



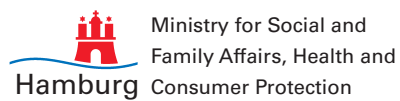
Active against Forced Marriage

Recommendations



Active against Forced Marriage

Recommendations



Partner Organisations



Lawaetz-Stiftung

Johann Daniel Lawaetz-Foundation
Germany · Hamburg



Magistratsabteilung 57 (MA 57)
Frauenabteilung der Stadt Wien
Women's Department of the City of Vienna
Austria · Vienna



Netherlands centre
for social development

MOVISIE
Netherlands centre for social development
The Netherland · Utrecht



Riksorganisationen
för kvinnojourer och
tjejjourer i Sverige

ROKS
The National organisation for Women's
shelters and young Women's shelters
in Sweden
Sweden · Stockholm



Foreign &
Commonwealth Office

Forced Marriage Unit
Foreign and Commonwealth Office
United Kingdom · London



Zwangsheirat.ch
Verein Katamaran
Switzerland · Zug



Women for Women's Human Right's
(WWHR) – NEW WAYS
Turkey · Istanbul



Free and Hanseatic City of Hamburg
Ministry for Social and Family Affairs,
Health and Consumer Protection
Germany · Hamburg

Foreword

“Active Against Forced Marriage” is an EU project initiated by the Ministry for Social and Family Affairs, Health and Consumer Protection of the Free and Hanseatic City of Hamburg which is funded by the Daphne programme of the European Commission.

The subject of forced marriage has, in recent years, received increased focus amongst a broad public and in political debate through a series of so-called “honour killings” in different countries throughout Europe. Forced marriages deprive both women and men of their human dignity and, to a considerable extent, also their personal freedom, and violate the fundamental principle of equality. Forced marriages take place in the whole of Europe and it is, therefore, a Europe-wide objective to offer men and women who are threatened by this better protection and help.

The numerous discussions of various committees repeatedly highlighted how important it is to learn from other European Member States. We need coordinated prevention and intervention strategies to be able to act, on a European level, in respecting and enforcing human rights. Therefore we also need international expert exchange as well as international co-operations.

The recommendations presented here are the result of the two-year “Active Against Forced Marriage” project in which we developed, together

with our European partners, strategies and measures to tackle forced marriage. In this project governmental and non-governmental organisations from London, Vienna, Amsterdam, Utrecht, Stockholm, Istanbul, Zug (Switzerland) and Hamburg successfully worked together on this subject for the first time.

I would like to express my deepest thanks to all project partners for the intensive and constructive co-operation during the project. The recommendations which we have put together in these guidelines are the result of an intensive exchange. They contain practised advisory approaches, strategies and concepts regarding prevention and intervention and cover a wide range.

The present guidelines are primarily addressed to decision-makers in politics and administration. I hope that these recommendations will, as important driving force, contribute to developing and implementing new innovative approaches for action on both national and European level.

In this sense: Let us actively combat forced marriage together!



A handwritten signature in blue ink that reads "Dietrich Wersich". The signature is written in a cursive style.

Dietrich Wersich
Minister for Social and Family Affairs,
Health and Consumer Protection of
the Free and Hanseatic City of Hamburg

Contents

I Introduction	9
1 Discussion of Forced Marriages in Europe.....	9
2 The project “Active against Forced Marriages”	12
3 Defining the Issue.....	13
II Recommendations	18
1 Recommendations to EU Member States	21
2 Preparing and Implementation of Measures	22
2.1 Research on Forced Marriage.....	22
2.2 Cooperation and Networking.....	23
2.3 Guidelines	25
3 Prevention	27
3.1 Schools and Educational Facilities as an important Field of Activity.....	27
3.1.1 Measures targeted at School Pupils.....	27
3.1.2 Measures for Educational Professionals Working in Schools	28
3.1.3 Measures aimed at Parents	29
3.1.4 (Educational-)Measures to transform Traditional Role Models	30
3.1.5 Empowerment Strategies	31
3.2 Information Campaigns/Awareness Raising of the Public.....	32
3.3 Information targeted at (new) Migrants – an important Integration Policy Approach	33
4 Intervention.....	34
4.1 Intercultural Counselling Provisions	34
4.2 Refuges/Housing Projects	34
4.3 Professional Training for Staff in Counselling and Refuge Facilities	36
4.4 Strengthening Victim’s Rights in the Courts	38
4.5 Perpetrator Related Intervention Strategies.....	40
5 International Activities	42
III Outlook	47
IV Appendix	49
Appendix I: Good practises from the Partners’ Countries.....	49
Appendix II: Situation in the Partners’ Countries	75
Appendix III: Partner Organisations.....	83

Forced marriages represent a serious abuse of human rights which contravene the international and national laws of all European countries. They cannot be traced back to particular religious traditions but rather occur within different social, ethnic and cultural contexts throughout the world and also in Europe.

The recommendations for action presented here are the results of a project sponsored by the European Commission within the scope of the Daphne Programme. These recommendations are intended as a contribution towards achieving the prevention of forced marriage and to developing effective means of assistance. The recommendations mainly refer to approaches related to issues of preparation and implementation – i.e. the context of the recommendations (Section II.2), preventative action (Section II.3) intervention (Section II.4) and international activities (Section II.5). Preceding

these are recommendations directed to EU member states (Section II.1).

All of the recommendations and suggestions have come about as a result of an intensive exchange between the partners participating in the project: they are based on the experiences, practices and action strategies of each of the partner countries. A selection of the Good Practices upon which the recommendations are based can be found in the Appendix.

Before presenting the individual recommendations, first of all reference will be made to the current stand of the relevant discussion in Europe (I.1), followed by an explanation of the objectives and methodology of the project “Active against Forced Marriage” (I.2) and an explanation of how the problem is jointly understood by the project partners (I.3).

1 DISCUSSION OF FORCED MARRIAGE IN EUROPE

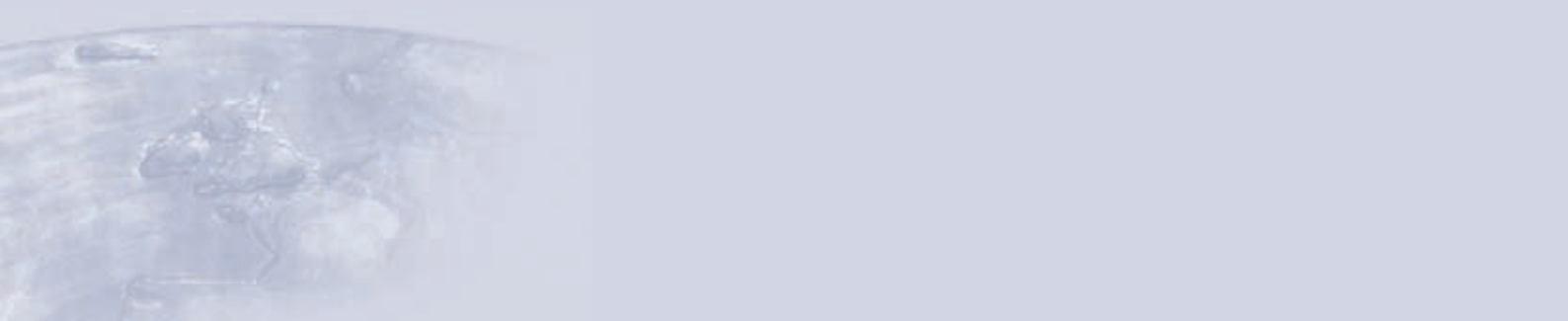
For a number of years, discussions on forced marriages mainly took place amongst non-governmental organisations, social work specialists and academics. In recent years, a series of cases of so-called “honour-related murders” in different European countries, popular academic publications as well as biographical case studies¹ have led to the topic becoming the subject of widespread public and political discussion.

At the same time, the issue of forced marriage is discussed from a number of different perspectives: within the context of debates relating to immigration and integration, in connection with domestic violence—here in particular under the aspect of violence against women – and under the aspect of human rights abuse.²

In recent years, European governments have published a series of situation reports, strategy

¹ Sanghera, Jasvinder, “Shame”, Great Britain, 2007, Kelek, Necla, “Die fremde Braut”, (The Foreign Bride) Germany 2005

² Thus forced marriage is seen in some countries as a form of traditionalist or honour-related violence against women (e.g. in Sweden), whilst in other countries it is handled within the framework of domestic violence (e.g. in Austria) or under both aspects (e.g. Great Britain). On the other hand in Switzerland the issue of forced marriage is principally discussed against the backdrop of human rights abuse.



papers and studies containing catalogues of recommendations. A number of academic studies³ offer an initial overview of the current data and intervention strategies already in existence in Europe. The “European Resource Book” on “Honour-related Violence” Kvinnoforum (2005) deals with the prevalence of the problem, the legal situation, prevention strategies, research and counselling facilities relating to “honour-related violence against women” in seven European countries. The study conducted by Rude-Antoine (2005) contains a detailed description of the international agreements, corresponding legislation, existing support structures as well as policies and approaches in different European countries. Within the scope of the project, this overview has been updated for the participating partner countries (see Appendix II).

At the level of the **Council of Europe**, the following recommendations have been issued to tackle forced marriages.

In its **Recommendation rec(2002)**⁴ the Committee of Ministers recommended all member states to prohibit/prevent forced marriages which

take place without the agreement of the affected persons.

In its **Resolution 1468 (2005)**⁵ the Parliamentary Assembly of the Council of Europe calls for member states to amend national legislation to the effect that a minimum age of 18 for both sexes is required for marriage, that all marriages must be contracted before the responsible authorities and that in cases where doubts arise concerning the free will of the spouses, a registry official should conduct talks with the partner(s). Additionally, the authorities have the right to refuse to recognise forced marriages or early marriages which have taken place in a foreign country. Furthermore the procedures to annul a forced marriage should be simplified and court rulings made within one year.

