

**Stakeholder Report on Child Marriage in Türkiye in the Context of Children's Rights and Gender Equality**  
for Türkiye's Universal Periodic Review (UPR) 4th Cycle to be conducted under the United Nations Human Rights Council."



**Flying Broom Women's Communication and Research Association** was established in 2008. The association's mission is to make visible the effects of all discriminatory stereotypes -sexist, ableist, speciesist, racist, and homophobic- on the lives of women and girls, with the aim to achieve gender equality. It implements programs and activities at national and international level on various issues, primarily focusing on the right to quality education that is equal, inclusive, and accessible; combating child, early, and forced marriages; and rights-based media literacy.

**Women's Freedom and Equality Association (KÖVED)** was established in 2015. Its mission is to advocate for the rights of disadvantaged individuals in all areas of life, particularly the rights of women and LGBTQIA+ individuals, and to eliminate all forms of discrimination until gender equality is achieved, in light of national and international agreements. The association organizes activities, trainings, and campaigns, develops strategies, and implements projects for this purpose.

**Katre Women's Counseling and Solidarity Association** was established in 2019. It aims to create a Türkiye where patriarchal gender inequalities and discrimination against women and LGBTQIA+ individuals are eliminated, all forms of violence, especially physical violence, are eradicated, access to economic resources is equal for women and LGBTQIA+ individuals, and justice is accessible to everyone.

**Roman Rights Association** was established in 2014. It works to ensure that the Roman community in Turkey has equal access to basic rights as other segments of society, to improve the living standards of Roma people, to raise awareness on human rights, and to ensure they live in a healthy and safe environment with ecological balance, while benefiting fairly from services provided by public administrations, local governments, and private individuals and organizations.

### **Method**

As a member of the "Against Discrimination Network - Equality Monitoring Center", Flying Broom Women's Communication and Research Association initiated a participatory process to prepare a stakeholder report containing authentic, firsthand data and assessments on the recommendations related to child, early, and forced marriages. The association coordinated this report preparation process. For this purpose, in 2024, it called upon civil society organizations that collect data, examine, or follow legislation and policy developments regarding child, early, and forced marriages, and established a coalition containing four of those civil society organizations that responded positively to collaborate on this stakeholder report. After a series of meetings and information-sharing sessions, this stakeholder report was prepared.

## Introduction

Article 41(c) of the Constitution of Türkiye mandates the State to take protective measures against all forms of abuse and violence towards children.<sup>1</sup> When considered in light of General Recommendation No. 31 of the CEDAW Committee<sup>2</sup>, to which Turkey is a party, and General Comment No. 18 of the Convention on the Rights of the Child regarding harmful practices<sup>3</sup>, this obligation includes the State's responsibility to prevent the marriage of individuals under the age of 18 and to combat this harmful practice. Therefore, the State has a constitutional obligation to combat harmful traditional practices by developing strategies and action plans in accordance with international norms to prevent child marriage.

1. Despite receiving recommendations<sup>4</sup> related to early and forced marriage in every cycle since 2010 and committing to implement these recommendations, Türkiye has not developed a comprehensive approach to combat this harmful practice and its consequences.
2. Child marriage is an ongoing issue observed in all regions of Türkiye, as shown by news reports in local and national media outlets.<sup>5</sup> However, concrete steps to prevent child marriages have not been on the government's agenda since 2018. The National Strategy and Action Plan for the Prevention of Early and Forced Marriages has not yet been officially approved.
3. In terms of recommendations given during the Third Universal Periodic Review, Türkiye has not completed its strategy for combating these issues, leading to various problems. No steps have been taken to eliminate harmful practices caused by cultural traditions in accordance with recommendations: number 45.227 from Burkina Faso, number 45.243 from Italy, and number 45.248 from Namibia.
4. The Ministry of Family and Social Services states that an action plan has been prepared to prevent child marriages. Although approximately 140 municipal personnel were trained in 2022 on the implementation of provincial action plans to combat early and forced marriages, there are no impact analyses of the Action Plans. The discussion platform prior to the Plan's preparations is not participatory. There is lack of public information regarding these plans. Despite our searches, we could not find any information about the Action Plan for the Prevention of Early and Forced Marriages, including implementation steps and budget, etc. There is no evidence that the work carried out through projects has been used as input for these plans. Recommendations number 45.34 from the United Kingdom, number 45.241

