



CALMUN'24
THE UNITED NATIONS ENTITY
FOR GENDER EQUALITY AND
THE EMPOWERMENT OF
WOMEN
(UN WOMEN)
STUDY GUIDE



Agenda Item: Prevention of Bride Kidnapping and Domestic Violence

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1. Glossary

Domestic violence: violent or aggressive attitude towards the partner within the household which may vary as, sexual, psychological, physical, financial, and so on

Consent: to agree to do or allow something

Social Stigma: discrimination against a person based on observable social features that separate them from other members of society.

Abduction: the act of forcing someone where you are going, specifically with violence

Domestic violence: the violence within the household

Manipulation: the skilled handling, control, or usage of something or someone

Marital rape: the sexual assaults and violence in the marriage

Perpetrator: someone who has committed a crime or done something violent or destructive

2. Introduction to the Committee

Having cultural and social norms behind both of them, domestic violence and bride kidnapping are more than just taboos. Bride kidnapping, also known as “bride abduction” is a tradition that has been going on for hundreds of years and pulling the life standards of women consistently. Kidnapping women is a violation of human rights since the actions most of the time include torture and slavery. Even though this fact is known, and protocols, conventions, and agreements have been signed by the governments, clear progress has not been seen yet. When the cases of bride kidnapping continue in a nation, it would



be unlikely for the member state to have economic, human, and political developments. A UNICEF report reviewed that “10 to 13 percent of marriages in the highest risk areas involved abduction, with rates of 1.4 percent to 2.4 percent in lower risk areas of the country Kyrgyzstan.” which is a concerning statistic, not only for Kyrgyzstan but for every nation in the world.

"Intimate partner violence accounts for 15% of all violent crimes." Domestic violence, often known as "domestic abuse" or "intimate partner violence," is a group of behaviors intended to be dominant and have control over an intimate partner in any relationship. Abuse may be physical, emotional, economic, or psychic actions or threats directed at another person. This includes any form of manipulation, hurting, blaming, or terrorizing. Domestic abuse may harm everyone, regardless of race, age, sexual orientation, or religion. Domestic violence victims may not even realize they are being mistreated in a relationship, regardless of their educational and intellectual background. Estimates published by WHO indicate that one in every three women faces partner violence once in a lifetime, which shows us that even though steps have been taken both by the UN organs, NGOs, and nationwide, there is still a long way to go to ensure women's safety not only in the public but also in the households, which is as crucial as every issue being addressed on the topic of women's rights.

3. History

a. History of Bride Kidnapping

Bride Kidnapping dates back to ancient times to Romans and an almost-tribe called “the Sabines”¹. The first “bride kidnapping” cases involved these two communities living near each other. Romans consisted of primarily men, while the Sabines' community had more women back then. Therefore, when Roman men started to look out for wives, this led to an effort of negotiation with Sabines on the topic of women. With negotiations not working out, Romans decided to capture women by force, since the lack of women in Romans would cause extinction in their community. They captured the women of the Sabines during the festival called “Neptune Equester”.

¹ The Sabines, also known as the “Latin Sabinus” are associated with the Italic tribe rooted in mountainous area, east of the Tibet River

Bride Kidnapping was also common in the Medieval Age, especially for wealthy inheritors. Girls or widows, who were kidnapped held mostly valuable estates, lands, or considerable signs of wealth. Efforts were exerted to prevent such abductions in Europe. Solid sanctions existed. For instance, Childebert II attempted to give the death penalty to those who captured women. [Some significant pieces of evidence](#) were also found on abducting women in the Hungarian village called Szólád in the graveyards from the 6th century AD. A woman, which was buried with poor grave goods and seemed to be underfed increased the suspicions, of whether the woman was kidnapped. It turned out that the woman was a Southern European and there is a possibility that she was kidnapped. Such cases and pieces of evidence are common in Europe.

The Church was likewise against the abduction of women. The Church has threatened the marriages, that weren't consented to by the bride herself with excommunication. Despite the legal details and the Church's negative attitudes toward the kidnappings, the abductions continued, and sexual crimes persisted even in the 21st Century.

b. History of Domestic Violence

Domestic violence regrettably has been a part of society since prehistory. Since circumstances, cultures, and ethics changed throughout history, the definition of "domestic violence" has also changed. These factors have also changed how the members of society treat each other. In this section of the study guide, delegates will be informed about the origins of domestic violence in different cultures throughout history.

i. Code of Hammurabi

The most ancient written law currently is the Code of Hammurabi, consisting of [282 laws](#) for violence. The Code of Hammurabi was proclaimed by King Hammurabi, the Babylonian King from 1792 to 1750 BC. All of the decrees were written in "if-then" form. To give an instance:

" If a woman has hated her husband and has said, "You shall not possess me, her past shall be inquired into, as to what she lacks. If she has been discreet and has no vice, and her

husband has gone out and has greatly belittled her; that woman has not blame, she shall take her marriage portion and go off to her father's house."