In its **Recommendation 1723 (2005)**⁶ the Parliamentary Assembly of the Committee of Ministers recommended to the responsible inter-state committee to carry out a detailed analysis of forced marriages and early marriages and to develop a strategy to encourage member states

³ e.g. Municipal Department (MA 57) – Promotion and Co-ordination of Women’s Issues, City of Vienna, (publ.) (2006) Situation Report and Catalogue of Recommendations: “Forced and Arranged Marriages in Austria with special account taken of Vienna”; Kvinnoforum (publ.) (2005): Honour Related Violence. European Resource Book and Good Practice, Based on the European project “Prevention of Violence against Women and Girls in Patriarchal Families”; Rude-Antoine, Edwige (2005), Forced Marriages in Council of Europe Member States. A Comparative Study of Legislation and Political Initiatives; Directorate General of Human Rights, Strasbourg; Ministry of Justice, – Sweden (2004): “Government Initiatives to Help Young People at Risk of Violence in the Name of Honour”; Philips, A./Dustin, M. (2004): “UK Initiatives on Forced Marriage – Regulation, Dialogue and Exit”; Home Office Communication Directorate, 2000; Ilkkaracan, Pinar (2000), Exploring the Context of Women’s Sexuality in Eastern Turkey, in: the same (publ.): Women and Sexuality in Muslim Societies, Istanbul, Women for Women’s Human Rights, p. 299-244; Bartels, E. (2008), VU University of Amsterdam “Partner Choice”, Mirbach, Th./Müller, S./Triebel, K (editors) 2006, Results of a survey conducted by the Lawaetz-Foundation on the issue of forced marriage in Hamburg. Commissioned by the Ministry for Social and Family Affairs, Health and Consumer Protection Hamburg

⁴ Council of Europe (2002): Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence. p. 16 (concerning early marriages)

⁵ Council of Europe (2005): Resolution 1468 on Forced Marriage and Early Marriages of the Parliamentary Assembly

⁶ Council of Europe (2005) Recommendation 1723 on Forced Marriage and Early Marriages of the Parliamentary Assembly

of the European Council to take up the following activities:

- Organizing age-group specific information campaigns in schools on issues concerning legal rights, in particular the right to choose a future spouse and the right not to be forced to marry below the age of 18.
- Education/Information for those threatened by forced marriage about the necessary safety precautions to prevent a forced marriage taking place.
- Establishing accommodation possibilities for victims.
- Financial support for counselling and accommodation facilities.
- Assistance for victims to aid physical and psychological recovery.
- The prosecution of perpetrators and all parties to the crime.
- A review of the procedures for recognition of marriages contracted abroad.
- Education and training measures for representatives from the legal services, police, social services, diplomatic and consular fields.

The recommendations from the **study of Rude-Antoine (2005)**, which was commissioned by the Steering Committee for Equality between Women

and Men (CDEG) of the Council of Europe, correspond on the whole with the recommendations of the Parliamentary Assembly. They deal with the areas of information, raising awareness, education, training, legal reforms, research strategies and initiatives.⁷

Equally for the past number of years the **European Union** has concerned itself with the problem of violence against women and forced marriages. Thus according to the EU Council Directive 2003/86 EC (on the rights of family reunification), to prevent forced marriages it is possible for member states to set a minimum age of entry of 21 for both spouses who wish to follow their partner to their country of residence. Furthermore, explicit reference is made in the European Commission's "Timetable for the Equality of Women and Men 2006–2010" to the objective of tackling forced marriage.

In addition, the European Commission is also involved in tackling violence against women through programmes, in particular, the Daphne Programme whose objective is to prevent and tackle violence against children, young people and women and the protection of risk groups. In recent years a number of projects have been carried out within the framework of this programme to prevent forced marriages.⁸

⁷ Rude-Antoine, Edwige (2005)

⁸ e.g. "Honour based violence – Honour killings, forced or early marriages – The SHERAZAD project (Project Ref. 2003-048-WYC); Protection against violence in their families for young women of muslim origin in Germany – PAPATYA (Project Ref 1997-025-WC); "Prevention on family violence against young girls and women with Muslim backgrounds – Networking" (Project Ref 1999-219-WC); NONAMUS – Rights belongs to every woman (Project Ref 2005-1-226-W) (more information: http://ec.europa.eu/justice_home/daphnetoolkit)

2 THE PROJECT “ACTIVE AGAINST FORCED MARRIAGE”

The Ministry for Social and Family Affairs, Health and Consumer Protection of the Free and Hanseatic City of Hamburg in cooperation with the Johann Daniel Lawaetz-Foundation, Hamburg proposed a project with the title “Active against Forced Marriage” which was funded by the European Union from March 2007 to May 2009 within the scope of the Daphne programme. Two standpoints guided the project conception. Firstly, in the past, the topic of forced marriages in Western European countries has rarely been handled as an independent problem; rather it has mostly been taken up in the context of domestic violence or in connection with “honour – related violence”. Secondly, until the present, the starting points to tackle the problem have been seen in activities to raise awareness within specific target groups and in direct assistance to the victims. It is against this backdrop that the project stresses the political perspective; it deals with how, according to political areas, the problem is handled in different ways and is aimed at political and administrative decision makers with a view to contributing to the development of improved procedures for successful prevention and intervention activities. The project explicitly set out to establish transnational cooperation where governmental and non-governmental bodies could work together.

The main objectives of the project were:

- Raising awareness amongst political and administrative decision makers in Hamburg and Europe and expanding knowledge on the issue of forced marriage.
- Evaluation of the expert knowledge currently available and an exchange of Best Practice

examples as an impulse to developing further measures against forced marriages.

- Drawing up this European Guideline with recommendations to tackle and prevent forced marriages.

The following governmental and non-governmental organisations cooperated to achieve these aims:

- **Germany:** The Ministry for Social and Family Affairs, Health and Consumer Protection, Hamburg
- **Germany:** Johann Daniel Lawaetz-Foundation, Hamburg
- **United Kingdom:** Forced Marriage Unit, Foreign and Commonwealth Office, London
- **Austria:** Magistratsabteilung 57 – Frauenabteilung der Stadt Wien, Women’s Department of the City of Vienna
- **The Netherlands:** MOVISIE, Utrecht, in cooperation with the VU University, Amsterdam
- **Turkey:** “Women for Women’s Human Rights (WWHR) – NEW WAYS”, Istanbul
- **Sweden:** ROKS, Stockholm
- **Switzerland:** “zwangsheirat.ch”, Zug

Within the scope of the project, an extraordinarily successful level of cooperation was achieved between the governmental and voluntary sector partners. Although the project had particular significance for Europe it should be stressed that – besides organisations from five EU member states- partners from Turkey and Switzerland, two countries not belonging to the EU, also participated in the exchange.

A central component of the project was the organisation of a Daphne Conference by every project partner in their own country involving the media and public experts. In particular, political

and administrative decision makers took part in these conferences. At each conference the specific background to the problem of forced marriage

in the respective country and the regional and national approaches to tackle forced marriage were presented and analysed⁹.

3 DEFINING THE ISSUE

The recommendations are the results of intensive discussions within the project “Active against Forced Marriage” and are supported by all of the partners. The consensus which was reached can only be suitably appreciated when one considers it against the backdrop of the specific characteristics of the participating countries. The conferences which were held demonstrated that the EU member states are clearly at very different stages of developing a comprehensive approach to tackle forced marriage.

Some countries have a well-developed police response; others have committed academics studying the problem from a theoretical perspective, whilst others have an active voluntary sector offering refuge provision for victims. However, very few countries have begun to bring all these agencies together under the lead of national governments. In view of the specific conditions prevailing in the participating countries, the project partners’ primary goal was to develop a common perspective. The aim was not to stress the specific national characteristics – either achievements or deficits – but rather, based on the tried and proven practices of the individual countries, to work out transnational action strategies and

procedures to tackle forced marriages. By means of thematic group discussions, the partners used each conference to elaborate the main issues which would relate to the common recommendations. In the course of these discussions a number of general aspects arose which describe the common understanding of the partners – this concerns both aspects of the problem of forced marriage and the strategies to tackle the issue. These general aspects are briefly outlined below.

Knowledge concerning Forced Marriage in the Partners’ Countries

Although there is a lack of scientifically reliable information concerning the extent and background to forced marriage, the partner countries have a range of surveys and questionnaires at their disposal which are based on the knowledge gained from counselling cases. This information corresponds on the whole to the results of the study by Rude-Antoine (2005)¹⁰. Experts have a high level of knowledge at their disposal gained through work experience, interviews, exchange of information with others etc. On this basis the following points can be made:

⁹ The documentation from each conference can be found on the project website at <http://www.hamburg.de/eu-projekt/konferenzen>

¹⁰ Rude-Antoine, Edwige (2005)

Knowledge concerning Forced Marriage in the Partners' Countries

- The victims are mostly minors and young women. However there are findings which show that also boys and men are victims of forced marriage (e. g. in UK 15 %)
- The consequences for the victims are grave: Forced marriage is often accompanied by continuous physical and mental abuse against the victims. As a rule it also entails restrictions on their personal development, and the denial of education, employment possibilities and material independence.
- The parents are most often those mainly responsible for a forced marriage. As a rule, violence is perpetrated by the victim's family.
- Every year in Europe a substantial number of girls are removed from schools during the school holidays with a view to marriage.

