

Bleeding Wound: Underage Marriages in Turkey

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ABSTRACT

This study deals with early marriages which are tried to be prevented by national and international regulations and for which girls are generally victimized and which is a very common issue in Turkey along with reasons and negative effects on girls. Moreover, these marriages that violate many rights of children which they have because of being a person are studied in terms of their relationships with rights guaranteed under a variety of contracts and the Constitution of the Republic of Turkey. At the end of the study, a variety of recommendations which is believed to be effective will be asserted so that early marriages that are accepted as a social, legal and cultural problem and that are in contradiction with the right to choose his/her own spouse when a physically, mentally and emotionally immature person becomes an adult can be prevented.

Key Words: Marriage, Early Marriages in Turkish Law, Reasons of Early Marriages, Early Marriages and Violations of Human Rights, Early Marriages in Turkish Penal Code, Sexual Abuse.

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I-Introduction

Each person under 18 is accepted as a child in Turkish Law¹ and United Nations Convention on the Rights of Children² to which Turkey is a party. Marriages undertaken by these people regarded as children are called “early marriages”³. In other words, early age marriages are marriages which children under 18 have before reaching physical, physiological and mental maturity⁴. These marriages which can be seen all over the world are more common in underdeveloped or developing countries like Turkey. In fact, we know that one out of four marriages for the whole Turkey and one out of three marriages in some regions are early marriages⁵. Although each person under 18 can be a victim of these marriages regardless of their genders, studies on this topic are mainly aimed at girls as girls experience negative effects of these marriages in general⁶. Many countries have prohibited such marriages within their domestic law regulations as they are obstacles to self-improvement and self-actualization chances of children, especially of girls, and they are also violations of human rights⁷. These marriages which reinforce social gender inequality to the detriment of the girls⁸, are generally carried out by men-decision mechanisms-without the consent of the girls in patriarchal communities and violate the right to determine own future of girls as a person cause girls to lose their trust for themselves and the society itself.

Reasons of early marriages, negative effects of these marriages on physical and mental health and development of girls and relationship between early marriages and human rights will be pointed out by means of this study. The aim of this study is to raise social awareness on the point of the fact that children who are victims of early marriages are in fact victims of crimes of sexual abuse and sexual intercourse with a non adult person regulated in Turkish Penal Code, and we also aim that their rights can be guaranteed under the constitution, and inconsistency between regulations in our domestic law can be noticed.

II-Reasons of Early Age Marriages

¹ According to Paragraph 1/b of Article 6 with the title of definitions of Law No: 5237 Turkish Penal Code which was accepted on 26th September 2014 and came into force with the issue in official gazete on 12th October 2004, one can understand a person not turning 18 yet with the child expression, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5237.pdf> 01.06.2016.; According to Paragraph 1/a of Article 3 with the title of definitions of Law No: 5395 Child Protection Act which was accepted on 3th July 2005 and came into force with the issue in official gazette on 15th July 2005, one can understand a person not turning 18 yet with the child expression even if he/she is mature before that age, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5395.pdf> 01.06.2016.

² Article 1 of United Nations Convention on the Rights of the Children which was accepted by United Nations General Assembly on 20th November 1989 states that every person is a child until the age of 18 except for the case where a child becomes mature at an earlier age in accordance with the law to be applied for the child, <http://www.unicef.org/turkey/crc/cr23c.html> 01.06.2016.

³ Malatyalı Meryem Kaynak, Türkiye’de Çocuk Gelin Sorunu, Nesne Psikoloji Dergisi(NPJ), 2014, Cilt:2 Sayı:3: 27-38; United Nations Population Fund, Child Marriage in Turkey (Overview), 1-12 <http://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20turkey%20overview.pdf> 01.06.2016 ; Çakmak Diren, "Türkiye’de Çocuk Gelinler", Birinci Hukukun Gençleri Sempozyumu-Hukuk Devletinde Kişisel Güvenlik, Ankara Üniversitesi Hukuk Fakültesi, Ankara, 2009.

⁴ Aydemir, E., Karal, D., Güçer, M., Keser, E.M. (2011), Evlilik mi Evcilik mi? Erken ve Zorla Evlilikler: Çocuk Gelinler”, Uluslararası Stratejik Araştırmalar Kurumu Sosyal Araştırmalar Merkezi, Ankara, 2011, No: 11-08: 1-54.

⁵ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu,Erken Yaşta Evlilikler Hakkında İnceleme Yapılmasına Dair Rapor, 1-34 https://www.tbmm.gov.tr/komisyon/kefe/docs/komisyon_rapor.pdf 01.06.2016.

⁶ United Nations Population Fund, Child marriage in Turkey (Overview), 2014;1-12. <http://eeca.unfpa.org/publications/child-marriage-turkey-overview> 11.04.2016.

⁷ Yakıt Eda/Margirit Coşkun Anahit , Toplumsal Açından Çocuk Yaşta Evlilikler Gerçeği: Hemşire ve Ebenin Sorumluluğu, Hemşirelik Eğitim ve Araştırma Dergisi, 2014; 11 (3):3-10.

⁸ Anthony Davis/Postles Claire/Rosa Giorgiana, Girl’s Right To Say No To Marriage: Working To End Child Marriage and Keep Girls in School. Ed. Brown Anna, UK: Plan International, 2013, 1-60.

There are many reasons of victimization of children, especially of girls owing to early age marriages⁹ which are seen as violation of child rights, woman rights and human rights in national and international documents.

The first reason of early age marriages which range from one region to another, one community to another¹⁰ is illiteracy of children and their families¹¹. The study points out that early age marriages are more common in families with low literacy rate¹². It will be difficult for most families who don't understand the importance of education as they are not sufficiently educated to realize the significance of education in life. Illiteracy of families and their children cause physical, social and psychological difficulties due to early age marriages not to be realized by children and it will cause them to be a victim of these marriages.