The edicts in the Code of Hammurabi were solid and violent. Since women and men were seen as properties, these laws were valid for men only. However, the Code of Hammurabi has a significant place in history since the codes were the first law, and in ancient times domestic violence wasn't permitted in society.

ii. The Roman Empire

Domestic violence was common in the Roman Empire. In the households, power imbalances were relevant and caused physical, and psychological abuse. One of the main roots of the power imbalance was the term "pater familias"², also called "the power of life and death". The authority of the pater familias was unquestioned in the household. Pater familias could abuse, sell his kids and wife into slavery, or even kill them. Pater familias was also the one who determined whether the newborn baby would be killed or taken care of. The inequality, which is reasoned by the power pater familias held was the main reason, why the Roman Empire couldn't have any legislation about domestic violence.

However, it can be seen that the Roman Empire had some legislation about criminalizing extra-martial physical activity, which was brought about by the first Roman Emperor Augustus. Additionally, stalking and sexual harassment were illegal in the Roman Empire.

iii. The Church

The growth of Christianity in Europe is an efficient evolution, resulting in the codes of the household changing for hundreds of years. The rise of Christianity first started with the Roman Empire making Christianity the official religion of Rome, which is today also known as the birthplace of Christianity. The Biblical principles became the basis of the treatment of each other in the household.

In the 15th Century, the Catholic Church established "Rules of Marriage" which also consisted of allowance for the man abusing her wife. By putting the husband in the position

² father of the family

of a judge over his wife, the Catholic Church also mentioned that discipline is necessary in the household, and the wife would also “benefit” from such discipline. Similar beliefs became a significant element of the culture of Christianity in time. Even today some Christians defend themselves with this reasoning, if they abused their wife or kids.

The effect of this tradition and the Church can also be seen in the Puritans, a group of people who supported the religious reform “Puritanism” that appeared within the Church of England in the 16th and 17th Century. They defended a disciplined order in life rooted in religious beliefs. To reach this “disciplined order” strict rules, punishments, and violence were the only way to ensure that for them. The violence towards women was accepted as long as the neighbors weren’t disturbed, if they were the man would do it more silently. Additionally, women and children weren’t recognized by the Puritan law system, which led to women having no right to seek a safe place or shelter to prevent future abuse.

iv. 19th Century

In the 19th Century, the culture of women being held back in society, and also in the household started to change day by day. First-wave feminist movements began and both popular opinion and legislation started to change in the USA, UK, and other countries. Especially in the second half of the 19th Century, major changes happened such as, Tennessee becoming the first state to outlaw wife beating in the USA, an act in the UK, which made it possible to seek legal separation for the wife if she has an abusive husband and specific changes in the courts’ opinions, which claims the women rights more. Soon, the other member states followed after.

v. 20th Century

In the 20th Century, vital developments happened all around the world. Judges often offered protection to female victims of domestic abuse in order to maintain gender standards in the household. In divorces or cases, that included abuse judges would give hard punishments to the men, however, if the case was against a woman, they would levy light punishments against women. In the US, police involvement in domestic abuse cases had become consistent by the early 20th century, but arrests remained not common. Until the 1990s, domestic violence wasn’t even addressed in many member states. Concerns about domestic

violence sought attention when the UN drew attention to how crucial this issue is. 1993 was a significant year since the UN adopted the [Declaration on the Elimination of Violence Against Women in 1993](#) and published [Strategies for Confronting Domestic Violence: A Resource Manual](#), which urged the member states to behave towards domestic violence as a criminal act. Many other acts have been signed by the member states in order to prevent domestic violence, which will be explained further in this study guide.

Especially in the late 20th Century, attention given to domestic violence increased as never before. Most of the member states started to conduct a no-tolerance policy against any kind of violence. However, domestic violence has been still increasing day by day, despite numerous measures taken.