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<sup>1</sup> Constitution of Republic of Türkiye <https://www.anayasa.gov.tr/tr/mevzuat/anayasa/>

<sup>2</sup> Joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGC%2F31%2FCRC%2FC%2FGC%2F18&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGC%2F31%2FCRC%2FC%2FGC%2F18&Lang=en)

<sup>3</sup> *ibid*

<sup>4</sup> In 2010, 2 recommendations (100.58 and 100.83), in 2015, 6 recommendations (148.1., 148.2., 148.28., 148.42., 149.2. 149.98.), in 2020, a total of 12 recommendations two of which were recorded, were given. To access: [Universal Periodic Review - Türkiye | OHCHR](#)

<sup>5</sup> <https://www.dha.com.tr/yerel-haberler/bursa/merkez/cocuk-gelin-cocuk-damada-geri-dondu-2378312> (Aegean region)

<https://www.ntv.com.tr/turkiye/konyada-13-yasinda-nisanlandirilan-kiz-cocugu-devlet-korumasina-alindi,zifw-BMpY0K9EsVC24moVg> (Central Anatolia region)

<https://www.samsunkenthaber.com.tr/samsun-da-iki-yil-icinde-616-kiz-cocugu-erken-yasta-evlendirildi/7882/> (Blacksea region)

<https://www.agrimemleket.com/yasam/tuik-acikladi-cocuk-gelin-oraninin-en-yukse-oldugu-il-agri-h1362.html> (Eastern

Anatolia region)

<https://www.urfacesver.com/haber/20007147/sanliurfadan-istanbula-uzanan-cocuk-gelin-skandalı#> (Southeast Anatolia region)

<https://www.haber46.com.tr/kahramanmarasin-utanc-tablosu-511-cocuk-gelin-ordu> (Mediterranean region)

<https://www.enkocaeli.com/haber/19135291/izmitte-cocuk-gelin-vakasi-14-yasinda-anne-ordu-sikayetci-degilim-dedi> (Marmara region)

from Botswana, and number 45.247 from the Maldives have been accepted, but no information regarding their implementation can be found on the Ministry's website.<sup>6</sup>

5. Only five of the Provincial Action Plans for combating early and forced marriages, which were announced to be implemented in 21 provinces under the coordination of the Ministry of Family and Social Services, have been accessible on internet. The Ministry has not published the provincial action plans on its website, nor are these plans available on the websites of the Family and Social Services Provincial Directorates.
6. The 2023-2028 Child Strategy does not address child marriage. The UN Committee on the Rights of the Child recommends the acceptance of this strategy in paragraph 30 of its latest concluding observations report.<sup>7</sup>
7. In Türkiye, there are no regularly updated and disaggregated statistical data shared with the public by state institutions regarding child, early, and forced marriages. The 2018 Türkiye Demographic and Health Survey (TDHS)<sup>8</sup> provides limited data on this issue. Conducted every five years since 1968, the TDHS was postponed due to the pandemic and therefore was not conducted within the 4th UPR Cycle. It has been stated that the 12<sup>th</sup> TDHS will include data on women aged 20-24 who were married before the age of 18. According to Türkiye's 2018 TDHS data, the proportion of children married before the age of 18 is 15%, and the proportion of children married at age 15 or younger is 2%.
8. The Ministry of Family and Social Services claims that marriages in the 16-17 age group decreased to 2.3% according to the 2021 Marriage Statistics. In the Türkiye Family Structure Study 2021, conducted every five years using estimates for Türkiye as a whole, at the 1<sup>st</sup> Level of Statistical Regional Units (IBBS), and three selected provinces (the largest cities: Istanbul, Ankara, Izmir), the Ministry reports that the proportion of males married before the age of 18 is 4.4%, while the proportion of females is 24.2%. The Ministry has reported that the number of married girls decreased by 78% in 2022, falling to 11,000. However, this data, which is based solely on marriage records, does not encompass children married through religious ceremonies without official procedures, thus failing to reflect the full extent of the issue of child marriages.
9. In Türkiye, there are practices of religious marriage ceremonies in addition to legally valid official marriages recorded by state institutions. Article 143 of the Civil Code states that "a religious ceremony cannot be performed without showing the family book. The validity of marriage is not dependent on the performance of a religious ceremony." Similarly, the General Directive on Official Marriage Authority from the Presidency of Religious Affairs<sup>9</sup> emphasizes the necessity for marriage contracts to be recorded and legally secured. On the other hand, although the title of Article 230 of the Penal Code includes the term "religious ceremony," there is no longer a crime defined as "performing or facilitating a religious ceremony without an official marriage." This provision was abolished following a decision by the Constitutional Court in response to a local court's request.
10. According to the data from the research<sup>10</sup> conducted by the Flying Broom Women's Communication and Research Association in collaboration with Women's Freedom and