The motives for a forced marriage are specifically focused around:

- Problems related to upbringing; control over aspects of their children's behaviour/sexuality perceived as being undesirable
- Preventing relationships perceived as being undesirable for their children
- A desire and conviction that they are securing economic support for their own child
- Maintenance of "family honour" and "tradition"
- Carrying out family obligations/promises of marriage
- Strengthening family ties
- Providing a carer for their disabled child

Definition of Forced Marriage

The definition of forced marriage¹¹ – as the available literature and the results of the Daphne projects show – is subject to debate. On the one hand, this is due to the fact that the emphasis on the element of coercion¹² connected with the concept is itself in need of interpretation and is understood differently

in various cultural contexts. On the other hand, differentiation needs to be made between forced marriage and other forms of contracting marriage such as arranged marriages. In this respect in some member states there exist difficulties in a differentiation. A clear demarcation often depends on the perspective of those who conduct them. Such

¹¹ This was a major discussion point at the opening conference in Hamburg, see Documentation under <http://www.hamburg.de/eu-projekt/konferenzen>

¹² Similar to the corresponding concept of violence; see e.g. Trotha, Trutz von (Ed.), 1997: Soziologie der Gewalt, Special Issue 37 of the "Kölner Zeitschrift für Soziologie und Sozialpsychologie". Opladen 1997

differences in definition could also be observed in the conferences which were held.¹³ The impression remains of the existence of a very finely-graded continuum.¹⁴

However, unlike a research project, it was not a necessity for the project partners to elaborate a definition which takes into account all the different stages – rather it was sufficient to agree on a core definition in order to develop praxis-related recommendations. On the one hand, this definition should be compatible with the differing interpretations arising from the different contexts which are reflected in the specific cultural and institutional characteristics of each country. On the other hand, the definition must also be specific enough to express a consensus regarding the content by the partners. After intensive debate the project partners agreed on a formulation which is also used by the Forced Marriage Unit in London.

“A marriage conducted without the valid consent of one or both parties where duress (emotional pressure and/or physical abuse) is a factor”. This definition clearly focuses on the phenomenon of duress and does not make any presumptions concerning the underlying motives.

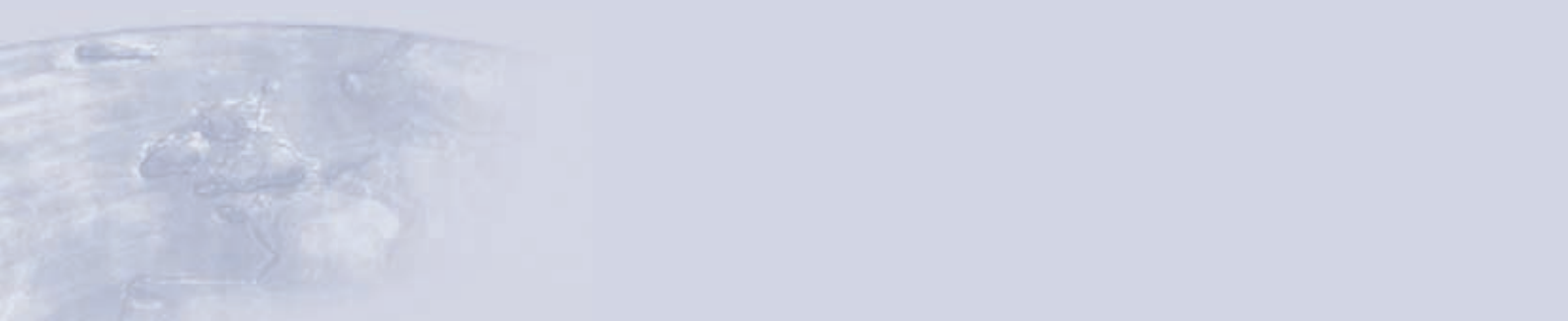
Reaching the Victims

Forced marriage can affect people from all communities and being able to reach the target groups and ensuring access to counselling and support facilities are prerequisites of providing effective assistance. Migrants, their communities and other minority

groups are often described as a “hard-to-reach population” where a great deal of commitment has to be made to try and reach them. Language barriers mean that access to counselling is more difficult; and because those affected by the problem often have no clear comprehension of what counselling actually means and what exactly occurs in advice centres. In addition, there is uncertainty about what benefits and concrete assistance the victims can expect from an advice centre. These inhibitions are strengthened by fears that the client’s decisions will not be respected. For those girls and young women who have grown up in their host country, it is not so much the language but rather cultural barriers – in the form of fears about a lack of respect for their country of origin – which present a decisive obstacle. Whether or not questions relating to the access of victims to concrete counselling and support facilities or to the openness of preventative measures arise – the project partners constantly underlined in their discussions the importance of involving migrant communities in activities to tackle forced marriages. Therefore, it is no surprise that in practically all recommendations questions concerning victims access to support facilities is an important strand of thought. In this respect, the partners stressed the need for cooperation and networking, intercultural expertise of all participants in the intervention and prevention processes, as well as the involvement of migrant organisations and “key figures” from the communities and religious organisations as the prerequisites for effectively tackling forced marriage.

¹³ This spectrum of different categorisations can be seen e.g. when one compares the conferences in Stockholm, London and Amsterdam; see <http://www.hamburg.de/eu-projekt/konferenzen>

¹⁴ Ma 57, City of Vienna, (2006) p. 32; see also Conference Documentation London, <http://www.hamburg.de/eu-projekt/konferenzen>



Empowerment Strategies

Forced marriage denies victims basic human rights, in particular, the right to lead a self-determined life. From the perspective of the potential or actual victims it is therefore of central importance to strengthen them to a degree where they are also in a position to really be aware of their right to lead a self-determined life.

In the context of a comprehensive understanding of human rights, besides the state's obligations towards ensuring protection, the state is also obliged to offer measures based on the idea of promoting self help, whereby the victims are motivated to lead an independent lifestyle. This further implies activating the victims to take up opportunities of assistance.

In this respect, the project partners call for the increased implementation or establishment of empowerment measures with the corresponding resources to be made available in each country. People affected or threatened by forced marriage should be encouraged to take advantages of the options available to them for education, counselling and opportunities to gain entry to employment.

Integration Policy

Forced marriage is a problem which does not solely affect those who are not integrated or not sufficiently integrated into the culture of the partner countries. They also take place within migrant families who are well-off and socially integrated into society. Patriarchal behavioural patterns and discrimination against women are not exclusively linked to a particular social class. Consequently, integration policy must always comprise specific equality policies. Only thus can it succeed in actively bringing about and implementing a potential for change to patriarchal structures and traditions in

the respective country, within those communities affected and within society as a whole.

Nevertheless the partners agree that all efforts should be made to integrate both new and established migrant women and men and their families into the social, economic and cultural life of each country in the European Union. Above all, access to education and participation in employment are important integration policy objectives, as these factors have a considerable influence on the ability to lead a self-determined life and the possibility to participate in the available resources in the host country. The experience of the advice and counselling services as well as first hand accounts from victims all serve to confirm that well-educated girls and young women find it easier to gain access to the specific support structures they require.

However, it should be mentioned that there are definite variations in how integration policy is understood, dependent on the administrative and institutional characteristics specific to the countries participating in the project. Due to the different structural, political and administrative frameworks as well as the different starting positions of migrants in the respective European country, the partners agreed not to formulate particular integration policy recommendations, but rather to point out some tried and tested pragmatic approaches.

Strengthening the Involvement of the Voluntary Sector

At the beginning it was stated that the recommendations of the project were particularly addressed to political and administrative decision makers. This emphasis on the political perspective is meant to express the dimension of the state's obligation to provide and guarantee protection. However,

this does not imply that state institutions alone can be left to effectively tackle forced marriages. On the contrary – as the cooperation striven for between government and voluntary partners in the project demonstrates, – the project participants are convinced that the problem of forced marriage can only be effectively tackled through cooperation between the state and voluntary sectors. On the one hand, this means that the administrative, police and legal systems must open themselves up to cooperation with initiatives from the voluntary sector. On the other hand, this leads to the necessity to specifically integrate migrant organisations into the information advice and intervention work being carried out. The form of cooperation required cannot simply develop as a matter of course, it demands procedural flexibility to enable cooperation between professional and voluntary workers. Additionally, it demands sensitivity to the cultural differences between the majority culture & society and the representatives of migrant organisations. As the good practices, mentioned in the recommendations show this cooperation is best achieved when the voluntary sector in the relevant country has sound traditions at its disposal, as is the case e.g. in Sweden.

Activities Abroad

A further field for action concerns the activities undertaken by the diplomatic and consular foreign office representatives abroad, in cases when victims are abducted against their will or under false pretences to their country of origin and are held captive there for the purpose of contracting a forced marriage.

The partners' discussion on this aspect took place mostly with a focus on the examples of the

manifold activities and assistance provided in such cases by the UK's Forced Marriage Unit. The project partners agreed that corresponding assistance abroad should be offered by all member states. In this respect, the particular problem faced by young people who do not have citizenship of the country in which they have grown up was also specifically discussed.

Foreign office representatives can offer their own citizens on-site protection and support. In comparison however, it is problematic to provide on-site support to those victims who possess citizenship of the country of origin or – in the case of some member states, also to support those who have dual citizenship.

In order to solve this problem and to extend the boundaries of support offered to victims of forced marriage by embassies abroad, questions relating to the amendment of citizenship laws were discussed: One such amendment could be that of the country of birth principle, i.e. that citizenship is granted for the country where the victim was born. However, in the course of the discussions between the project partners, it became clear especially in view of the differences in the legal systems in the participating countries, that the issue of citizenship with all its implications for questions of integration and tackling forced marriage is too complex a theme to be handled within a project whose aim was to take stock of the situation and to formulate practical activities.



RECOMMENDATIONS TO EU MEMBER STATES

- 1 — All national governments in Europe should set up working groups. Working in cooperation with NGO's, these working groups should aim to increase knowledge regarding the prevalence of the problem of forced marriage, the current assistance available and effective preventative strategies. The results should be published at regular intervals.
- 2 — One of the EU member states holding the Presidency of the Council of the European Union in 2010, should put the issue of forced marriage on the agenda of an informal Council meeting in order to discuss the reports of the findings mentioned above.