4. Background

Both the backgrounds of bride kidnapping and domestic violence have many elements and they are linked. With bride kidnapping mostly continuing with domestic violence, the basis and the effects of both actions are mostly similar-even the same.

a. Laws

One of the most remarkable reasons behind both issues is the abuse-supporting laws. Throughout history, the laws weren't deterrent enough to prevent bride kidnapping and domestic violence. To give an instance, as far back as the Roman Empire if the husband used a rod that was less in size than his thumb, his behavior was legal, also known as "the rule of thumb". Another example would be marriage by capturing or abduction is being legal currently in South Africa called "Ukuthwala" which victimizes hundreds of women each year in the region. Depending on the location where a woman lives, legalizations about consent and violence may be variable, therefore the importance of laws can not be ignored. Even if the laws and protocols exist, because of the lack of punitive, preventive, and protective measures it can be seen that these kinds of laws can not reach their aim. UNWOMEN has noted the need for more legislation as mentioned:

1. *"Determining the prevalence of cases of violence against women, and the laws, policies, and protocols used to address them."*

2. *“Evaluating the laws, policies, and protocols used to address violence against women and proposing changes to provide greater safety for victims and accountability for offenders.”*
3. *“Revealing unintended consequences of, and gaps in, laws, policies, and protocols.”*
4. *“Pressuring government to apply international standards or to change its actions.”*
5. *“Revealing the need for a coordinated community response to enforce the laws, and for capacity-building and training for the professionals who must enforce the laws.”*

i. Customary Laws

Customary laws are by definition a set of customs, practices, and beliefs that are seen as obligatory rules by indigenous peoples and local communities also known as “traditional practices”. Traditions are mostly the principle for the customary laws, which may be detrimental in the issues of bride kidnapping and domestic violence. In the member states that have more cases of bride kidnapping and domestic violence, it can be seen that social stigma and power imbalance exist as well. In such member states, the implementation of customary laws would be extremely harmful to women, since the traditions of the region and the popular opinion would be against women and ignore their rights. The customary laws wouldn't prioritize the rights of women and both their physical and mental health overall, supported by modern concepts, despite the cultural old norms. Additionally, the customary laws often contradict the global goals that are set by the United Nations, therefore the application of the customary laws is often harmful in such regions.

ii. Marry-Your-Abuser Laws

Also known as the rape-marriage law, the marry-your-rapist law is the kind of law that permits a perpetrator, who has committed abduction to be pardoned. Additionally, the marry-your-abuser laws enable the offenders to escape prosecution or penalties by marrying the victims. The marry-your-abuser laws are mostly being defended, in the countries that also have these kinds of laws on the grounds of cultural and traditional values. Being a violence-promoting law and also the law that determines women's lifelong destiny, the laws are highly condemned by women-rights activists, policymakers, and intellectuals.

Currently, 20 member states legalize the marry-your-abuser laws, mostly located in MENA (Middle East and North Africa). According to the UN report, 17 countries are located in MENA and the other three are Russia, Thailand, and Venezuela. The UN report also states that *“women are subjugated by the use of legal instruments and shifts the feeling of guilt and shame on the victim.”* The rules in nations like Iraq, Bahrain, and Kuwait still permit a perpetrator to marry the victim with her guardian's approval. In Thailand and Russia, if the abuser is older than 18 and the victim is a minor, the court still will not penalize the abuser.

By denying justice to survivors and signaling that raping is not a big crime that shouldn't be penalized, the governments are still claiming the marry-your-abuser laws. Additionally, attention to the other member states located in MENA should be sought, since even if the marry-your-abuser laws are not valid, due to the old traditions teenage girls are mostly forced to marry their abuser to prevent the social stigma and pressure.

b. Bride Kidnapping

i. Social Status

The connection between social status and bride kidnapping may differ according to the culture and region. To give an instance, in some regions, bride kidnapping is mostly used by men, who have a lower status according to society to abduct a woman from a higher social status, it can be seen that one of the main motivations behind bride kidnapping is the status difference.

The bride kidnapping is seen within the member states that are comparably lower class. The reasoning mostly comes from the social stigma: wealthier families exert effort to avoid such interactions since their reputation and prestige might be harmed. Additionally, a family's ability to take legal action against bride kidnapping may depend on their social position. To find justice for their kidnapped daughter, families with better social status may have better access to legal resources and be more skilled at understanding the legal system.

ii. Bride Price

The Bride price, also known as “the bridewealth” is a price that the groom must pay to ratify the marriage. Being mostly symbolic and social payment, it is believed that this tradition ensures the bride’s and the future baby’s well-being, as well as her worth to society, mainly in Western and Central Asia. Bridewealth can be in the form of pay or products, and it can be paid all at once or over several months. A wide range of products, including animals, clothing, food, beverages, weaponry, and automobiles, may be given. Bride price is significant in these cultures to have the family’s consent as well. However, Due to poverty, the man may not be able to provide the necessary bridewealth, which leads to the bride's kidnapping.

iii. Unexpected Pregnancies

In the regions where bride kidnapping is common, illegitimate children are seen as extreme harm to the family’s honor and virtue. If a man is involved in an unexpected pregnancy, due to the lack of options he, who often feels the responsibility and feels the pressure, mostly chooses to kidnap the bride to avoid the scandal. To uphold the family’s reputation, an urgent solution is being sought and it mostly ends up with the bride's kidnapping.

