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Too Young to Marry. Child Marriage in Turkey

De jure and de facto obligations under
International and European Law

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Abstract

This thesis examines child marriages in Turkey by looking at the de jure and de facto obligations of Turkey under International and European Law. The individuals who can be considered as a child under international and national law are defined, however a common definition of a child as a person under the age of 18 does not exist in Turkey's laws. The prevalence of child marriage in the statistics are provided by the "2008 Demographic and Health Survey" (TNSA). The results indicate that 3 out of 10 women are child brides and those child marriages vary by urban/rural residence and regions as well as by demographic characteristics of women and marriage formation. The majority of marriages in Turkey take place both by religious and official marriage ceremonies. According to the 2008 TNSA study, the countrywide percentage of marriages conducted solely through religious ceremony among women of 15-49 years of age is 3,3. As there are no official data on religious marriages, accurate statistical data on child marriages in Turkey do not exist. The planned amendments to the Turkish Penal Code, which will criminalise forced marriages of girls under the age of 17, are part of a new 10 step programme of the Turkish government to eradicate underage and forced marriages in Turkey. The effectiveness of this programme will be for future assessment.

Keywords: child brides, early marriage, legal obligations, Turkey

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