEFM aggravates women and girls' mobility constraints and makes them vulnerable to sexual abuse and sexual exploitation.²⁴

Prevalence of child, early and forced marriage

An estimated 640 million girls and women worldwide have experienced marriage during childhood, with regions such as South Asia, sub-Saharan Africa, East Asia and the Pacific, and Latin America and the Caribbean bearing the highest burdens.²⁵ In the Eastern Europe and Central Asia region, 20 million women and girls were married as children.²⁶

According to the United Nations Children's Fund (UNICEF), the proportion of young women married as children has reduced modestly worldwide over the past decade, declining from one in four to about one in five. Notably, South Asia has seen steady declines in child marriage rates, albeit with limited progress observed in other regions, including Eastern Europe and Central Asia, where the rate of child marriage has remained stagnant in some countries.²⁷ Furthermore, progress to date has primarily benefited girls from wealthier families. Conversely, girls from economically and socially marginalized backgrounds continue to face heightened risks of child marriage, with prevalence rates increasing among the poorest households in various regions.²⁸

The Sustainable Development Goal of eliminating child marriage by 2030 appears increasingly out of reach, with no region on track to meet this target: progress would need to be 20 times faster to meet the goal. In Eastern Europe and Central Asia, at the current rate of progress, it will take over 200 years to eliminate child marriage.²⁹

²⁰ Quentin Wodon et al., Economic impacts of child marriage: Global Synthesis Report, World Bank (2017), <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/530891498511398503/economic-impacts-of-child-marriage-global-synthesis-report>.

²¹ UNICEF, The Power of Education to End Child Marriage: Data Brief (2022), <https://data.unicef.org/resources/child-marriage-and-education-data-brief/>.

²² Quentin Wodon et al., Economic impacts of child marriage: Global Synthesis Report, World Bank (2017), <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/530891498511398503/economic-impacts-of-child-marriage-global-synthesis-report>.

²³ WHO, *Rep. by the Secretariat on early marriages, adolescent and young pregnancies*, A65/13 (Mar. 16, 2012).

²⁴ GREVIO, The standards of the Istanbul Convention and GREVIO's jurisprudence on forced marriage, Contribution to the final Report of the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material 1 (Sept. 26, 2019).

²⁵ UNICEF, Is an End to Child Marriage within Reach? Latest trends and future prospects 5 (2023), <https://data.unicef.org/resources/is-an-end-to-child-marriage-within-reach/> [hereinafter Is an end to child marriage within reach?].

²⁶ *Id.*

²⁷ *Id.*, at 12.

²⁸ *Id.*, at 13; UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>.

²⁹ UNICEF, Is an End to Child Marriage within Reach? Latest trends and future prospects 5 (2023), <https://data.unicef.org/resources/is-an-end-to-child-marriage-within-reach/> at 17.

Scope of the report and methodology

This report analyzes national trends and factors influencing CEFM in Armenia, Azerbaijan, Georgia, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan. It draws on local experts' insights to assess the prevalence, drivers, and effectiveness of legal and policy measures to end the practice.

The study employed a comprehensive approach, starting with a review of existing legal frameworks, academic literature, and relevant publications, which provided a solid foundation of current knowledge and context.

Local country experts, selected through a competitive process by Equality Now, contributed significantly by gathering qualitative and quantitative data not available in published sources. Their insights into cultural, social, and economic factors, along with their assessment of legal and policy effectiveness, enriched the analysis.

Combining a thorough literature review with context-specific data from experts, the report offers a detailed understanding of CEFM in the selected Eurasian countries.

Structure of the report

The report consists of seven sections and one annex, with information on promising practices and programs to address CEFM globally.

SECTION I reviews international and regional human rights standards related to CEFM. It also outlines the obligations of States under international law to take effective measures to prevent and combat CEFM.

SECTION II examines available data on the prevalence of child and forced marriages and abduction for forced marriage in the Eurasian countries covered in this report. It highlights trends, similarities, differences, and challenges to understanding the persistence of these harmful practices.

SECTION III delves into the multifaceted drivers behind CEFM in Eurasian countries, highlighting the complex interplay of cultural traditions, socioeconomic factors, and legal frameworks that sustain these practices.

SECTIONS IV AND V offer an overview of the legislation relating to CEFM in the selected Eurasian countries. These sections also address the primary obstacles to implementing these legislations, the challenges victims face in accessing justice, and the available services and programs designed to support them.

Section VI assesses public policies and programs addressing CEFM in the selected Eurasian countries.

Section VII presents comprehensive recommendations for addressing CEFM.

Annex I contains information on promising practices to address CEFM that could inform national interventions.



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SECTION I.

CHILD AND FORCED MARRIAGE UNDER REGIONAL AND INTERNATIONAL HUMAN RIGHTS STANDARDS

International human rights standards

Under international human rights law, child marriage involves a formal or informal union where one or both parties are under 18.³⁰ It is recognized as a violation of multiple human rights and a form of gender-based violence that disproportionately affects girls, impeding their ability to fully realize their rights.³¹ It is a practice that is considered harmful under international law, causing physical, mental, and sexual harm or suffering, with both short-term and long-term consequences.³²

³⁰ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1-CRC/C/GC/18/Rev.1, (May 8, 2019), ¶ 20; *see also*, UNFPA, *Marrying Too Young: End Child Marriage* (2012), <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>.

³¹ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1-CRC/C/GC/18/Rev.1, (May 8, 2019), ¶ 7.

³² *Id.*; Human Rights Council Res. 41/8, *Consequences of child, early and forced marriage*, U.N. Doc. A/HRC/RES/41/8 (July 19, 2019).

International human rights law recognizes that entering a marriage is a basic human right that must be exercised based on a person's free and genuine will, without any form of discrimination. As such, a marriage without complete and voluntary consent constitutes a violation of human rights as recognized under the following treaties and standards:

- **UDHR:** Since 1948, the Universal Declaration of Human Rights (UDHR) has emphasized in Article 16 the right to marry and start a family without discrimination, underscoring the necessity of both parties' full and free consent before marriage.³³
- **ICCPR:** The right of individuals of marriageable age to marry and found a family is recognized by the International Covenant on Civil and Political Rights (ICCPR), which emphasizes in Article 23 the necessity of free and full consent from both parties.³⁴ As the Human Rights Committee addressed in its General Comment No. 19 on the 'protection of the family, the right to marriage and equality of the spouses,' even if the Covenant does not establish a specific marriageable age either for men or for women, "that age should be such as to enable each of the intending spouses to give his or her free and full personal consent in a form and under conditions prescribed by the law."³⁵
- **CEDAW:** Acknowledging the roots and detrimental impacts of child marriage, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ensures equal rights for men and women in choosing a spouse, emphasizing the requirement of free and full consent for marriage and explicitly prohibiting child marriage. Article 16 stipulates that child marriages shall have no legal effect and necessitates legislative action to establish a minimum marriage age and compulsory marriage registration.³⁶
- **CRC:** The Convention on the Rights of the Child (CRC) mandates that States take effective measures to abolish traditional practices detrimental to children's health, including child marriage. The Joint General Recommendation No. 31 of the CEDAW Committee and General Comment No. 18 of the Committee on the Rights of the Child (as updated in 2019) highlight that child marriage violates human dignity and physical and psychological integrity and impedes access to education and social services.³⁷ The General Comment recommends a minimum legal marriage age of 18 for both girls and boys, with or without parental consent, and stresses the importance of accessible marriage and birth registration systems to combat child marriage effectively.³⁸
- **Beijing Declaration:** The Beijing Declaration and Platform for Action (BPfA) of 1995 identifies child marriage as a harmful practice and a form of discrimination against girls, impacting their education, employment opportunities, and overall quality of life.³⁹ BPfA emphasizes States' obligations to ensure that marriage is entered into with free and full consent, highlighting the need for educational opportunities for girls and the involvement of governments, international organizations, and NGOs.⁴⁰
- **Sustainable Development Goals (SDGs):** The 2030 Agenda for Sustainable Development recognizes in Goal 5 that the elimination of CEFM is essential for achieving gender equality and empowering women and girls.⁴¹

All seven countries covered in this report are parties to ICCPR, CEDAW, and the CRC.

³³ Universal Declaration of Human Rights, Art. 16, Dec. 10, 1948; *see also* Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, Dec. 10, 1962, 521 U.N.T.S 231.

³⁴ International Covenant on Civil and Political Rights, Art. 23, Dec. 16, 1966, 999 U.N.T.S 171 [hereinafter ICCPR].

³⁵ Human Rights Committee General Comment No. 19, Art. 23 (*The Family*) *Protection of the Family, the Right to Marriage and Equality of the Spouses* ¶ 4 (1990).

³⁶ Convention on the Elimination of All Forms of Discrimination against Women, Art. 16, Dec. 18, 1979, 1249 U.N.T.S 13 [hereinafter CEDAW].

³⁷ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, (May 8, 2019), ¶ 22.

³⁸ *Id.*, ¶ 55.

³⁹ Fourth World Conference on Women, *Beijing Declaration and Platform for Action* ¶ 39, 93, U.N. Doc. A/CONF.177/20 (Sept. 15, 1995) [hereinafter *Beijing Declaration*].

⁴⁰ *Id.*

⁴¹ *5. Gender Equality*, The Global Goals, <https://www.globalgoals.org/goals/5-gender-equality/> (last visited Aug. 8 2024).

Regional human rights standards

At the regional level, child marriage is addressed by the European Convention on Human Rights, which guarantees in Article 12 the right to marry for individuals of marriageable age, placing the responsibility of determining the marriageable age on the Member States.⁴²

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) is the first legally binding regional instrument to formulate a definition of forced marriage. It also provides a “blueprint for developing laws and policies on forced marriages” beyond the Council of Europe membership.⁴³ It includes comprehensive provisions for protecting victims and prosecuting offenders, recognizing forced marriage as a “serious violation of the human rights of women and girls and a major obstacle to the achievement of equality between women and men.”⁴⁴ Article 37 mandates the criminalization of two distinct intentional acts: forcing an adult or child into marriage and luring them abroad for the same purpose.⁴⁵

The Istanbul Convention also addresses ancillary offenses related to forced marriage, such as aiding, abetting, or attempting to commit such acts, to ensure accountability for those who facilitate or attempt forced marriage.⁴⁶ It emphasizes that investigations and prosecutions should not solely depend on the victim’s report or complaint,⁴⁷ thus recognizing the complex dynamics of coercion and control often present in forced marriage situations. It also covers jurisdictional issues to ensure efficient and fair legal proceedings, considering factors such as the offense’s location and the victim’s and perpetrator’s nationality or habitual residence.⁴⁸

The Explanatory Report of the Istanbul Convention notes that the term ‘forced’ implies physical and psychological force committed through coercion or duress.⁴⁹ The monitoring mechanism under the Istanbul Convention, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), has clarified that the definition under Article 37 of the Istanbul Convention is broad, encompassing not just physical coercion but also psychological pressure. It has clarified that the offense is complete when a marriage occurs without the voluntary consent of at least one party due to these circumstances.⁵⁰

GREVIO has acknowledged the differences and overlaps between child and forced marriages while also stating that “the young age of brides means that they are at a higher risk of not being able to express their full and free consent to a marital union or to resist a forced marriage. This is in line with the wide acknowledgment made in international treaties that child, early and forced marriages constitute harmful practices linked to other human rights violations, which have a disproportionately negative impact on women and girls.”⁵¹ Based on that, GREVIO has urged countries to recognize forced marriage as an offense under criminal law in its own right⁵² and welcomed reforms criminalizing the “conduct of any person in a position of authority or trust -including parents or guardians- forcing or threatening a child to cohabit in a customary marriage with an adult.”⁵³

Of the seven countries covered in this report, Armenia has signed, and Georgia has ratified the Istanbul Convention.

42 European Convention for the Protection of Human Rights and Fundamental Freedoms art. 12, Nov. 4, 1950, E.T.S. No. 5 [hereinafter ECHR] (“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.”).

43 GREVIO, The standards of the Istanbul Convention and GREVIO’s jurisprudence on forced marriage, Contribution to the final Report of the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material 1 (Sept. 26, 2019), at 6.

44 Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010 [hereinafter Istanbul Convention].

45 *Id.*, art. 37.

46 *Id.*, art. 41.

47 *Id.*, art. 55.

48 *Id.*, art. 44.

49 *Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence* 36, Council of Europe Treaty Series - No. 210 (May 11, 2011).

50 GREVIO, The standards of the Istanbul Convention and GREVIO’s jurisprudence on forced marriage, Contribution to the final Report of the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material 1 (Sept. 26, 2019), at 2.

51 *Id.*, at 4; see also, GREVIO, Mid-term Horizontal Review of GREVIO Baseline evaluations reports ¶ 375 (2022), <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499> [hereinafter GREVIO Mid-Term].

52 GREVIO, Mid-term Horizontal Review of GREVIO Baseline evaluations reports (2022), <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499>, ¶ 373.

53 GREVIO, The standards of the Istanbul Convention and GREVIO’s jurisprudence on forced marriage, Contribution to the final Report of the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material 1 (Sept. 26, 2019), at 4; see also, GREVIO, Baseline Evaluation Report Montenegro ¶ 185–186 (2018), <https://rm.coe.int/grevio-report-montenegro/16808e5614> [hereinafter GREVIO Baseline Evaluation Montenegro].

Forced marriage in international criminal law

The jurisprudence of international criminal tribunals provides detailed insights into the conditions under which marriage constitutes forced marriage. Although forced marriage is not explicitly criminalized in the Rome Statute of the International Criminal Court (ICC), international criminal courts and tribunals, including the ICC, have charged individuals with forced marriage under the crime against humanity of “other inhumane acts.”

The Special Court for Sierra Leone (SCSL) pioneered a groundbreaking legal approach to forced marriage in 2004, treating it as a gender-related violation of international criminal law.⁵⁴ The SCSL prosecuted individuals for forcing girls and women into marriage during the civil war, categorizing such acts as crimes against humanity under “other inhumane acts.” The court defined forced marriage as compelling a person into a conjugal association through force or threat, resulting in great suffering, or serious physical or mental injury.⁵⁵ The SCSL ruled that in the context of armed conflict, any “benefits” offered to the victims, such as food, clothing, and protection from rape by others, negate genuine consent and thus constitute forced marriage.

This jurisprudence has influenced subsequent prosecutions at the Extraordinary Chambers in the Courts of Cambodia (ECCC)⁵⁶ and the ICC⁵⁷ in cases where individuals were accused of orchestrating forced marriage policies resulting in sexual violence, enslavement, and persecution of women and girls.

In its 2021 decision in *The Prosecutor v. Dominic Ongwen*, the ICC recognized forced marriage as an inhumane act constituting a crime against humanity. The court noted that forced marriage is a continuing crime, meaning that the Rome Statute criminalizes not only the act of entering into the conjugal relationship but also the entire duration of the forced relationship.⁵⁸

International criminal jurisprudence has categorized forced marriage as a multifaceted offense encompassing both sexual and non-sexual elements. This broader classification acknowledges that, especially during armed conflict, women endure various forms of violence beyond sexual abuse. It also emphasizes the comprehensive socio-economic and physical harm inflicted on victims of forced marriage, which terms like rape or sexual slavery cannot fully capture.⁵⁹



Photo by Vitolda Klein / Unsplash

⁵⁴ Rachel Slater, *Gender Violence or Violence Against Women? The Treatment of Forced Marriage in the Special Court for Sierra Leone*, 13 Melb. J. Int'l L. 732 (2012).

⁵⁵ *Charles Taylor Trial*, Trial Chamber II, Special Court for Sierra Leone, Case No SCSL-03-01-T (2012), <https://rscsl.org/the-scsl/cases/charles-taylor/>.

⁵⁶ The Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) prosecuted and convicted forced marriage as a crime against humanity of ‘other inhumane acts’ in the case of *Prosecutor v. Nuon and Khieu* (Case 002/02); see Melanie O’Brien, *Symposium on the ECCC: Forced Marriage in the ECCC*, Opinio Juris (Nov. 2, 2022), <https://opiniojuris.org/2022/11/02/symposium-on-the-eccc-forced-marriage-in-the-eccc/>.

⁵⁷ *Prosecutor v. Dominic Ongwen*, ICC-02/04-01/15, Judgment (Feb. 4, 2021), <https://www.icc-cpi.int/uganda/ongwen>; *Prosecutor v. Al Hassan Ag Abdoul Aziz*, ICC-01/12-01/18, Judgment (June 26, 2024), <https://www.icc-cpi.int/mali/al-hassan>.

⁵⁸ *Prosecutor v. Dominic Ongwen*, ICC-02/04-01/15, Judgment (Feb. 4, 2021).

⁵⁹ Baines et al., Amici Curiae Brief on Forced Marriage: Situation in Uganda Supporting the Prosecutor, *Prosecutor v. Dominic Ongwen*, ICC-02/04-01/15 A2 (Dec. 22, 2021), https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2021_11910.PDF.

Child marriage as a form of human trafficking

Certain forms of child, early and forced marriages (CEFM) are recognized as modern slavery, similar to forced labor, according to the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.⁶⁰ This convention mandates the elimination of practices resembling slavery, including marriages involving women who are traded or inherited⁶¹ and the sale of children under 18 for exploitation.⁶² The Special Rapporteur on contemporary forms of slavery has linked child marriage to trafficking and modern slavery, highlighting that such marriages can result in servitude or domestic slavery.⁶³

CEFM can trap women and girls in lifelong servitude, which is strongly linked to forced labor as defined by the International Labour Organization Forced Labour Convention,⁶⁴ including through unpaid domestic work, sexual violence, and forced pregnancies.⁶⁵ The United Nations Convention against Transnational Organized Crime also links CEFM to human trafficking, and the United Nations Office on Drugs and Crime (UNODC) explains that marriage can intersect with human trafficking through its three elements—act, means, and purpose⁶⁶ with the exception of child trafficking, where the ‘means’ element is not necessary.⁶⁷

The UN High Commissioner for Human Rights has observed that in conflict, displacement, and natural disasters, financial pressures may lead families to agree to temporary marriages for their daughters in exchange for financial gain. These marriages can amount to trafficking or sexual slavery.⁶⁸ Armed and organized crime groups have also used child and forced marriage as a cover for human trafficking

and sexual exploitation, especially in humanitarian settings.⁶⁹ Irregular migrants and migrant workers are also exploited through forced marriage, with those on spousal visas facing limited justice options due to the risk of losing their residence permits.⁷⁰

States' obligations under regional and international human rights law: a comprehensive and holistic approach to child, early and forced marriage

Child, early and forced marriage (CEFM) is a violation of human rights that states have a legal obligation to tackle through a comprehensive, rights-based approach, taking into account those in vulnerable or marginalized situations⁷¹ and addressing root causes of gender inequality, discrimination against women and girls, and gender-based violence in general.

The Istanbul Convention mandates a holistic response to violence against women and girls, including child and forced marriage,⁷² by implementing prevention strategies and providing essential support services to victims. This includes addressing cultural, traditional, or honor-based justifications for violence and ensuring measures are in place to protect women and girls, including those affected by humanitarian emergencies and forced displacement.⁷³

Additionally, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) provides that given the link between forced marriage and sexual victimization, provisions related to sexual violence, including rape, and services addressing victims of sexual violence are also relevant to victims of forced marriage.⁷⁴

⁶⁰ A/HRC/52/50, *supra* note 2, ¶ 9; Report of the United Nations High Commissioner for Human Rights, *Child, early and forced marriage in humanitarian settings* ¶ 20, U.N. Doc. A/HRC/41/19 (Apr. 26, 2019) [hereinafter A/HRC/41/19]

⁶¹ Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Arts. 1.c.i–1.c.iii, Sept. 7, 1956, 266 U.N.T.S 3.