As a reflection of undervaluing a woman socially and since families have financial difficulties, they consider girls as a financial burden on themselves¹³. In other words, the idea of removing a plate of food reserved for their girls from the table is unfortunately a motive for making the girls get married at an early age for the families who ignore their daughters¹⁴.

Another reason of victimization of the girls because of these marriages is male-dominant social structure. In a patriarchal society and such a family, lack of the perception that a woman is a person, she is the only person to decide about her own life like men and she has the freedom to choose her own spouse render girls victims of these marriages. For this reason, men have the right to decide about a woman's life and they don't give women the right to decide or choose her own spouse in a patriarchal society. In other words, patriarchal society structure makes early age marriages normal and legalizes them¹⁵.

Another reason of early age marriages of the girls is to demand some payments like money, farm animals (cattle, horse, goat etc.) under the bride price from the groom or his family in return for their daughter's marriage. Bride price which includes legal and social payments, is paid to bride's father or her relatives by the groom and varies among societies, and which is defined as a payment in the form of a present is a tradition peculiar to primitive communities; moreover, it is a practice that disregards value of a woman as a person and takes away her right to choose her own spouse¹⁶. Because of this practice which can be assumed as an amount paid for the woman to her family, girls become victims of early age marriages¹⁷.

Marriages via bride exchange occurring when families don't accept to pay bride price for the girl to marry their son can be defined as wedding their boys to the girls mutually by two families¹⁸. As in practice of bride price, victims of marriages via bride exchange which is also called exchange

⁹ Mihçioğur Sare/Erbaş Feryal/Akın Ayşe, "Çocuk Gelinler ve Beklenen Olumsuz Sonuçları", Sağlık ve Toplum, Yıl:20, Sayı:1, 2010, 3-12; Anthony Davis/Postles Claire/Rosa Giorgiana, "Girl's Right To Say No To Marriage: Working To End Child Marriage and Keep Girls in School", Ed. Brown Anna, UK: Plan International, 2013, 1-60.

¹⁰ Boran Perran/Gökçay Gülbin/Devocioğlu Esra/Eren Tijen, "Çocuk Gelinler", Marmara Medical Journal 2013;26:58-62.

¹¹ Yüksel Hasan/Yüksel Mesude Yüksel, "Çocuk İhmali ve İstismarı Bağlamında Türkiye'de Çocuk Gelinler Gerçeği", Çankırı Karatekin Üniversitesi Sosyal Bilimler Enstitüsü Dergisi, 5(2):1-24; Aydemir, E., Karal, D., Güçer, M., Keser, E.M., Evlilik mi Evcilik mi?...1-54.

¹² Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

¹³ Burcu Esra/Yıldırım Filiz/Sırma Çiğdem Sema/ Sanıyaman Seçil, "Çiçeklerin Kaderi: Türkiye'de Kadınların Erken Evliliği Üzerine Nitel Bir Araştırma", Bilig, 2015, Sayı:73, 63-98; Unicef, Early marriage: Child spouses", Florence, Italy, 2001, 1-30 <https://www.unicef-irc.org/publications/pdf/digest7e.pdf> 01.06.2016.

¹⁴ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

¹⁵ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34; Yüksel Hasan/Yüksel Mesude Yüksel, "Çocuk İhmali ve İstismarı Bağlamında Türkiye'de Çocuk Gelinler Gerçeği", Çankırı Karatekin Üniversitesi Sosyal Bilimler Enstitüsü Dergisi, 5(2):1-24; Kara Bülent, "Değişen Aile Dinamikleri Açısından Erken Yaşta Evlilikler Sorunu Ve Toplumsal Önemi", Süleyman Demirel Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi, 2015, Cilt: 20, Say:2,59-72.

¹⁶ Tezcan Mahmut, "İlkel Toplumlarda Başlık Parası Geleneği", Ankara Üniversitesi Eğitim Bilimleri Fakültesi Dergisi, C.9, S.1, Ankara 1993, 415-425.

¹⁷ Mihçioğur Sare/Erbaş Feryal/Akın Ayşe, "Çocuk Gelinler...", 3-12.

¹⁸ Tezcan Mahmut, "İlkel Toplumlarda...",415-425.

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of people are not only women who are at legal age for marriage but also young girls¹⁹. Unlike bride price practice, not goods or money but another woman is demanded and taken for a woman who will get married via exchange²⁰. Unfortunately, many girls become victims of these marriages due to these practices which degrade a woman as a person, disregard her value and cause her to lose her trust for the society²¹.

As a child witness violent incidents at home, she/he has no sufficient love of parents and she/he has to live with a step mother or step father when she/he loses one of the parents, these circumstances have negative impacts on him/her, and children who cannot find a peaceful family environment start to think that she/he can get rid of this stress by means of marriage; for this reason, they are victimized by early age marriages²².

If girls are exposed to abuse or rape, they are made to marry the rapist or another man and become a victim of these marriages by disregarding psychological state of these children²³. Honor perception which generally focuses on woman in the society and ignores value of women causes double victimization as a result of her being subject to the rape and being made to get married involuntarily by making the girl to marry her rapist. On the other hand, economic and cultural difficulties experienced by the families who come to a new region from another one as a result of forced migrations are among the reasons which increase the possibility of early age marriages²⁴.

Furthermore, girls become victims of early age marriages due to types of marriages like betrothal marriage, marriage of blood money, co-wife marriage, levirate, sororate marriage and kin marriage which are very common as they are accepted traditional²⁵.

Negatives cases where peers of children get married in his/her social environment and early age marriages are common in his/her family encourage children for early age marriages and make them victims²⁶.