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<sup>6</sup> [www.aile.gov.tr](http://www.aile.gov.tr)

<sup>7</sup> <https://digitallibrary.un.org/record/4013415?ln=en&v=pdf>

<sup>8</sup> [https://hips.hacettepe.edu.tr/tr/2018\\_tnsa\\_analiz\\_ve\\_rapor-56](https://hips.hacettepe.edu.tr/tr/2018_tnsa_analiz_ve_rapor-56)

<sup>9</sup> <https://hukukmusavirligi.diyaret.gov.tr/Documents/N%C4%B0KAH%20GENELGES%C4%B0.pdf>

<sup>10</sup> <http://ucansupurgedernegi.org/bilgi-belge-merkezi/>

Equality Association (KÖVED) (2024), among the 204 participants who stated being married, 58% (118 individuals) were married only through a religious ceremony. Of those married before the age of 18, 68.8% do not have an official marriage certificate. It was seen that 133 out of the 171 participants who stated they were married before the age of 18, had never attended school. The individuals to whom the women were married to, are mostly acquaintances or relatives of the family. It was shared that the decision to marry is predominantly made by the father.

11. A study conducted by the Roman Rights Association with a total of 102 married adults in the Roman neighborhoods of Ankara (2023) shows that half of these individuals were married at ages of 15 to 17. This research indicates that child marriages continue to exist in the Roman community for both girls and boys, and it particularly highlights that parents play a significant role in the decision to marry before the age of 15. Among the activities listed in the Ministry of Family and Social Services' Roman Strategy Document Action Plan (2023-2025), there is only "training for parents on early marriage" regarding the issue.
12. The legal marriage age in Türkiye is 18. The Child Protection Law states that every individual under the age of 18 is considered a child. This definition is consistent with the United Nations Convention on the Rights of the Child. It is defined as a crime in the Turkish Penal Code for a guardian to marry off a child under the age of 18.<sup>11</sup> However, the Civil Code allows for children aged 17 or 16 to marry with the written consent of their guardians and the permission of the competent court. In exceptional circumstances, the marriage of a child who has turned 16, can be granted with permission from a family court judge, which is explained as an "exception to the age rule."
13. The number of cases opened in Family Courts for permission to marry for children aged 16 and the number of cases that are fully or partially accepted are not shared with the public. Requests for information from citizens, civil society organizations, bar associations, or lawyers are either rejected or left unanswered. Furthermore, these data are not included in the publicly available justice statistics on the Ministry of Justice's website.
14. There are no official statistics or research on child marriage among those experiencing institutional care. The final report of the "Workshop on Preventing Child Marriage, Early and Forced Marriages for Girls and Young Women with Experience of Growing Up in Care,"<sup>12</sup> held by the Hayat Sende Gençlik Akademisi Derneği (Life Is You Youth Academy Association) held in December 2023 with the participation of representatives from public institutions, local governments, and civil society organizations, is the first study to reveal that the issue of child marriage is not recognized or addressed specifically for girls and young women in institutional care. One of the greatest risks for girls in institutional care is their return to their biological families during adolescence, which means exit from protection system. In cases encountered, it has been observed that girls aged 13-14 who return to their families are married off by their families within the same year. Particularly, families who have been away from caring for their children for many years, may feel that their "burden" has increased with the child's return, or they may push the child into marriage "to keep her under control."