⁶² *Id.*, Art. 1.d.

⁶³ Rep. of Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola ¶ 28, U.N. Doc. A/HRC/27/53 (July 22, 2014).

⁶⁴ International Labour Organization, C29 Forced Labour Convention, 1930 art. 2, June 28, 1930.

⁶⁵ International Labour Organization et al., Global Estimates of Modern Slavery: Forced Labour and Forced Marriage 1 (2022).

⁶⁶ U.N.G.A. Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children art. 2, Nov. 15, 2000.

⁶⁷ UNODC, Interlinkages between Trafficking in Persons and Marriage 10 (2020), https://www.unodc.org/documents/human-trafficking/2020/UNODC_Interlinkages_Trafficking_in_Persons_and_Marriage.pdf.

⁶⁸ U.N. Doc. A/HRC/41/19 (Apr. 26, 2019), ¶ 14.

⁶⁹ *Id.*, ¶ 9; Girls Not Brides, Child Marriage in Humanitarian Settings 3 (2018), <https://www.girlsnotbrides.es/documents/1439/Child-marriage-in-humanitarian-settings-1.pdf>.

⁷⁰ UNODC, Global Report on Trafficking in Persons 2022 39 (2023), https://www.unodc.org/documents/data-and-analysis/glotip/2022/GLOTIP_2022_web.pdf; see also, UNODC, Countering Trafficking in Persons in Conflict Situations: Thematic Paper (2018), https://www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

⁷¹ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 3.

⁷² Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence 36, Council of Europe Treaty Series - No. 210 (May 11, 2011), at 12.

⁷³ GREVIO, The standards of the Istanbul Convention and GREVIO's jurisprudence on forced marriage, Contribution to the final Report of the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material 1 (Sept. 26, 2019), at 3.

⁷⁴ *Id.*, at 4.

Prevention obligations

States should:

- Ensure the **eradication of all barriers that obstruct the access of girls to quality and inclusive education**,⁷⁵ by addressing political, legal, social, economic, and cultural issues. They should reform education systems to eliminate gender biases, ensure safe and supportive learning environments, and ensure girls can stay in school after marriage, pregnancy, or childbirth.
- Address **economic inequalities and the feminization of poverty**,⁷⁶ by creating gender-responsive social protection systems and family-oriented policies. These should include support for unpaid care work, child allowances, and pensions to boost women's economic security and independence.
- **Provide all women and girls access to comprehensive, non-discriminatory health services** that are adolescent-friendly, disability-inclusive, and uphold privacy and consent.⁷⁷
- Conduct **comprehensive awareness-raising initiatives in communities about the minimum marriage age**, address cultural support for forced and child marriage, and highlight the negative impacts on girls' health, education, and job prospects.
- **Implement mandatory civil registration systems** for all marriages, births, and deaths, including all types of unions. This system should track marriage ages and provide data for monitoring and enforcing minimum age requirements.
- Tackle forced marriage **in both registered and unregistered unions**, including customary marriages, if they meet the criteria in Article 37 of the Istanbul Convention.⁷⁸

Protection and response obligations

A primary way to fulfill these obligations is by enacting or revising domestic legislation, which can provide a robust legal framework for addressing instances of CEFM and holding perpetrators accountable.

- **Setting the minimum age of marriage (MAM) as 18** both for girls and boys, without any exceptions, in line with international and regional standards (including CEDAW and CRC), with full and free consent of parties, and ensuring that this standard applies to all marriages (whether registered, religious, customary, or civil) and informal unions.⁷⁹
- **Recognizing child, early and forced marriage as a distinct violation** and enacting laws and policies to prevent and address it under civil, criminal, and personal status law as applicable.⁸⁰ This includes amending or repealing laws that permit or justify such practices and removing any legal provisions that allow perpetrators (including of rape, sexual exploitation, or trafficking) to avoid punishment through marriage.⁸¹
- **Establishing forced marriage as a criminal offense.** According to international human rights law standards, States should enact legislative or other measures to establish forced marriage as a criminal offense, along with aiding, abetting, or attempting to commit such acts. This entails not only criminalizing the act itself but also holding accountable those who facilitate or attempt to force someone into marriage. The criminal sanctions for perpetrators must be severe in line with the gravity of the crime.⁸² However, survivors of forced marriage should themselves never be subjected to criminalization.⁸³

⁷⁵ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 4.

⁷⁶ *Id.*, ¶ 5.

⁷⁷ *Id.*, ¶ 6.

⁷⁸ GREVIO, The standards of the Istanbul Convention and GREVIO's jurisprudence on forced marriage, Contribution to the final Report of the UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material 1 (Sept. 26, 2019), at 4; *see also*, evaluations of Montenegro and Turkey. GREVIO's (Baseline) Evaluation Report Montenegro ¶ 185–186 (25 October 2018), <https://rm.coe.int/grevio-report-montenegro/16808e5614>; GREVIO's (Baseline) Evaluation Report Turkey ¶ 241–242 (15 October 2018), <https://dspace.ceid.org.tr/xmlui/bitstream/handle/1/1135/ENG%20GREVIO%20Report%20Turquie.pdf%20%281%29.pdf?sequence=1&isAllowed=true>.

⁷⁹ Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, (May 8, 2019), ¶ 55; Committee on the Rights of the Child, *General Comment No. 20 on the implementation of the rights of the child during adolescence*, U.N. Doc. CRC/C/GC/20* (2016); Committee on the Rights of the Child, *General Comment No. 4 on Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, U.N. Doc. CRC/GC/2003/4 (2003).

⁸⁰ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 7.

⁸¹ *Id.*, ¶ 3 (e) (f).

⁸² Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010, arts. 45, 37.

⁸³ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 8.

- **Utilizing a holistic, multi-sectoral approach to addressing CEFM.** The Human Rights Council has recognized that the criminalization of CEFM alone “is insufficient when introduced without complementary, comprehensive and multisectoral measures and support programs.”⁸⁴

Legal and policy responses to CEFM should adopt a comprehensive, rights-based, gender-responsive, and cross-government approach, encompassing legal remedies and redress,⁸⁵ and including reparations for victims of child marriage and adequate mechanisms to ensure that survivors are sufficiently assisted and protected against various risks, including retaliation from perpetrators and their families.⁸⁶ States should consider the best interest of children as the primary consideration.

The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) has also noted “that the use of the criminal justice system for combating child marriage and bride kidnapping should be supplemented by comprehensive and multisectoral prevention and support programs, which include measures for economic empowerment.”⁸⁷

As mentioned in Article 18 of the Istanbul Convention, support services for victims of violence, including CEFM, should address the specific needs of victims and be made available regardless of the victim’s willingness to press charges or testify against perpetrators. They should include shelter, medical support, psychological counseling, legal aid, telephone helplines, and protection orders.

- **Enabling victims to leave child and forced marriages** according to international standards.⁸⁸ Special provisions should be introduced to protect the rights of women and girls in child and forced marriages, helping them leave such marriages and supporting their access to family property, custody of children, and economic support. The Istanbul Convention, for example, requires that such marriages can be voided or annulled without excessive burdens on victims, who are also entitled to compensation and civil remedies against perpetrators and failing authorities.⁸⁹

- **Protecting migrants and asylum seekers** by ensuring they keep their residence permits and regain their status if lost due to forced marriage, as mandated by the Istanbul Convention.⁹⁰ The Convention also mandates recognizing forced marriage as persecution and implementing gender-sensitive asylum procedures to prevent further victimization.⁹¹ Additionally, States must recognize gender-based violence, including forced marriage, as a form of persecution and provide gender-sensitive asylum procedures.⁹²

- **Establishing specialized gender units** within law enforcement and prosecution systems, adequately staffed with qualified female officers.⁹³ This also involves conducting **trainings** for law enforcement, judicial, and local officials, health and social workers, and other professionals on protecting victims of child marriage and gender-, survivor- and trauma-informed responses.⁹⁴

⁸⁴ *Id.*, ¶ 5.

⁸⁵ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW*, ¶ 93.

⁸⁶ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 8; Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010, arts.18, 49, 50, 56, 71.

⁸⁷ GREVIO, (Baseline) Evaluation Report Georgia ¶ 267 (2017), <https://rm.coe.int/grevio-report-on-georgia-2022/1680a917aa>.

⁸⁸ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 7.

⁸⁹ Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010, arts 32, 29.

⁹⁰ *Id.*, art. 59.

⁹¹ *Id.*, art. 60.

⁹² *Id.*, art. 60.

⁹³ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW*, ¶ 93(e).

⁹⁴ Human Rights Council Res. 53/23, *Child, early and forced marriage: ending and preventing forced marriage*, U.N. Doc. A/HRC/RES/53/23 (July 21, 2023), ¶ 6(b); CEDAW Committee, Concluding observations on the sixth periodic report of Uzbekistan ¶ 42(2), CEDAW/C/UZB/CO/6 (2022); CEDAW Committee, Concluding observations on the ninth periodic report of the Russian Federation ¶ 27(a), CEDAW/C/RUS/CO/9 (2021).

SECTION II.

PREVALENCE OF CHILD AND FORCED MARRIAGE IN SELECTED COUNTRIES IN EURASIA



Photo by Daro Sulakauri

All of the countries analyzed for this report face challenges in accurately assessing the prevalence of these harmful practices due to the lack of official data and awareness programs. Various factors, including underreporting and the fact that official statistics tend to only record civil marriages and not religious ones, hinder accurate data collection and a comprehensive understanding of the problem.

Information about child marriage affecting boys is often overlooked or insufficiently captured.⁹⁵ Additionally, data on child marriage often include ages 18 and 19, making it difficult to disaggregate marriages involving ages 17 and below.⁹⁶ Similarly, surveys may not adequately assess the extent to which girls are disproportionately affected by child marriage, as data collection methods may not sufficiently account for gender disparities in reporting.

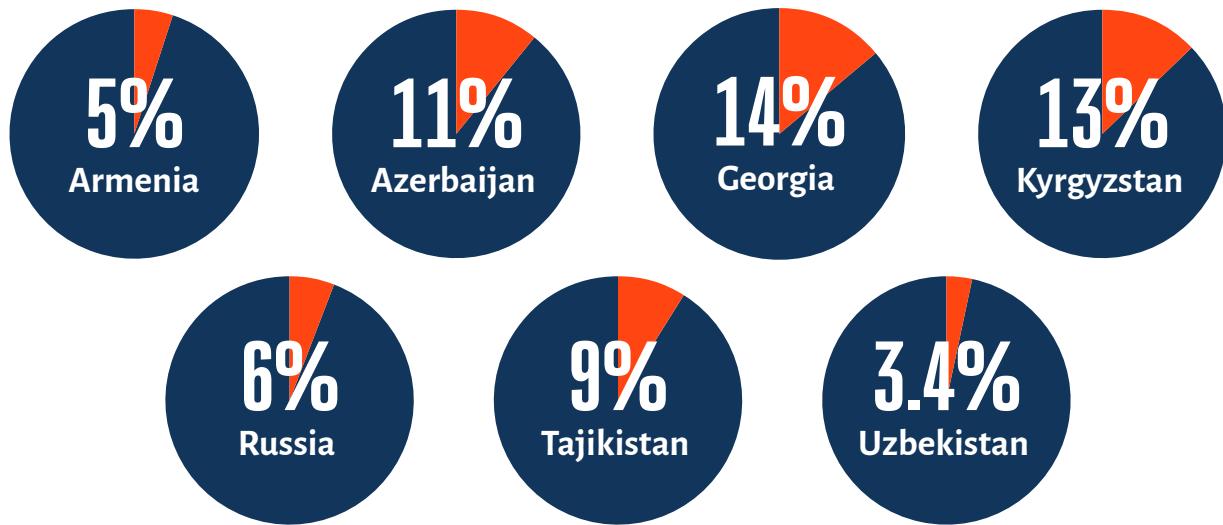
However, available statistics, reports by local experts, and anecdotal evidence suggest that child marriage remains a persistent challenge across Eurasia, spanning various countries, communities, and cultural contexts.

Child marriage prevalence in the Eurasia region exhibits considerable variation, with rates differing across countries and minority groups. Officially registered marriages involving girls aged 15–19 are notably high in Albania, Turkey, and Kyrgyzstan, while lower rates are observed in countries such as Kazakhstan, Ukraine, and Serbia. Among some minority groups, particularly the Roma in Southeast Europe and Ukraine and Yezidi communities in Armenia, rates of child marriage are significantly higher.⁹⁷

Research cited by the United Nations Population Fund (UNFPA) suggests that child marriage rates increased in former Soviet republics in Central Asia and the Caucasus during the 1990s, coinciding with the collapse of the Soviet Union.⁹⁸ Anecdotal evidence suggests that this rise is attributed to economic hardship, poverty, and food shortages affecting various communities. The prevalence has gradually decreased in the following years.⁹⁹

Based on information provided by local experts, this section aims to provide an overview of the prevalence of child marriage in the seven Eurasian countries included in this report (Armenia, Azerbaijan, Georgia, Kyrgyzstan, the Russian Federation, Tajikistan, and Uzbekistan), shedding light on the available relevant data and regional trends.

PREVALENCE OF CHILD MARRIAGE



⁹⁵ UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 2.

⁹⁶ National Center for Disease control and Public Health et al., Exploring Harmful Practices of Early/Child Marriage and FGM/C in Georgia 29 (2017), https://georgia.unfpa.org/sites/default/files/pub-pdf/Exploring%20Harmful%20Practices%20of%20EarlyChild%20Marriage%20and%20FGMC%20in%20Georgia_o_o.pdf.

⁹⁷ UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 2

⁹⁸ *Id.*

⁹⁹ National Center for Disease control and Public Health et al., Exploring Harmful Practices of Early/Child Marriage and FGM/C in Georgia 29 (2017), https://georgia.unfpa.org/sites/default/files/pub-pdf/Exploring%20Harmful%20Practices%20of%20EarlyChild%20Marriage%20and%20FGMC%20in%20Georgia_o_o.pdf, at 29.

A quick glance at the available statistics



Armenia:

- 5% of women aged 20-24 marry before the age of 18.¹⁰⁰
- Within the Yezidi community, it is common for girls to marry between the ages of 13-14 and for boys between the ages of 17-20.¹⁰¹
- In 2021, Armenia ranked among the top 10 countries worldwide in terms of the rate of decline in the prevalence of child marriage.¹⁰²



Azerbaijan:

- Approximately 11% of women aged 20-24 marry before the age of 18.¹⁰³
- Rates of child marriage are highest in villages on the Absheron peninsula, in the southern (Lenkaran, Lerik, Yardimly, Masally) and northern (Guba) regions, on the border with Iran, and in the Absheron, Sabunchu, Nardaran, Garadagh, and Azizbekov districts of the country's capital, Baku.¹⁰⁴
- 21,000 children were born from child marriages in the country between 2010 and 2015.¹⁰⁵
- The 2011 MAM reform significantly reduced the number of marriages involving individuals under the age of 18. In 2011, 5,138 such marriages were reported, while in 2012, the number dropped to just 295.¹⁰⁶



Georgia:

- 14% of women aged 20-24 reported being married before 18.¹⁰⁷
- Rates of child marriage are significantly higher amongst rural women (25%) as compared to urban women (8%).¹⁰⁸
- Kvemo Kartli had the highest rate (25%) of marriages under 18 among women aged 20-49, whereas Tbilisi had the lowest (12%).¹⁰⁹
- Over the years, child marriage rates have reduced - the 20-24 age group has a 14% prevalence, while the 40-44 age group has a 27% prevalence.¹¹⁰
- In 2022, 258 boys and 1,571 girls between the ages of 16 and 19 formed households.¹¹¹



Kyrgyzstan:

- Approximately 13% of women aged 20-24 entered into marriage before the age of 18.¹¹²
- 62 cases of child marriage were considered by courts between 2019 and mid-2020, with 89.6% of cases occurring in the southern region.¹¹³
- Girls of Uzbek nationality are particularly vulnerable.¹¹⁴

¹⁰⁰ Armenian Demographic and Health Survey, 2015-16, <https://dhsprogram.com/pubs/pdf/FR325/FR325.pdf>.

¹⁰¹ UNFPA, Child Marriage in Armenia (Overview), (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20armenia%20overview.pdf>.

¹⁰² UNICEF. Towards ending child marriage: Global trends and profiles of progress (2021), <https://data.unicef.org/resources/towards-ending-child-marriage/>.

¹⁰³ Azerbaijan Demographic and Health Survey, 2011, <https://ghdx.healthdata.org/record/azerbaijan-demographic-and-health-survey-2011>.

¹⁰⁴ UNICEF, Leveraging large-scale sectoral programs to prevent child marriage, UNFPA, Child Marriage in Azerbaijan (Overview) (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>.

¹⁰⁵ State Statistical Committee of the Republic of Azerbaijan, 2019.

¹⁰⁶ State Statistical Committee of the Republic of Azerbaijan, 2022.

¹⁰⁷ Multiple Indicator Cluster Surveys–MICS, GeoStat, UNICEF, 2018, <https://www.unicef.org/georgia/reports/2018-georgia-mics-multiple-indicator-cluster-survey>.

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ National Statistics Office of Georgia, 2022, <https://www.geostat.ge/en>.

¹¹² Multiple Indicator Cluster Survey (MICS) on the situation of children and women in Kyrgyzstan, <https://www.unicef.org/kyrgyzstan/reports/multiple-indicator-cluster-survey-mics-situation-children-and-women-kyrgyzstan>.

¹¹³ Kyrgyz Association of Women Judges, 2020

¹¹⁴ *Id.*



Russian Federation:

- In 2017, for women aged 20-24, 6% were married before the age of 18 and 0.3% before the age of 15.¹¹⁵
- 4,453 marriages involved girls under 18 in 2021, and 614 involved underage boys, with the highest number of child marriages occurring in Dagestan and the Stavropol Region.¹¹⁶
- Child marriage is more prevalent in the North Caucasus region and among Roma Moldovan communities.¹¹⁷



Tajikistan:

- Approximately 9% of women aged 20-24 in Tajikistan are married before the age of 18.¹¹⁸
- Rates of child marriage vary considerably across the country.¹¹⁹
- 7% of adolescent women aged 15-19 had begun childbearing.¹²⁰



Uzbekistan:

- 3.4% of women aged 20-24 were married before the age of 18.¹²¹
- The Eastern region has the highest rate of child marriage (11%).¹²²
- 4,786 marriages involved girls under 18 in 2018, decreasing to 74 in 2022.¹²³

Key Findings

- **Challenges in data collection:** Underreporting and limited awareness hinder accurate assessment of the prevalence of child marriage in the region. Official statistics often overlook unregistered marriages, contributing to a lack of comprehensive data.
- **Gendered phenomenon:** Child marriage affects girls and boys differently, with girls being significantly more impacted. Girls often marry at younger ages and are more likely to be victims of abduction for forced marriage, contributing to gender disparities in reporting.
- **Regional disparities:** Child marriage rates vary across Eurasian countries, communities, and minority groups. Officially registered marriages involving underage individuals are notably high in some countries, while lower rates are observed in others.
- **Most-affected girls:** Girls from minority groups, particularly the Roma and Yezidi, are disproportionately affected. Child marriage is more prevalent in rural areas, regions heavily populated by refugees and internally displaced persons, and among certain ethnic communities.
- **Socioeconomic factors:** Girls in lower wealth quintiles are also disproportionately affected. Poverty, limited education, and lack of opportunity contribute to the perpetuation of child marriages.