Moreover, girls marry at an early age under the effect of expressions such as “no man can’t take you as a wife if you are not young.”, “you can’t get married.”, “you must marry and have a baby as soon as possible”²⁷. which are said because of customs and traditions prevailing in male-dominant societies. These expressions to which women are exposed only because of being a woman are supported by traditional practices like protection of woman honor and handing economic burden of the woman on her family over the other family as a result of marriage, and they pave the way for early age marriages and make children who are not at the appropriate age for marriage become victims²⁸. Similarly, the belief that they can prevent their girls from having sexual intercourse with another man and being pregnant, and they can protect their girls from sexual behaviors of other men as a result on condition that girls are wed at an early age and they are put under protection of men is also influential in the case where these marriages occur. On the other hand, the belief that their daughters can adapt to their spouses and homes easily owing to early age marriages and the fact that

¹⁹ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34.

²⁰Güvenç Bozkurt, Geleneklerden Kalıntılar: Başlık, Berdel, Kız Kaçırma, Kuma ve Amca-Kızı Evliliği”, Kadın Araştırmaları Dergisi, 1993 S:43-48.

²¹Unicef, Evlilik ve Erken Evlilikler, <http://unicef.org.tr/sayfa.aspx?id=50> 01.06.2016; Kadın ve Demokrasi Derneği, Erken Yaşta ve Zorla Evliliklere Karşı Mücadele Çalıştay Raporu<http://kadem.org.tr/erken-yasta-ve-zorla-evliliklere-karsi-mucadele-calistay-raporu/> 01.06.2016.

²² Mıhçıokur Sare/Erbaş Feryal/Akın Ayşe, “Çocuk Gelinler...”, 3-12.

²³ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34.

²⁴Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34; Özcebe Hilal/Küçük Biçer Burcu, “Önemli bir kız çocuk ve kadın sorunu: Çocuk evlilikler”, Türk Pediatri Arşivi Dergisi, 2013:86-93.

²⁵ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34.

²⁶ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34.

²⁷Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34 cited from Aydemir Atilla, (SODEV) 8/6/2009 tarihli Alt Komisyon Toplantı Tutanağı.

²⁸Burcu Esra/Yıldırım Filiz/Sırma Çiğdem Sema/ Sanıyaman Seçil, “Çiçeklerin Kaderi...”, 63-98; Mıhçıokur Sare/Erbaş Feryal/Akın Ayşe, “Çocuk Gelinler...”, 3-12.

the family of the groom think that the child bride will be accustomed to their life style more easily have an effect on early age marriages and victimization of girls²⁹.

III-Results of Early Age Marriages

Paragraph 2 of Article 10 of Constitution of the Republic of Turkey states that women and men have equal rights³⁰. However, the fact that men, chosen as decision mechanism as a result of a reflection of patriarchal social structure, make girls marry at an early age by disregarding their will to choose their own spouses and determine their own future means that provisions about equality of women and men regulated in Constitution of the Republic of Turkey are violated to the detriment of the girls.

It is emphasized that everybody has the right to education no matter what their gender by means of the provision that nobody can be deprived of right to education and learning regulated in Article 42³¹ of Constitution of the Republic of Turkey under the heading of right and duty of education and learning. The ongoing paragraph of the same article indicates that primary education is obligatory for all female and male citizens. International contracts to which Turkey is a party and which are applied in our domestic law emphasize that this right cannot be obstructed. Considering the fact that more girls become victims of these marriages compared to boys, even if equality of women and men is emphasized with regard to benefiting from right to education in all legal regulations about right to education, girls have to put an end to their education life as they are not sent to school or removed from school due to marriage. Moreover, some families don't want to spend money on education of girls as they will leave family home as a result of marriage; consequently, they don't send girls to school or remove them from school so that they can marry³².

²⁹Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

³⁰ Constitution of the Republic of Turkey, Article 10/2, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

³¹ Constitution of the Republic of Turkey, Article 10/2, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

³² Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

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Thus, early age marriages are among the most important obstacles for children against their right to education³³.

Since everyone has the right to work in any branch they wish according to Article 48³⁴ of Constitution of the Republic of Turkey and Article 49³⁵ states that working is the right and duty of everybody, an approach on equality of women and men is adopted with regard to working. Similarly, international contract to which Turkey is a party put forward that everyone has the right to work and they can act freely while choosing their work³⁶. However, as girls are deprived of right to education, one of the basic rights, as a result of early age marriages, they will have a life depending on their husbands economically because they are prevented from improving themselves thanks to opportunities given by education, choosing a profession to be provided via education or work for any place. It becomes evident that child brides who are victimized due to early age marriages are not allowed to have required education and skills to be able to work for anywhere they want³⁷.

Although family which is based on equality of spouses and expressed as the base of Turkish society and formal marriages is guaranteed legally in Article 41³⁸ of Constitution of the Republic of Turkey, early age marriages which are generally conducted as relationships with religious marriage instead of a legally formal one are not protected.

Since these marriages are held as relationships with religious marriages, the provisions in Article 143³⁹ of Turkish Civil Code which state that religious marriage cannot be carried out without showing a family record booklet and validity of a marriage doesn't depend on religious marriage are violated. In other words, children who become victims of these unofficial marriages are victimized once again as they cannot benefit from protection provided for official marriages by laws. On the other hand, Article 142⁴⁰ of Turkish Civil Code indicates that marriage contract occurs when parties express their positive oral consent because marriage officer asks both parties whether they want to marry or not. The same article states that the officer explains that the marriage is executed by mutual consent of the parties in accordance with the laws. This provision of the law is also violated for early age marriages which are carried out as religious ceremony; furthermore, consent of children between the ages of 0 and 15 cannot be even a matter of discussion. For these relationships, children don't have the potential and ability to have such an important decision that will affect their life so much; they are not mostly asked about their consent for these marriages. Thus, condition of mutual consent which is indispensable for a valid marriage in accordance with Turkish Civil Code is violated as child brides are obliged to these marriages involuntarily.

It is a known fact that girls marrying at an early age are more exposed to domestic violence compared to ones marrying at older ages⁴¹. Furthermore, a child bride whose will is disregarded due to early age marriages and for whom right to choose own spouse is not given not only has a

³³ Save The Children, Too Young To Wed: The growing problem of child marriage among Syrian Girls in Jordan 2014;1-16; United Nations Population Fund, Marrying Too Young End Child Marriage, 2012;1-76; Unicef, "Early Marriage...",1-30.