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<sup>11</sup> Incitement and assistance for the crimes of threat and blackmail (Turkish Penal Code Articles 106-107), obstruction of the right to education (Article 112), sexual exploitation or sexual relations with minors (Articles 103-104), human trafficking (Article 80), violation of the obligations of protection, supervision, assistance, and notification (Articles 97-98), maltreatment (Article 232), and violation of obligations arising from family law (Article 233).

<sup>12</sup> <https://www.hayatsende.org/calistaylar/>

15. Although not included in the UPR cycle recommendations, it is observed that child, early, and forced marriages increase in Türkiye in the context of the economic situation and the challenges posed by multiple crises. A study<sup>13</sup> conducted by the Katre Women's Counseling and Solidarity Association with 54 adult women from Sunni-Turkish, Alevi, and Poşa communities (2024) shows that as income levels decrease, child marriages increase: among 17 women living in families with no income or below the minimum wage, 82% reported that they were married as children, while 46% of 13 women from families with a minimum wage reported the same. Out of the 54 participants, 24 were married when they were a child.

### **Recommendations:**

1. Objective, comprehensive, and inclusive research should be conducted to assess the situation of child marriages in Türkiye, with updated data (at the provincial, regional, and national levels) collected annually. Collected data and findings shall be publicly available. This data should include the number of individuals under the age of 18 who receive family and court approval for marriage. Marriages recorded officially should also be identified, as well as those that occur through religious ceremonies and/or coercion to cohabit.
2. National laws should be revised to set the minimum marriage age for girls and boys at 18 without any exceptions, and this should be done urgently. The Civil Code should be amended to prohibit marriages at age of 17 with parental consent and at age of 16 with judicial approval in exceptional circumstances, and this amendment should be made within a year.
3. Legislative changes should be made within a year to classify marriages performed through religious ceremonies (imam marriages) as criminal offenses if there is no official marriage certificate. Sanctions should be imposed on imams (Muslim religious leader or priest in a mosque) who engage in such illegal practices.
4. Forced marriage should be recognized as a standalone crime under criminal law. No victim of rape or harassment should be compelled to marry the perpetrator, and marriage should not invalidate acts of violence; necessary measures should be taken urgently to ensure this.
5. The Early and Forced Marriage Prevention Action Plans announced by the Ministry of Family and Social Services to be implemented in 21 provinces should be approved without delay. Monitoring and evaluation reports regarding the implementation of these plans should be accessible on the ministry's website. Civil society organizations (educators, facilitators, etc.) should be involved in the implementation phases of these action plans.
6. The Turkish Penal Code should explicitly prohibit child marriage and recommend more effective measures to eliminate child marriage, including practical tolerance of religious marriages.
7. The decision to withdraw from the Istanbul Convention has diminished the effectiveness of Law No. 6284, which facilitates the implementation of this convention. As it stands, the scope of the law is insufficient to prevent child, early and forced marriages and protect victims. The Istanbul Convention is the broadest international legal framework for protecting women and girls from all harmful cultural practices, including child, early and forced marriages and the violence they bring; the Convention should be re-incorporated into Türkiye's domestic law.

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<sup>13</sup> <https://www.katrekadin.com/2024/05/23/erzincanda-cocuk-yasta-erken-ve-zorla-evliliklercyeye-ile-mucadele-projesi-raporu/>

8. Comprehensive policies and measures should be developed to prevent and combat child and forced marriages nationwide, including among the refugee population. Such policies should address the underlying social, economic, and cultural factors contributing to child and forced marriages and include awareness campaigns focusing on the right to freely choose one's spouse and the illegality of child and forced marriages for parents, in schools, and within communities.

*End of the document.*