Note: The information provided has been compiled using inputs from local experts and open data sources.

¹¹⁵ Analytical Center for the Government of the Russian Federation, 2020.

¹¹⁶ Federal State Statistics Survey, 2022.

¹¹⁷ Department of State Country Reports on Human Rights Practices, 2015.

¹¹⁸ DHS, 2017, <https://dhsprogram.com/methodology/survey/survey-display-521.cfm>.

¹¹⁹ UNFPA, Child Marriage in Tajikistan (Overview), (2013), <https://eeca.unfpa.org/en/publications/child-marriage-tajikistan-overview>.

¹²⁰ DHS, 2017, <https://dhsprogram.com/pubs/pdf/SR250/SR250.pdf> at 4.

¹²¹ Uzbekistan Multiple Indicator Cluster Survey 2021-2022, <https://ghdx.healthdata.org/record/uzbekistan-multiple-indicator-cluster-survey-2021-2022>.

¹²² *Id.*

¹²³ Statistics Agency under the President of Uzbekistan.

Regional variations

Regional differences in cultural practices and attitudes significantly impact the prevalence and acceptance of child, early and forced marriage (CEFM) in each country. For example, in **Tajikistan**, adherence to traditional customs varies, with certain regions, particularly rural areas in the Isfara, Cornomatchi, Devashtich districts of the Sughd region and the Rasht Valley, upholding them more fervently. In **Uzbekistan**, rural areas are more likely to adhere to traditional practices than urban centers. CEFM is frequently observed in districts and cities such as Urgut, Samarkand, Kattakurgan, Pastdargom, Denau, Shahrikhan, Namangan, Samarkand, and Andijan. Arranged marriages are also common in this country, with varying acceptance and prevalence across regions.

Child marriage is more prevalent in the rural areas of **Armenia**. Factors such as unemployment, poverty, migration, and limited access to education for girls contribute to this issue, especially compared to urban areas. Traditions hold more significance in rural districts.¹²⁴ A UNFPA study also revealed that vulnerability to child marriage is primarily determined by ethnic or religious backgrounds, being higher among socially disadvantaged and vulnerable groups. Child marriage rates are also higher in certain remote marzes (regions) of Armenia and among certain minority ethnic groups. In Yezidi communities, child marriage and unregistered marriage rates are considerably higher than in the general population.¹²⁵

In **Azerbaijan**, child marriage prevalence also shows notable regional variations, according to findings from UNFPA and UNICEF.¹²⁶ Early marriages are a concern throughout the country, but certain regions, such as villages on the Absheron peninsula, the southern (Lenkaran), and northern (Guba) regions, exhibit higher rates.¹²⁷ Conversely, in the western zone, notably Aghstafa, child marriage prevalence is lower. In places like Shamakhy, many girls marry as young as 13 years old. Education levels further highlight regional disparities in CEFM prevalence, with lower proportions of female university entrants in southern districts like Yardimli, Lerik, Jalilabad, and Masalli compared to northwest districts such as Zaqtala, Balaken, and Gakh.

These regional discrepancies in Azerbaijan are attributed to traditional and conservative attitudes, especially in mountainous areas. Socioeconomic factors also play a significant role, with economic uncertainty and social norms influencing families to arrange early marriages as a means to overcome poverty or improve social status. Regions heavily populated by refugees and internally displaced persons (IDPs) due to conflicts with neighboring Armenia and Chechnya experience heightened rates of child marriage, often seen as a strategy to escape poverty and overcrowded living conditions.¹²⁸



124 UNFPA, Child Marriage in Armenia (Overview) 5 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20armenia%20overview.pdf>.

125 Eurasia Partnership Foundation, Issues Related to the Rights of and Opportunities for Yezidi Girls Residing in Armenia 16–19 (2020), https://epfarmenia.am/sites/default/files/Document/Issues_Related_To_The_Rights_of_And_Opportunities_For_Yezidi_Girls_Residing_In_Armenia_ENG.pdf.

126 UNICEF, Early marriages: violation of the rights of children, Baku, Azerbaijan (2009); UNFPA, Child Marriage in Azerbaijan (Overview) 5–6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>.

127 Is early marriage human trafficking? - The first online research in Azerbaijan, Modern.az (Oct. 20, 2022) <https://modern.az/aktual/374690/erken-nikah-insan-alveridirmi-azerbaycanda-ilk-onlayn-tedqiqat/>.

128 UNICEF, Early marriages: violation of the rights of children, Baku, Azerbaijan (2009); UNFPA, Child Marriage in Azerbaijan (Overview) 5–6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>, at 5–6.

In Georgia, child marriage prevalence varies according to ethnic, religious, and regional factors. It occurs more frequently among certain ethnic and religious groups, such as religious minorities in the mountainous areas of Adjaria and ethnic minorities in the Kvemo Kartli region. In Kvemo Kartli, which encompasses 11.4% of Georgia's population, 32% of married women among ethnic minorities were married before the age of 18, with 5% marrying at 13 or 14, and 16% at 15 or 16.¹²⁹ Gender disparities in education exacerbate the issue, with 14% of women having received only primary education, mainly among ethnic minorities like the Azeri and Armenian groups. Stereotypes and low responsiveness from law enforcement agencies further hinder efforts to combat child marriage, leading to underreporting and inadequate intervention measures.

Other challenges contributing to child marriage include limited awareness of legal protections, justice institutions, language barriers, and deeply ingrained gender stereotypes. These factors collectively create an environment conducive to child marriage, with insufficient awareness and enforcement of women's rights.

In the **Russian Federation** the transformation of social and cultural patterns in relation to family in the North Caucasus region follows a distinctive path. On the one hand, researchers observe intergenerational conflict and resistance among young people to blindly adhere to established traditions. On the other hand, the younger generation finds solace in religion, often embracing radical interpretations, leading to the reinforcement of traditional gender roles. A study examining the trend towards early motherhood in the Caucasus indirectly indicates a rise in early marriages within the region.¹³⁰

¹²⁹ UNFPA, Child Marriage in Georgia (Overview) 6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20georgia%20overview.pdf>; Home, Women's Information Centre, <http://www.wicge.org/home.php?cat=0&sub=100&mode=100&lang=en#> (last visited Aug. 8, 2024).

¹³⁰ Kazenin & Kozlov, *Rejuvenation of motherhood in Dagestan: trend or artifact? (preliminary results of a survey of the rural population)*, Demographic Rev. No. 3 (2016), <https://cyberleninka.ru/article/n/omolozhenie-materinstva-v-dagestane-tendentsiya-ili-arteфakt-predvaritelnye-rezulatty-obsledovaniya-selskogo-naseleniya>.



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SECTION III.

CULTURAL, RELIGIOUS, AND SOCIETAL ATTITUDES AND DRIVERS OF CHILD, EARLY AND FORCED MARRIAGE

Common drivers of child, early and forced marriage (CEFM) identified across the seven Eurasian countries include deeply ingrained gender norms, notions of family honor, the emphasis on female virginity and obedience, and societal pressure and stigma surrounding unmarried women and girls. Economic hardships and pervasive poverty exacerbate vulnerabilities, particularly among girls from impoverished backgrounds. The lack of quality education further compounds these challenges, leaving young girls unable to challenge societal expectations effectively.

Despite overarching patterns, child marriage and abduction for forced marriage manifest differently across Eurasian countries, shaped by unique cultural, economic, and legal contexts. This section highlights the intricate interplay of cultural traditions, religious practices, and socioeconomic factors that perpetuate these practices.

Traditional, religious, gender norms and practices

Across all analyzed countries, deeply entrenched traditional values and patriarchal norms that prioritize family honor, reputation, and adherence to cultural customs play a significant role in perpetuating child, early and forced marriage (CEFM), with gender discrimination forming the cornerstone of such practices. At the same time, societal norms and expectations play a crucial role in the normalization of CEFM, especially for girls, by pressuring them to conform to traditional gender roles and familial duties.

There are variations in how religious practices influence the prevalence and acceptance of child marriage across the countries under analysis. However, in some cases religious ceremonies are used to legitimize child and forced marriages that cannot be registered with the state.

In **Armenia**, traditional practices within rural and patriarchal communities emphasize preserving family honor through early marriage. These traditions hold that early marriage protects a girl's reputation and adheres to cultural customs dictating social dynamics. Parents often arrange child marriages to safeguard girls from perceived "moral dangers," prioritizing marriage over educational and personal development opportunities.

Gender norms within these communities dictate that women should assume submissive and domestic roles, discouraging them from seeking employment outside of the home and limiting their personal growth and autonomy. Consequently, in some communities like the Yezidi, girls are typically married off between the ages of 13 and 14, with those remaining unmarried by 17 viewed as "late and not worthy of respect." These cultural norms exacerbate the challenges faced by girls, placing them at a disadvantage in terms of education and overall well-being.¹³¹

Despite the stronghold of these traditional views, there is a growing recognition among some segments of the population that child marriage is detrimental and constitutes a violation of human rights. This shift in perspective is beginning to question previously unchallenged norms, highlighting the adverse impacts of

early marriage on girls' education, health, and potential for personal development.

In **Azerbaijan**, the social and cultural practices are based on son preference and the subordination of women based on patrilineal and patrilocal family rules. Despite advances in several areas towards gender equality, relations are often based on traditional values and the societal expectation that men are protectors and providers reinforces the subordination of women, who are primarily seen as responsible for domestic duties and caregiving.¹³²

According to the national expert contributing to this report, marriage is often regarded as a pinnacle of achievement for women, with many seeing it as their primary role and greatest accomplishment in life. This perspective, coupled with restrictions on education and mobility ostensibly to protect family honor, severely limits women's opportunities for personal and academic growth. Moreover, the pressure to marry early is intensified by expectations of early motherhood, which is viewed as a way to enhance a woman's social status. Teenage pregnancy is prevalent, driven by these early marriages.

Discussions around sexual education are taboo, and conversations about sexual behavior or harassment are generally avoided, leaving children unprepared and ill-informed. This lack of communication and the overarching patriarchal structure continue to perpetuate gender inequality and restrict the advancement and well-being of women in Azerbaijani society.

In **Georgia**, traditional cultural practices centered around maintaining family honor and preserving ethnic identity significantly contribute to the persistence of child marriage. These practices are deeply ingrained in certain communities, where early marriage is viewed as a method to uphold cultural traditions and protect girls from perceived social risks, such as premarital sexual intercourse. Simultaneously, entrenched gender norms in these areas, which are particularly prevalent in rural regions and among ethnic and religious minorities, dictate that girls should be married off at a young age, often before reaching adulthood. This limits girls' access to education and opportunities for personal development, as societal expectations prioritize marriage and domestic duties over individual growth and autonomy.¹³³

¹³¹ UNFPA, Child Marriage in Armenia (Overview) 5 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20armenia%20overview.pdf>, at 6; Eurasia Partnership Foundation, Issues Related to the Rights of and Opportunities for Yezidi Girls Residing in Armenia 16–19 (2020), https://epfarmenia.am/sites/default/files/Document/Issues_Related_To_The_Rights_of_And_Opportunities_For_Yezidi_Girls_Residing_In_Armenia_ENG.pdf, at 18.

¹³² UNICEF, Early marriages: violation of the rights of children, Baku, Azerbaijan (2009); UNFPA, Child Marriage in Azerbaijan (Overview) 5–6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>, at 7.

¹³³ UNFPA, Child Marriage in Georgia (Overview) 6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20georgia%20overview.pdf>; GREVIO, (Baseline) Evaluation Report Georgia ¶ 264 (2017); Gupta et al., Exploring Harmful Practices of Early/Child Marriage and FGM/C in Georgia, Tbilisi et al. (2018); Women's Information Center, Study of Gender Stereotypes and Harmful Customs in Five Municipalities of Georgia (Bolnis, Zugdidi, Keda, Kharagauli, Khashuri) (2022), <http://www.ginsc.net/uploads/docs/d070ccdb6eca62eff32f93ff22f18585.pdf>.



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In these regions, the interplay of traditions and patriarchal values with poverty and lack of education are the primary drivers behind child marriage.¹³⁴

In **Kyrgyzstan**, the acceptance and continuation of child marriage are deeply entrenched in cultural norms and societal gender roles that position women primarily as homemakers and caretakers. A woman is expected to marry, especially as she approaches an age considered “old” by societal standards, placing significant pressure on families to arrange early marriages to avoid the stigma associated with an unmarried daughter. The belief that a woman’s virginity is crucial to family honor further drives the acceptance of child marriage, particularly in rural communities where traditional values hold more sway. Economic dependency and conservative religious beliefs also perpetuate these norms, with societal expectations pushing girls to marry young and prioritize family duties over personal aspirations.¹³⁵

Additionally, traditional norms surrounding masculinity in Kyrgyzstan grant men the power and incentive for forced marriages, leaving women with little capacity to refuse. Following the collapse of the Soviet Union, a “lost generation” of Kyrgyz men sought to reaffirm their masculinity and led to resurgence practices like forced marriage and bride kidnapping as a way for men to reclaim a sense of cultural and personal identity amidst societal upheaval.¹³⁶

In Russia, traditional family roles and practices persist significantly in the North Caucasus. This region clings to rigid gender roles and hierarchies that confine women to domestic responsibilities like caregiving, housekeeping, and child-rearing.¹³⁷ Women and girls face substantial discrimination, with their education and career aspirations often dismissed or disparaged. Patriarchal traditions demand absolute obedience to family dictates, leaving girls powerless to resist forced marriages or seek help in the face of kidnapping. This domination begins early in a girl’s life and is ingrained in the education system, making it difficult for them to protect themselves or seek assistance.

Economic hardships further exacerbate this situation, with families marrying off their daughters for financial relief or social advancement. Families may genuinely believe that early marriage will ensure financial security or protect their daughters from sexual assault. However, these justifications stem from a deeper societal belief in the inferiority of women’s rights and well-being compared to men’s, leading to practices that maintain male dominance over the legal, sexual, and economic aspects of women’s lives.¹³⁸

There is an intergenerational conflict where young people resist following established traditions. However, the younger generation also finds support in radicalized religion, which reinforces traditional gender roles and contributes to the increasing trend of early marriages.¹³⁹

134 UNFPA, Child Marriage in Georgia (Overview) 6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20georgia%20overview.pdf>.

135 Nadira Mukhamejan and Aidana Zhakypbekova, *Bride Kidnapping in Kyrgyzstan: A Reflection of Conservative Values?*, Central Asia Program (Jan. 13, 2022), https://centralasiaprogram.org/bride-kidnapping-kyrgyzstan-reflection-conservative-values#_ftn2; Heinrich Böll Foundation, *Life and the Status of Women in the North Caucasus* (2015).

136 CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018), ¶23.

137 Saida Sirazhudinova, *Femicide, Harmful Practices, Religious Organizations and the Law in the North Caucasus*, 34 Peace Rev. 204 (2022).

138 Saida Sirazhudinova, “I can’t say!”: to the problem of domestic and sexual violence in the republics of the North Caucasus (based on materials from a sociological study in the Republic of Dagestan), 4 *Woman in Russ. Soc.* 26 (2017).

139 Saida Sirazhudinova, *Gender system of Muslim society: the example of the republics of the North Caucasus*, 1 *Woman in Russ. Soc.* 56 (2021).

In **Tajikistan**, traditional attitudes and practices which are deeply rooted in rural areas, where 70% of the population resides, significantly contribute to the persistence of child and forced marriages. The societal and authority perception of these marriages varies, but they are commonly upheld by the predominant multi-generational family model and reinforced by societal expectations and entrenched gender norms. Early marriages are often seen as the norm, and any deviation can lead to social stigma.¹⁴⁰

In **Uzbekistan**, child marriage is primarily driven by traditional views of women's roles in society and the home, with families considering their daughters' primary destiny to be marriage. The historical use of *sharia* and *adat* to regulate family and marriage relations, alongside patriarchal structures, has significantly shaped familial dynamics.

The influence of tradition on child marriage is substantial, overshadowing socioeconomic factors and educational attainment. The normalization of arranged marriages and the belief that parents should decide their children's marriages further contribute to the prevalence of this practice.¹⁴¹

There is a lack of information on forced marriage as girls often do not report them to law enforcement because it is not customary to complain about one's family; instead, they are expected to reconcile and accept their situation.

In February 2021, the Mahalla and Family Research Institute conducted a survey in the Urgut and Samarkand districts, and the city of Samarkand, involving 250 girls who married early.¹⁴² Most respondents cited parental desire (66.3%), early love and pregnancy (63.4%), parents' concern for moral behavior (30.2%), and historical traditions (26.6%) as the main reasons for early marriages. This survey underscores that parental influence remains a decisive factor in determining the futures of their children, as well as the perceived "necessity" of marriage in the case of pregnancy (which could also be the result of sexual violence, but being raped is considered a greater shame than marrying the perpetrator).

Gender-based violence against girls

Child, early and forced marriage (CEFM) itself is recognized as a form of gender-based violence, denying girls and young women their rights to bodily autonomy, freedom of choice, and freedom of movement (see section I on international standards).¹⁴³ This harmful practice often traps them in cycles of sexual, physical, psychological, and emotional violence from which escape is exceedingly difficult. In certain cases, women and girls may be subjected to femicide as an extreme enforcement of patriarchal values, reflecting the detrimental impact of perceived female misbehavior on family reputation and leading to a disproportionate focus on controlling and policing women.

Research has revealed a correlation between violence within girls' families of origin and their propensity to enter early marriages or unions. This implies that for some, child marriage might be perceived as an avenue to escape abusive home environments. However, many encounter the same violence they sought refuge from in their initial homes, highlighting how the cycle of gender violence persists into their early marriages or unions.¹⁴⁴

UNFPA's research across the Eurasia region underscores that girls in forced marriages frequently endure physical and psychological abuse from their spouses and in-laws, especially when they move into their husband's family home, where they find themselves at the bottom of the household hierarchy. There, they face not only disregard and marginalization but are also burdened with unpaid labor and caregiving responsibilities, further exacerbating their vulnerability.¹⁴⁵

Accessing support and assistance proves challenging for victims due to limited education and economic opportunities, as well as restrictions imposed by their husband or his family. Also, victims fear being stigmatized and blamed for the violence they have experienced. This serves to perpetuate impunity and makes it more difficult to hold perpetrators accountable.

140 UNFPA, Child Marriage in Tajikistan (Overview) 6 (2014), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20tajikistan%20overview.pdf>.

141 UNFPA, Child Marriage in Uzbekistan (Overview) (2013), <https://eeca.unfpa.org/en/publications/child-marriage-uzbekistan-overview>.

142 More than half of women married early did not continue their education - study, 3 June 2021,

<https://kun.uz/news/2021/06/03/erta-turmushga-berilgan-ayollarning-yarmidan-kopi-oqishini-davom-ettirmagan-tadqiqot>.