³⁴ Constitution of the Republic of Turkey, Article 48, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

³⁵ Constitution of the Republic of Turkey, Article 49, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

³⁶ International Covenant on Economic, Social and Cultural Rights, Article 6, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> 01.06.2016.

³⁷ Burcu Esra/Yıldırım Filiz/Sırma Çiğdem Sema/ Saniyaman Seçil, "Çiçeklerin Kaderi...", 63-98; International Planned Parenthood Federation and the Forum on Marriage and the Rights of Women and Girls, Ending Child Marriage, A Guide for Global Policy Action 2007;1-36; Unicef, "Early Marriage...",1-30.

³⁸ Constitution of the Republic of Turkey, Article 41, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

³⁹ Turkish Civil Code, Article 143,

<http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=1.5.4721&MevzuatIliski=0&sourceXmlSearch> 01.06.2016.

⁴⁰ Turkish Civil Code, Article 142,

<http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=1.5.4721&MevzuatIliski=0&sourceXmlSearch> 01.06.2016.

⁴¹ International Planned Parenthood Federation (IPPF) and the Forum on Marriage and the Rights of Women and Girls, Ending Child Marriage...1-36; Unicef, "Early Marriage...",1-30.

marriage with an unwanted person but also she might be exposed to physical, emotional and sexual violence by their spouses as they marry at an age when they cannot protect themselves. Marital conflicts, divorces and even suicides occur because of problems which emerge within marriage unity and include violence⁴².

When a child bride who is made to marry before completing psycho-social development and improvement has such serious responsibilities as marriage, being a good bride for the family of her spouse or being a good mother if she becomes a mother because these are among the expectations of the society, they may have psychological problems and tendency to depression, and cases can also occur for children who cannot overcome these matters⁴³. Suicides as a result of these marriages, death of mothers because of pregnancy at an early age reveal the fact that early age marriages can even violate the most basic right of human beings, right to live.

Provision in Article 124⁴⁴ of Turkish Civil Code stating that woman or man, regardless of genders, cannot marry before turning 17 and the provision in Paragraph 2 of the same article indicating that the judge can allow man or woman turning 16 for extraordinary cases and with an important reason are contrary to international contracts to which Turkey is a party, and which define marriages of children between the ages of 0 and 18 as child marriage. This regulation is also in contradiction with Paragraph 5 of Article 90 of Turkish Constitution⁴⁵ which asserts that provisions of international contracts are used as a base if laws and international contracts which are related to fundamental rights and liberties and came into force in due form include different provisions on the same point and if some disagreements occur because of this situation; thus, children become victims of these marriages and many of their rights such as right to education and right to work which they have because of being a person are violated.

Child brides between the ages of 0 and 15 who are made to marry by the consent of their parents or by means of bride price paid by the groom or his family are also victims of sexual abuse crime because of paragraph about any sexual behavior which is shown against children who don't turn 15 and can't have developed perception for legal meaning and result of the deed even if they turn 15 in accordance with Article 103 of Turkish Penal Code⁴⁶ under the heading of sexual abuse crime against children. On the other hand, another paragraph of the same article of the concerning law points out that sexual behaviors which are based on only force, threat, trick or another reason affecting the will are going to lead to sexual abuse crime. Considering the fact that will of children is mostly ignored in early age marriages in patriarchal societies, it is not difficult to say that sexual abuse crime is committed against victim children of these crimes between the ages of 15 and 18. Furthermore, the fact that qualified, aggravated in other words, form of sexual abuse crime which is committed in the way of putting organ or similar item into the body will be in question for girls between the ages of 0 and 18 who are disregarded and who have to have sexual intercourse as a matter of marriage relationship. Similarly, if the conditions of children between the ages of 0 and 15 or 15 and 18 whose wills are ignored and who are made to marry come to light, spouses of these children, people like mother of the children, father-in-law and mother-in-law of the children who pave the way for early age marriages will be judged in accordance with Article 103 of Turkish Penal Code due to abetting sexual abuse crime and will be punished⁴⁷.

⁴²Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

⁴³ Özcebe Hilal/Küçük Biçer Burcu, "Önemli Bir Kız Çocuk...", 86-93.

⁴⁴ Turkish Civil Code, Article 124,

<http://www.mevzuat.gov.tr/Metin.Asp?MevzuatKod=1.5.4721&MevzuatIliski=0&sourceXmlSearch> 01.06.2016.

⁴⁵Constitution of the Republic of Turkey, Article 90/5, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

⁴⁶Turkish Penal Code, Article 103, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5237.pdf> 01.06.2016.

⁴⁷Aksoy Sema, Gelinlik Değil Kefen Giydirilmiş Çocuklar, Ankara Barosu Dergisi, 2014/1, 291-294; Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

