

State of the World's Minorities and Indigenous Peoples 2013 - Case study: Child marriage in Kazakhstan

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'There were problems both during pregnancy and after the birth, but my mother-in-law thought it was nothing to worry about: it happens to many women and that's how it should be. My mother-in-law said I should put up with all the pain.' Child spouse, member of an ethnic minority.[2]

If you are a married child in Kazakhstan then you are likely to both be a girl and belong to an ethnic minority. Child spouses are those who enter marriage under the age of 18, which the UN Committee on the Rights of the Child considers to be the minimum age for marriage. In Kazakhstan, research by the UN Population Fund (UNFPA) has found this to be particularly prevalent amongst Kurdish, Turkish and Azerbaijani minorities.

Child marriage in many cases is quickly followed by pregnancy, which has the potential to cause physical and mental health problems to both the mother and infant. Girls' bodies are less ready than those of adult women for childbearing, leading to complications during both pregnancy and childbirth.

UNICEF global figures suggest 70,000 maternal deaths of girls and young women aged 15-19 occur annually as a result of these complications. An infant born to a mother aged under 18 is 60 per cent more likely to die before his or her first birthday than an infant born to a mother aged over 18. And if the infant survives he or she is more susceptible to a range of health problems, including low birth weight, a lack of nutrition and late physical and cognitive development.

Child brides often marry older men, who because of their age are statistically more likely to have HIV or other sexually transmitted diseases.

In Kazakhstan, child marriage is more common among ethnic minorities who follow Islam and live in rural areas. Women in such communities often occupy a subordinate position within their families and this is a contributing factor to the prevalence of the practice. Many families are also poor, and seek to marry their daughters off early in order to obtain *kalym* or bride price. Many child brides do not want to enter into the marriages chosen for them.

Child marriage is rarer in Kazakhstan than in other Central Asian states, but 2012 statistics still suggest that 1 per cent of girls are married by the age of 15 and 7 per cent by 18. Data from the Republic of Kazakhstan Agency for Statistics shows that child marriage is most prevalent among Kurds with 6 per cent of all married women being under 18, followed by ethnic Turks (4.3 per cent), Azerbaijanis (3.5 per cent) and lesser numbers of Dungan (2.5 per cent) and Uighurs (1.5 per cent). By contrast, only 0.64 per cent of married Kazakh women are under age.

In some of these communities, child marriage is an out-of-date tradition that is still the norm:

'Early marriage is typical for the Uighur population. They believe that a girl who doesn't marry before the age of 18 has failed.' Child spouse, member of an ethnic minority.[3]

Child marriage in Kazakhstan is illegal. The legal age to enter into marriage is 18 for both men and women except in certain circumstances, such as pregnancy, where the age can be reduced to 16 but only with the consent of both parties. However, in the communities identified, many child marriages are performed by imams and remain both unofficial and unregistered, giving the girls involved few legal rights.

A lack of education in general is one social consequence of child marriage, but access to sexual health education and sexual health services are also particularly restricted. Under Kazakh law, if a 16-year-old girl seeks medical assistance, a doctor does not have the right to conduct a full medical exam without informing the girl's parents or guardians. Often child brides are accompanied by their husband or mother-in-law when they go to the doctor. This restricts their personal decisions about contraceptive use or treatment for sexually transmitted infections. The UNFPA research found that most girls interviewed did not know what contraception was. A preference for sons over daughters within communities where child marriage is prevalent also leads to pressure to become pregnant as many times as it takes to have a boy, before family planning is an option.

Further physical and mental health issues arise from the unequal nature of the marriage, which puts child brides at risk of domestic violence, sexual abuse and exploitation by both their husband and husband's family; many girls recount bullying from their mothers-in-law. Child brides are also at risk of becoming isolated from family, friends and their communities. Kazakhstan has ratified both the UN Convention on the Rights of the Child (CRC) and CEDAW but failure to prevent child marriage puts the state in contravention of Article 24 of the CRC that states all children have the right to health and to access to health services; and protection from harmful traditional practices. And Article 16.1(b) of CEDAW states that women should have the right to freely choose a spouse and enter into marriage only with their free and full consent.

Notes

2. From UNFPA fact sheet on child marriage in Kazakhstan.

3. Singh, L. et al., 'Public health care in Afghanistan: an investigation in suboptimal utilization of facilities', *Health*, vol. 4, no. 10, 2012, pp. 794-801; Rahmani, Z. and Brekke, M., 'Antenatal and obstetric care in Afghanistan – a qualitative study among health care receivers and health care providers', *BMC Health Services Research*, vol. 13, 2013, p. 166.

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