143 Rep. of the Office of the United Nations High Commissioner for Human Rights, *Adverse impact of forced marriage on the full and effective enjoyment of all human rights by all women and girls*, U.N. Doc. A/HRC/52/50 (Feb. 2, 2023), ¶ 4; Joint general recommendation No. 31 of the CEDAW Committee/General Comment No. 18 of the Committee on the Rights of the Child, CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, ¶ 21, 22 (May 8, 2019); CEDAW Committee, *General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19*, U.N. Doc. CEDAW/C/GC/35 (July 26, 2017) [hereinafter CEDAW/C/GC/35]; Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010, Preamble, art. 37.

144 Inter-American Commission of Women, Hemispheric Report on Child, Early and Forced Marriage and Unions in the States Party to the Belém do Pará Convention (2021), https://www.oas.org/es/mesecvi/docs/matrimonio_infantil_eng_v2.pdf.

145 UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 4–5.

In all of the countries included in this report, experts at the national level have observed that victims and survivors of child marriage are subject to harmful attitudes, revictimization, and social isolation. For example, in **Azerbaijan**, the UNFPA report highlights that most of the child spouses faced various forms of abuse, including domestic violence and isolation, during their marriage.¹⁴⁶ In **Russia**, national experts have identified gender-based violence as both a cause and consequence of child marriage and abduction for forced marriage in the North Caucasus region.¹⁴⁷

A recent study on the Republic of Dagestan, the Republic of Ingushetia, and the Chechen Republic shows that child, early and forced marriages have a wide range of consequences:¹⁴⁸

- **Lack of education and economic violence:** The likelihood that a girl or young woman will continue her education after marriage is extremely low due to pregnancy, pressure from her husband, or from her or her husband's family;
- **Psychological and physical violence:** A young bride is often isolated and under constant pressure and control from her husband, mother-in-law and in-laws, subject to slander, libel, humiliation, insults, and physical violence;
- **Sexual violence:** Some respondents directly mentioned that they had been raped, while others mentioned it indirectly, talking about their lack of interest in sexual life, in their spouse, and their unwillingness to have intimate contact with him;
- **Consequences for women's health:** Usually due to pregnancy and childbirth at an early age;
- **"Honor-based" crimes:** The most extreme manifestation of patriarchal control is "honor" killings, which still occur in the region. Victims often prefer to remain silent about their trauma, fearing condemnation.

Economic factors

Economic instability and financial concerns play a central role in perpetuating child, early and forced marriage (CEFM) in all countries included in this report. Families facing poverty or economic hardship may view early marriage as a means of securing financial stability or improving their socioeconomic status. Bride-dowries and other economic benefits offered by the groom's family further incentivize parents to arrange marriages for their daughters at a young age.¹⁴⁹

In all the countries highlighted in this report, economic hardships motivate families to marry off their daughters to alleviate financial burdens or enhance social connections. The bride-dowry system sometimes serves as an additional incentive for such marriages. The limited economic opportunities and educational access for girls perpetuate this cycle of poverty and reinforce societal norms that see child marriage as an economic necessity.

Similarly, in **Azerbaijan**, economic difficulties following the collapse of the Union of Soviet Socialist Republics (USSR) and the Nagorno-Karabakh conflict have led families, especially internally displaced persons (IDPs), to consider child marriage as an escape from poverty and overcrowding. As UNFPA notes, despite a low official poverty rate, the inability to meet basic needs compels some parents to marry off their daughters early, hoping for a better life with the husband's family.¹⁵⁰

Similarly, in **Georgia** and **Kyrgyzstan**, economic difficulties, particularly in impoverished regions like Kvemo Kartli and Samtskhe-Javakheti in Georgia and the rural areas of Kyrgyzstan, push families towards child marriage as a survival tactic. These families often prioritize short-term economic relief over long-term benefits like education and empowerment for girls.

146 UNICEF, Early marriages: violation of the rights of children, Baku, Azerbaijan (2009); UNFPA, Child Marriage in Azerbaijan (Overview) 5–6 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>, at 7.

147 Saida Sirazhudinova, *Gender system of Muslim society: the example of the republics of the North Caucasus, 1 Woman in Russ.* Soc. 56 (2021).

148 "Forced Marriage": The Problem of Early and Forced Marriages on the Example of the Republic of Dagestan, Republic, AD REM (May 31, 2024), <https://adrem.help/pdf/child-marriage/>.

149 UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 6.

150 UNICEF, Early marriages: violation of the rights of children, Baku, Azerbaijan (2009); UNFPA, Child Marriage in Azerbaijan (Overview) (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>, at 2.

Social exclusion and marginalization

Social exclusion and marginalization create environments where child marriage is both a consequence and a perpetuating factor of adverse social conditions. The interplay of cultural preservation, discrimination, poverty, and lack of access to education and services drives the persistence of child marriage, despite efforts to mitigate its prevalence.

Research on the topic has confirmed that persistent discrimination towards marginalized and minority groups has reinforced in them a sense of protecting their culture and identity.¹⁵¹ In this context, traditions such as child marriage and the emphasis on female virginity as a marker of family and community honor become crucial to preserving group identity. This is evident in various countries where child marriage rates are particularly high among marginalized ethnic and religious minorities.

In **Armenia** and **Georgia**, child marriage rates are highest among such groups. In Georgia, girls growing up in isolated minority communities often see marriage as their only option. These communities are not integrated into wider Georgian society, and language barriers further isolate them, limiting their opportunities and making early marriage appear as the only viable path. In Armenia, the Yezidi community's social isolation is compounded by geographical isolation, as they spend long periods in the mountains. This double layer of isolation restricts opportunities for Yezidi girls, reinforcing traditional practices such as child marriage.¹⁵²

Similarly, in **Russia**, national experts have reported a higher prevalence of child marriage within the Roma community. According to the 2013 UNFA report, many Roma lack identity documents, a fundamental barrier that prevents them from accessing education and healthcare¹⁵³ and leaves families with few options to ensure their social and economic stability. High school dropout rates among Roma children further limit their future opportunities. Additionally, overcrowded living conditions and poor access to essential services exacerbate these challenges. All of these factors push Roma families towards child marriage as a seemingly viable solution.

Lack of education

Low educational levels are a significant factor perpetuating child marriage across various countries of the region, particularly in rural and marginalized communities. Cultural norms prevalent in some communities, such as the Yezidi community in **Armenia**, prioritize marriage over education for girls, often relegating them to domestic roles and hindering their academic and personal development.¹⁵⁴

The lack of access to educational opportunities also leads to increased risk of child marriage, particularly in poverty-stricken rural areas or amongst minority communities who face discrimination and obstacles to accessing education. For instance, in **Azerbaijan**, high school dropout rates, particularly among internally displaced communities affected by the Nagorno-Karabakh conflict has led to increased risk of child marriage. This lack of education not only hampers girls' ability to advocate for their rights but also reinforces their dependency on familial and societal norms, making early marriage a more likely outcome.¹⁵⁵

¹⁵¹ UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 6.

¹⁵² UNFPA, Child Marriage in Armenia (Overview), (2013), <https://eeeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20armenia%20overview.pdf>, at 6; Eurasia Partnership Foundation, Issues Related to the Rights of and Opportunities for Yezidi Girls Residing in Armenia 16–19 (2020), https://epfarmenia.am/sites/default/files/Document/Issues_Related_To_The_Rights_of_And_Opportunities_For_Yezidi_Girls_Residing_In_Armenia_ENG.pdf.

¹⁵³ UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 6.

¹⁵⁴ Council of Europe, *Resolution CM/ResCMN(2023)6 on the implementation of the Framework Convention for the Protection of National Minorities by Armenia*, CM/ResCMN(2023)6 (June 28, 2023).

¹⁵⁵ Saida Sirazhudinova, *Gender system of Muslim society: the example of the republics of the North Caucasus*, 1 Woman in Russ. Soc. 56 (2021).

SECTION IV.

REVIEW OF LEGISLATION ADDRESSING CHILD AND FORCED MARRIAGE



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Minimum age of marriage

According to international legal standards, laws within each country's legal system should comprehensively define the Minimum Age of Marriage (MAM) across civil, criminal, family, customary, and/or religious laws to prevent any instances of marriage below the age of 18.¹⁵⁶ It is imperative to ensure there are no gender-based discrepancies or legal gaps permitting marriages below the age of 18, whether through parental or judicial consent/approval, or any other exceptions that may compel young girls into marriage.

Most of the countries covered in this report have implemented changes in their laws to increase the minimum age requirement for marriage to 18 years in accordance with international human rights standards. All seven countries covered in this report have taken some steps to reform laws relating to child, early and forced marriage (CEFM) in recent decades. Nonetheless, in five out of seven countries, a provision exists to lower this minimum age limit with parental consent and/or approval from a court or local authority. At the same time, legislation lacks clarity on what constitutes a valid reason or special circumstance.

Georgia and Azerbaijan are the only countries that have established the minimum age of marriage at 18, with no exceptions. Azerbaijan introduced this amendment only recently, with the adoption of the Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024,¹⁵⁷ which enters into force on July 1, 2025. In Kyrgyzstan, Tajikistan, and Uzbekistan, the MAM is 18 for both men and women; however, children can marry with the permission of the local authorities at 17. In Armenia, while the MAM is set at 18, children 16 years or above can marry with parental or guardian consent. In contrast, in Russia, despite having established 18 as the minimum age for marriage in the Family legislation, the actual minimum age of marriage depends on the region. According to local experts, in at least 12 regions of Russia, marriage is allowed at 14, while in four other regions, it is allowed at 15 for "justifiable reasons."¹⁵⁸

However, some countries like Armenia are currently considering bills to raise the minimum age of marriage to 18 without exceptions.¹⁵⁹ In the countries covered by this report, the adoption of laws on the minimum age of marriage and the criminalization of CEFM has been a controversial and polarizing process, as in other regions.¹⁶⁰ In the case of countries such as Kyrgyzstan, the process was met with resistance from conservative and religious leaders who supported abductions for child and forced marriage.

“According to international legal standards, laws within each country’s legal system should comprehensively define the Minimum Age of Marriage”

¹⁵⁶ UNFPA et al., Technical note for the Global Programme to End Child Marriage (2020), <https://www.unicef.org/media/86311/file/Child-marriage-the-law-2020.pdf>; Virtual Centre to End Violence against Women and Girls, *Establishing a minimum age for marriage* (Jan. 27, 2011), <https://endvawnow.org/en/articles/616-establishing-a-minimum-age-for-marriage.html?next=581>;

see also, UN Women et al., Legislationng and Enforcing the Minimum Age of Marriage: A comparative study of experiences and lessons learned in ending the legalization of child marriage 27 (2023).

¹⁵⁷ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, "On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan", <https://e-qanun.az/framework/57541>

¹⁵⁸ Equality Now et al., Russia Submission to the UN Universal Periodic Review (2023), https://www.upr-info.org/sites/default/files/country-document/2024-01/S12_UPR44_RUS_E_Main.pdf.

¹⁵⁹ *It is proposed to set the minimum age for marriage at 18, with no exceptions*, National Assembly of the Republic of Armenia (June 11, 2024), http://www.parliament.am/news.php?cat_id=2&NewsID=20738&year=2024&month=06&day=11&lang=eng.

¹⁶⁰ UN Women et al., Legislationng and Enforcing the Minimum Age of Marriage: A comparative study of experiences and lessons learned in ending the legalization of child marriage 27 (2023), at 41.

Minimum age of marriage

Country	Minimum age of marriage	Applicable exceptions
Armenia	18 years ¹⁶¹	<p>16 years</p> <p>At 17 years old, a person can marry with the consent of their parents, adoptive parents, or legal custodian.</p> <p>At 16 years old, they can also marry with the consent of their parents, adoptive parents, or legal custodian, but only if the other person they are marrying is at least 18 years old.¹⁶²</p>
Azerbaijan	18 years ¹⁶³	18 years (No Exception) ¹⁶⁴
Georgia	18 years	18 years (No Exception) ¹⁶⁵
Kyrgyzstan	18 years ¹⁶⁶	<p>17 years</p> <p>The minimum marriage age can be lowered by one year based on the opinion of a commission of the territorial units of the competent state agency for the protection of children.¹⁶⁷</p>
Russian Federation	18 years ¹⁶⁸	<p>16 years</p> <p>The procedure and conditions under which, as an exception, marriage may be permitted before the age of 16 may be established by regional laws.¹⁶⁹</p> <p>In at least 12 regions, marriage is allowed at 14, while in four other regions, it is allowed at 15 due to “justifiable reasons”.¹⁷⁰</p>
Tajikistan	18 years ¹⁷¹	<p>17 years</p> <p>The Family Code sets the age of marriage at 18 years. The minimum age can be lowered by one year in exceptional cases by a court decision.¹⁷²</p>
Uzbekistan	18 years ¹⁷³	<p>17 years</p> <p>Exceptions allow marriage at 17 under specific circumstances such as pregnancy, childbirth, or declaration of emancipation by the local government authority (khokim)¹⁷⁴</p>

¹⁶¹ Family Code, The Law of the Republic of Armenia art. 10 [hereinafter Armenia Family Code]. The legal minimum age for marriage was raised to 18 for both men and women in April 2013 (with exceptions for parental consent). Before this, the minimum age had been 17 years for women. UNFPA, Child Marriage in Armenia (Overview) 5 (2013), <https://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20armenia%20overview.pdf>.

¹⁶² Armenia Family Code, art. 11.

¹⁶³ Since 2011, the minimum age for marriage is 18 for both men and women. Family Code of Azerbaijan Republic art. 10, No. 781-IQ.

¹⁶⁴ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, “On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan” art. 1, <https://e-qanun.az/framework/57541>

¹⁶⁵ Civil Code of Georgia art. 1108; Law of Georgia on Civil Status Acts art. 51 (explicitly stating that marriage shall be permitted only from the age of 18).

¹⁶⁶ Family Code of Kyrgyzstan art. 14, Law No. 201.

¹⁶⁷ Id.

¹⁶⁸ Family Code of the Russian Federation, art. 13.

¹⁶⁹ Id.

¹⁷⁰ Equality Now et al., Russia Submission to the UN Universal Periodic Review (2023), https://www.upr-info.org/sites/default/files/country-document/2024-01/S12_UPR44_RUS_E_Main.pdf, at 12.

¹⁷¹ Family Code of the Republic of Tajikistan art. 18.

¹⁷² Id., art 13.

¹⁷³ Family Code of the Republic of Uzbekistan art. 15.

¹⁷⁴ Id.

In the countries analyzed, civil laws coexist with customary and religious norms, with no exceptions identified to the minimum age legislation for religious or customary norms often applicable to specific communities. Nevertheless, this finding “needs to be interpreted with caution because customary law is generally not documented and the existence or otherwise of MAM customary norms and related exceptions could be a question of fact rather than law.”¹⁷⁵

Criminal provisions

Child, early and forced marriage (CEFM) is not treated equally as per the criminal laws of the seven different countries included in this report, reflecting variations in their legal frameworks. Thus, while all the countries recognize CEFM as an issue, their criminal laws differ significantly in the strictness of penalties, scope of definitions, and enforcement.

Criminalization of child and forced marriage

Armenia¹⁷⁶	<p>Article 197 of the Criminal Code of Armenia criminalises coercion of a person to enter into marriage, divorce, or give birth to a child by using force, threatening to use force, by blackmail, humiliation of dignity, threat of destruction, damage, or seizure of property, or by using the material or other dependence of the person who has suffered from the crime, or by other means of coercion. These actions are punishable by restriction of freedom for a maximum period of two years, or by short-term imprisonment for a maximum period of two months, or imprisonment for a maximum period of two years.</p> <p>There is no separate article on abduction for forced marriage. However, there is a general article on abduction (Art. 191). Abduction of a minor is an aggravating factor (Art.191(2)(3)) with a punishment in the form of imprisonment for a term of four to eight years.</p>
Azerbaijan¹⁷⁷	<p>Article 176-1 of the Criminal Code states that forcing a woman into marriage is punishable by a fine or imprisonment for up to two years. If committed against a minor, these actions are still punishable by either an increased fine or imprisonment for up to four years (Art. 176-1.2).</p> <p>The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, which enters into force on July 1, 2025,¹⁷⁸ adds words ‘early marriage’ to the title of Article 176-1. The disposition of Article 176-1.2 has been replaced with the following: “176-1.2. Forcing a person below the legal age for marriage into early marriage”.</p> <p>Additionally, Article 172-2 ‘Organisation of Early Marriages for Persons Under Sixteen Years of Age’ has been added to the Criminal Code. These actions are punishable by either a fine, restriction of liberty or imprisonment for up to two years. The liability under Article 172-2 arises in relation to the adult party to the early marriage if the age difference between the adult and the victim exceeds five years. The same rule applies to the administrative offence of entering into a marriage agreement involving a person under sixteen years of age.</p> <p>Law No. 1198-VIQD clarifies that “the term ‘early marriage’ in Articles 176-1 and 176-2 of this Code refers to the creation of a union for the purpose of starting a family with a minor without formalizing a marriage”.</p> <p>Abduction and abduction of a minor for forced marriage fall under the general article of the Criminal Code on kidnapping and are punishable by imprisonment (Arts. 144(1) and 144(3), respectively).</p> <p>Law No. 1198-VIQD also adds Articles 189-1 – 189-3 to the Code of Administrative Offences of the Republic of Azerbaijan ‘Entering into a Marriage Agreement for a Person Under Sixteen Years of Age’, ‘Holding Ceremonies Related to Early Marriages Involving Minors’, ‘Religious Marriage of Minors’, respectively.</p>

¹⁷⁵ UN Women et al., Legislation and Enforcing the Minimum Age of Marriage: A comparative study of experiences and lessons learned in ending the legalization of child marriage 27 (2023), at 22.

¹⁷⁶ Criminal Code of the Republic of Armenia.

¹⁷⁷ Criminal Code of the Azerbaijan Republic.