PREPARING AND IMPLEMENTATION OF MEASURES

- 3 — Cases of forced marriages should be documented in a standardised way.
- 4 — All implemented measures should be evaluated.
- 5 — Cross-agency networking and cooperation between institutions should be ensured when dealing with victims.
- 6 — Local coordinating and working groups involving governmental and non-governmental organisations should be established in order to ensure that individual cases are dealt with effectively.
- 7 — In close cooperation with non-governmental organisations, guidelines should be developed for different groups of professionals to ensure professional handling of persons affected by forced marriage.

PREVENTION

- 8 — Issues relating to forced marriage should be included on the school curriculum.
- 9 — Information and awareness raising material should be distributed to schools.
- 10 — Teachers and other educational staff at schools should be trained to recognize the risk factors of a forced marriage and to react appropriately.
- 11 — Measures promoting culturally-sensitive work with parents should be developed and supported.
- 12 — In order to transform traditional role models, support should be given to projects and approaches involving culturally-sensitive and gender-related work with boys.
- 13 — Local and regional training courses should be organised to strengthen the victims own resources/ competences and provide information on legal rights.
- 14 — Information campaigns should be organised drawing on the expertise of migrant organisations and NGO's.

Recommendations

- 15 — Newcomers should be provided with welcome packages including information about forced marriage, counselling and support facilities and emergency assistance.

INTERVENTION

- 16 — Intercultural and multilingual counselling is to be organised for specific target groups.
- 17 — Specialised multilingual telephone hotlines should be established.
- 18 — Specialised care and protection concepts should be developed for existing refuge facilities. Support should be given to setting up specialised protection and crisis facilities for those affected by or threatened by a forced marriage.
- 19 — Long-term supervised housing projects should be developed and supported.
- 20 — Staff at existing counselling facilities and hotlines should be trained in the issue of forced marriages.
- 21 — Legal, psycho-social assistance during trials should be guaranteed for victims from the beginnings of the preliminary proceedings.
- 22 — The use of trained court-sworn interpreters is a necessity.
- 23 — Programmes and intervention strategies aimed at perpetrators should be scrutinised to see if they are suited to the problem situations faced by migrants and the victims particular need for protection.

INTERNATIONAL ACTIVITIES

- 24 — Free and confidential counselling and information about the potential dangers of being forced into marriage overseas should be provided.
- 25 — Effective support by the responsible embassies in the host country should be made available to victims.
- 26 — Whenever necessary, EU governments should offer assistance to citizens of other EU countries in third countries.
- 27 — National or local authorities should work in conjunction with embassies, authorities and NGO's in those countries of origin where there is a particular danger of persons being forced into marriage. Projects and measures to raise awareness of the problem should also be funded and supported abroad.
- 28 — Members of the European parliament who are committed to tackling forced marriage should establish a close network.
- 29 — Guaranteeing of assistance to victims in neighbouring countries should be ensured by means of multilateral agreements.

On the basis of the discussion represented above, the partners developed the following recommendations which focus on concrete action strategies in the areas of prevention and intervention. These are primarily aimed at governments, local and municipal administration and non-governmental organizations.

However, to begin with the project partners agreed to a general recommendation which – with

the involvement and cooperation with non-governmental organizations – is exclusively related to the level of the national governments of the EU member states. In this connection, the project partners were guided by the idea of utilising the EU Council Presidency to increase awareness amongst the national governments concerning the problem of forced marriage.

1 RECOMMENDATIONS TO EU MEMBER STATES

In order to underline government responsibility for action and to prepare and develop further country-specific activities, all European governments should set up national working groups with transparent responsibilities.

The rotation of the EU Council Presidency also presents an opportunity for further discussion of

the issue of forced marriage. Therefore the government of the member state which takes over the EU Council Presidency should be encouraged to pursue the issue further at EU level. Thus the project partners agreed on the following recommendations:

Recommendations

1 All national governments in Europe should set up working groups. Working in cooperation with NGO's, these working groups should aim to increase knowledge regarding the prevalence of the problem of forced marriage, the current assistance available and effective preventative strategies. The results should be published at regular intervals.

2 One of the EU member states holding the Presidency of the Council of the European Union in 2010, should put the issue of forced marriage on the agenda of an informal Council meeting in order to discuss the reports of the findings mentioned above.



2 PREPARING AND IMPLEMENTATION OF MEASURES

In the course of the discussions by the project partners, many aspects initially arose which were less related to specific activities but rather were more concerned with the prerequisites necessary to ensure that activities could be effectively implemented. Put simply, one can say that tackling forced marriage is hardly possible without sufficient information on the causes, prevalence and forms in which the problem is manifested. In this connection, the recommendations raise the need for more intensive research, systematic documentation of cases and finally the evaluation of actions and programmes. Disseminating knowledge is necessary to provide all those involved in the support process security in how to handle the problem. In this connection, it is the national governments who bear primary responsibility within the framework of supporting research (Research on Forced Marriage, No. II.2.1).

The experience of the countries participating in the project also demonstrates that implementing action also depends to a large extent on the willingness of the different partners (government institutions, welfare organisations and the voluntary sector) to cooperate. Depending on the orientation of the activities, this cooperation can occur in an institutional form (e.g. committees) or on a more informal basis (networks). Ensuring that cooperation structures function well and effectively at all levels is of major importance – at European, national and regional levels, between government and non-governmental organisations and also involving the integration of migrant organisations. (Cooperation and Networking No. II.2.2). Finally, it should not be overlooked that disseminating professional knowledge and information about procedures, contact points and rights needs to be

practically systematised which in turn depends on comprehensive cooperation. (Guidelines, No. II.2.3).

2.1 Research on Forced Marriage

Standardised Documentation

Experts already have a substantial amount of knowledge at their disposal, gained through working experience, interviews which have been conducted, exchange of information with others etc. In addition, a number of surveys exist mostly based on the available knowledge derived from actual counselling cases. At the same time, however, there is still a lack of solid research concerning the prevalence and the background or key factors which lead to forced marriages.

On the one hand, this is due to the methodological problems associated with developing contacts to the victims based on trust, which have to be justified in terms of the efforts involved. Whilst on the other hand, discussion of the subject requires a high degree of political sensitivity as forced marriages are often associated in public debate with ethnicised stereotypes.

Up to now surveys and evaluation of data have been based on different systems of documentation. These cannot be counted as representative. Therefore, the knowledge on hand from the relevant people who are practically involved in the problem should be methodically investigated, in order to gain reliable and comparable findings regarding figures, prevalence and effects of forced marriage as well as an insight into people's lives within migrant communities. Using standardised survey procedures is an important step in the process.

Recommendation

3 — Cases of forced marriages should be documented in a standardised way.

These standardised surveys should involve experts from counselling centres and other facilities which may count as contact points with the victims. A unified survey – whether national or European is not possible without the involvement of these experts.

This entails drawing up standardised data capture forms which are suitable for use either during or directly related to counselling. Here the confidentiality of all information must be guaranteed

Workshops can be an effective instrument for this purpose, where experts drawn from government, administration, research and counsellors can work out the main data to be captured and examine the practical applications.

Evaluation

There is a need for ongoing evaluation in order to guarantee that the measures implemented are effective and successful. In particular, it is necessary to check implementation of all national and regional action plans. Only thus can it be guaranteed that the steps set out in the action plans are being implemented. And only an ongoing process of evaluation can contribute to correcting and improving measures in so far as this is necessary.

Recommendation

4 — All implemented measures should be evaluated.

2.2 Cooperation und Networking

Close cooperation and networking is essential for tackling the problem of forced marriage. All the studies and case reports carried out by the partner countries confirm this point. Those people affected or threatened by forced marriage are confronted with a range of problems. Each of these concern different support services. Therefore, a variety of professions and facilities are involved depending on the complexity of individual cases.

Government bodies should therefore guarantee a coordinated procedure for all institutions involved in the intervention of individual forced marriage cases, where possible within the framework of a case management approach. Such an approach makes the system of support facilities more transparent, thus easing victim's access to assistance.

Recommendation

5 — Cross-agency networking and cooperation between institutions should be ensured when dealing with victims.

This guarantee entails making sufficient resources available to establish networks and develop existing ones. Institutional resources should be optimally utilised and the governmental and non-governmental facilities needed by individual cases/victim of forced marriage should be involved.

A structural network and cooperation between institutions can be built up by means of working groups or regular round tables.

Recommendation

6

Local coordinating and working groups involving governmental and non-governmental organisations should be established in order to ensure that individual cases are dealt with effectively.

This measure will not only serve to improve the handling of individual cases but is also necessary to further the development and implementation of innovative programmes and effective preventative measures. In this connection, the following objectives are of special importance:

- Developing or expanding concepts and interdisciplinary strategies to further close cooperation at the intervention level.
- Regular exchange of experience to improve interdisciplinary expertise and to raise awareness.
- Optimisation of existing counselling and support services.
- Development of action and counselling standards (see Guidelines).

The task force in Vienna is a good example of structural cooperation at a regional level:

Vienna: Working Group of the Vienna City Administration

The internal working group on forced marriage was appointed by the Executive City Councillor for Women's Issues to be the coordination and working group within the Vienna city administration. The

participants are representatives of the municipal department to which those affected or threatened by forced marriage typically turn to. The aim of the working group is to work for an optimal support and intervention network within the city administration.

Good Practice from Austria, see Appendix I, p. 49

In addition, experience from this project has shown that the biggest obstacle to effective partnership work lies in a lack of awareness and understanding for a number of facts relating to migrant communities. To date there is a noticeable absence of cooperation with migrant organisations within the networks. Even though counselling centres for migrants are often involved, the migrant organisations that politically represent these population groups are not.¹⁵

Further obstacles to effective partnership are: divergences in the definitions of forced marriage and other honour-related crimes, a lack of training and resources and different approaches to tackling the problem at local and national level.¹⁶

According to the experiences of the project partners, the following procedures have proven valuable for expanding cooperation and providing a basis for ongoing cooperation:

- A careful choice of the cooperation partner, in particular the joining together of state-run and voluntary sector partners from education, health and social services, the police, counselling and support facilities as well as the legal services including the relevant courts to form a structural network.