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On the other hand, sexual intercourses which are experienced by girls between the ages of 15 and 18 who want to marry voluntarily without any force or demand of their parents after they marry in an unofficial way will violate their sexual immunity rights. Article 104 of Turkish Penal Code⁴⁸ under the heading of sexual intercourse with an immature person remarks that the person who has a sexual intercourse with a child turning 15 without threat or trick can be punished upon the complaint by child victim. Boys who have sexual intercourse with girls in relationships which are formed with the consent of the girls in an unofficial way and are considered as marriages by them will be punished in accordance with the provision indicated as sexual intercourse with an immature person of Turkish Penal Code upon the complaint by girls even if they consent for sexual intercourse. However, it is easy to see the contradiction here; marriage age which is 17 for women and men and which is 16 for extraordinary situations in accordance with Article 124 of Turkish Civil Code invalidates the concerning article of Turkish Penal Code in a sense because one child turning 16 can be made to marry by judicial decision in such extraordinary cases as pregnancy according to Article 124 of Turkish Civil Code⁴⁹; in the absence of such a provision, the person with whom the girl has sexual intercourse will be punished in accordance with Article 104 of Turkish Penal Code because of sexual intercourse resulting in pregnancy even if mutual consent is in question. The same circumstance is available for the girls turning 17. Conflicting provisions in existing regulations are not sufficient to prevent early age marriages which are defined as marriages or unofficial relationships under the heading of marriages executed by children between the ages 0 to 18 in many international regulations and protect children, and children are victimized consequently. In other words, relationships of children between the ages 16 to 18 under the title of marriage cannot be punished in terms of Turkish Penal Code as they can marry officially; however, the person with whom the girl has sexual intercourse will be punished upon the complaint by the girl even if she does it voluntarily if the people at the same age group are not married officially. For this reason, existing regulations have conflicts both in themselves and with international contracts to which Turkey is a party, and they fail to protect children. As unofficial marriage is not possible with a child turning 15 at all, the men with whom the children have sexual intercourse will be punished upon the complaint by the child victims even if children do it voluntarily. However, punishment will not be given unless the child has a complaint. While it is possible for complaints not to appear, this case makes revealing these marriages and sexual intercourses difficult, thereby protecting the children.

The risk of unwanted pregnancy is high for girls who are made to marry at an early age as they don't have sufficient knowledge about contraceptive methods⁵⁰. Young women who have to experience pregnancy at an early age cannot have adequate care service before birth⁵¹ and these pregnancies bear risk at a high rate for both them and the babies. Moreover, it increases the risk of the death of the mother and the baby⁵². In fact, deaths as a result of pregnancy for girls between the

⁴⁸Turkish Penal Code, Article 104, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5237.pdf> 01.06.2016.

⁴⁹Turkish Civil Code, Article 124, <http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=1.5.4721&MevzuatIliski=0&sourceXmlSearch> 01.06.2016.

⁵⁰Demirbağ Birsal Canan/Kürtüncü Meltem/Erkaya Reyhan./Çiçek, Zeynep ,Adolescent Marriage and Pregnancy: Sample of Eastern Black Sea. Acıbadem Üniversitesi Sağlık Bilimleri Dergisi, 2013;4(3), 128-131.

⁵¹Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34; Brown Gordon, Out of Wedlock, into school:combating child marriage through education, 1-34, <http://educationenvoy.org/wp-content/uploads/2013/09/Child-Marriage.pdf> 01.06.2016.

⁵²United States Agency International Development, Ending child marriage & meeting the needs of married children: the usaid vision for action, 1-20,

<https://www.usaid.gov/sites/default/files/documents/1870/USAID%20Ending%20Child%20Marriage%202012.pdf>. 01.06.2016;International Center for Research on Women, Child Marriage and Health, 1-2 <http://www.icrw.org/files/images/Child-Marriage-Fact-Sheet-Health.pdf> 01.06.2016; World Health Organization, Adolescent pregnancy <http://www.who.int/mediacentre/factsheets/fs364/en/> 01.06.2016.

ages of 15 and 19 appear as the most common death reason in this age group. Furthermore, death risk for pregnancy at ages below 15 is five times as high as girls who have pregnancy at ages about twenty⁵³. The most prevalent health problems experienced by future mothers as a result of pregnancy at an early age are hypertension, preeclampsia – eclampsia, anemia and bleeding, spontaneous abortions. Difficult births and ruptures caused by such births are other health problems which victimized future mothers undergo as they are very young. Along with these aforementioned cases, inconformity between head and pelvis, flattening in back dimple, early opening of amnion pouch and complications related to placenta are some health problems that can emerge at the time of births of future mothers at an early age. Additionally, complications of hard birth and after birth by the future mother accompany atonia and infections, and these conditions not only affect young mothers, accepted as children, but also the babies born in a negative way⁵⁴. Furthermore, possibility of contracting illnesses like HIV/AIDS which are sexually transmitted is also high⁵⁵. Consequently, one of the most important rights of the girls and even of their babies to be born which are violated in early age marriages is right to health which is guaranteed under national and international regulations.

As possibility of reports about unofficial relationships which victimize children as they are executed by disregarding will of children between the ages of 0 and 15 or 15 and 18 with the usage of force, threat and trick and which are also crimes of sexual abuse is low, healthcare staff has big responsibility on this point. In accordance with Article 280 of Turkish Penal Code under the heading of necessity of not reporting the crime by healthcare staff, it is mentioned that any healthcare professional will be punished if she/he doesn't inform the authorities or she/he is late for this even though she/he realizes any sign of a crime. For this reason, healthcare professionals must have adequate information about indications of sexual abuse and report the cases of children between the ages of 0 and 18 who are victims of sexual abuse and are pregnant to the competent authority without any delay⁵⁶.

Early age marriages which victimize particularly girls is against the provision stating that women and men are equal to use, to be given and to benefit from fundamental rights and liberties in Article 1 of Convention on the Elimination of All Forms of Discrimination Against Women⁵⁷. These marriages also violate the provision of Article 1 of Universal Declaration of Human Rights⁵⁸ stating that all people are born equal in terms of freedom, honor and rights. Furthermore, early age marriages for which a decision is taken on behalf of girls in patriarchal societies exactly like every part of life and on which girls are not entitled with right of choosing own spouse which is a right to be given to boys also violate the right of choosing own spouse voluntarily and with complete and free consent, a right which is regulated in Article 16/1(b) of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁵⁹ and Article 16/2 of Universal Declaration of

⁵³ International Planned Parenthood Federation (IPPF) and the Forum on Marriage and the Rights of Women and Girls, Ending Child Marriage...”1-36; Unicef, “Early Marriage...”,1-30.