iv. Competition

Competition for women by many men is a frequent event, mostly happening in the rural areas of the countries. Scarcity is one of the factors that increases the competition in the region. If the population of women is less than men, this might lead to competition. Additionally, linked with the economic factors if a man doesn’t have enough wealth for the bridewealth, he might kidnap the bride to prevent the competition from other suitors who may afford the bridewealth.

c. Domestic Violence

i. Culture and Traditions

Even though domestic violence may occur regardless of a human being's race, ethnicity, social level, or identity the significance of the culture and that culture’s traditions cannot be

ignored. The cultural background of the victim and abuser highly affects the experience of domestic violence. Also, the patriarchy is an important element in the concept of domestic violence and the power roots between women and men. These power relations mostly encourage men to dominate women and promote men. This incorrect belief mostly comes from the material basis and the wrong definition of masculinity. In many cultures, due to the physical power men hold being more than women, they allow themselves to be at a higher status than women, which leads to domestic violence.

With men being the decision-makers, rules establishers, and control holders in the household, they mostly permit themselves to be the unquestioned authority, which is similar to the term “pater familias” in the Roman Empire. In such cultures, women are mostly not allowed to work, which makes the situation worse, since the men become the only member of the family that provides essential needs like food and household needs, which strengthens their authority and the level of domestic violence too.

ii. Poverty and Unemployment

By affecting The economic conditions which are highly linked to mental health, poverty, and unemployment often cause chronic stress. Lack of resources may also cause powerlessness which may lead to domestic violence. Poverty brings a lack of education therefore, if the family members aren't educated enough, this may lead to abuse as well.

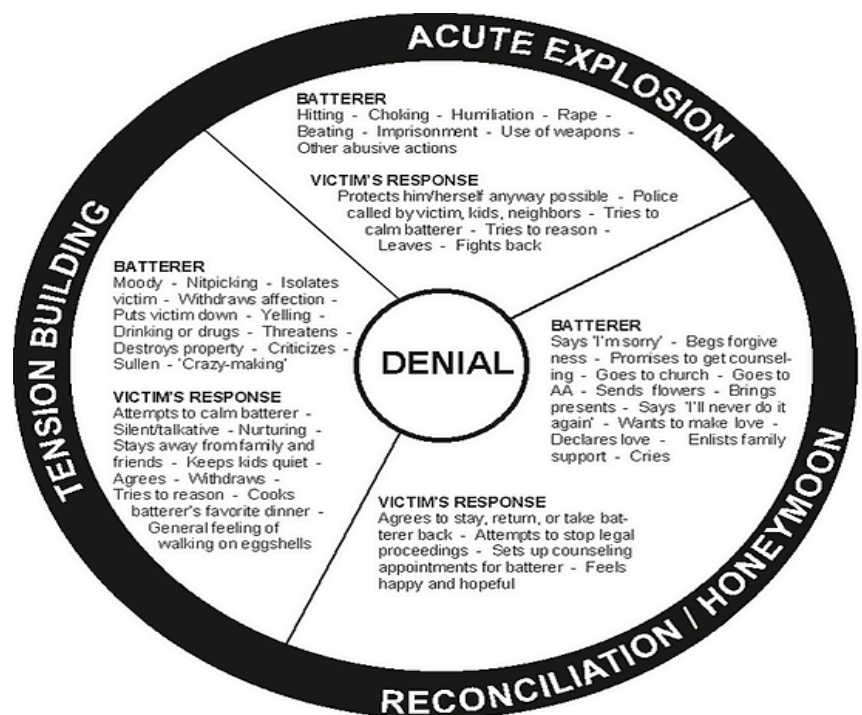
iii. Cycle of Violence

People often stay in abusive or violent relationships for a range of reasons, including a fear of losing their children, and worries about culture, religion, money, etc. A victim is most at risk of more harm after leaving a violent relationship. A person may continue to live with their abuser for emotional factors as well. The cycle of abuse shows how a perpetrator's behavior may vary significantly day by day, which helps explain why people remain in violent situations. In 1979, Dr. Lenore Walker created the cycle of violence theory. Dr. Leonre Walker has interviewed over 1,500 women, who are victims of domestic violence and has found out that all of these women's stories are similar and repeating themselves somehow. It describes the events that happen preceding a violent incident. The cycle of violence refers to

a term in psychology that repeats the same pattern in a relationship regardless of the people and the location. At every stage of the cycle of violence, the abuser increases their violence.