¹⁵ Barbara Kavemann in "Zwangsverheiratungen in Deutschland" in Volume 1 Documents of Federal Ministry for Family, Senior Citizens, Women and Youth

¹⁶ see documentation of the Daphne-conference in London "Partnership work against forced marriage in the UK and abroad", Workshop 2: "Identifying Barriers to Partnership working", <http://www.hamburg.de/eu-projekt/konferenzen>

- Participation of migrant organisations/minorities; cultural and mosque associations.
- Reaching agreement on a definition of forced marriage in order to determine the nature of the problem at hand.¹⁷
- Defining and agreeing on the working objectives of the network – e.g. drawing up Guidelines.
- Points of contact of the individual institutions/facilities with the problem of forced marriage should be identified and a list of existing resources and expertise should be drawn up for the purpose of carrying out a comprehensive stock-taking.¹⁸
- Examining the concrete intervention processes necessary to ensure sufficient safety and protection.
- Clear cooperation and communication agreements between the network partners with specific reference to responsibilities, action procedures and passing on of data.
- Ongoing exchange of experience and reciprocal information regarding best practices.

However in each country there are some victims who for a variety of reasons do not make use of the official support system. They often prefer to access networks where they can bring in their own expertise and experience of their problems. In such networks they are looking for an exchange of experience with other victims and can thus develop their own personal resources without resort to professional help by outside agencies. Such survivor networks are an important part of the service environment and should therefore be supported by government institutions.

¹⁷ see documentation of the Daphne-conference in Vienna, p.30, <http://www.hamburg.de/eu-projekt/konferenzen>

¹⁸ see footnote 17

Karma Nirvana: Survivors Network, “Honour Network”

The organisation Karma Nirvana and the FMU have established a self-help network to provide support to those who have experienced honour based violence or forced marriage. Victims who may be suffering from extreme isolation and loneliness and a loss of self-esteem can call the helpline for advice.

Good Practice from UK, see Appendix I, p.51

2.3 Guidelines

School teachers, police officers, child protection staff, social workers from the social services and health sector officials are the professional groups who most often come into contact with victims or potential victims of forced marriage. In order for them to be able to carry out their responsibilities to look out for relevant warning signals, to be aware of specific risk situations and to be able to offer effective help, these professional groups have to be made aware of the problem and have the ability to handle crisis situations.

Recommendation

In close cooperation with non-governmental organisations, guidelines should be developed for different groups of professionals to ensure professional handling of persons affected by forced marriage.

7

In particular, this can be achieved by means of practice guidelines for different professional groups. This also will increase the transparency of existing networks and support systems.

Practice guidelines should offer guidance aimed at assisting staff to handle a crisis situation with confidence, and enable an improved risk assessment and the best possible professional intervention.

Experience has shown that comprehensive professional practice guidelines are neither possible nor desirable due to the heterogeneity of working approaches and responsibilities of the professions involved. Therefore practice guidelines should be drawn up which are suited to each professional practice situation and its particular demands.¹⁹

Additionally, practice has shown that it is valuable to include the following points in the contents of the guidelines:

- A definition of forced marriage and the characteristics which distinguish it from an arranged marriage.
- A description of the risk factors and the possible risks to victims by their family.
- A description of the rights of the victims and the respective possibilities for state intervention by the different agencies.
- A list of local and national protection and support facilities.
- A safety plan, both for victims of forced marriage and the respective professional groups offering support.

- A depiction of an example case study to illustrate the possibilities for intervention and the specific cooperation structures prevailing within each country.

Furthermore, provision should be made in the practice guidelines for their obligatory distribution and for training of the professional groups to work with the guidelines.

The Forced Marriage Unit, UK, in conjunction with other government departments and agencies has drawn up practice guidelines specifically targeted at different professional groups which list by example concrete warning signs and actions that should to be taken by the relevant staff:

UK: Guidelines

Non-statutory practice guidance for police, education professionals, health professionals and social workers have been issued in stages since 2004 and are currently being up-dated to form multi-agency practice guidelines.

In November 2008, guidelines for professionals working with victims of forced marriage in England and Wales became statutory. The guidance sets out the strategic responsibilities of agencies who may be involved with handling cases of forced marriage.

Good Practice from UK, see Appendix I, p. 52

¹⁹ see documentation of the Daphne-conference in Vienna, p. 31



3 PREVENTION

A prime objective in tackling forced marriage is to prevent their occurrence. In this respect, legislative sanctions are not sufficient alone. More importantly, it is also necessary to raise public awareness to the fact that forced marriage is an abuse of human rights and will not be tolerated by governments. Against this backdrop, the project partners believe that special efforts in the field of prevention are necessary.

Schools and educational facilities represent important places to raise awareness of the problem. Here girls and boys who may be affected by the problem and also their parents can be reached by specific measures before a marriage takes place. Education and raising awareness aimed at specific target groups constitutes an important element of an effective prevention strategy. This relates not only to children and young people, education professionals and parents but also to the migrant communities themselves with the objective being to achieve long-term changes in attitudes within the affected population groups.

Involving key figures from the communities and religious organisations is of essential importance for the success of all preventative steps. At the same time, through them there is a possibility of exerting influence on the decisions of family members in order to prevent forced marriages.

Last but not least, efforts must be undertaken to enable people affected by the problem to participate on an equal footing in social and public life. This is a prerequisite for an effective prevention strategy.

3.1 Schools and Educational Facilities as an important Field of Activity

3.1.1 Measures targeted at School Pupils

Schools are a public area which young people can attend without being under the direct influence and control of their families. They also spend a large part of their time there.

For this reason schools open up opportunities to reach victims or potential victims of forced marriage at an early stage. Simultaneously, school friends can be won over as potential allies.

Furthermore, schools offer young people the breathing space and scope to discuss what marriage and partnership means. In this connection it is also possible to give them a picture of the extent of the risk and the consequences of an undesirable marriage, to show them alternative ways to act and open up access to further professional help. In this respect these issues should be integrated into the school curriculum.

Recommendation

Issues relating to forced marriage should be included on the school curriculum.

8

In school lessons the issue of forced marriage can be raised when dealing with general questions such as a self-determined choice of partner, sexuality and sexual identity. This would enable positive and open access to the problem.

In addition, the topic of forced marriage can be integrated into lessons within the framework of specific school projects. This approach,

for example, has been taken by the Association “Orient Express” in Vienna, Austria.

“Orient Express” – School Workshops

“Orient Express” offers workshops to schools and classes in which young people are given comprehensive information on the legal situation with regard to forced marriage and violence and the possibilities for assistance. The objective is to strengthen pupils to say no, even in the face of immense pressure from the family.

With positive examples possible perspectives are demonstrated as to how young people themselves can influence the form their future takes.

Good Practice from Austria, see Appendix I, p.52

Another important aspect in dealing with the issue of forced marriage in schools is the timing of information: The question of marriage can take on a particular significance during the school summer holidays when young people (with or without their knowledge) could be married abroad. Thus, it is important to ensure that young people receive the necessary information concerning potential risks and dangers associated with their trip well before the holiday abroad so that arrangements can be made for possible precautionary steps.

Recommendation

Information and awareness raising material should be distributed to schools.

Information material can take the form of leaflets, brochures, postcards and posters which not only provide information on the issue of forced marriage but also stimulate discussion of the topic.

This material should be designed for young people and be easily accessible.

Above all it should be ensured that the information material points to existing support facilities and possible contact partners for young people who are affected by the problem.

3.1.2. Measures for Educational Professionals Working in Schools

Qualitative studies show that teachers have a major role to play in the area of extra-family support. They are important contact persons in young people’s lives. For this reason their reactions to crisis situations can be important for the future course of the marriage process. Inappropriate reactions by teachers can endanger the victims even more.

Therefore teachers and all educational staff at schools must be comprehensively informed and made aware of the problem of forced marriage.

Recommendation

Teachers and other educational staff at schools should be trained to recognize the risk factors of a forced marriage and to react appropriately.

This can be achieved by providing them with practice guidelines and giving them further training on how to use them. In Sweden institutionalised training courses are provided for teaching professionals.

Sweden: Institutionalised Training Courses for Teaching Professionals

In Östergötland approximately 100 training courses dealing with the issues of forced marriage and

honour-related violence annually receive government funding.

Good Practice from Sweden, see Appendix I, p. 53

3.1.3 Measures aimed at Parents

It is often the parents who are mainly responsible for contracting a forced marriage. The motives for contracting a marriage for their daughters and sons are manifold.

In particular, fears that the migration process is connected to a loss of cultural identity and experiences of marginalisation and discrimination can lead to stricter and more protective parenting. Contracting marriages for young women and men is sometimes used by parents as a “disciplinary measure”. The parents hope by contracting a marriage that their sons will become more responsible and independent and that they can control their daughters’ freedom and sexuality. In particular they use forced marriage as a means to suppress particular forms of their children’s behaviour which in their eyes have become westernised (smoking, drinking, sexual promiscuity and homosexuality)²⁰.

In addition, many parents lack knowledge concerning the prevailing legal system and the corresponding conceptions of what is just or unjust. They are of the opinion that they are doing something good for their children by choosing a spouse for them.

Systematic culturally-sensitive work with parents is therefore of crucial importance.

Recommendation

Measures promoting culturally-sensitive work with parents should be developed and supported.

11

The measures to be developed should above all aim to strengthen parental competence, encourage participation in the society of the host country and diminish feelings of alienation. The measures should be aimed at educating parents to become aware of their children’s needs, to motivate them to discuss school and educational questions and to improve their communication with schools and with their children.