¹⁷⁸ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, “On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan”, <https://e-qanun.az/framework/57541>

Georgia¹⁷⁹	<p>Article 150¹(1) of the Criminal Code criminalizes forced marriage. Coercing a minor into marriage is considered an aggravating circumstance (Art. 150¹ (2a))</p> <p>For abduction for forced marriage, charges are brought under “illegal deprivation of liberty” (Art. 143 of the Criminal Code) rather than defined as a separate crime or aggravating factor of another offence.</p>
Kyrgyzstan¹⁸⁰	<p>The Criminal Code criminalizes kidnapping a person for the purpose of entering into marriage (Art. 172); Coercion to enter into actual marital relations (Art. 173); Coercion of a person to enter into marriage (Art. 174); Violation of the law on the age of marriage during religious ceremonies (Art. 175); and Bigamy or polygamy (Art. 176).</p> <p>The Criminal Code specifies the liability of various parties involved, including parents or legal guardians, clergymen, the adult contracting the marriage (the groom), and the individual performing the religious ceremony with a minor.</p>
Russian Federation¹⁸¹	<p>The Criminal Code of Russia criminalizes only abduction and abduction of a minor (Arts. 126(1) and 126(2)(d), respectively). There is no specific mention of crimes committed in relation to forced marriage.</p>
Tajikistan¹⁸²	<p>The Criminal Code addresses CEFM explicitly, criminalizing giving in marriage a girl who has not reached marriageable age (Art. 168); marriage of a person who has not reached marriageable age (Art. 169); and bigamy or polygamy (Art. 170).</p> <p>Abduction for forced marriage is prosecuted as kidnapping under Article 130 of the Criminal Code. Abduction of a minor is an aggravating factor with a harsher penalty (Art. 130(2)(d)).</p>
Uzbekistan¹⁸³	<p>While the Criminal Code addresses CEFM explicitly, a person can be found criminally liable only after application of an administrative penalty for the same act under the following provisions, i.e.</p> <p>Entering into actual marital relations with a person who has not reached the age of marriage (Art. 125.1 (1));</p> <p>Marriage or giving away of a person who has not reached the age of marriage by parents or persons replacing them (Art. 125.1(2));</p> <p>Celebrating a religious ceremony to conclude a marriage between persons whose marriage is not registered in the manner prescribed by law, including with a person who has not reached the age of marriage (Art. 125.1(3)).</p> <p>Administrative penalties (Art. 47.3 of the Code on Administrative Responsibility) include fines, while criminal penalties range from community service and correctional labor to imprisonment, depending on the severity of the offense. Criminal liability is imposed in case of repeated offense within one year after applying administrative liability.</p> <p>Additionally, Article 136 of the Criminal Code criminalizes forcing a woman to enter into marriage or the continuation of marital cohabitation or abducting her for the purpose of entering into marriage against her will, as well as preventing a woman from entering into marriage.</p>

Note: The information provided has been compiled using inputs from local experts and open data sources.

¹⁷⁹ Criminal Code of Georgia.

¹⁸⁰ Criminal Code of the Kyrgyz Republic.

¹⁸¹ Criminal Code of the Russian Federation.

¹⁸² Criminal Code of the Republic of Tajikistan.

¹⁸³ Criminal Code of the Republic of Uzbekistan.

Other legal protection gaps relating to criminal offenses of child, early and forced marriage

Application of fines/administrative penalties: While according to international standards, sanctions imposed on perpetrators should correspond to the gravity of the crime committed, not all criminal codes provide dissuasive sanctions.

In Azerbaijan, it is up to judicial discretion to impose a fine (approximately up to 2,150 EUR) instead of up to 4 years of imprisonment for child, early and forced marriage (CEFM).¹⁸⁴ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, which enters into force on July 1, 2025,¹⁸⁵ aims to enhance the protection of children while also retaining the option to impose fines. Additionally, the offenses of 'Entering into a Marriage Agreement for a Person Under Sixteen Years of Age,' 'Holding Ceremonies Related to Early Marriages Involving Minors', and 'Religious Marriage of Minors' have been introduced into the Code of Administrative Offences of Azerbaijan, not the Criminal Code.¹⁸⁶ In Kyrgyzstan, it is also up to judicial discretion to impose a fine instead of imprisonment for coercion to enter into de facto marital relations and coercion of a person to enter into marriage.¹⁸⁷ The Criminal Codes of Tajikistan and Uzbekistan also allow a judge to impose non-custodial sentences, including fining a perpetrator.

The Criminal Code of Uzbekistan requires the imposition of an administrative penalty as a prerequisite for criminal liability. This legal structure likely contributes to the limited number of criminal cases (if any, with the exception of criminal cases against those who conduct religious marriage ceremonies between individuals whose marriage has not been legally registered). By their nature, such violations result from a single event—entering into a marriage with a minor—which generally does not require repeated action. Once the marriage is concluded, the offender is unlikely to attempt organizing a similar marriage again, as the act is considered 'completed.'

Voluntary release of the kidnapped person: The Criminal Codes of Azerbaijan and Russia, where abduction and abduction of a minor for forced marriage fall under the general article of the Criminal Code on kidnapping, mention directly that a person who voluntarily releases a kidnapped person is exempt from criminal liability unless their actions contain another element of a crime.¹⁸⁸ At the same time, as discussed in Section II of this report above, even if there is no other element of a crime, refusing marriage after spending time, especially the night, in the house of an unknown man amounts to a social stigma that is difficult to erase, a shame that the girl and her whole family live with forever.

Lack of *ex-officio* prosecution: While according to international standards, prosecution of CEFM cases should be conducted *ex-officio*,¹⁸⁹ some Criminal Procedure Codes require a formal complaint from a victim to initiate proceedings. For example, a formal complaint from a victim is required in the following cases:

- Azerbaijan: forcing a girl or woman into marriage.¹⁹⁰
- Kyrgyzstan: coercion to enter into a de facto marital relationship with a child, coercion of a person to enter into marriage, and violation of the law on the age of marriage during religious ceremonies.¹⁹¹
- Uzbekistan: forcing a woman to marry or preventing her from marrying in Uzbekistan.¹⁹²

Although the Criminal Procedure Codes provide that the prosecutor may initiate criminal prosecution without a complaint from the victim if the crime committed affects the interests of the state or society or if the crime was committed against a helpless person, this is often not automatic and is rarely implemented in practice.

¹⁸⁴ Criminal Code of the Azerbaijan Republic art. 176-1.2.

¹⁸⁵ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, "On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan", <https://e-qanun.az/framework/57541>

¹⁸⁶ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, "On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan" art. 3, <https://e-qanun.az/framework/57541>

¹⁸⁷ Criminal Code of the Kyrgyz Republic arts. 173–74.

¹⁸⁸ Criminal Code of the Azerbaijan Republic art. 144; Criminal Code of the Russian Federation art. 126.

¹⁸⁹ Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010, art. 55.

¹⁹⁰ Code of Criminal Procedure of the Azerbaijan Republic art. 37.3.

¹⁹¹ Criminal Procedure Code of the Kyrgyz Republic art. 24(2).

¹⁹² Criminal Procedure Code of the Republic of Uzbekistan art. 325.

Grounds for release from criminal liability: Some Criminal Codes still provide a possibility of various grounds for release from criminal liability and/or punishment, for example (the list is not exhaustive):

- Release from criminal liability due to active repentance

Applies to forcing a woman into marriage in Azerbaijan;¹⁹³ abduction of a woman in Russia;¹⁹⁴ marriage of a girl who has not reached marriageable age in Tajikistan;¹⁹⁵ CEFM in Uzbekistan.¹⁹⁶

- Reconciliation

Applies to forcing a woman into marriage in Azerbaijan;¹⁹⁷ abduction of a woman in Russia;¹⁹⁸ marriage of a girl who has not reached marriageable age in Tajikistan;¹⁹⁹ forcing a woman to marry or preventing her from marrying in Uzbekistan,²⁰⁰ coercion to marry, divorce or have a child in Armenia.²⁰¹

In Kyrgyzstan, coercion to enter into a de facto marital relationship with a child, coercion of a person to enter into marriage, and violation of the law on the age of marriage during religious ceremonies fall into the category of cases for which reconciliation is possible, but the law contains an indication that reconciliation is impossible for those cases that affect the interests of society and the state.²⁰² Therefore, in practice, everything depends on the discretion of law enforcement.

In Georgia, even though under the law reconciliation is not the basis for terminating an investigation, prosecution, or deciding against initiating prosecution, it is often used in practice to dismiss cases on the conclusion that there have been no “signs of crime.” This results in impunity for perpetrators of forced marriage and related sexual violence.

Even if reconciliation is not a ground for releasing one from criminal liability, it can still be considered a mitigating factor in sentencing, as lists of mitigating factors are not

exhaustive.

- Release from criminal liability due to a change in the situation, i.e. if as a result of a change in the situation, the act committed or the person who committed the act ceased to be socially dangerous

Applies to forcing a girl or woman into marriage in Azerbaijan;²⁰³ marriage of a girl who has not reached marriageable age in Tajikistan;²⁰⁴ and is generally applicable in Uzbekistan.²⁰⁵

Article 134 of the Criminal Code of Russia directly states that a person who has reached the age of 18 who committed sexual intercourse with a person who has reached the age of 14 but has not reached the age of 16 shall be released from punishment by the court if it is established that this person and the crime he/she has committed have ceased to be socially dangerous due to marriage with the victim.²⁰⁶ If the age difference between the victim and the defendant is less than four years, the latter shall not be subject to punishment in the form of imprisonment.

Suspended or conditional sentencing: Suspended sentencing remains possible in various jurisdictions. For example, according to articles 70 and 72 of the Criminal Codes of Azerbaijan and Uzbekistan, respectively, if the court comes to the conclusion that it is possible to correct the convicted person without serving the sentence, it may make a decision on the conditional application of this sentence.²⁰⁷ The Criminal Code of Georgia permits the use of conditional sentences for crimes of forced marriage in case of plea bargains.²⁰⁸ This is the most common penalty, together with fines, applied by Georgian courts, even in cases involving minors, leading to no real punishment for perpetrators.²⁰⁹

Unreasonably short limitation periods: Unreasonably short statutes of limitation for CEFM crimes can impede access to justice. Women and girls may not report a crime immediately for many reasons, e.g., isolation, fear of

¹⁹³ Criminal Code of the Azerbaijan Republic art. 72.

¹⁹⁴ Criminal Procedure Code of the Russian Federation art. 28.

¹⁹⁵ Criminal Procedure Code of the Republic of Tajikistan art. 29.

¹⁹⁶ Criminal Code of the Republic of Uzbekistan art. 66.

¹⁹⁷ Criminal Code of the Azerbaijan Republic art. 73.

¹⁹⁸ Criminal Procedure Code of the Russian Federation art. 25.

¹⁹⁹ Criminal Code of the Republic of Tajikistan art. 73.

²⁰⁰ Criminal Code of the Republic of Uzbekistan art. 66.1.

²⁰¹ Criminal Code of Armenia art. 82.

²⁰² Criminal Code of the Kyrgyz Republic art. 57(2).

²⁰³ Criminal Code of the Azerbaijan Republic art. 74.

²⁰⁴ Criminal Code of the Republic of Tajikistan art. 74.

²⁰⁵ Criminal Code of the Republic of Uzbekistan art. 65.

²⁰⁶ Criminal Code of the Russian Federation, art. 134.

²⁰⁷ Criminal Code of the Azerbaijan Republic art. 70; Criminal Code of the Republic of Uzbekistan art. 72.

²⁰⁸ Criminal Code of Georgia art. 63.

²⁰⁹ UN Women et al., Analysis of Court Practice in Relation of Crimes of Forced Marriage and Stalking, 2020-2022 11, 45 (2023) [in Georgian].

reprisals, social stigma, and lack of awareness of their rights and available support mechanisms.

For example, the Istanbul Convention provides that states shall take the necessary legislative and other measures to ensure that the statute of limitation for initiating any legal proceedings with regard to the offences established in accordance with articles 36 (sexual violence) and 37 (forced marriage).²¹⁰ Further, it shall continue for a period of time that is sufficient and commensurate with the gravity of the offense in question to allow for the efficient initiation of proceedings after the victim has reached the age of majority.

The Explanatory Report to the Istanbul Convention provides that “a period of time sufficient to allow the efficient initiation of proceedings” means, firstly, once these children become adults, they must have a sufficiently long time to overcome their trauma, thus enabling them to file a complaint and, secondly, that the prosecution authorities must be in a position to bring prosecutions for the offenses concerned.²¹¹

However, the legislative provisions on statutes of limitation in some of the countries do not meet this standard. For example, in Uzbekistan, a person shall be exempt from liability if two years have elapsed since the commission of the offense of CEFM under Article 125¹, ‘Violation of the law on the legal age for marriage or the procedure for entering into marriage.’²¹²

Enforcement and implementation challenges

Several common obstacles exist across different countries of the Eurasia region.²¹³ Some enforcement and implementation challenges arise from gaps in material and procedural legislation and a lack of political will to enforce the legislation (identified in the previous section), while others stem from cultural, religious, and societal attitudes to child, early and forced marriage (CEFM) (identified in Section III).

The weak and ineffective enforcement of legislation, particularly in rural and remote areas, is a major challenge across the seven countries. Limited awareness of laws and rights regarding child marriage contributes to its

continuation. In regions with language barriers or low levels of education, many families may not fully understand the legal implications of child marriage or their rights under the law. Societal acceptance and cultural norms often outweigh legal mandates, leading to minimal consequences for perpetrators of child marriage.

Another problematic issue is the under-identification of CEFM and informal unions. Victims themselves are often isolated and lack awareness of available support mechanisms. Victims and their families often hesitate to come forward due to concerns about facing direct or indirect backlash from perpetrators or their own communities, including social stigma. All of these contribute to widespread underreporting of CEFM, as well as bride abductions.

For example, in Azerbaijan and Tajikistan, legislation obliges religious leaders to require potential spouses to show a civil marriage certificate and birth certificates for the bride and groom before the religious ceremony. However, the religious marriage ceremony is usually conducted without checking either the age of the two spouses or the availability of the official marriage document, and there have also been reports of false certificates being used. Additionally, in Uzbekistan, while there is an administrative penalty for conducting the nikah ceremony without an official marriage registration, the wording does not distinguish between an adult and an underage girl.²¹⁴

Also, out of seven countries, only the Criminal Codes of Georgia, Kyrgyzstan, and Uzbekistan explicitly criminalize forced unregistered marriage and entering into actual marital relations with a person. The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, which enters into force on July 1, 2025,²¹⁵ also clarifies that “the term ‘early marriage’ in articles 176-1 and 176-2 of this Code refers to the creation of a union for the purpose of starting a family with a minor without formalizing a marriage”. Therefore, the amendments seek to cover both formal and informal practices related to early marriage, including religious or customary unions, and establish criminal and administrative liability for those involved. Other criminal codes specifically mention “marriage,” which may artificially limit law enforcement authorities’ focus to only official ones.

²¹⁰ Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Preamble, May 11, 2011, U.N.T.S 3010, arts. 36–37.

²¹¹ *Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence* 36, Council of Europe Treaty Series - No. 210 (May 11, 2011), ¶ 296

²¹² Criminal Code of the Republic of Uzbekistan art. 64.

²¹³ UNFPA, Child marriage in Eastern Europe and Central Asia: regional overview (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>, at 8–9.

²¹⁴ Code of the Republic of Uzbekistan on Administrative Responsibility art. 47³

²¹⁵ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, “On Amendments to the Family Code of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan, and the Code of Administrative Offenses of the Republic of Azerbaijan”, <https://e-qanun.az/framework/57541>

Furthermore, only the Criminal Code of Kyrgyzstan elaborates on who the subjects of criminal liability for violation of the legislation on the age of marriage are, i.e., parents (or persons replacing them) of a child in respect of whom a religious marriage ceremony was performed, the person who performed the religious marriage ceremony, as well as an adult in respect of whom a religious marriage ceremony was performed with a child in violation of the legislation on the age of marriage.²¹⁶ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024, which enters into force on July 1, 2025,²¹⁷ aims to enhance the protection of children and clarifies which individuals can be held criminally liable under the new article, Article 176-2 of the Criminal Code, and under the new articles 189-1 to 189-3 of the Code of Administrative Offences of the Republic of Azerbaijan.

While the Criminal Codes of the other six countries provide that the commission of a crime by a group of persons, by a group of persons by prior conspiracy, or by an organized group is an aggravating factor, it is important to note that a perpetrator of forced marriage can be any individual who commits the criminal act, including parents or guardians, officials and religious leaders, administrators at marriage registries, wealthy individuals who sponsor the weddings of children, as well as medical professionals, government employees or civil servants who are involved or complicit in carrying out child marriages.

Besides, the definition and enforcement of crimes of sexual violence against girls remain problematic. Criminal codes of all seven countries address sexual acts with a person under 16 years of age committed by an adult. The way these articles are interpreted and enacted, including in situations of child marriage and especially when there are no physical injuries of sexual violence, implies that the minor somehow consented to or initiated the sexual intercourse, which disregards the power dynamics and vulnerabilities inherent in such situations and leads to lenient treatment for perpetrators. It is a common practice that if a kidnapped girl (under 16) is raped but there are no signs of physical resistance or injuries, the act is not classified as rape, but

as consensual sex, which results in a less severe response by the justice system.²¹⁸ Failure to prosecute and punish perpetrators of bride kidnapping, who rape their victims, as perpetrators of rape, undermines the dignity of the survivors and promotes the impunity of sexual violence perpetrators by failing to impose adequate penalties.

Another issue is the lack of clarity on what constitutes special circumstances to lower MAM, leaving room for arbitrary interpretation, inconsistency, and potential abuse. As mentioned earlier, Georgia and, more recently, Azerbaijan are the only countries that have established the minimum age of marriage as 18, with no exceptions. Further, only Uzbekistan lists specific exceptional circumstances, i.e., pregnancy, childbirth, or declaration of emancipation. The other countries allow for the discretion of law-enforcement authorities, who frequently perpetuate stereotypes about CEFM or rely on parental consent without any safeguards to ensure children are not forced into marriage. Local experts have reported that authorities fail to adequately assess the best interest of the child when deciding on exceptions to the legal minimum age of marriage.

For example, in Tajikistan, parents may cite family needs, such as caring for sick relatives or poverty, as grounds for seeking permission for their daughter's marriage before reaching the legal age. An analysis of judicial wording permitting the registration of early marriages, conducted by local experts, demonstrates that almost half of the analyzed decisions contain general references to articles of the Family Code and Civil Procedure Code of Tajikistan without specific reasons for lowering MAM given. This leads to high numbers of cases where judicial permission to lower the age is granted, as occurred in 2020 when Tajik courts authorized the marriage of 2,500 underage girls.²¹⁹

²¹⁶ Criminal Code of Kyrgyzstan art. 175

²¹⁷ The Law of the Republic of Azerbaijan No. 1198-VIQD dated June 28, 2024

²¹⁸ See, e.g., Equality Now et al., Information on Georgia for consideration by the Committee on the Elimination of Discrimination against Women at its 84th Session ¶ 15–23 (2023), https://equalitynow.storage.googleapis.com/wp-content/uploads/2023/06/22154819/INT_CEDAW_CSS_GEO_51019_E.docx.pdf; Equality Now et al., Information on Violence against Women and Girls in Uzbekistan for Consideration by the European Union Prior to its EU-Uzbekistan Human Rights Dialogue ¶ 19 (2024), https://equalitynow.storage.googleapis.com/wp-content/uploads/2024/04/24105742/EU-Uzbekistan-Human-Rights-Dialogue-2024-Equality-Now-submission_final.pdf; Equality Now et al., Information on Kyrgyzstan for Consideration by the Committee on the Rights of the Child at its 94th Pre-Sessional Working Group ¶ 16–48 (2022), <https://equalitynow.org/resource/kyrgyzstan-submission-to-the-committee-on-the-rights-of-the-child-ohchr-94th-session-nov-2022/>; Equality Now et al., Information on Russia for Consideration by the Committee on the Rights of the Child at its 94th Pre-Sessional Working Group ¶ 13–50 (2022), <https://equalitynow.storage.googleapis.com/wp-content/uploads/2022/11/02132353/Submission-to-the-CRC-on-Russia-PSWG-by-Equality-Now-and-partners.pdf>; Equality Now et al., Information on Tajikistan for consideration by the Committee on the Elimination of Discrimination against Women at its 87th Session ¶ 25 (2023), <https://equalitynow.storage.googleapis.com/wp-content/uploads/2024/01/10082636/Joint-submission-to-CEDAW-on-Tajikistan-by-Equality-Now-Women-Lawyers-for-Development-and-the-Public-Foundation-Your-Choice.-.docx.pdf>

²¹⁹ Sarvinoz Ruhullo, *Tajik courts grant marriage licenses to 2,500 underage girls*, Rus Ozodi (Mar. 31, 2019), <https://rus.ozodi.org/a/29852532.html>.