⁵⁴ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler...”,1-34. Özcebe Hilal/Küçük Biçer Burcu, “Önemli Bir Kız Çocuk...”, 86-93 cited from Türkiye’de Aile Yapısı Araştırması, Ankara, Türkiye Cumhuriyeti Aile ve Sosyal Politikalar Bakanlığı, Aile ve Toplum Hizmetleri Genel Müdürlüğü, 2011.

⁵⁵ United Nations Population Fund, Marrying Too Young End Child Marriage, New York, 2012:1-76; International Center for Research on Women, “Child Marriage...”, 1-2.

⁵⁶ Kara Bülent/Biçer Ümit/Gökalp Ayşe Sevim, Çocuk İstismarı, Çocuk Sağlığı ve Hastalıkları Dergisi 2004; 47: 140-15; Yalçın Nur, Türkiye’de Çocuk İstismarı ve Çözüm Önerileri, İstanbul, 2011:1-106, <http://www.drnurvalcin.com/pdfs/10.pdf> ; Polat Oğuz, Çocuk İstismarı, Klinik Adli Tıp, Adli Tıp Uygulamaları. Güncellenmiş 7. Baskı. Seçkin Yayıncılık, Ankara, 2014;57-89.

⁵⁷ Convention on the Elimination of All Forms of Discrimination Against Women, Article 1, <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> 01.06.2016.

⁵⁸ Universal Declaration of Human Rights, Article 1, <http://www.un.org/en/universal-declaration-human-rights/> 01.06.2016

⁵⁹ Convention on the Elimination of All Forms of Discrimination Against Women, Article 16/1(b), <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> 01.06.2016.

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Human Rights⁶⁰. The circumstance of women who have unwanted pregnancy cases as they don't know contraception methods adequately shows that the provision in Article 16/1 (e) of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁶¹ regulating that women must have equal rights to decide on how many children they will give birth to and when they will give birth to these children is also violated. Article 16/2 of the Convention⁶² shows that a child cannot marry or even get engaged at an early age. As a result, early age marriages are against this contract to which Turkey is a party and which must be applied in our domestic law.

IV-Conclusion

Early marriage is not only a social problem⁶³ to be prevented in Turkey like all over the world but also a legal problem when taking possible negative results such as violation of education, health and right to work, sexual abuse of children, sexual intercourse with non adult or violation of right to life of child victims into consideration. In this section of the study, we present legal and socially supported different solutions in order to change social perception that starts with the disregarding of freedom of girls as of their birth and goes on with even giving no right to determine her own future, and paves the way for early marriages as a result.

In our law, inconsistency among different legal regulations such as Turkish Penal Code, Child Safety Law and Turkish Civil Code where child conception is defined must be eliminated, and child definition must be provided consistently in accordance with legal regulations to which Turkey is also a party and which became a part of our domestic law by Article 90 of Constitution of Turkish Republic⁶⁴. On the other hand, whereas early marriages are prohibited by legal sanctions in Turkish Law, people not turning 18 and people defined as children by all legal regulations in our legal system are allowed to marry officially (with civil marriage) with the provision which is regulated in Article 124 of Turkish Civil Code and which states that girl or boy cannot marry before turning 17 or with the provision which states that a judge can decide girl or boy turning sixteen should marry under extraordinary circumstances and with an important reason⁶⁵. Conflict between the aimed and the existing regulations within the same law system decreases strength and deterrence of rules of law. For this reason, eliminating differences between legal regulations and completion of childhood period of people defined as children (turning 18) will be significant steps to fight against these marriages.

The State must have an active role so that rights to life, health, work, education and choose own spouse which are guaranteed under international contracts to which Turkey is a party and also in our domestic law can be applied for all people regardless of genders. Existing laws in Turkish Law System must be adapted to international contracts to which Turkey is a party as they are binding; the case where some rights which people have owing to being a person are violated as they are women and have no right to speak in a patriarchal society must be prevented.

⁶⁰ Universal Declaration of Human Rights, Article 16/2, <http://www.un.org/en/universal-declaration-human-rights/> 01.06.2016.

⁶¹ Convention on the Elimination of All Forms of Discrimination Against Women, Article 16/1(e), <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> 01.06.2016.

⁶² Convention on the Elimination of All Forms of Discrimination Against Women, Article 16/2, <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> 01.06.2016.

⁶³ Burcu Esra/Yıldırım Filiz/Sırma Çiğdem Sema/ Sanıyaman Seçil, "Çiçeklerin Kaderi...", 63-98.

⁶⁴ Constitution of the Republic of Turkey, Article 90, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.

⁶⁵ Turkish Civil Code, Article 124, <http://www.mevzuat.gov.tr/Metin.Asp?MevzuatKod=1.5.4721&MevzuatIliski=0&sourceXmlSearch> 01.06.2016.

The type of crime changes according to age of victimized children because of early marriages, and social awareness must be raised for families and the society in the broadest sense as these marriages may lead to crimes of abuse of children or sexual intercourse with a non adult person. Punishments must be aggravated for people who cause children to become victims of this crime due to early marriages.

Illiteracy is both a reason and a result of early age marriages⁶⁶. Illiteracy of families cause them not to understand that these marriages have negative effects on children who are made to marry before they have physical, spiritual and sexual maturity, thereby violating many rights which children have because of being a person. In other words, illiteracy gives rise to victimization of children by their families as a result of these marriages; it also causes children to discontinue their education in terms of children. For this reason, education must be obligatory for all children irrespective of genders, and whether it is interrupted or not must be followed⁶⁷. Thus, the State has much responsibility to prevent victimization of children because of these marriages.

Families must be informed about early marriages and negative results which get up to violation of right to life of victimized children because of these marriages in a detailed way. Families must be reminded that they have both conscientious responsibility and legal responsibility because of bad circumstances that child victims undergo if they doom these children to these marriages.

The fact that early age marriages are generally carried out as relationships with religious marriages instead of in the way of legally valid marriages lead such problems as not being able to find out frequency of these marriages, not recording all of them and consequently not protecting girls as required⁶⁸. Tight controls must be arranged by the state so that victimization of girls can be avoided and girls can be protected, and grave and deterrent punishments must be regulated for the people who force children to marry at an early age.