Some possible measures could be:

■ Involving Mothers as Important Key Persons

As it is primarily mothers who are responsible for child-raising, they are key figures in preventative work and the aim should be to win their support. It is essential that mothers, who are often victims themselves, and are now potential co-perpetrators are made aware and strengthened so that they can protect and support their endangered children against male family members. In order to achieve this aim, the organisation “Orient Express”

²⁰ see also documentation of the Daphne-conference London, p.3, workshop 1: “Motivations and Risk Factors”, <http://www.hamburg.de/eu-projekt/konferenzen>

in Austria organised a workshop entitled “Help! I don’t want to get married yet!”

“Orient Express”: Mother-Daughters-Workshops

By use of example cases and role-plays, mothers are clearly shown why forced marriage is a dreadful form of violence. The objective is to strengthen mothers to be on their daughter’s side. Mothers are also informed of the legal situation.

Good Practice from Austria, see Appendix I, p.54

■ Information Events

Information events for parents in schools on topics specific to education and upbringing can also be a further means of access. In addition, special courses can be organised to provide information on the legal system, questions related to upbringing and life in the host country. The approach is being pursued by Sweden, for example.

“Save the Children”

FUGA – method by Sonia Sherefay.

The aim of this method is to promote understanding of Swedish society and family life in Sweden.

Good Practice from Sweden, see Appendix I, p.55

■ Support for Open-Door Initiatives

It may also be sensible to support open-door initiatives which strengthen local social networks where parents can support each other in parenting questions. This idea has been taken up by the so-called “Parent-talks” in Bavaria in Germany.²¹

3.1.4 (Educational-)Measures to transform Traditional Role Models

Forced Marriages are an expression of inequality in gender relations. Achieving equality between women and men in society is closely linked to a general process of transforming traditional role models. This concerns women and men both with and without a migrant background.

In the case of women and men of migrant origin, gender roles can be determined by the prevailing societal relations in the host country and also by the immigration experience itself. Conceptions of femininity and masculinity may be challenged within the course of the immigration process and may be called into question, weakened, transformed or strengthened. Above all, for migrants there is a necessity to redefine their gender role within the host country.

Here is where support for gender-adequate education can play a role and with it an equality policy which should also be addressed to men as partners. In this respect, there should be a focus on an early socialisation of boys. So far this has not been carried out to a sufficient extent.

Recommendation

In order to transform traditional role models, support should be given to projects and approaches involving culturally-sensitive and gender-related work with boys.

12

²¹ see Appendix I, p.56: Excerpt from the documentation of the Daphne-conference in Hamburg

An important approach here is to develop awareness of the individual sense of masculinity and to discuss images of masculinity – and also especially individual sexual orientation. This approach, for example, takes up the project NORMal in Sweden.

“NORMal” – Work with Boys in Schools

Work with boys in vocational schools. The focus of the discussion is on gender relationships.

Good Practice from Sweden, see Appendix I, p. 56

Supporting projects and measures aimed at transforming specific and restrictive definitions of role-models also entails that the issue of violence should not always predominate in the work with boys, but rather that boys can begin to experience themselves in a wide variety of roles. Instead of being placed in the role of guardians of their sister’s honour, boys can be won over as supporters of their sisters’ right to lead a self-determined-life.

Under the motto “It is courageous to fight for the rights of my sister”, young men in the Stockholm youth centre Fryshuset in Sweden are given training to enable them to inform boys of their own age in schools and youth centres about how honour is understood within migrant groups and what the consequences are.

“Sharaf Heroes”,

Fryshuset – Courses for Young Men

The project targets young men from migrant communities. The work is mainly preventative and oriented towards changing attitudes

The main idea is to build a network for young men, which aims to improve young people’s knowledge of human rights and thus work as a counterforce to honour-related oppression.

Good Practice from Sweden, see Appendix I, p. 56

3.1.5 Empowerment Strategies

Forced marriages deny those affected by them a fundamental human right, namely the right to lead a self-determined life. Lack of self-esteem arising from experiences of violence, discrimination and oppression prevent many victims from being aware of their basic human rights. Therefore a priority task is to empower (potential) victims of forced marriage to exercise their right to a free choice of partner and a self-determined life. In addition, it is necessary to expand the implementation and development of courses. In this respect, widespread structurally-based courses offering comprehensive training in human rights have proven to be a valuable contribution towards improving the situation of the victims and to the process of change in gender relations within society as a whole.

Recommendation

Local and regional training courses should be organised to strengthen the victims own resources/competences and provide information on legal rights.

13

These training courses should aim to support (potential) victims to mobilise their own resources, to strengthen their self-confidence and to expand their options for action. They should be aimed at people from all age groups and educational backgrounds as all classes and age groups are affected by the problem. In particular, the course contents should provide information on the attested right to a free choice of partner, how to access educational and counselling services, assistance in securing entry to the labour market and in particular the right to sexual self-determination. A further focus should be on strengthening communication abilities. In

addition, participants should be encouraged to act as multipliers and offer training courses themselves. In this way, the circle of women and men who are informed and empowered will constantly expand.

Turkey: Women for Women's Human Rights (WWHR) – NEW WAYS: Human Rights Education Programme (HREP) for Women
WWHR offers empowerment training for women throughout Turkey which specifically takes up this aspect.

Good Practice from Turkey,
see Appendix I, p.57

3.2 Information Campaigns/Awareness Raising of the Public

Besides raising awareness amongst specific professional target groups and those affected by the problem within the context of developing preventative strategies, it is also important to raise awareness for the issue within the general public. The public awareness of the issue of forced marriage often associates the problem with ethnic stereotypes. The results are distorted perceptions of the phenomenon in the majority society. Therefore discussion of the subject requires a large degree of political sensitivity. This should be taken into account within the framework of developing diverse awareness raising and information work. It is important to remove the taboos associated with discussing forced marriage without resorting to stereotypical descriptions which stigmatise individual migrant groups.

Information campaigns can provide a basis for a widespread debate within society regarding questions of free choice of partners, equality of

women and men as well as concepts of honour. In turn this can lead to changes in attitudes within the migrant communities. Against this backdrop it can be seen that close cooperation with migrant organisations is necessary.

Recommendation

Information campaigns should be organised drawing on the expertise of migrant organisations and NGO's.

14

Information campaigns require clear information free of general condemnation and blame. On the one hand, they should show that people of various ethnic and religious affiliations are affected by the problem and on the other hand, depict the broad spectrum of social and thematic aspects which play a role in the issue of forced marriage: e.g. that the problem affects not only women but also men; the challenges presented for integration; understanding for the free and self-determined choice of partner, as well as how those from the lesbian, gay, bisexual and trans-gender communities are affected by forced marriages.

**zwangsheirat.ch – Forced Marriage.ch,
A Human Rights-based Programme
– Postcard Action**

“zwangsheirat.ch” developed 8 different postcards which were distributed to many different places containing individual statements dealing with the above aspects.

Good Practice from Switzerland,
see Appendix I, p.60

The SPIOR initiative is a successful example of information work targeted at specific groups where

Recommendations

migrant organisations are not only involved but actually initiated the idea.

SPIOR and the City of Rotterdam:

Hand in Hand against Forced Marriage

This initiative has the objective of increasing the information provided by Muslim organisations so as to enforce the ban on forced marriage within the Muslim population.

Good Practice from The Netherlands,
see Appendix I, p. 61

3.3 Information targeted at (new) Migrants – an important Integration Policy Approach

Many new Migrants or those already living in the host society either lack or have insufficient information concerning the country they have emigrated to. It is very important particularly for those affected by forced marriage, to receive information in their native language about the existing possibilities for help and the system of governmental and non-governmental support. This also creates the preconditions for migrants to participate in the host country's system of support, which is equally an important step towards the social integration of those affected by forced marriage.

In this respect consideration should be given to the following aspects:

- The welcome packages should be multilingual and contain lists of contact partners and the addresses of counselling and other important facilities.
- The government bodies responsible for immigrants should ensure that there is widespread distribution of these packages within the target groups.
- Information evenings organised on a separate basis for women and men should also be offered on specific themes – e.g. about the system of support available to victims of violence and the provision for assistance in emergency situations.

The welcome package from Vienna offers a good example for the successful implementation of these aspects:

Vienna: Welcome Packages

The package is intended to support the first integration efforts of new migrants. It consists of three elements: the Welcome Folder, “orientation talks” and “women’s orientation talks”. It contains information on a great number of diverse fields of everyday life and contact addresses.

Good Practices from Austria,
see Appendix I, p. 62

Recommendation

15

Newcomers should be provided with welcome packages including information about forced marriage, counselling and support facilities and emergency assistance.

4 INTERVENTION

As was stressed at the beginning, forced marriages represent a serious abuse of human rights. This mostly affects not only the right to a free choice of spouse – but particularly for women,– the forced marriage also takes place within the context of abuse of their right to sexual self-determination and physical integrity and the right to physical and psychological well-being. At the same time, human rights are grounded on the rights of countries to protect and guarantee them: Above all countries must actively protect victims against abuse of their rights by third parties – also in cases where abuse takes place in the private sphere.²²

Countries are also obliged to provide speedy and effective support to (potential) victims of forced marriage. In this regard it is essential that the services are easily accessible, work in harmony with each other, are adapted to the needs of the persons affected and that consideration is made of the specific risk situations.

In this connection, to ensure victims' safety and protection it is of major importance that their personal data is handled with total confidentiality by those governmental and non-governmental organisations involved, especially during the intervention and prosecution processes.

The following recommendations consciously avoid making proposals regarding legislative reforms, but rather primarily take up discussion related to the required counselling and refuge facilities (II.4.1 – II.4.3). In addition, there are

also proposals on protecting victims during court proceedings (II.4.4) and on examining perpetrator-related intervention strategies (II.4.5).

4.1 Intercultural Counselling Provisions

The issue of forced marriage is often associated with feelings of shame, as it touches on particularly intimate questions such as sexuality, sexual identity, family ties or personal lifestyle. In addition, victims often have strong guilt feelings that they are responsible for the destruction of inner-family harmony or the breakdown of the family. Therefore victims find it difficult to turn to external persons or a counselling service. This applies equally to women and men.

