

## **Curbing Child Marriage in Azerbaijan**

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As legislators sit on tough new legislation, girls increasingly married off to older men.

Two years after Azerbaijan's parliament promised tougher laws to prevent underage marriage, it took a police raid to stop a man in his thirties marrying a 13-year-old.

The officers swooped on a beauty salon in the city of Ganja where the marriage was due to take place last month.

The 13-year-old child bride said she was aware that women cannot legally marry until they are 17, but believed the man, 20 years her senior, was an unmissable catch.

"My fiance is a serious guy. They say he's a businessman," she said. "My mother saw photographs of his house - it's large and beautiful."

The girl would have liked to carry on going to school, and go on to music college, but thought marriage sounded like a good idea from the way her mother described it.

She blames "jealous" relatives for tipping off the police.

"My fiance's parents initially wanted to marry him to my cousin. But at the viewing, he took a liking to me and proposed," she said.

Ilgar Balakishiyev, deputy police chief in Ganja, suspects the marriage amounted to a financial transaction.

"We suspect that's the case here. They wanted to arrange the marriage quickly, within the space of a week and with very few people present," he said. "The fact that prior to the wedding, the girl underwent a medical examination and got a certificate confirming she was a virgin also supports our suspicions. From many years of experience, I can say these examinations are done so as to sell the girl off at a higher price."

The girl's mother denied any mercenary plans.

"I'm a mother and I love my daughter. How could I sell her?" she asked. "It was just that a good fiancé appeared, and I wanted my daughter to be happy. I've got health problems so I wanted to build a good life for my daughter as soon as possible.... I myself married when I was 13."

In 2009, when Hadi Rajabli, a member of the ruling Yeni Azerbaijan party and chair of the parliamentary committee for social policy, was pushing for changes to the law, she said, "If a mother is a child herself, then she cannot raise her children as she should."

Two years ago, IWPR reported on a similar story, where a 15-year-old was preparing to marry a man seven years her senior, and such cases seem to be becoming more and more common.

So why, IWPR asked Rajabli, has nothing been done since the bill was first floated?

"We've been passing many other laws over this period," she replied. "We haven't been just sitting doing nothing. If the proposed amendments are on the agenda, that means they're going to be looked at and probably passed, perhaps even at the beginning of parliament's autumn session."

The opposition is scathing about parliament's failure to act on the issue. Panah Huseynov, who represented the Musavat party in parliament until he lost his seat in the November 2010 election, was scathing about the suggestion that legislators were too busy with other things.

"In a parliament like this where everyone dances to the same tune and there's no opposition presence or dissident members, it isn't surprising that such an important proposed amendment doesn't get enacted for this long," he said.

Women's rights activists in Azerbaijan say the need for stronger legislation is urgent as girls are increasingly being married off below the minimum age. At the moment, that is 18 for men and 17 for women, or a year earlier for either, in exceptional circumstances.

When a minor enters into an illegal marriage, only the Muslim wedding rite is performed. Without a marriage certificate from the state, wives - especially but not only minors - miss out on the protections afforded by a legal marriage.

“If the couple fall out and separate, the woman has no rights to property or financial redress,” Namiq Guliyev, a lawyer with the Free Legal Assistance Help, said. “Only if they have children can the woman demand alimony, and then only if the father formally acknowledges paternity.” (For more on this issue, see **Plight of Single Mothers in Azerbaijan**.)

Maleyka Alizade, head of the Regional Women’s Centre, said parents often justified marrying off daughters in their early teens by arguing it would improve their economic position.

“Yet they must know that at 13 or 14, girls are not physically or psychologically ready for marriage so they’re going to face numerous serious problems,” Alizade said. “How can a 13-year-old girl bring up a child? She’s a child herself. A child will be just a doll to her.”

Alizade said surveys showed that underage marriages were more likely to end in separations than others.

“In most cases where such marriages break up, young women have no property rights or and no possibility of earning money, and fall prey to human trafficking,” she said.

Alizade said she was now looking forward to the long-awaited legislation come into force.

“We’re very much hoping that the changes to the law will be passed at parliament’s autumn session, and that the minimum marriage age will be raised to 18 for both sexes,” she said.

Better laws can only be the start, though, Alizade argues.

“In order to put a final stop to this problem, the police must be tougher on illegal early marriages, schools must pay more attention to it, and parents must become more responsible about their daughters’ futures,” she said.

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