There are some situations where early marriages do not occur only because of force of their families and their attitudes that disregard their wills and where children marry voluntarily and sometimes without the consent of their families. To prevent early marriages that are caused by this possibility, children must be informed about all negative effects of early marriages on their physical and mental health and development as a part of education at school.

Considering the fact that girls are more victimized by early marriages, society must be informed about equality of woman and man to abolish this social problem stemming from gender inequality in our society. In fact, awareness must be raised on the point that women have right to determine their own future and right to choose their husbands as a part of this right voluntarily as men who disregard will of women as a reflection of male-dominant society and families that bring these men.

One of the reasons of these marriages is that families regard girls as an extra financial burden as they have financial difficulties⁶⁹. To prevent girls whose freedom is disregarded only due to concerns resulting from economical problems and who are not asked whether they consent the person thought to be husband or not from being victims, support in the form of financial aid or food aid should be provided by means of state or non-governmental organizations. If it is needed, the State must have an active role so that people with capacity to work can participate in vocational activity and they can be employed for a revenue generating work after that process. On the other

⁶⁶ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, "Erken Yaşta Evlilikler...",1-34.

⁶⁷Özcebe Hilal/Küçük Biçer Burcu, "Önemli Bir Kız Çocuk...", 86-93 cited from Türkiye'de Aile Yapısı Araştırması, Ankara, Türkiye Cumhuriyeti Aile ve Sosyal Politikalar Bakanlığı, Aile ve Toplum Hizmetleri Genel Müdürlüğü, 2011.

⁶⁸ Boran Perran/Gökçay Gülbin/Devecioğlu Esra/Eren Tijen, "Çocuk...", 58-62; Mihçioğur Sare/Erbaş Feryal/Akın Ayşe, "Çocuk Gelinler...", 3-12.

⁶⁹Burcu Esra/Yıldırım Filiz/Sırma Çiğdem Sema/ Sanıyaman Seçil, "Çiçeklerin Kaderi...", 63-98; Mihçioğur Sare/Erbaş Feryal/Akın Ayşe, "Çocuk Gelinler...", 3-12.

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hand, awareness must be raised on that point that making girls marry is not a way to eliminate economical problems; on the contrary, the fact that girls can learn a vocation as a result of education, can be employed for high revenue generating work and future of their girls is perhaps more important than instant economical concerns.

For an effective struggle against early marriages, all data about these marriages must be collected; however, the fact that this struggle will not be so easy is very clear considering the fact that one of the most significant problems is that these marriages can be carried out unofficially as well. While the state has records of official marriages of people at the age of 16 and 17 in related official institutions³, it must play an active role to collect data about marriages in unofficial ways (religious marriage ceremony or in the form of living together). It must determine dynamics that push children to marry in this way and make something to do away with these dynamics.

In conclusion, the most important thing to prevent these early marriages is to put penalties whose efficiency and deterrence is quite high for people making children victims of these early marriages beside informing the society about negative effects of these marriages and making women an active part of social and economic life. Considering the fact that early marriages violate many rights of people that they have because of being a person, protection of children from these marriages is a responsibility of both each person of the society and the state. It should not be forgotten that it is vital to prevent these marriages to prove that human rights exist not only in theory but also in practice within a legal system.

Bibliography

- Aksoy Sema, Gelinlik Değil Kefen Giydirilmiş Çocuklar, Ankara Barosu Dergisi, 2014/1, 291-294.
- Anthony Davis/Postles Claire/Rosa Giorgiana, “Girl’s Right To Say No To Marriage: Working To End Child Marriage and Keep Girls in School”, Editor: Brown Anna, UK: Plan International, 2013, 1-60.
- Aydemir Atilla, (SODEV) 8/6/2009 tarihli Alt Komisyon Toplantı Tutanağı.

- Aydemir, E., Karal, D., Güçer, M., Keser, E.M. (2011), “Evlilik mi Evcilik mi? Erken ve Zorla Evlilikler: Çocuk Gelinler”, Uluslararası Stratejik Araştırmalar Kurumu Sosyal Araştırmalar Merkezi, Ankara, 2011, No: 11-08: 1-54.
- Boran Perran/Gökçay Gülbin/Devecioğlu Esra/Eren Tijen, “Çocuk Gelinler”, Marmara Medical Journal 2013;26:58-62.
- Brown Gordon, Out of Wedlock, into school: combating child marriage through education, 1-34, <http://educationenvoy.org/wp-content/uploads/2013/09/Child-Marriage.pdf> 01.06.2016.
- Burcu Esra/Yıldırım Filiz/Sırma Çiğdem Sema/ Sanıyaman Seçil, “Çiçeklerin Kaderi: Türkiye’de Kadınların Erken Evliliği Üzerine Nitel Bir Araştırma”, Bilig, 2015, Sayı:73, 63-98.
- Çakmak Diren, "Türkiye'de Çocuk Gelinler", Birinci Hukukun Gençleri Sempozyumu-Hukuk Devletinde Kişisel Güvenlik, Ankara Üniversitesi Hukuk Fakültesi, Ankara, 2009.
- Çocuk Koruma Kanunu, <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5395.pdf> 01.06.2016.
- Convention on the Elimination of All Forms of Discrimination Against Women, <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> 01.06.2016.
- Demirbağ Birsal Canan/Kürtüncü Meltem/Erkaya Reyhan./Çiçek, Zeynep ,Adolescent Marriage and Pregnancy: Sample of Eastern Black Sea. Acıbadem Üniversitesi Sağlık Bilimleri Dergisi, 2013:4(3), 128-131.
- Güvenç Bozkurt, Geleneklerden Kalıntılar: Başlık, Berdel, Kız Kaçırma, Kuma ve Amca-Kızı Evliliği”, Kadın Araştırmaları Dergisi, 1993 S:43-48.
- International Center for Research on Women, Child Marriage and Health, 1-2,<http://www.icrw.org/files/images/Child-Marriage-Fact-Sheet-Health.pdf> 01.06.2016.
- International Covenant on Economic, Social and Cultural Rights,<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> 01.06.2016.
- International Planned Parenthood Federation and the Forum on Marriage and the Rights of Women and Girls, “Ending Child Marriage, A guide for Global Policy Action”, 2007;1-36.
- Kadın ve Demokrasi Derneği, Erken Yaşta ve Zorla Evliliklere Karşı Mücadele Çalıştay Raporu, <http://kadem.org.tr/erken-yasta-ve-zorla-evliliklere-karsi-mucadele-calistay-raporu/> 01.06.2016.
- Kara Bülent, “Değişen Aile Dinamikleri Açısından Erken Yaşta Evlilikler Sorunu Ve Toplumsal Önemi”, Süleyman Demirel Üniversitesi İktisadi ve İdari Bilimler fakültesi Dergisi, 2015, Cilt: 20, Sayı:2,59-72.