Access to counselling is often made difficult due to language problems. In many counselling facilities there are still too few case workers who come from a migrant background. For those victims who have grown up in the host country, the obstacles lie less in language difficulties but more in a perceived lack of respect for their culture of origin.

People affected by forced marriage require services which allow them to speak in their own language about the crisis confronting them, services which respect their cultural identity, which support them in their efforts to achieve independence and are sympathetic to their situation.²³ Victims require

²² “Few countries have made forced marriage a specific criminal offence. In most countries forced marriage can be punished by means of the penalties for the various forms of criminal behaviour it can involve.”, Rude-Antoine, Edwige (2005), p.42

²³ Rude-Antoine, Edwige (2005), p.53

counselling which does not demand that they disown their own cultural identity.

In this respect, government bodies have to create the structural conditions which will allow for an effective counselling of these target groups.

Recommendation

16

Intercultural and multilingual counselling is to be organised for specific target groups.

Organising **specific-target group counselling** means that counselling concepts can be organised individually for those target groups affected by the problem ensuring that counselling, care and support can be offered which meets their needs. Consideration should also be given to the different effects on victims depending on whether they are girls or women, boys or men, young or old, with or without children or with or without an experience of immigration.

Besides the multilingual aspect, **intercultural counselling strategies** should also involve particular knowledge of the various cultural identities, value systems, traditions and religious beliefs. In addition, there should be knowledge of the victim's social and political situation, the role of family and relationships between the sexes in the countries where the victims or their parents originate from, knowledge of specific immigration problems and situations and knowledge concerning experiences of rootlessness

and discrimination. This is extremely important in order to assess the victim's life, the risks they face and the ambivalent conflict situation they find themselves in. In this respect, it also means increasing the number of staff with a migrant background, expanding training of specialised counsellors and guaranteeing funding for interpreters.²⁴ Hamburg is pursuing this approach by funding two easily accessible counselling facilities.

LÂLE and i.bera

– Intercultural Counselling Centres

LÂLE und i.bera offer those affected by forced marriage culturally-sensitive counselling of a voluntary nature in their own language and free of charge. The counsellors have links to well-established integration centres with good ties to the community.

The funding by the State of Hamburg also ensures the necessary establishment and expansion of cooperation structures.

Good Practice from Germany, see Appendix I, p.64

A further problem arises in respect to counselling services: Many of those seeking advice are subject to a massive amount of social control, which makes it extremely difficult to go to external counselling facilities.

Therefore, easily accessible services are of the utmost importance. In this respect multilingual telephone hotlines have proven to be of value, as they facilitate access to counselling without the need to be physically present.

²⁴ see also MA 57, City of Vienna (2006), p. 185

Recommendation

17 — Specialised multilingual telephone hotlines should be established.

Hotlines can offer initial crisis intervention, break down the inhibitions associated with attending specialised counselling services or facilities and provide guidance on the support system.

However due to language problems which may exist and the lack of personal contact, telephone counselling can add to difficulties in understanding. For this reason, it has proven valuable to have a link to an already existing facility or network. The Swedish organisation “Terrafem” which in addition to a hotline runs 5 specialist refuges for women from migrant backgrounds provides a good example:

Terrafem:

National Telephone Hotline in 43 Languages

Terrafem offers telephone counselling in 43 languages. The organisation set up a national phone number which cannot be traced back either from a mobile or telephone bill.

Good Practice from Sweden, see Appendix I, p.65

In addition, all indications show that online counselling services offer young people in particular easy access to counselling and information. Computers are a medium which young people especially have easy access to, enabling them to have anonymous access to counselling.

4.2 Refuges/Housing Projects

When women and girls are coerced into a marriage against their will, often the last resort open to them is to break off contact with their families and seek refuge in a women’s shelter or other protective facility. In principle, these facilities offer safe refuge and should therefore continue to be supported.²⁵

However the problem situation and corresponding support requirements faced by those confronted by an imminent forced marriage is often very different to that of the women and girls who are normally to be found in refuges. Victims often see their flight as a loss of honour for their families and fear violence and even death. At the same time, based on their experience experts report that parents and family members make every effort to force the victims to return home “through intensive searches, extreme threats, emotional blackmail, promises, but also by reporting them to the police or attempting to track down the escapee by smuggling female family members into the refuges”.²⁶

So victims find themselves subjectively and objectively in an existentially threatening situation forcing them to break off all social contacts. Also those women who are not yet married or only recently married are often very young, have been closely integrated into their families and have not yet learned to live independently. Against this backdrop it can be seen that existing care concepts are partially insufficient.

Young girls and women who are confronted by forced marriage therefore require care and

²⁵ see Council of Europe (2005), Recommendation 1723

²⁶ Corinna Ter-Nedden “Zwangsverheiratung: Erfahrungen in der praktischen Unterstützung Betroffener und Empfehlungen für Politik und Verwaltung” in “Zwangsverheiratung in Deutschland”, publ. by Federal Ministry for Family, Senior Citizens, Women and Youth

accommodation which is adapted to their needs and the possible stresses they may face due to their sudden departure from familiar surroundings. However, it is often problematic when accommodation facilities are organized according to age limits (women's shelters for adults; child protection facilities for minors), as young adult women also require support in the process of becoming independent and in dealing with the absence of their familiar surroundings – even if this may only be for a short period of time.²⁷

In addition, there is a lack of care facilities for boys and young men. They also may have to confront breaking off relations with their families and may need quick and anonymous accommodation.

Recommendation

18

Specialised care and protection concepts should be developed for existing refuge facilities. Support should be given to setting up specialised protection and crisis facilities for those affected by or threatened by a forced marriage.

When developing specialised care and protection concepts this means above all:

- Ensuring anonymity – also for the staff.
- Ensuring intensive psychological counselling and care which makes concessions for victims being stressed due to the sudden absence of the family surroundings.
- Development and implementation of special protective measures for victims of forced marriage and the counsellors and care workers.

- Intercultural sensitivity on the part of the staff, so as to be able to assess the risks associated with the situation and the victim's ambivalent feelings.

A good example for this approach is the crisis facility PAPTAYA which receives funding from Berlin as well as the equally specialised protection facilities run by Terrafem, Somaya and Women's Network. These facilities offer comprehensive safety and protection and carry out a risk analysis. They work together with victims in an intercultural team to explore long-term perspectives for the period after the stay in the refuge.

PAPTAYA – Anonymous Crisis Facility for Young Migrant Women

PAPTAYA offers protection and help for girls and young women from migrant backgrounds who because of cultural and family conflicts have fled from home and are being threatened by their families. An intercultural team of Turkish, Kurdish and German social workers/psychologists provide around the clock care.

Good Practice from Germany, see Appendix I, p.66

Terrafem, Somaya, Women's Network:

Specialised Refuges for Women who are affected by Honour-Related Violence or Forced Marriage
The three organisations offer refuge accommodation specifically oriented to this target group as well as short-term and long-term accommodation. The accommodation is linked together in a network also involving local and public authorities.

Good Practice from Sweden, see Appendix I, p.65

²⁷ MA 57, City of Vienna (2006), p. 130

Support for Follow-On Perspectives/Housing Projects

Refuges and crisis facilities as a rule are not conceived for long-term accommodation. However if victims have decided to lead an independent life against the express will of their family, then long-term support is often necessary to enable them to manage their problems and day-to-day life as well as to help them prepare for an independent life.

Recommendation

19

Long-term supervised housing projects should be developed and supported.

By this we mean housing possibilities with supervisory care provided by social workers. Sharing a flat could provide teenagers and young adults with their first space outside the family where they can be empowered to develop their personalities with a view to developing an independent lifestyle. This entails e.g. supporting them to organise the household, support in finding a school or training place and help in dealing with the authorities. Such an approach is being pursued e.g. by the housing project ROSA in Stuttgart.²⁸

Furthermore, foster families can also offer victims a good possibility of a long-term perspective. However, it is necessary to develop special care and protection concepts for the foster families.

²⁸ <http://www.eva-stuttgart.de/rosa.html>

4.3 Professional Training for Staff in Counselling and Refuge Facilities

Achieving a competent joint assessment and evaluation of the victim's needs and the risks facing them is decisive for the further steps in the care process. In this respect there is a need within existing counselling facilities for specific training on the problem of forced marriage.

Recommendation

20

Staff at existing counselling facilities and hotlines should be trained in the issue of forced marriages.

The topics dealt with in the training sessions should include:

- Social and legal problems associated with forced marriage.
- Basic questions of intercultural expertise, in particular giving staff information regarding issues of migration and integration.
- Possibilities of improving access of those affected by forced marriage to refuge and counselling facilities.

4.4 Strengthening Victim's Rights in the Courts

Court proceedings are a heavy burden for victims of forced marriage. The whole legal process is connected with immense fears and insecurities on

the part of the victims. Victims are often unaware of their statutory rights or the possibilities of receiving assistance. Therefore provision should be made for comprehensive counselling and assistance.²⁹

As mentioned above, this especially affects women and girls who have escaped from an imminent or actual forced marriage, and who may be seriously at risk both during and after the court proceedings.

Additionally, in court hearings which deal with forced marriages victims often are put in the position of testifying against others and the credibility of their testimony is subject to critical examination. Often they are put under additional strain due to the fact that judges, lawyers or police officers are insufficiently trained to deal with the subject.

For this reason trained staff should accompany the victim to inform them of their rights and of court procedures and to provide them with stable support.

Recommendation

21

Legal, psycho-social assistance during trials should be guaranteed for victims from the beginnings of the preliminary proceedings.

In this connection it is imperative that extreme sensitivity is shown when handling the personal data of the people at risk. Personal data stored in

files, if not treated anonymously, can be a security risk leading to identification of the victim's location or refuge facility.

In addition, legal, psychological and social assistance requires intensive cooperation between the counselling services, victim protection facilities and legal counsellors – a priority being to develop an individualised safety concept.