The cycle of violence has three steps: the tension-building Phase, incident phase, reconciliation phase, and honeymoon phase. In the tension-building phase, it can be seen that the abuser's attitude towards the victim is starting to get violent day by day. The reasons for these actions may vary such as financial difficulties, work environment, or other daily challenges. In the incident phase, the first phase starts to break. More abusive actions can be seen towards the victim. The victim tries to regain the sense of power in this phase. The abuser's behaviors may vary from relationship to relationship, however, the actions mostly include physical and sexual violence, threats, humiliation, verbal violence, and manipulation. In the reconciliation phase, The abusive partner may feel an ease in the tension. The abuser might feel motivated to apologize after the tension has subsided. They can say they're sorry, show the victim lots of love, or promise never to do it again. In this stage, the abusive partner could appear sincerely regretful and determined to change. The victim may be tempted to believe them because they still care about them and want to give them another chance. Finally in the last phase, also known as the “calm phase” or “honeymoon phase” the tensions still seem to be relieved,

however, the abuser starts making excuses for their past behaviors. The abuser tries to minimize their actions and gaslighting³ might be seen throughout this stage. This phase might be confusing and unclear for the victim since the abuser seems to correct their mistakes, however, there's now an underlying tone of blaming and excusing, which the victim may not sense.



³ the action of tricking or controlling someone by making them believe things that are not true, especially by suggesting that they may be mentally ill

After a while, the tension may be sensed again, as the cycle of abuse starts once again.

The victim starts leaving and entering the relationship as the cycle begins. Deciding to permanently quit takes time and usually requires multiple efforts. Feelings of guilt, insecurity, and concern for the children's well-being strongly influence the victim's decision-making. Because most of these cycles are associated with emotional abuse, the victim may be unaware that they are trapped in an abusive cycle. Furthermore, the victim's resources may be insufficient to break free from the cycle, thus the victim's spouse may try to take advantage of the circumstance.

iv. Young Partners

Linked with poverty, the emotions of young partners may be unstable. Lack of experience is an important factor, causing domestic violence as well, since managing the person's emotions and their partner's emotions might be complex which may cause breakdowns, and conflicts that escalate the violence. Additionally, due to the lack of experience, young partners may not be aware of the healthy relationship dynamics, that are the foundation of a non-violent and healthy relationship. Since a non-healthy relationship would bring suspicions about the ongoing relationship as well, that would also lead to such violent actions.

5. Forced Marriage

Forced marriage is by definition a marriage in which at least one of the spouses doesn't consent, or even though they consent, they don't have another choice. Forced marriages are usually backed up by pressure which may vary as social, psychological, physical, or financial. Being an abuse of human rights, one of the most crucial consequences of forced marriage is sexual abuse and domestic violence. This may also lead to unwanted pregnancies or enforced abortions. Even though forced marriage may be portrayed as occurring in one region forced marriage cases can be seen around the globe, regardless of the religion, gender, or ethnicity of the human being. Approximately 22 million people were living in forced marriages, according to the data given by the UN on any given day in 2021. That refers to an estimated every three in a thousand people. Women and girls in this 22 million is nearly 15

million. Approximately two-thirds of the forced marriages are located in Asia and the Pacific, referring to 14.2 million. Followed by Asia and Pacific Africa has 14.5 percent of forced marriages (3.2 million). Europe and Central Asia have 10.4 percent, and the Arab region has the highest prevalence (4.8 people in forced marriages per thousand people)

Women and girls have been kidnapped and trafficked by armed organizations in some countries and forced to marry fighters, experiencing any type of sexual, physical, and emotional abuse. Traffickers profit from the widespread human, material, social, and economic losses and vulnerabilities created by disasters. Forced marriage is also employed as a survival technique in conflict and post-conflict settings. Families fleeing violence who face physical and economic instability might see marriage as a solution to reduce poverty and protect female relatives from difficult circumstances. Similarly, kids may fall victim to traffickers who pretend to offer a safer lifestyle and job opportunities.

a. Domestic Violence

Individuals who are involved in forced marriages may face blackmailing, emotional isolation, Economic abuse, immigration-related threats, deception, stalking, kidnapping, or being held under house arrest, threats of violence, actual physical violence, death threats, and/or murder attempts from family (including extended family and in-laws), spouse, and others in an attempt to press them into a marriage they do not want and to force them to remain married when they wish to leave which are all involved in domestic violence.

b. Physical Assault and Marital Violence

Physical violence and assault in marriage are about more than just concepts; abusers seek power, control, and supremacy over their partners. They may also hold toxic and discriminatory views about marriage and partnership, believing that they have the right to the wife's body anytime they want it. While physical assault and rape might be the reason for the marriage, the reversed way can be seen as well. Physical abuse might be the consequence of forced marriage too. Violence in the marriage has no difference than any other violence, which is considered “intimate partner violence”. Still in the 21st century in many nations,

marital rape is not criminalized, or even if it is the abuse is highly tolerated or remains unseen. Fourteen percent of women report that they were abused by their spouse. Most of the time marital violence causes traumas in women. Women being abused by the ones, with whom they are connected with marriage, share their lives, homes, and even their children causes feelings of betrayal and trust and intimacy issues. Marital rape victims suffer long-lasting physical and emotional harms that are more severe than the stranger-rape victims which include broken bones, guilt humiliation, and blaming themselves. Twenty-three percent of the women reported physical abuse as the only abuse within their marriage, which is a concerning statistic.