Bleeding Wound: Underage Marriages in Turkey

- Kara Bülent/Biçer Ümit/Gökalp Ayşe Sevim, Çocuk İstismarı, Çocuk Sağlığı ve Hastalıkları Dergisi 2004; 47: 140-15.
- Malatyalı Meryem Kaynak, “Türkiye’de Çocuk Gelin Sorunu”, Nesne Psikoloji Dergisi(NPJ), 2014, Cilt:2 Sayı:3: 27-38.
- Mihçioğur Sare/ Erbaş Feryal/Akın Ayşe, “Çocuk Gelinler ve Beklenen Olumsuz Sonuçları”, Sağlık ve Toplum, Yıl:20, Sayı:1, 2010, 3-12.
- Özcebe Hilal/Küçük Biçer Burcu, “Önemli bir kız çocuk ve kadın sorunu: Çocuk evlilikler”, Türk Pediatri Arşivi Dergisi , 2013;86-93.
- Polat Oğuz,Çocuk İstismarı, Klinik Adli Tıp, Adli Tıp Uygulamaları. Güncellenmiş 7. Baskı. Seçkin Yayıncılık, Ankara, 2014;57-89.
- Save The Children, Too Young To Wed: The growing problem of child marriage among Syrian Girls in Jordan 2014;1-16.
- Tezcan Mahmut , “İlkel Toplumlarda Başlık Parası Geleneği”, Ankara Üniversitesi Eğitim Bilimleri Fakültesi Dergisi, C.9, S.1, Ankara 1993, 415-425.
- Türk Ceza Kanunu,
<http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5237.pdf> 01.06.2016.
- Türk Medeni Kanunu,
<http://www.mevzuat.gov.tr/Metin.Asp?MevzuatKod=1.5.4721&MevzuatIliski=0&sourceXmlSearch> 01.06.2016.
- Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, “Erken Yaşta Evlilikler Hakkında İnceleme Yapılmasına Dair Rapor”,1-34
https://www.tbmm.gov.tr/komisyon/kefe/docs/komisyon_rapor.pdf 01.06.2016.
- Türkiye Cumhuriyeti Anayasası,
<http://www.mevzuat.gov.tr/MevzuatMetin/1.5.2709.pdf> 01.06.2016.
- Türkiye’de Aile Yapısı Araştırması, Ankara, Türkiye Cumhuriyeti Aile ve Sosyal Politikalar Bakanlığı, Aile ve Toplum Hizmetleri Genel Müdürlüğü, 2011.
- Unicef, “Early marriage: Child spouses”, Florence, Italy, 2001, 1-30,
<https://www.unicef-irc.org/publications/pdf/digest7e.pdf> 01.06.2016.
- Unicef, Evlilik ve Erken Evlilikler, <http://unicef.org.tr/sayfa.aspx?id=50> 01.06.2016.
- United Nations Convention on the Rights of the Children,
<http://www.unicef.org/turkey/crc/cr23c.html> 01.06.2016.
- United Nations Population Fund, “Child Marriage in Turkey (Overview)”, 1-12,
<http://eeca.unfpa.org/sites/default/files/pub-pdf/unfpa%20turkey%20overview.pdf> 01.06.2016.
- United Nations Population Fund, Marrying Too Young End Child Marriage, 2012;1-76.

- United Nations Population Fund, *Marrying Too Young End Child Marriage*, New York, 2012:1-76.
- United States Agency International Development, *Ending child marriage & meeting the needs of married children: the usaid vision for action*, 1-20,
<https://www.usaid.gov/sites/default/files/documents/1870/USAID%20Ending%20Child%20Marriage%202012.pdf> 01.06.2016.
- Universal Declaration of Human Rights,
<http://www.un.org/en/universal-declaration-human-rights/> 01.06.2016.
- World Health Organization, *Adolescent pregnancy*,
<http://www.who.int/mediacentre/factsheets/fs364/en/> 01.06.2016.
- Yakıt Eda/Margirit Coşkun Anahit , “Toplumsal Açıdan Çocuk Yaşta Evlilikler Gerçeği: Hemşire ve Ebenin Sorumluluğu”, *Hemşirelik Eğitim ve Araştırma Dergisi*, 2014; 11 (3):3-10.
- Yalçın Nur, *Türkiye’de Çocuk İstismarı ve Çözüm Önerileri*, İstanbul, 2011:1-106,
<http://www.drnyalcin.com/pdfs/10.pdf> 01.06.2016.
- Yüksel Hasan/Yüksel Mesude Yüksel, “Çocuk İhmali ve İstismarı Bağlamında Türkiye’de Çocuk Gelinler Gerçeği”, *Çankırı Karatekin Üniversitesi Sosyal Bilimler Enstitüsü Dergisi*, 5(2):1-24.