Key country-specific insights



- In Armenia,
 - ▷ In 2022, the Investigative Committee of the Republic of Armenia investigated a total of 960 criminal proceedings related to domestic violence and 545 proceedings related to crimes against minors.²²⁰ Of the 545 cases related to crimes against minors, a mere 66 were completed with a bill of indictment, and 73 individuals were prosecuted. These statistics reveal a concerning trend of low prosecution rates, suggesting potential deficiencies in investigative procedures or barriers to legal recourse for victims. The absence of specific statistics on criminal proceedings related to child, early and forced marriage (CEFM) reveals a critical gap in monitoring and addressing such offenses.
 - ▷ The lack of transparency regarding case outcomes raises questions about accountability and the extent to which perpetrators are held responsible for their actions. According to local experts, local authorities tend to ignore child marriages in minority ethnic groups, citing cultural practices as justification.



- In Azerbaijan,
 - ▷ According to Article 11 of the **Family Code**, civil marriages must be registered and require proof of age and written consent from both parties.²²¹ Religious marriages, particularly those performed under the *kabin* contract by local mullahs, are not legally recognized.²²² Before issuing a *kabin* marriage contract, mullahs must confirm that a civil marriage has taken place and that both would-be spouses are over 18. Although mullahs are required to ensure compliance with civil registration and legal age requirements, lax enforcement can result in underage and unregistered marriages being conducted through religious channels.²²³



- In Georgia,
 - ▷ The practice has shown reluctance among citizens, especially in rural areas, to report cases of forced marriage to the police. This reluctance stems from societal attitudes, where the circle of family members is broadly defined, with police officers may also be part of this circle. Additionally, there is a prevailing mentality that discourages reporting instances of domestic violence or forced marriage to law enforcement agencies.
 - ▷ Initiators of reporting cases of child marriage come from various sources, including medical institutions, family members, and schools. However, prosecutions for failure to report such crimes are infrequent, as evidenced by the low number of prosecutions recorded in recent years. According to the information of the Prosecutor's Office, in 2020, two persons were prosecuted for not reporting the crime of marriage with a minor, and in 2021 and 2022, no prosecutions were carried out for this reason.

²²⁰ In 2022 960 Criminal Proceedings on Domestic Violence Investigated in Proceedings of RA Investigative Committee, Investigative Committee of the Republic of Armenia (Feb. 15, 2023).

²²¹ Family Code of Azerbaijan Republic art. 11, No. 781-IQ.

²²² Family Code of Azerbaijan Republic art. 1, No. 781-IQ.

²²³ UNICEF, Early marriages: violation of the rights of children, Baku, Azerbaijan (2009); UNFPA, Child Marriage in Azerbaijan (Overview) (2013), <https://eeeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20azerbaijan%20overview.pdf>, at 3.



- In **Kyrgyzstan**, according to local experts, many cases, particularly those at the pre-trial stage, may be terminated due to certificates issued allowing the marriage age of a minor girl to be lowered. There are concerns regarding corruption risks associated with Article 14 of the Family Code of the Kyrgyz Republic, which permits the authorized local body to grant marriage permission to individuals under the age of majority. Investigators may subsequently close cases citing a lack of *corpus delicti* based on these certificates.²²⁴



- In **Tajikistan**, analysis of court decisions allowing marriage below 18 shows that judges often rely on procedural articles from the Civil Procedure Code rather than specific legal principles addressing child marriage.²²⁵ While some decisions reference the Family Code, they often lack justifications or considerations of the rights of individuals, particularly girls entering into marriage.



- In **Russia**,
 - ▷ The majority of early marriages remain concealed, often devoid of state registration. This lack of official recognition renders these marriages invisible, impeding regulatory and preventative measures. Families embroiled in instances of kidnapping, rape, or forced marriages prioritize preserving familial and clan honor, resorting to traditional mediation methods mediated by imams. Despite efforts to curb the practice, imams, for the most part, continue to officiate marriages involving minors, perpetuating the cycle of child marriage.
 - ▷ Suspended sentences or fines are common outcomes in cases of child marriage and abduction, undermining the deterrent effect of the law and failing to provide justice for victims. An analysis of convictions in the North Caucasus region revealed a lack of significant progress, with minimal convictions and frequent terminations of cases due to reconciliation between parties.²²⁶ Despite efforts to address child marriage, the prevailing leniency in sentencing and cultural barriers continue to hinder the pursuit of justice for victims.

Note: The information provided has been compiled using input from local experts.

²²⁴ Family Code of Kyrgyzstan art. 14, Law No. 201.

²²⁵ According to the local expert, a study showed that in most cases decisions are based on art. 198 of the Civil Procedure Code of the Republic of Tajikistan. This article establishes the principle of independence of the judiciary and states that in the administration of justice, any interference in the activities of judges is prohibited. *Id.*, art. 9(2). The next most widely used article was art. 203, which establishes the procedural requirements for judges to announce the operative part of the decision on the day of its announcement and the end of the case proceedings. It also gives judges time to prepare a full, reasoned decision.

²²⁶ The country report mentions that in 2023, 11 cases were brought to court in the North Caucasus under Art. 134 of the Criminal Code, of which one conviction was made terminated due to the reconciliation of the parties. In 2022, 23 convictions were handed down in Dagestan, from which two cases were terminated due to reconciliation and only in one case compulsory medical measures were applied.

SECTION V.

ABDUCTION FOR FORCED MARRIAGE



Photo by Towsit Kongton /iStock

Abduction for forced marriage, also known as “bride kidnapping,” is a harmful practice that involves abducting a woman or girl to marry one of her captors without her consent, often accompanied by physical or psychological coercion.²²⁷

Motivations for this practice include objectification of women and their perception as not independent and autonomous individuals, societal pressure on men to marry by a certain age, economic reasons such as avoiding the financial burden of paying a bride price, and cultural norms that normalize violence and male dominance, viewing kidnapping as a demonstration of a man’s strength.²²⁸

The methods of execution of abduction for forced marriage can vary from the use of physical force to deception. Some women are physically forced into vehicles and taken to the groom’s home, while others are lured under false pretenses. Once at the groom’s home, the woman faces psychological pressure from the groom’s family and often sexual violence from the groom to make her agree to the marriage, involving confinement, threats, and emotional manipulation.

Despite being illegal and widely condemned, this practice continues in various parts of the Eurasia region, representing a severe violation of human rights.²²⁹ One of the key challenges identified in this report is a lack of comprehensive data and official reports. In many countries, specific statistics on the frequency of abduction for forced marriage are unavailable, and there is little detailed information on criminal proceedings related to this practice.

Impact of abduction for forced marriage

The CEDAW Committee has noted that abduction for forced marriage is a harmful practice, a human rights violation, and a pervasive form of gender-based violence, particularly if accompanied by rape.²³⁰ The impact on victims is profound and multifaceted, including, as provided by the CEDAW Committee in its Inquiry Report in relation to Kyrgyzstan:²³¹

- **Physical and psychological trauma:** Women experience severe trauma, including physical assault, confinement, and emotional manipulation. The abduction disrupts their education and career prospects, isolates them from their families, and often leads to ongoing domestic abuse.
- **Shame and social stigma:** In many societies, a woman’s reputation can be irreparably damaged if she spends a night away from home, compelling her to marry her captor to avoid societal judgment and family shame.
- **Domestic violence:** Abducted women often face continuous domestic violence. The initial violence during the abduction often sets a precedent for ongoing abuse within the marriage.
- **Servitude and forced labor:** Abducted women are often treated harshly by their in-laws and function as unpaid servants, facing extensive labor demands and physical and psychological abuse. This exploitation exacerbates their vulnerability, particularly when they are isolated from their natal families.

States have a due diligence obligation under Article 2(e) of CEDAW to take all appropriate measures to prevent, investigate, prosecute, punish, and provide reparations for abduction for forced marriage. Failure to take these measures, when authorities are aware or should be aware of such dangers, implies tacit permission or encouragement of the act (See section II on states’ obligations under international human rights law.²³²

²²⁷ Virtual Knowledge Centre to End Violence against Women and Girls, *Defining other forms of forced marriage: bride kidnapping*, UN Women, <https://endvawnow.org/en/articles/622-defining-other-forms-of-forced-marriage-bride-kidnapping.html>.

²²⁸ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018), ¶25–27, 30–31.

²²⁹ UNFPA, *Child marriage in Eastern Europe and Central Asia: regional overview* (2013), <https://menengage.unfpa.org/en/resources/child-marriage-eastern-europe-and-central-asia-regional-overview>.

²³⁰ CEDAW Committee, *General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19*, U.N. Doc. CEDAW/C/GC/35 (July 26, 2017), ¶14 (violating art. 16 of the UDHR, art. 1 of the Declaration on the Elimination of Violence against Women, and arts. 2 and 16 of CEDAW).

²³¹ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018), ¶42–43; Equality Now & Goga Khatiashvili, *Courage: Survivors of child marriage share their stories* (2020), https://equalitynow.org/resource/courage_georgia/.

²³² CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018), ¶56–58; Bopkhoyeva v. Russia, App. No. 25414/14 ¶32–42 (Feb. 20, 2018), <https://hudoc.echr.coe.int/eng/?i=001-180849>.

Prevalence of abduction for forced marriage in the seven countries

As mentioned before, a significant obstacle in addressing the prevalence of abduction for forced marriage in Eurasia is the lack of comprehensive data and official reports. Additionally, the cultural stigma and social taboos surrounding abduction for forced marriage often discourage reporting and open discussion, further obscuring the true scale of the issue.

Key findings

- **Armenia:** Abduction for forced marriage is prevalent among the Yezidi community, driven by cultural norms and societal expectations. Fear for daughters' safety leads parents to restrict their movements, especially to school.
- **Azerbaijan:** Stricter law enforcement has decreased cases, but abduction for forced marriage remains significant, with many early marriages resulting from kidnapping and victims facing limited options. Families sometimes force early marriages to protect their daughters from abduction.
- **Georgia:** Historically significant abduction for forced marriage has declined but continues to affect girls in certain areas (such as in the Azerbaijani community), with cultural constraints and preventive measures impacting their access to education and future opportunities.
- **Kyrgyzstan:** Known as “ala kachuu,” abduction for forced marriage is deeply embedded in Kyrgyz culture. Despite its illegality, around 12,000 cases occur annually, with weak enforcement and cultural acceptance sustaining the practice.²³³ Moreover, according to data from the Women Support Center, only one in 1,500 cases leads to legal proceedings.²³⁴
- **Russia:** In the North Caucasus, over 650 reports of abductions for the purpose of forced marriage were registered between 1999 and 2007. Criminal cases were opened in only 25% of reports, while in the rest the cases were refused. There are virtually no reliable up-to-date statistics on bride abductions. This is explained by the fact that victims are still afraid to openly report the incident and prefer to come to terms with what happened and accept their fate.²³⁵

Applicable laws

There is a clear distinction between those countries with specific crimes of abduction for forced marriage and those that prosecute the conduct under the general crime of kidnapping. Kyrgyzstan and Uzbekistan have specific articles addressing kidnapping for forced marriage, reflecting a targeted approach to combating this particular crime (see table of criminalization of child and forced marriage in Section IV above).

In contrast, Armenia, Azerbaijan, the Russian Federation, Tajikistan, and Uzbekistan prosecute abduction for forced marriage under general kidnapping laws and Georgia prosecutes it under the crime of illegal deprivation of liberty. These articles also provide a list of aggravating circumstances (with accordingly harsher penalties), e.g., if a victim is a minor, if actions are committed by a group of persons, a group of persons by prior agreement, or an organized group, if actions committed with the use of particular violence or with the use of weapons or objects used as weapons (see table of criminalization of child, early and forced marriage in Section IV above).

²³³ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶ 13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018), ¶ 23.

²³⁴ *New law in Kyrgyzstan toughens penalties for bride kidnapping*, UN Women (Feb. 6, 2013), <https://www.unwomen.org/en/news/stories/2013/2/new-law-in-kyrgyzstan-toughens-penalties-for-bride-kidnapping>.

²³⁵ “Forced Marriage”: The Problem of Early and Forced Marriages on the Example of the Republic of Dagestan, Republic, AD REM (May 31, 2024), <https://adrem.help/pdf/child-marriage/>, at 10.

Stories of women subjected to abduction for forced marriage

GEORGIA

The stories of Amaryllis, Calathea, and Kesane, collected by Equality Now in the publication, “Courage: Survivors of Child Marriage Share their Stories,”²³⁶ shed light on the harrowing practice of abduction for forced marriage in Georgia. Each narrative vividly portrays the societal and familial pressures these young girls faced, underscoring the severe consequences of early and forced marriages. Through their courageous acts of resistance and eventual escape, these survivors reveal the urgent need for systemic change and support mechanisms to protect girls from such violations.

Amaryllis' Story:

Amaryllis, a bright and academically focused girl, faced pressure to marry young despite her desire to prioritize education. At 17, she met a 21-year-old man who became obsessed with her. Ignoring her refusals, he threatened and eventually kidnapped her with the help of friends. Amaryllis endured being moved between multiple houses and was subjected to violence. Fortunately, the police rescued her, leading to the arrest and trial of her kidnappers. This traumatic event reinforced her determination to pursue her education and advocacy for others facing similar threats.

Calathea's Story:

Calathea was subjected to societal pressure to marry young, with suitors appearing when she was just 15. Despite her father's initial objections, community and familial pressure led to her engagement at 16. Her fiancé kidnapped her, assuming she would consent to marriage to preserve her and her family's honor. Calathea made multiple escape attempts, finally getting help from a relative of her abductor. Her courage and eventual police involvement helped her return home. Her experience highlighted the coercive tactics used to force girls into marriage.

Kesane's Story:

Kesane was kidnapped at 15 by a young man she had been seeing for a short period. Under community pressure, her parents forced her to marry him. Her husband exerted extreme control over her life, including surveillance and physical abuse, which escalated during her pregnancy. Despite the abusive environment mirroring what she witnessed in her childhood home, Kesane sought help multiple times, ultimately finding solace in a women's refuge. Her story underscores the grave realities of forced marriage and domestic violence.

These stories reflect the broader issue of abduction for forced marriage in Georgia, where cultural and societal pressures, combined with inadequate legal enforcement, contribute to the persistence of this harmful practice. The experiences of Amaryllis, Calathea, and Kesane illustrate the severe personal costs and the resilience required to escape such circumstances, highlighting the urgent need for systemic change and robust support mechanisms for victims.

²³⁶ Equality Now & Goga Khatiashvili, Courage: Survivors of child marriage share their stories (2020), https://equalitynow.org/resource/courage_georgia/.

KYRGYZSTAN

In April 2021, Aizada Kanatbekova, a 27-year-old woman from Kyrgyzstan, was abducted and forced into a car by three men in broad daylight. Despite the act being captured on CCTV, the police failed to take immediate action, laughing off her mother's plea for help. Two days later, Kanatbekova's body was found in a car alongside her kidnapper, who had committed suicide.

This tragic incident sparked widespread protests in Kyrgyzstan, with demonstrators demanding accountability from the police and government. Many criticized the authorities for their ineffective response and for failing to protect women from bride kidnapping, a practice that, despite being illegal since 2013, remains prevalent due to lax enforcement and societal acceptance.

Kanatbekova's case echoed the 2018 murder of Burulai Turdaaly Kyzy, another victim of bride kidnapping, highlighting the persistent issue of violence against women in the country. In Burulai's case, police intercepted the kidnapping and brought both her and the abductor to the police station. Tragically, she was killed at the station when police officers left her alone and unsupervised with her kidnapper. This incident spurred activists and citizens to demand stricter punishments and better enforcement of existing laws to prevent such tragedies. The protests emphasized the need for systemic change, advocating for improved education and awareness to shift societal attitudes and ensure the safety and rights of women.

Following this mobilization, the Ministry of Internal Affairs conducted an internal investigation, leading to the dismissal of 12 police officers from their posts, warnings of professional unsuitability for 27 officers, and severe reprimands for five. In April 2021, a bill proposing tougher penalties for bride kidnapping was submitted for public discussion, which was then passed before the end of the year. Five men were convicted and imprisoned later in the year for aiding in the abduction.²³⁷



Photo by Natalia Amaglobeli

²³⁷ Mukhamejan & Zhakypbekova, *supra* note 102; *Another Woman Killed in Scourge of Kyrgyzstan 'Bride Kidnapping,'* Human Rights Watch (Apr. 9, 2021), <https://www.hrw.org/news/2021/04/09/another-woman-killed-scorge-kyrgyzstan-bride-kidnapping>; Nurzhan Toktonazarova, *Kyrgyz Bride Kidnapping Ends In Brutal Stabbing, Prompting Outrage*, Radio Free Europe, (May 29, 2018), <https://www.rferl.org/a/kyrgyz-bride-kidnapping-ends-in-brutal-stabbing-prompting-outrage/29257873.html>.

RUSSIA

In 2024, Russian experts published a report based on 31 interviews conducted with women aged 23–42 in three North Caucasus republics: Dagestan (10 interviews), Ingushetia (10), and Chechnya (11). All were victims of early and/or forced marriages.²³⁸ According to the report, none of the victims were able to refuse or avoid forced marriage, protect themselves during abduction, or seek help at the crucial moment, immediately finding themselves isolated and under pressure from the family of their future husband or their parents.

He grabbed me, covered my mouth with one hand, lifted me up with one hand. He was tall, almost 2 meters... The car was parked far away. His relative was sitting there. They threw me there [into the car]. She grabbed me too... They took my phone. When they brought me, they were all already standing and waiting. As if they were waiting for a bride. I started a riot. I didn't get out of the car. I closed the door. They tried to persuade me for about two hours to get out of the car. In the end, I was tired, gave in, and then got out. They led me in, sat in front of me and watched. They put me on one chair, and I sat on that chair until the morning. And that was it. The condition was terrible. (Zina, Chechnya, abducted at 17).

At such moments, you understand that no one needs you (cries). You are a nobody and have no name. Six of our cousins were abducted, girls. And none of the sisters were returned home by the old people. They said, let them live there. (Khashtbi, Chechnya, kidnapped at age 14).

Grandma and her son were pretty rude. Of course, no one needed us there. That's why I agreed to get married when I was forcibly kidnapped, when I didn't know this man. I just had nowhere to go back, no one was waiting for me, so I had to agree. (Larisa, Ingushetia, kidnapped at age 17).

My mother was against me, she said that her brother could be taken away, that I was disgracing her, because I was kidnapped, like someone had already touched me. (Gulnara, Chechnya, kidnapped at age 24).

My relatives beat me, but didn't do anything to him... Then the old people started coming, asking me to marry Zaur. My father was against it, but my male relatives said: "Either she should go to the grave or get married. She is not a girl anymore." They were still blaming me. I was given to him, and I didn't even know that I was married off... No one even asked me whether I wanted it or not... (Fatima, Ingushetia, kidnapped at 17).