The main reason why any clear process can not be made about this issue is the social norms of society. Most cultures do not see marital violence as a kind of “violence”. To give an instance, seventy-four percent of women in Mali believe that beating their wife if the wife refuses to have physical intimacy with the husband is the husband's ultimate right. The other issue is that even if marital violence is illegal in a member state, it is not known by the public and they are not aware of the current legalizations about marital abuse. For example, In Hong Kong, 16 months after the criminalization of marital abuse was criminalized, forty percent of women still did not know that marital abuse was a criminal activity to do so. Yllö & Torres⁴ states that *"marital violence is regularly constituted across cultures as a locally recognized social violation one that is understood to impede women in those particular cultural contexts from aspiring to a good human life."*

6. Child Marriage

While early marriage can be born from different situations and have many shapes, it is still a violation of human rights. The right to free and full consent to marriage is recognized in the 1948 Universal Declaration of Human Rights (UDHR) and many other human rights documents — consent that cannot be 'free and full' when at least one partner is highly immature. Early marriage has significant physical, intellectual, psychological, and emotional consequences for both girls and boys, cutting off educational opportunities and prospects for personal growth. It will probably result in early pregnancy and motherhood for the girls, as

⁴ Kersti Yllö is a professor of sociology and Gabriella Torres is an anthropology professor, both lecturing in the Wheaton College

well as domestic and sexual violence, which the effects of them would last forever. Children represented 40% of those forced to marry. 41% of the children in forced marriages were under the age of 16. Children have negative consequences from early marriage, including the loss of childhood. Access to health care, education, and even clean food can be restricted. The majority of girls who are forced to marry get married to strangers, most of whom are elderly men. Girls' freedom is limited when they are kept in the house. They are abused mentally, physically, and sexually, which can lead to HIV/AIDS. More than 650 million women currently live in marriages in which they once were just children. Every year, over 17 million girls give birth. Because a girl's body is not always mature enough to give birth, there is also a major risk of harm for both the baby, who may suffer from hunger and underdevelopment, and the female. Death is also a possibility, especially between the ages of 15 and 19.

Of how society views the family, including its role, structure, and pattern of life, as well as the individual and responsibilities of its members, child marriage is mostly common in Sub-Saharan Africa, North Africa, and the Middle East.

The concept and function of 'family' are built differently in these states due to traditions and culture. These traditions' foundations are mostly based on the belief that the wife is being protected and ensured by being married since she is under "male control". In such beliefs, the pressure and the violence the wife can see are ignored, or even if it isn't it is believed that if the violence or the so-called "discipline" comes from the husband, the wife deserves it, and it's for the good of her. That being the biggest inaccuracy, child marriage, and the beliefs continue to this day.

7. Previous Attempts to Solve the Issue

a. [The Universal Declaration of Human Rights](#)

Articles 3, 4, 5, 9, and 12 are somehow linked with the bride kidnapping and it is clear that bride kidnapping is a violation of human rights. In the Universal Declaration of Human Rights, it is stated that *"Everyone has the right to life, liberty and the security of person."*

(Article 3)”.However, the bride's kidnapping disregards the liberty and the security of the person. Article 4 states that “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.” It is essential to recognize that bride kidnapping is a form of slavery as well. Slavery by definition means that people who are captured and forced to be removed from their natural environment, which also refers to bride kidnapping. Articles 5, 9, and 12 are as mentioned:

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. (Article 5)”

“No one shall be subjected to arbitrary arrest, detention, or exile. (Article 9)”

“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. (Article 12)”

Even though the articles do not refer to bride kidnapping cases directly, Bride kidnapping is connected with the mentioned articles and the articles must be regarded in the debates.

b. Convention on the Elimination of All Forms of Discrimination Against Women

The Convention on the Elimination of All Forms of Discrimination Against Women, generally known as CEDAW, is a convention that encourages countries to avoid and campaign for discrimination against women and girls around the world. CEDAW is the work of UNWOMEN, an international accord that promotes gender equality. Article 16 further emphasizes the need for consent within the marriage, which acts related to bride kidnapping violate:

