

ISSUES OF PREVENTING EARLY MARRIAGE AMONG MINORS

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Early marriage (early marriage) is the marriage of young people who have not yet reached puberty, during adolescence, and whose sexual development is not fully developed.

Ending child marriage is recognized worldwide as a key goal for achieving gender equality under Goal 5 of the Sustainable Development Goals.

The 3rd Committee of the 75th session of the UN General Assembly adopted by consensus a resolution on child, early and forced marriage, which sets out the causes and responsibilities for ending child, early and forced marriage.

One in five girls worldwide under the age of 18 is married, either formally or informally, and this figure is 5 percent among those under the age of 15.

In developing countries, this figure is 36 percent, and among girls under 15 years, it is 10 percent.

In recent years, as in other areas of the country, legislation aimed at preventing early marriage among young people, especially the marriage of girls at a young age, has been further improved.

Even in our Constitution, which is our main encyclopedia, there is a separate chapter dedicated to family, children and youth.

However, today, as a result of the cases of some parents sending schoolgirls under the age of marriage to early marriages, young mothers are giving birth to children with physical disabilities.

Analysis shows that during the past 9 months, 5 cases of premature birth occurred among 15-16-year-old girls, and 26 cases among 17-year-old girls.

The saddest thing is that all of these marriages were concluded without marriage registration, that is, on the basis of a civil marriage.

Article 15 of the Family Code sets the marriageable age at eighteen for men and women, and in exceptional cases (pregnancy, birth of a child, declaration of a minor as fully capable of legal representation (emancipation), and at the request of those wishing to marry, the district or city governor of the place where the marriage is registered may reduce the marriageable age by no more than one year.

Even if the legislation strengthens the measures of responsibility for allowing early marriage and violating the laws on marriage, such violations are allowed.

In particular, during the past period, 329 cases of violations of the legislation on marriageable age or the procedure for concluding marriage were recorded in the region

(*this figure increased by 74 compared to the same period last year*), of which 129 were for entering into actual marital relations with a person under the age of

marriage, 64 were for the marriage of a person under the age of marriage by parents or persons replacing them, and 136 were for the performance of a religious ceremony for concluding a marriage between persons whose marriage was not registered in accordance with the procedure established by law, including with a person under the age of marriage.

Sometimes such cases are qualified as criminal acts.

125¹ of the Criminal Code of the Republic of Uzbekistan establishes liability measures for violating the legislation on the age of marriage or the procedure for concluding a marriage, and Article 128 establishes liability measures for engaging in sexual intercourse with a person under the age of sixteen.

While no criminal offenses related to violations of the marriage age law or the procedure for concluding a marriage were recorded over the past 9 months, 10 cases of criminal offenses involving sexual intercourse with a person under the age of sixteen were recorded.

For example, it was found that a citizen living in the city of Kokand, Kh. Jamolov, married a minor, P. Musaeva, born on 11.10.2008, on 25.05.2024, on the basis of a sharia marriage, lived with her in the same household, and had sexual relations with her, knowing for sure that P. Musaeva was under 16 years old.

As a result, on January 2, 2025, the minor P. Musaeva was admitted to the Fergana City Maternity Hospital Maternity Complex at 30 weeks of pregnancy and gave birth to a baby girl on the same day.

In this case, since the actions of citizen Kh. Jamolov contain signs of the crime of having sexual intercourse with a person under the age of sixteen while living together, the prosecutor's office initiated a criminal case against him under Article 128, Part 3, Clause "b" of the Criminal Code.

Early marriage of minors is prohibited not only by our national legislation, but also by international law.

Internationally, the Convention on the Elimination of All Forms of Discrimination against Women, to which 189 states are parties, recognizes as unlawful the marriage or betrothal of minors in Article 16.

Early marriage and child marriage have serious negative social, economic, and health consequences for girls and for society as a whole.

One of the social consequences is the limitation of education.

Many girls who marry early are forced to drop out of school.

Another consequence is an increased risk of violence, meaning that girls who are forced into marriage at a young age are more vulnerable to domestic violence.

There are also economic consequences of early marriage, with early marriage likely to worsen the family's economic situation.

In turn, medical problems also arise as a result of early marriage.

Early marriage leads to complications during pregnancy and childbirth, including premature birth, low birth weight, and increased risk of death for both mother and child.

In the meetings held by the head of our country on the fight against crime, the

officials were given instructions to strengthen the responsibility for early marriage.

Currently, as a result of the integration of the systems of the General Prosecutor's Office and the Ministry of Justice, an end to the hidden cases of early marriage and early childbirth is ensured.

In conclusion, early marriage and child marriage remain a major global problem that requires urgent intervention and appropriate measures. These practices have serious social, economic, and health consequences that affect not only young people but also society as a whole. Socially and culturally embedded, early marriage often prevents girls from completing their education and limits their opportunities for self-realization and economic participation.

The economic aspect also plays an important role, worsening the family situation and increasing the risk of poverty and social exclusion.

Medical consequences, including reproductive problems and threats to the health of the mother and child, add to the severity of the problem.

It is important to recognize that addressing this problem requires a comprehensive approach and cross-sectoral collaboration. Educational programs, legal measures, and cultural and social initiatives are needed to prevent early and underage marriage.

Particular attention should be paid to ensuring that girls have access to resources for education and development of their potential.

Only through the joint efforts of society and the government can we create conditions for a future free from early marriage and childbearing, and ensure the all-round development and self-realization of young people.

Note: addresses and names of individuals have been changed in the practical examples presented in the article.