He would lock me up for a whole day without food. Once he gave me tea so that I wouldn't feel too bad, and then he raped me... For a whole day. He had a lot of strength for this. (Zarema, Ingushetia, abducted at 19).

²³⁸ "Forced Marriage": The Problem of Early and Forced Marriages on the Example of the Republic of Dagestan, Republic, AD REM (May 31, 2024), <https://adrem.help/pdf/child-marriage/>.

Findings of international and regional human rights mechanisms

CEDAW committee inquiry on Kyrgyzstan

On 29 November 2013, the CEDAW Committee received information from 14 organizations in accordance with Article 8 of the Optional Protocol to the CEDAW Convention. These sources reported that Kyrgyzstan has committed severe and systematic violations of the Convention due to its inability to prevent, protect, and support victims of abduction for forced marriage, as well as its failure to prosecute and adequately punish the perpetrators.

In 2018, the CEDAW Committee published a report highlighting that abduction for forced marriage appears to be socially legitimized in the country and concluding that Kyrgyzstan systematically violated several fundamental rights of women and girls, including the right to live free from gender-based violence, the right to access justice, and the right to freely choose a spouse and enter into marriage only with full consent.²³⁹ This report confirmed what Human Rights Watch highlighted in its 2006 report: while the Kyrgyz government has laws criminalizing bride kidnapping, enforcement is weak. Cultural acceptance of the practice and a lack of resources and willpower among law enforcement means that many perpetrators go unpunished. Victims receive little support, and societal attitudes often blame them for their own abduction.²⁴⁰

Interviews with over 30 victims during the CEDAW Committee's visit to Kyrgyzstan revealed the profound social stigma faced by women who attempt to escape their kidnappers or pursue legal action.

As reported by the CEDAW Committee, victims from low-income families or female-headed households are particularly vulnerable. Kidnappers often exploit situations where the victim's father is ill, deceased, or absent. Perpetrators typically have low education levels, limited professional prospects, and low self-esteem, resorting to kidnapping to avoid competition, rejection, or the financial burden of traditional wedding expenses.²⁴¹

The typical pattern involves a perpetrator or his family selecting a victim, abducting her with the help of relatives or friends, and forcing her into a marriage with intense pressure from the kidnapper's family and sometimes her own parents. Following the forced consent, a religious wedding ceremony is conducted, and the victim is often raped on the night of the ceremony. Some victims who initially consent under pressure experience severe shock and distress, and about one-fifth manage to escape after threatening to call the police or actually escaping.

The CEDAW Committee confirmed that the non-registration of marriages further complicates the situation in Kyrgyzstan. This loophole allows the continuation of forced marriages, with imams and religious leaders sometimes



Photo by Natalia Amaglobeli

²³⁹ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018).

²⁴⁰ Human Rights Watch, *Reconciled to Violence: State Failure to Stop Domestic Abuse and Abduction of Women in Kyrgyzstan* (Sept. 26, 2006), <https://www.hrw.org/report/2006/09/27/reconciled-violence/state-failure-stop-domestic-abuse-and-abduction-women>.

²⁴¹ CEDAW Committee, *Inquiry concerning Kyrgyzstan under article 8 of the Optional Protocol to the CEDAW* ¶13, CEDAW/C/OP8/KGZ/1 (Nov. 14, 2018), ¶25.

officiating such ceremonies without verifying consent. Efforts to amend the Family Code to require prior civil registration for religious ceremonies have been met with resistance, citing interference with religious freedom.²⁴²

Family dynamics also play a critical role, with many victims reporting that their families, particularly their mothers, facilitated the abduction or pressured them to stay with the kidnapper. Some parents, however, are supportive, especially in cases involving underage daughters or perpetrators with criminal backgrounds. The complex interplay of societal norms, family pressure, and inadequate legal protections creates a challenging environment for victims seeking justice and support.

European Court of Human Rights' case against Russia

The case of *Bopkhoyeva v. Russia* highlights the grave consequences of this harmful practice, in which the European Court of Human Rights dealt with the tragic circumstances surrounding the abduction, forced marriage, and subsequent health deterioration of Ms. Zaira Isayevna Bopkhoyeva.²⁴³

Born in 1990 and residing in the Ingushetia Republic, Bopkhoyeva was abducted on December 11, 2009, by a man referred to as S., with the intent of marriage. Despite her mother's opposition, Bopkhoyeva was taken back to S.'s family the following day under pressure and threats from her deceased father's relatives, who presumed that the marriage had been consummated and feared for S.'s life if she were to leave.

Following her abduction, Bopkhoyeva was forced to live with S.'s family in deplorable conditions without the marriage being officially registered. She was confined, mistreated by her mother-in-law, and suffered severe health issues, including dizziness, difficulty breathing, and episodes of losing consciousness. Despite several hospital visits diagnosing her with renal colic and poisoning, her condition deteriorated to the point of entering a coma on February 2, 2010. She was diagnosed with post-hypoxic encephalopathy and has remained in a vegetative state ever since.

Efforts by Bopkhoyeva's mother to seek justice through the local police and prosecutor's office were repeatedly thwarted. Initial complaints in September 2010 and subsequent appeals were dismissed, with investigators failing to conduct thorough inquiries or hold S.'s family accountable for the severe abuse and neglect. Despite multiple orders for further investigation from higher authorities, the investigating bodies consistently refused to open criminal proceedings.

The European Court of Human Rights found a violation of Article 2 of the Convention, acknowledging the Russian government's failure to conduct an effective investigation into the grievous harm suffered by Bopkhoyeva. The Court underscored the state's positive obligation to protect life and ensure justice for victims of life-threatening offenses. Consequently, the Court awarded Bopkhoyeva €20,000 in non-pecuniary damages and €2,000 for costs and expenses, recognizing the severe breach of her human rights and the prolonged suffering inflicted upon her and her family.

²⁴² *Id.*, ¶ 28–29.

²⁴³ *Bopkhoyeva v. Russia*, App. No. 25414/14 (Feb. 20, 2018), <https://hudoc.echr.coe.int/eng?i=001-180849>.

SECTION VI.

PUBLIC POLICIES AND PROGRAMS ADDRESSING CHILD, EARLY AND FORCED MARRIAGE



Photo by Collab Media / iStock

Despite legislative reforms that have elevated the minimum legal age for marriage across the seven countries studied for this report, there have been less tangible advancements in implementing robust, well-funded public policies to combat this issue. Public policies and programs towards addressing child, early and forced marriage (CEFM) as a priority human rights and gender equality issue are critical to implementing a holistic and multisectoral approach to addressing it. While a few countries like Kyrgyzstan have a dedicated national policy/action plan towards addressing CEFM, many of the countries lack specific strategies, programs, policies, and action plans to combat the issue. Other common challenges include a lack of transparency regarding government efforts, insufficient resources and trained staff to support victims and survivors, funding gaps, and underreporting due to societal pressure, shame, and lack of trust toward authorities.

Most of the countries examined have general child protection and gender equality strategies but often lack specific measures to address CEFM. For example, in Armenia, while there are significant child protection policies and gender equality strategies, there is a notable lack of targeted measures addressing CEFM.²⁴⁴ This gap means that existing services, such as shelters and counseling, are not specifically designed for CEFM victims, resulting in inadequate support for those affected by the practice.

Similarly, Azerbaijan's legal framework includes the Law on the Rights of the Child and various decrees aimed at enhancing policies for women and children. However, the country lacks a dedicated national action plan for CEFM. Despite having frameworks for children's rights, the absence of specific CEFM measures highlights a broader issue of insufficient targeted action.

Georgia, on the other hand, has developed a National Action Plan on Combating Violence against Women and Domestic Violence, which includes CEFM but struggles with coordination, funding, and systemic inefficiencies. This demonstrates that while CEFM may be acknowledged, the lack of specific, focused strategies limits effective intervention.

Transparency in government efforts to tackle CEFM is frequently lacking. In Uzbekistan, for example, while there have been initiatives aimed at addressing early marriages, such as a comprehensive program and resolutions to prevent forced marriages, there is limited information on the

progress of these initiatives. This lack of detailed reporting hinders public scrutiny and evaluation of the government's actions in combating CEFM.

Insufficient resources and a lack of trained personnel are major impediments to effectively addressing CEFM. Kyrgyzstan's integrated approach through strategic frameworks and targeted interventions illustrates a comprehensive effort to combat the issue. However, despite having specific legislative frameworks and national plans, such as the National Strategy on Achieving Gender Equality by 2030 and the Plan on the Prevention of Child and Forced Marriages (2023-2024), challenges such as underfunding and insufficient professional training undermine the effectiveness of these measures.²⁴⁵

In Russia, for instance, the lack of comprehensive programs and support systems, coupled with legislative actions that sometimes exacerbate the problem, reflect a broader issue of societal and institutional barriers. The reluctance to address CEFM comprehensively, along with initiatives that perpetuate patriarchal norms, further discourages reporting and support for victims.

There is often a deficiency in comprehensive sexuality education and training for key stakeholders. Tajikistan, for example, faces obstacles in providing effective support for CEFM victims due to financial constraints and inadequate support services. The lack of training for professionals means they may not be fully equipped to recognize, respond to, and prevent CEFM, underscoring the need for enhanced education and training programs.

The analysis reveals that while most of the countries have frameworks and policies aimed at protecting children and addressing gender-based violence, CEFM often remains inadequately addressed. Effective strategies to combat CEFM require targeted policies, increased funding, comprehensive support systems, and enhanced professional training. Addressing these gaps will enable countries of the region to better protect and support victims of CEFM and work towards eradicating this practice.

²⁴⁴ UN High Commissioner for Human Rights, Information of Armenia on the Implementation of the UNGA 73/153 Resolution entitled "Child, Early and Forced Marriage", https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/ForcedMarriage73-153/States/Armenia_Submission.doc.

²⁴⁵ Kyrgyzstan held public hearings with various stakeholders to support legal reforms against child marriage and bride kidnapping. Media campaigns and debates continued to address resistance from religious figures. Civil society studies on over 200 criminal cases revealed enforcement issues and led to legal recommendations. The UNDP's program proposed a new article to the Criminal Code banning religious child marriages and supported related legislation. These combined efforts led to advanced awareness, legal reforms, and better enforcement.

SECTION VII.

RECOMMENDATIONS



Photo by Vitolda Klein / Unsplash

1. Strengthen legal frameworks on child, early and forced marriage

- ▷ Raise the minimum legal age of marriage to 18 for both women and men without exceptions (Armenia, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan). Ensure this standard is consistent across all laws, including constitutional (where relevant), civil, family, and customary regulations (where relevant).
- ▷ Introduce a specific criminal provision or aggravating factor for abduction for forced marriage (Armenia, Azerbaijan, Georgia, Russia, and Tajikistan) and for luring a person abroad with the intention of forcing them to marry against their will.
- ▷ Ensure that sanctions for forced marriage crimes are punishable by effective, proportionate, and dissuasive sanctions, taking into account their seriousness.
- ▷ Review applicable criminal laws on child, early and forced marriage (CEFM) and remove exceptions that allow perpetrators to be released from liability, including in cases of voluntary release of the kidnapped person (Azerbaijan, Russia), active repentance (Azerbaijan, Russia, Tajikistan, Uzbekistan, Армения), reconciliation, and marriage to the victim (Russia).
- ▷ Increase statute of limitations for filing complaints of CEFM to a duration that adequately reflects the seriousness of the offence, including by allowing victims to effectively initiate legal action after reaching adulthood.

2. Strengthen policies and institutional mechanisms

- ▷ Adopt a comprehensive, rights-based, gender-responsive, Government Strategy and Action Plan, which will provide an effective and cross-government coordination and referral mechanism with multi-sectoral prevention and support programs, complemented by law enforcement efforts. Design targeted interventions for individuals most at risk of CEFM.
- ▷ Establish national monitoring systems, including through strategies and action plans and with the participation of civil society organizations, to assess progress in applying legislative reforms to end CEFM.

3. Improve implementation of laws on child, early and forced marriage

- ▷ Put in place manuals and guidelines for law enforcement, judiciary, lawyers representing survivors, and professionals providing support services (including teachers and medical professionals) on responding to cases of CEFM from a gender perspective and in accordance with human rights standards.
- ▷ Build capacity and train law enforcement, judiciary, lawyers representing survivors, and professionals providing support services (including teachers and medical professionals) to effectively implement laws on CEFM in accordance with human rights standards.

4. Streamline marriage registration, accreditation of consent, and annulment

- ▷ Make it compulsory for every marriage to be declared and entered by the competent authority in an official register.
- ▷ Refrain from recognizing forced and child marriages contracted abroad.
- ▷ Facilitate the annulment of child and forced marriages and ensure that persons married as children have equitable access to property rights, inheritance, child custody, and guardianship rights arising out of annulled or void marriages. The form of ending CEFM should not affect the rights of the survivor.

5. Improve data collection and research

- Improve data collection methods to accurately assess the prevalence of CEFM and monitor progress, including in relation to most affected communities.
- Gather disaggregated administrative data on the response of the justice system and support services provided, disaggregated by sex, age, ethnicity, and other relevant factors.
- Enhance the implementation and financial support of independent research focused on data collection.

6. Adopt holistic and gender-transformative programs and invest in education, health, economic empowerment, and social support for adolescent girls as a strategic choice that yields high returns for the entire community

- Strengthen educational programs for girls
 - Work towards removing barriers to education for girls by providing scholarships, transportation, and safe school environments.
 - Ensure schools offer comprehensive education that includes life skills, financial literacy, comprehensive sexuality education (CSE), and sexual and reproductive health information.
 - Encourage girls' participation in science, technology, engineering, and mathematics (STEM) fields through mentorship programs, camps, and scholarships.
- Enhance health services.
 - Provide accessible, youth-friendly health services that include family planning, HIV prevention, and maternal health care, including access to safe abortions. These services should respect confidentiality and consent.
 - Run community and school-based health education campaigns focusing on topics relevant to adolescent girls, including menstrual health, nutrition, and the prevention of sexually transmitted infections (STIs).
 - Develop targeted outreach programs for first-time and young mothers, ensuring they have access to prenatal, childbirth, and postnatal care.
- Support economic empowerment and livelihood Skills
 - Offer vocational training and entrepreneurship development programs tailored for girls, focusing on market-relevant skills and providing start-up support.
 - Facilitate the creation of peer support groups and mentorship programs that provide emotional support, advice, and guidance.
- Tailor strategies for married girls
 - Ensure that married girls have access to education and vocational training programs that consider their unique circumstances and schedules.
 - Develop health and support services specifically designed for married girls, including SRH, family planning, and counseling.

7. Build social support networks and raise awareness

- ▷ Launch comprehensive awareness multi-media campaigns targeting communities, schools, and local leaders to promote awareness of girls' rights and highlight the negative consequences of CEFM. This includes using social media platforms as tools for mobilizing support to end CEFM.
- ▷ Integrate education on human rights, gender equality, and the harmful effects of early marriages into school curricula.
- ▷ Conduct workshops and campaigns to involve men and boys as allies in promoting gender equality and understanding the importance of girls' education and rights, as well as developing positive masculine identities.
- ▷ Work with communities and coordinate efforts with local traditional and religious leaders to influence community attitudes towards early marriage.
- ▷ Provide support and resources to vulnerable communities, including access to education, economic opportunities, and reproductive health services.
- ▷ Implement financial incentives and scholarships to encourage delaying marriage for low-income families with girl children.

8. Establish effective support systems

- ▷ Establish properly funded prevention and support systems, including shelters and helplines, tailored to the needs of CEFM victims and survivors.
- ▷ Take measures to facilitate re-entry of survivors of CEFM into education and employment and put in place programs to reduce barriers that hinder access.
- ▷ Establish a special social service within the authorized state body to protect children's rights. Develop socio-psychological support services for victims and expand educational efforts, particularly in rural areas.
- ▷ Ensure government and non-governmental organizations allocate sufficient funding for support programs, including legal assistance, psychological support, and social services for victims.
- ▷ Establish mechanisms for compensation to enable victims to receive fair compensation for damages suffered.

9. Ensure effective collaboration and follow-up

- ▷ Collaborate with local communities, NGOs, governments, and international organizations to leverage resources, expertise, and networks.
- ▷ Design and implement programs in a way that respects local cultures and traditions while promoting girls' rights and empowerment.
- ▷ Establish robust monitoring and evaluation frameworks to assess program effectiveness and make necessary adjustments.



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ANNEX I.

GLOBAL PROMISING PRACTICES AND INTERVENTIONS TO ADDRESS CHILD, EARLY AND FORCED MARRIAGE

While there is ample literature on the determinants, causes, and consequences of child, early and forced marriage (CEFM), there remains a significant gap in understanding what interventions effectively prevent and address it, including uncertainty about the effectiveness of single-focus versus multicomponent interventions.²⁴⁶ There is also a lack of sufficient research studies focusing on programs addressing CEFM in the Eurasia region.

Nevertheless, implementing various initiatives at the global level over the past three decades has yielded crucial insights that offer guidance on the way forward. Specifically, given the complex and multifaceted nature of this harmful practice, there is a growing consensus on the importance of long-term, multi-sectoral, holistic, and gender-transformative approaches that recognize and address the

gendered norms that underlie decision-making around CEFM. This approach is indispensable to achieving lasting change in this area.

This section highlights several promising practices and strategic approaches towards ending CEFM. These initiatives, championed by governments, international organizations, and civil society across diverse regions, offer valuable insights for shaping a novel approach in the Eurasian context. The selection criteria for these promising programs and approaches were twofold: firstly, their demonstrated effectiveness in engaging multiple stakeholders, and secondly, their holistic nature in addressing the multifaceted dimensions of this harmful practice.

²⁴⁶ Girls not Brides et al., Evidence review: child marriage interventions and research from 2020 to 2021, CRANK (2023), <https://www.unicef.org/media/136646/file/CRANK-Evidence-Review-Child-Marriage-2023.pdf>; Girls not Brides, How cash transfers can contribute to ending child marriage (2021), https://www.girlsnotbrides.org/documents/1672/How_cash_transfers_contribute_to-ending_child_marriage_Thematic_paper_1.pdf [Hereinafter How cash transfers].

Elements of a promising practice to address child marriage

Effective gender transformative programming aimed at addressing CEFM incorporates several key principles to bring about sustainable change. These include: 1) Increasing critical awareness of gender roles and norms within communities; 2) Employing girl-centered participatory approaches to ensure that interventions are tailored to meet the specific needs and priorities of the girls affected by child marriage; 3) Creating public platforms for girls' leadership and advocacy within their communities; 4) Improving access to sexual and reproductive health services and education, including rights-based and holistic comprehensive sexuality education; and 5) Adopting community-led approaches to ensure that interventions are culturally relevant and sustainable in the long term.