“ States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular, shall ensure, on a basis of equality of men and women (Article 16)

b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent”

c. **Beijing Declaration and Platform for Action**

The Beijing Declaration and Platform for Action, signed by 189 member states, is one of the most comprehensive and innovative global agenda for gender equality and women's and girls' empowerment. The Beijing Declaration and Platform for Action encourages the signatory countries to eliminate discrimination against women. Additionally, child and forced marriages are urged to be eliminated throughout the declaration:

“ Prevent and eliminate all forms of violence against women and girls (Article 29)”

“Violence against women is an obstacle to the achievement of the objectives of equality, development, and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. (Paragraph 112)”

d. **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)**

The Maputo Protocol provides African women and girls substantial rights and includes significant measures on traditional behaviors that are harmful, such as child marriage and female genital mutilation (FGM). The protocol is also the first pan-African protocol to recognize abortion as a human right, under specific circumstances such as sexual assault, rape, and incest.

“Women shall have the right to live in a healthy and sustainable environment. (Article 18)”

e. **Istanbul Convention**

Mostly Focused on Europe, the Istanbul Convention is one of the most significant conventions to combat violence and domestic violence. The Istanbul Protocol characterizes the violation against women as a violation of human rights and specifies gender-based violence such as physical violence, stalking, sexual harassment, and so on.

“Parties shall take the necessary legislative or other measures to ensure that marriages concluded under force may be voidable, annulled, or dissolved without undue financial or administrative burden placed on the victim. (Article 32)”

8. Major Parties and Stakeholders Involved

a. Kyrgyzstan



Bride kidnapping and domestic violence have been one of the greatest disputes in Kyrgyzstan since the member state declared its independence in 1991. Kyrgyzstan identifying itself as the Switzerland of Central Asia, also calls itself the “Island of Democracy”. However, the reality is different than the self-identification. Even though Kyrgyzstan has signed a variety of UN conventions and programs, that aimed to make the process to the country’s long ongoing issue on women's rights and bride kidnapping, the quality of life has been decreasing ever since. Kyrgyzstan has received a large number of funds from the Organization for Economic Cooperation and Development (OECD), however significant changes in the dispute and the quality of women’s lives are not being seen.

The social background of the dispute comes from the complex identity of Kyrgyzstan. Russians, Muslims, and even Mongols ruled the region, which left Kyrgyzstan an identity crisis. Currently, a Kyrgyz man is defined by his toughness, courageous endurance, and his attitude towards his wife. In his manhood, bride kidnapping is one of the primary things he should do. Kyrgyz people, who are older, still see the traditional bride kidnapping as a harmless tradition. The tradition, also called “ala kachuu” means “to take a young woman and run away”. The aka kachuu consists of a man abducting the woman in a non-consensual way, often supported by friends or male relatives. They take her to his family house and keep her in the room until she accepts to wear a scarf which symbolizes accepting the marriage with the man. Most of the time, the man’s female relatives attempt to convince the woman. If the woman refuses to be converted and insists on returning home, her family members can attempt to convince her to accept the marriage. The bride kidnapping also leads the way for child marriage and domestic violence. According to the official data, around seven to nine thousand very young girls get married and 500 girls give birth each year, who are between the ages of 13-17. Sometimes the ala kachuu can be also in a way, women and men organize the

kidnapping before, just to uphold this old tradition romantically. By being accepted socially and the legal sanctions being rare, at least 11,800 bride kidnapping cases are recorded every year.

b. Kazakhstan



The non-consensual bride kidnapping is rising in Kazakhstan. Although the locals refer to consensual bride kidnapping as a tradition likewise to Kyrgyz people, the non-consensual bride kidnapping is not supported by the Kazakhs. If a woman is kidnapped, paradoxically she refuses to return home, due to shame and humiliation. There is additionally a belief, which is if a girl returns to her family home she will suffer from bad luck. Kazakhstan also has a cultural root that supports the system of bride kidnapping. In Kazakh, the word girl is also used for the word “virgin”. Likewise the word “woman” refers to “wife”. Those who never marry are called “old girl”.

Forced marriage is also common in the region since marriage symbolizes prestige and social status. The ones who are not married are judged and questioned by the family members. Forced marriage or bride kidnapping is seen as a great opportunity in situations in which the girl does not have any consent. Currently, child marriage is seven percent, and sexual violence by an intimate partner is nearly seventeen percent in the region.

c. Afghanistan



Since the Taliban regained national control in Afghanistan, women have faced a tide of violence and human rights violations once again. 92 percent of the women population believe that the husband is justified in beating his wife if his excuse is at least one of these actions: going out without telling him, neglecting children, refusing sex, or burning food. In that case, it can be seen how much the Afgna women lack education. After the Taliban being back, an extreme increase in child marriage and marital rape has been documented. In some

cases of domestic violence and rape, the Taliban told the victims that they would be sent to shelters, however, the Taliban imprisoned them. Almost 90% of women experience domestic violence once in a lifetime in Afghanistan, while sexual violence is 17% and physical 52%.

d. The Democratic Republic of Congo



The Democratic Republic of Congo was referred to as “the capital of rape” by the UN in the past. With a rape culture, Congo additionally hosts thousands of forced marriage, child marriage, and domestic violence cases, with partner violence being 50% and child marriage nearly 30%.

e. Syrian Arab Republic



Sexual and gender-based violence has been widespread in Syria for decades, in both the public and private realms, and the armed conflict is said to have aggravated the issue. Syrian women and girls have been subjected to a variety of abuses throughout the conflict, including extrajudicial killings, arbitrary arrests, torture, executions, forced disappearances, sexual violence, forced relocation, siege warfare, and denial of healthcare and essential services. Widows and divorcees, as well as girls, are thought to be particularly vulnerable to sexual abuse, forced marriage, exploitation, and bad coping methods. Other variables, such as poverty, displacement, being the head of a home, or being young and without parental supervision, exposed women and girls to the risk of sexual exploitation in return for money, labor, or access to humanitarian aid. Women and girls face movement restrictions in all Syrian governorates due to the risk of sexual violence and detrimental gender and societal norms. Such constraints are either self-inflicted or imposed on women and girls by family members or the larger community. Sexual violence, domestic violence, and early and/or

forced marriage are considered to be the most common forms of violence against women, taking place all over Syria.

9. Possible Solutions

a. Legal Tools

Even though strengthening laws, or increasing the penalties is not possible by the UN organs, counseling to the nations, which have ongoing disputes about bride kidnapping and marital rape can be implemented by,

- a. engaging the community and religious leaders,
- b. having diplomacy-level talks with the leaders annually and preparing reports by the UN to help their progress

b. Detecting the Victims

Detecting the already-existing victims is a significant action to take. Especially in the regions, where bride kidnapping and domestic violence cases are high, the UN officials, and volunteers should be there, and detect the victims by,

- a. opening official UN small shelters, where the victims can come and be taken care of,
- b. making the already existing national hotlines active and publicizing them through advertisements,
- c. providing the essential needs for the victims, who already fled from their homes funded by the UNWOMEN,

c. Empowerment Educations

All the victims should acknowledge that they are in a cycle of violence. To raise this awareness, UN officials and volunteers should especially go to the rural areas of the countries annually to organize awareness projects,

- a. the women who are behaving in suspicious ways in these workshops and projects should be detected and taken care of,
- b. and it should be ensured that these projects don't only include one area in the region, but almost most of the disputed regions in the nations,

10. Points to Cover

1. Which steps should be taken, to break the wrong cultural norms about the dispute?
2. What kind of solutions can be implemented, so that victims won't be afraid to seek help?
3. How can psychological awareness be managed?
4. What should be done about the customary laws?
5. How can the tradition ala kachuu be prevented in such a region that is connected to its traditions?
6. How can child marriage be prevented?
7. How can domestic violence be detected?

11. Links and Further Resources

https://www.futureswithoutviolence.org/userfiles/file/HealthCare/improving_healthcare_manual_1.pdf

<https://sites.duke.edu/djepapers/files/2017/12/linzhao-dje-kidnapping.pdf>

https://nottinghamshirescb.proceduresonline.com/p_force_marriage.html#:~:text=A%20child%20who%20is%20forced,in%20sexual%20violence%20including%20rape.

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf

https://www.tahirih.org/wp-content/uploads/2021/11/Framework-for-Addressing-Forced-Marriage-in-the-U.S.-National-Action-Plan-to-End-Gender-Based-Violence_FMWG-Recommendations_Nov..pdf

[riage-in-the-U.S.-National-Action-Plan-to-End-Gender-Based-Violence_FMWG-Recommendations_Nov..pdf](https://www.tahirih.org/wp-content/uploads/2021/11/Framework-for-Addressing-Forced-Marriage-in-the-U.S.-National-Action-Plan-to-End-Gender-Based-Violence_FMWG-Recommendations_Nov..pdf)

<https://www.who.int/news-room/fact-sheets/detail/violence-against-women>

<https://www.un.org/en/coronavirus/what-is-domestic-abuse>

<https://www.unicef-irc.org/publications/pdf/digest7e.pdf>

https://www.rferl.org/a/bride_kidnapping_a_tradition_or_a_crime/24181723.html

<https://www.sciencedirect.com/science/article/pii/S2405844020321770#bib47>

<https://rm.coe.int/1680a48903>