Based on these key principles of gender transformative approaches to CEFM, successful promising practices identified in this report include components such as:

- **Education** emerges as a critical component in preventing CEFM. Research indicates that girls with secondary or higher education are significantly less likely to marry before the age of 18.²⁴⁷ Education not only equips girls with the knowledge and skills necessary to navigate their lives but also transforms societal perceptions of girls' roles, making them less likely to be seen as ready for marriage by their families and communities. Therefore, effective solutions must focus on providing incentives and support for girls to enroll and remain in school, including making schools safer and more girl-friendly environments and education-tied cash transfers.²⁴⁸

The education curriculum should include subjects such as human rights, sexuality, prevention of violence against women, information about what constitutes child, early and forced marriage, and the individual right to say no. Furthermore, creating supportive environments, particularly within educational institutions, is crucial in prevention. Schools can serve as safe spaces where potential victims feel encouraged to speak out against forced marriage and seek assistance.²⁴⁹

Two promising practices in combating child marriage and promoting girls' education include the "**Holistic Education for Youth**" (HEY!) program in Honduras,²⁵⁰ and the "**Keeping Girls in Schools**" (KGIS) program in Bangladesh.²⁵¹

The HEY! program focused on school-based education in 40 rural Honduran schools and aimed to prevent CEFM through school-based participatory education and "parents' schools." Utilizing participatory and feminist principles, the curriculum focuses on advancing gender equality, increasing knowledge of sexuality and reproduction, and fostering critical thinking among young people and informed decision-making about sexuality.

The KGIS program, implemented by the Population Council with the cooperation of secondary schools and supported by UNICEF, targeted high-child-marriage districts in Bangladesh. It aimed to reduce child marriage norms by providing a safe space for adolescent girls after school, offering tutoring support, and life-skills education. Over the study period, the proportion of child marriages declined in intervention areas compared to control areas, indicating the potential influence of the intervention in delaying marriage for girls. Results showed that the program had a protective impact on child marriage, school dropout, and learning loss in analytical skills compared to control areas.

These programs demonstrate the effectiveness of combining education and community involvement to address child marriage and promote gender equality.

²⁴⁷ UNICEF, Towards ending child marriage: Global trends and profiles of progress 69 (2021), <https://data.unicef.org/resources/towards-ending-child-marriage/>.

²⁴⁸ Girls not Brides et al., Evidence review: child marriage interventions and research from 2020 to 202, CRANK (2023), <https://www.unicef.org/media/136646/file/CRANK-Evidence-Review-Child-Marriage-2023.pdf>.

²⁴⁹ CEFMU & Sexuality Working Group, Tackling the Taboo in Latin America and the Caribbean (2022), https://www.girlsnotbrides.org/documents/1807/Tackling_the_Taboo_in_Latin_America_and_the_Caribbean.pdf.

²⁵⁰ *Id.*, at 22–25.

²⁵¹ Sigma Ainul et al., Keeping girls in schools to reduce child marriage in rural Bangladesh, Population Council (2022), https://knowledgecommons.popcouncil.org/cgi/viewcontent.cgi?article=2626&context=departments_sbsr-pgy.

- **Community mobilization and advocacy** are also key strategies in addressing child marriage. Engaging families, community leaders, religious figures, and other stakeholders is crucial in challenging entrenched beliefs and practices. By raising awareness about the harmful impacts of child marriage on girls' health and future prospects, advocacy efforts can catalyze shifts in cultural norms and attitudes. Mobilizing these stakeholders as allies for gender equality can contribute to sustainable change by ensuring that community members actively support efforts to end child marriage and uphold girls' rights. Programs with young women role models and mentors within communities can achieve a positive impact in helping girls to acquire skills to prevent them from entering early marriage
- **Working with masculinities and with (potential) perpetrators.** It is also important to educate individuals who may engage in CEFM. Studies show that forced marriage is closely associated with traditional power dynamics that are based on hierarchies, patriarchy, and 'honor.' These dynamics are closely intertwined and rely on socially constructed roles assigned to men and women, parents, and children. These roles and the expectations they generate may lead to the legitimization of forced marriage. Therefore, those who perpetrate it may not view their actions as wrong.²⁵³

The “Hello, I Am” (HIA) program in Bangladesh,²⁵² running from 2017 to 2020, aimed to combat child marriage, adolescent pregnancy, and school dropout rates. The program empowered young people to challenge child marriage by using a multifaceted approach that included positive role modeling, intergenerational dialogue, and edutainment. It garnered support from parents and community leaders for girls' aspirations. Through community activities and extensive media efforts, HIA reached nearly 80,000 individuals directly and over seven million through media campaigns across six districts. It utilized television and radio shows, community screenings, workshops, street dramas, and digital media to educate and engage communities. The integration of multimedia content and community discussions effectively reshaped norms around child marriage and gender roles, significantly impacting young people's understanding of gender inequality and empowerment. The program also improved parent-child relationships and highlighted the need for further engagement with fathers.

The “Heroes” project in Germany²⁵⁴ is a school-based prevention program targeting the culture of honor, a significant factor in forced marriage. The program engages young men through weekly, in-school workshops over approximately nine months. It aims to empower them to challenge traditional notions of gender inequality and mitigate the risk of honor-based violence. Believing that young men can be influential community advocates, the project trains them to become “Heroes” who then visit schools to conduct workshops that challenge traditional attitudes and prevent honor-based violence.

²⁵² Rutgers et al., Hello, I am. Using edutainment to end child marriage in Bangladesh (2020), <https://rutgers.international/wp-content/uploads/2021/08/Using-edutainment-to-end-child-marriage-in-Bangladesh.pdf>.

²⁵³ EU Agency for Fundamental Rights, Addressing forced marriage in the EU: legal provisions and promising practices (2014), https://fra.europa.eu/sites/default/files/fra-2014-forced-marriage-eu_en.pdf.pdf.

²⁵⁴ *Id.*, at 33.

- **Awareness-raising about CEFM** through multistakeholder collaboration. These programs include working with the private sector and the media, including on multi-scale mass campaigns oriented towards youth to raise awareness about women's rights, the freedom to choose a partner, and the use of the internet as a platform for awareness, support, and resource dissemination. These strategies aim to empower individuals to seek help and take action against this harmful practice by providing clear information, fostering reporting mechanisms, and offering support services.
- **Economic factors** often play a significant role in driving families to marry off their daughters early. Poverty, bride price, and dowry practices can incentivize child marriage, as families may see it as a means of financial relief or security. Effective solutions should provide economic support and incentives to girls and their families to address these economic drivers. This could involve offering incentives for girls to stay in school, providing opportunities for income generation, or offering financial assistance to struggling families. By addressing the economic vulnerabilities that contribute to child marriage, interventions can mitigate the financial pressures that push families toward this harmful practice.

Online awareness-rising: Sweden informative website.²⁵⁵ The Swedish police are leveraging their website as a key tool to combat forced marriage. The website serves as a crucial resource, encouraging victims and concerned individuals to report cases of forced marriage and assuring them of support and protection. It provides comprehensive information on domestic violence and forced marriage, dispelling misconceptions and highlighting the issue's impact on both genders, particularly within honor cultures. Additionally, the site offers referrals to professionals and resources for legal guidance, counseling, and other forms of assistance. A Frequently Asked Questions (FAQ) section provides practical advice, such as steps to take if there is a suspicion of forced marriage during a planned family vacation.

It is important to note that studies have shown that economic strategies need to be paired with additional interventions for promoting girls' rights, community mobilization awareness raising, and legal measures. Economic incentives hardly affect changes in deep-rooted gender norms and attitudes that normalize and perpetuate child marriage.²⁵⁶

The **Kanyashree Prakalpa program**,²⁵⁷ launched by the Government of West Bengal, India, aims to improve the status and well-being of socio-economically disadvantaged girls through Conditional Cash Transfers (CCT). The program seeks to delay child marriage by incentivizing girls to continue their education and discouraging marriage before the age of 18. Directly transferring benefits to girls' bank accounts empowers them financially and enhances their social power and self-esteem through behavior-change communication strategies, such as awareness-building activities and the establishment of Kanyashree clubs.

Kanyashree Prakalpa, along with similar programs in other countries, has demonstrated that while cash transfers alone may not immediately change social norms, they can empower girls to resist harmful practices, keep them in school, and contribute to long-term intergenerational change when combined with educational and other interventions.

²⁵⁵ *Id.*

²⁵⁶ UNICEF, Leveraging large-scale sectorial programmes to prevent child marriage (2022),

<https://www.unicef.org/media/114991/file/Leveraging-large-scale-sectoral-programmes-to-prevent-child-marriage-2022.pdf> [Hereinafter Leveraging large-scale].

²⁵⁷ How cash transfers can contribute to ending child marriage (2021), https://www.girlsnotbrides.org/documents/1672/How_cash_transfers_contribute_to-ending-child_marriage_Thematic_paper_1.pdf; International Growth Centre, Kanyashree Prakalpa in West Bengal, India (2020), <https://www.theigc.org/sites/default/files/2021/03/Dutta-September-2020-Final-Report.pdf>.

- **Gender-responsive support services** are crucial for protecting women and girls from CEFM and supporting those who are already married. These services should be inclusive and address the specific needs and vulnerabilities of girls, including access to healthcare, protection, and support. By ensuring that girls have access to gender-responsive services, interventions can mitigate the risks associated with CEFM and provide girls with the support they need to thrive.

Providing a sufficient number of shelters and direct and anonymous assistance, such as 24-hour helplines and online counseling, ensures that individuals at risk of forced marriage have access to support when they need it. These services offer a lifeline to potential victims, allowing them to seek help and guidance in confidential and safe ways. Services should also provide legal information to clarify the rights afforded to potential victims, especially for individuals with immigrant backgrounds who may be navigating multiple legal systems. This clarification is essential in reducing confusion and ensuring victims understand their legal rights and options.

In Germany, Kargah operates the **Lower Saxony Crisis Hotline against Forced Marriage**,²⁵⁸ funded by the Lower Saxony Ministry for Social Affairs, Women, Family, Health, and Integration. This free hotline provides counseling in German, Turkish, Arabic, Kurdish, and Persian for girls and women threatened by or living in forced marriages, as well as their friends, teachers, authorities, and counseling centers.

Orient Express in Austria²⁵⁹ provides an anonymous crisis shelter specifically designed to address the needs of victims of forced marriage. The shelter can accommodate girls and women between the ages of 16 and 24 from all over Austria who are threatened or already affected by forced marriage and who need to be accommodated anonymously to be protected from this and other forms of violence.

- **Training professionals** who may come into contact with potential victims, such as teachers, healthcare workers, legal counselors, police officers, court staff, and social workers, is important to ensure effective prevention and response to CEFM. Equipping these individuals with the skills and knowledge to identify signs of CEFM and provide appropriate support and intervention can help prevent instances of forced marriage and mitigate its harmful effects.

E-Module and National Policy Plan of the Netherlands.

²⁶⁰

The Dutch government adopted a national policy plan in 2013 to combat forced marriages, honor-related violence, and marital abandonment within the context of violence in dependency relationships, which has been recognized as a promising practice. A recognized promising practice in addressing and preventing forced marriages is the e-Module commissioned by the Ministry of Social Affairs and Employment. This free online training course targets many professionals, including social workers, teachers, police officers, public prosecutors, healthcare workers, and youth workers. It provides comprehensive training aimed at helping professionals identify early signs of forced marriage and equips them with the knowledge and skills to effectively respond in cases of suspected forced marriage. Importantly, the accreditation points awarded upon completion of the course contribute to professionals' annual in-service training requirements, making it a more attractive option compared to other training alternatives that lack such accreditation.

²⁵⁸ Lower Saxony crisis hotline against forced marriage, Kargah, <https://kargah.de/projekte/beratung/details.html?id=c39497e73537358392000052&beitrag=niedersaechsisches-krisentelefon-gegen-zwangsheirat> (last visited Aug. 9, 2024).

²⁵⁹ Crisis Shelter, Orient Express, <https://www.orientexpress-wien.com/schutzeinrichtungen?lang=en> (last visited Aug. 9, 2024).

²⁶⁰ EU Agency for Fundamental Rights, Addressing forced marriage in the EU: legal provisions and promising practices (2014), https://fra.europa.eu/sites/default/files/fra-2014-forced-marriage-eu_en.pdf.pdf, at 32.

- **A comprehensive legal approach to child marriage is essential.** This approach begins with a uniform legal framework that unequivocally prohibits marriages under the age of 18 for all persons, with no exceptions. These laws must be consistent across various legal domains—constitutional, civil, family, and customary laws—and enforceable at all levels of government to ensure coherence and local applicability. They should not only serve as a deterrent but also provide mechanisms for redress and support for victims.

While criminal law enforcement can strongly deter child marriage and influence social and gender norms, criminalizing such marriages alone is insufficient. Without complementary measures and support programs, criminalization may marginalize affected families and increase the incidence of informal or unregistered marriages. A law prohibiting child marriage need not necessarily be focused on criminalization and prosecution (and never of the child or children involved), but rather on making explicit the States' and societies' understanding that young people need time to understand their independent circumstances before entering into a lifelong contract that will affect many aspects of their lives.

Litigation and advocacy work: BLAST in Bangladesh²⁶¹

The Bangladesh Legal Aid and Services Trust (BLAST) contributes to the prevention of child marriage amongst girls aged 12 to 17 years by providing leadership, negotiation, and legal training supervised and delivered by experienced paralegals through grassroots youth network development. Upon receiving reports of impending child marriages, BLAST community workers intervene directly, engaging with families to deter early marriages through dialogue and persuasion and informing and coordinating with local authorities such as thanas or Mahila Parishads.

It is essential that the enforcement of child marriage laws be balanced with efforts to promote social and behavioral change, improve governance and justice systems, and enhance services and opportunities for adolescents. This integrated approach ensures that legal measures are both punitive and supportive, contributing to the overall empowerment and well-being of young individuals.

Forced Marriage Protection Orders (FMPOs)²⁶² in the United Kingdom are legal measures designed to protect individuals coerced into marriage or already in a forced marriage. These orders are tailored to each case, with legally binding conditions aimed at altering the behavior of those forcing the marriage to prevent further harm. FMPOs can be swiftly obtained, even in emergencies, ensuring immediate protection. They can be issued by a court alongside police investigations or other criminal proceedings, adding layers of protection. Violating an FMPO can result in up to 2 years' imprisonment for contempt of court and is a separate criminal offense carrying a maximum sentence of 5 years. Applications for FMPOs are made through family courts in England and Wales and are available to both adults and children, with children having the option of a "next friend" to assist them if necessary. There are no court fees for applying, and legal aid is available. Individuals can seek advice from solicitors, law centers, or Citizens Advice to assess their case and determine legal aid eligibility.

²⁶¹ BLAST, Global Innovation Fund <https://www.globalinnovation.fund/investments/blast> (last visited Aug. 9, 2024); Share-NET Bangladesh. Highlights of Initiatives addressing child marriage in Bangladesh (2018) <https://share-netinternational.org/wp-content/uploads/2021/10/Share-Net-Bangladesh-Booklet-2018.pdf>.

²⁶² Apply for a forced marriage protection order, GOV.UK, <https://www.gov.uk/apply-forced-marriage-protection-order> (last visited Aug. 9, 2024).

- **Multi-sectoral and holistic policy approaches to addressing child, early and forced marriage.** A comprehensive, multi-sectoral approach to ending CEFM, including in the law itself, is key. This includes ensuring access to SRHR and effective implementation of legal prohibitions of child marriage through a multisectoral approach of engagement and coordination of key state and non-state actors. Equally important is ensuring educational rights for all children, particularly pregnant girls and young mothers, allowing them to continue their education without discrimination.²⁶³

- **Context-specific data analysis, research, and evaluations** are indispensable for developing effective interventions. Replicating global or national evidence without considering local context can lead to ineffective or harmful interventions. Instead, context-specific research is necessary to understand the specific drivers and dynamics of child marriage in a particular context. This understanding informs programs' design, implementation, and evaluation to ensure they are relevant and impactful.

Multi-sectoral approach: “Marriage: No Child’s Play” (MNCP) project in India, Malawi, Mali, and Niger.²⁶⁴

The MNCP project, implemented by the More than Brides Alliance (MTBA) from 2016 to 2020, aimed to address child marriage through a holistic approach targeting multiple pathways simultaneously. The objectives of the MNCP project were to empower girls, raise awareness about the risks of child marriage, improve access to sexual and reproductive health services, and support social norms favorable to girls' education, economic engagement, and agency in marital decision-making.

In India, the MNCP project resulted in a significant decline in the proportion of girls married, particularly in intervention areas compared to comparison areas. Child marriage prevalence in intervention areas decreased from 14.5% to 4.5%, representing a 69% decline overall, while comparison areas saw a 22% decrease. These results demonstrate the effectiveness of the MNCP project in reducing child marriage prevalence and highlight the importance of comprehensive, multi-sectoral approaches to addressing this issue.

²⁶³ Equality Now, Words & Deeds - Holding Governments Accountable to the Beijing +30 Review Process: Sex Discrimination in Marital Status Law (2022), <https://equalitynow.storage.googleapis.com/wp-content/uploads/2022/10/07203356/Words-and-Deeds-Marital-Status-B30-EN.pdf>.

²⁶⁴ More than Brides Alliance, Marriage: No Child’s Plan Edline Evaluation (2021), <https://resourcecentre.savethechildren.net/pdf/%E2%80%AF%E2%80%AF%E2%80%AF-Marriage-No-childs-Play-Edline-Evaluation.pdf>.

- **Avoiding generalizations** when analyzing CEFM programs and interventions is crucial due to the contextual complexity of addressing this issue. The pathways to ending child marriage are multifaceted and vary significantly depending on the socio-cultural, economic, and political context of each community or region. What may be effective in one setting may not necessarily work elsewhere due to differences in social norms, legal frameworks, access to resources, and other contextual factors. Consequently, it is essential to recognize that there is no one-size-fits-all solution to ending child marriage.²⁶⁵

Tailoring interventions to the specific needs and challenges of the target population is paramount. Effective interventions must be designed to address the unique circumstances of each community or region. This requires careful consideration of local customs, traditions, and social norms, as well as the availability of resources and support systems. By developing interventions that are tailored to the specific context, governments and organizations can increase the likelihood of success and minimize the risk of unintended consequences.

Large-scale sectorial interventions: The Productive Safety Net Program (PSNP) in Ethiopia.²⁶⁶

The Productive Safety Net Program (PSNP) in Ethiopia, initiated in 2005, primarily addresses chronic food insecurity and improves health and nutrition outcomes in rural areas prone to famine. The PSNP, one of the largest social protection programs in sub-Saharan Africa, reaches approximately 8 million beneficiaries through various streams, including cash transfers for work, the creation of sustainable community assets, and direct support to labor-constrained households. Over time, additional health, nutrition, and education components were integrated into the program, further enhancing its impact and relevance to broader social outcomes.

Despite child marriage prevention not being an explicit objective of the PSNP, studies have shown its effectiveness in delaying adolescent girls' marriage. Economic pathways, such as cash transfers reducing financial pressures to marry off girls, and education pathways, including increased school enrollment supported by the PSNP, contribute to creating an environment where girls have access to information, skills, and support networks to resist early marriage. Moreover, the program's complementary components, such as behavior change communication sessions and interactions with community social workers, have led to attitudinal shifts among parents and girls, promoting the importance of education and delaying marriage and pregnancy.

²⁶⁵ UNICEF, Leveraging large-scale sectorial programmes to prevent child marriage (2022),

<https://www.unicef.org/media/114991/file/Leveraging-large-scale-sectorial-programmes-to-prevent-child-marriage-2022.pdf>.

²⁶⁶ International Food Policy Research Institute, Productive Safety Net Program (PSNP), <https://essp.ifpri.info/productive-safety-net-program-psnp/>.

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