Free Psycho-Social and Legal Support

Since 1 January 2006, particularly victims of violence in Austria have the right to free social, psychological and legal support during criminal proceedings. The costs for the legal, social and psychological support is covered by the Austrian Federal Ministry of Justice.

Good Practice from Austria, see Appendix I, p.67

Independent Domestic Violence Advisors (IDVAs)

A network of IDVAs has been established in the UK to provide support to all victims of domestic violence, including those affected by forced marriage. The IDVAs are attached the specialist domestic violence courts which have been established across many parts of the UK. Victims will be referred to an IDVA for support by a number of agencies and the IDVA will provide one-one support to victims throughout the court process. For example in a Blackburn an IDVA was able to provide support to a potential victim of forced marriage who had reported her case to the police. The police were able to apply for a forced marriage civil protection order on her behalf.

²⁹ see also: The Council of the European Union: Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings (2001/220/JHA), Official Journal of the European Communities No L82/1 of 22/03/2001; Rec. (2006) 8 of the Committee of Ministers to member states on assistance to crime victims

The IDVA attended the court hearing with the victim and explained the process and the outcome when the protection order was granted by the judge.

Good Practice from UK

In cases where a translation is required, it has sometimes occurred that instead of court-sworn interpreters being used, either family members or interpreters have been used who are neither reliable nor objective or who are not suitably qualified.

Recommendation

22

The use of trained court-sworn interpreters is a necessity.

Proposal for Further Discussion of the Legal Situation

Even though the project partners agreed not to make specific legal recommendations, nevertheless reference should be made here to an approach from the United Kingdom. During the course of the project civil legislation went onto the statutes aimed at enforcing the rights of victims. This is something to think about in further discussions of developing legislation in the context of forced marriage.

“Civil Protection Act” – Proposal to Discuss

The UK Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008. This act gives family courts the power to make “Forced Marriage Protection Orders”. These can be used to prevent forced marriages occurring and to stop

attempts to force another person into marriage. Where a forced marriage has already taken place, the court can use these orders to protect the victim and help remove them from the situation.

Measure in UK, see Appendix I, p.69

4.5 Perpetrator Related Intervention Strategies

The issue of perpetrators within the context of forced marriage is complex and represents a major challenge for the development of effective intervention strategies. Often it does not involve a sole perpetrator but rather violence and coercion are often carried out by family and extended family members. In turn, these complex family structures have to be seen as embedded within a cultural context. In Europe, this problem has not been given sufficient consideration. Working with the perpetrators has been interpreted to mean measures which deal with the violence exercised by men against their (ex-)partners. In this respect, there are only a few components for perpetrator programmes which are specifically-oriented towards men from a migrant background. The family context – i.e. that also women may be perpetrators and their integration in the respective community – has on the whole not been taken into account.

Working with the perpetrators cannot be reduced to anti-violence training courses or to participating in perpetrator programmes either imposed by public bodies (often courts) or attended on a voluntary basis. Rather it is a necessity for all those institutions involved with the issue of forced marriage to react to coercion and violence, in order to end it and to motivate those responsible to critically discuss their behaviour.

Therefore it is necessary to develop and expand culturally-specific perpetrator-oriented intervention strategies for individuals or groups who are involved in forcing someone into a marriage. Apart from the legal area, this is also a challenge for social, family and youth policy. The objective is bringing about a lasting change in behaviour.

Recommendation

23

Programmes and intervention strategies aimed at perpetrators should be scrutinised to see if they are suited to the problem situations faced by migrants and the victims particular need for protection.

In this connection, it is essential that governmental organisations, NGO's involved in victim

protection and working with perpetrators, and migrant organisations jointly develop the requirements for perpetrator-oriented intervention strategies. This should involve questions relating to the required cooperation structures, risk analyses, child protection, means of access, discussion on gender roles and intercultural staff training. A central issue is also discussion of the different methods which are currently being utilized in intervention strategies.

In this respect, consideration should be given to the fact that some specialists regard all forms of mediation with the families of victims of forced marriage as extremely dangerous. Practical experience has shown that mediation can put the victims to substantial risks and, in extreme cases, lead to honour based violence and murder. Therefore, The United Kingdom can not agree to any recommendation that involves mediation.

5 INTERNATIONAL ACTIVITIES

Forced marriages occur in all EU member states and also worldwide. Therefore it is necessary that the issue remains on the agenda of multilateral fora.

In European countries cases of forced marriage often involve an international dimension. On the one hand, this concerns those cases where young people are abducted to their parent's country of origin for the purpose of contracting a forced marriage. On the other hand it also concerns those cases where a spouse from abroad should receive a visa or resident's permit for an EU member state under the auspices of family reunification.

Therefore efforts aimed at prevention and effective support for victims must also be carried out at an international level. This involves providing support in the country of origin as well as an international exchange of information, knowledge and experience.

Information concerning Travelling Abroad

A particular dramatic situation is that affecting girls or boys who against their express will or under false pretences are abducted by their parents or other family members to their country of origin and forcibly kept there.

In order to prevent such situations prior intervention is needed: As potential victims, young people have to be made aware of the dangers and have to be in a position to organise help for themselves in such cases.

Recommendation

Free and confidential counselling and information about the potential dangers of being forced into marriage overseas should be provided.

24

The girls and boys should be informed that trips abroad to the country of origin under the pretext of family holidays or visiting relatives may be utilised for the purpose of marriage. Such information should be provided e.g. by schools, especially before the summer holidays as at this time the risk is particularly high.

Young people should not only receive information concerning the dangers relating to a feared marriage abroad, but they should also be made aware of the possibilities of taking precautionary measures. For example, leaving telephone numbers, contact addresses abroad and return dates with friends, bringing a second mobile phone with them and obtaining information before the trip about the embassies or other contact points who are responsible and where assistance can be received in the case of an emergency abroad.

Consular Assistance for Victims

Should embassies and consulates abroad receive information that persons have been or may be married against their will and are being held captive, they should be required to offer every possible assistance and support to their citizens.³⁰

³⁰ see also Recommendation Rec(2006) 8 of the Committee of Ministers to member states on assistance to crime victims

25

Recommendation

Effective support by the responsible embassies in the host country should be made available to victims.

Various forms of support can be offered. In particular it can consist of issuing new travel documents or assistance in organizing return flights but also concrete on-site assistance.

A best-practice for consular assistance is from the Forced-Marriages-Unit, UK:

UK, FMU: Consular Assistance

When the FMU receives information that a British national is or has been forcibly married abroad, various forms of consular assistance are considered. These can include court proceedings in the UK, rescue missions overseas or assistance with return flights.

Good Practices from UK,
see Appendix I, p.69

The following aspects are of importance in relation to consular assistance and in particular concerning rescue activities:

- Training should be given to consular staff on the issue of forced marriage and the grave consequences.
- Efforts should be made to provide accommodation and follow-up assistance to victims upon their return.
- If necessary, victims should be referred to specialised counselling services and support groups.

Special problems are faced by young people who do not possess citizenship of the country where they have grown up. This mainly affects large

numbers of victims from those European countries where citizenship is not granted on the basis of the territorial principle. Thus these countries should especially examine whether it is possible in compliance with international and national laws and agreements to enable victims to return to their country of residence.

It can occur that victims are abducted to a third country where no diplomatic representation of their country of residence exists. Nonetheless, also in such cases, EU governments should guarantee that the victims receive consular assistance from other EU countries' representatives.

Recommendation

Whenever necessary, EU governments should offer assistance to citizens of other EU countries in third countries.

26

International Cooperation and Exchange of Knowledge

In order to guarantee quick and effective assistance to victims it is necessary that national and/or local authorities establish and maintain cooperative relations with authorities and NGO's in the countries of origin. NGO's have amassed a wealth of experience on the issue of forced marriage and often have very good international contacts.

Such networks should also involve on-site consular staff. They must be able to have the back-up of a well-organised and professional network of support, e.g. to organise accommodation or a speedy and well-organised flight for the victims back to their country of residence.

In addition, an international exchange of experts and the expansion of on-site expert groups should be promoted in order to mutually strengthen the quality of their activities.

Recommendation

27

National or local authorities should work in conjunction with embassies, authorities and NGO's in those countries of origin where there is a particular danger of persons being forced into marriage. Projects and measures to raise awareness of the problem should also be funded and supported abroad.

Also in this respect, the good experiences of the UK Forced Marriage Unit has proven to be of value. Since 2005, the FMU has built up and maintained such cooperation with local NGO's, government representatives, local police and other key figures such as community leaders. In addition, the High Commissions in Pakistan, Bangladesh and India have supported on-site information work.

UK, FMU: Funding of Refuge and Awareness

The funding has been used to support projects in their information work and to carry out a wide range of activities such as community workshops, travelling theatre groups, lectures, posters on public transport and TV debates. Additionally the UK government is funding refuges in Pakistan and Bangladesh

Good Practice from UK, see Appendix I, p.71

Another good example of a professionally-specialised international network is provided by the NGO SSR in The Netherlands and in Morocco:

SSR: Transnational Network of Lawyers and Social Workers

The network works together with Moroccan women and children in The Netherlands and Morocco.

Good Practice from The Netherlands, see Appendix I, p.72

The experts and institutions participating in national working groups (first recommendation) could be important contact people with respect to transnational cooperation in cases of forced marriage.

In addition, within the context of the international exchange of information and experience, an important role can be played by members of parliaments in that they can structure laws ensuring that this form of violence can be appropriately tackled and the rights of the victims guaranteed by law. In particular, cooperation with representatives from other national parliaments can ensure that possibilities for action, measures to be taken and good practices can be exchanged. It can also be utilised to give and receive suggestions and help as to how laws and political programmes in the respective countries can be more effectively drawn up.

Recommendation

Members of the European parliament who are committed to tackling forced marriage should establish a close network.

28

An example of such a network is provided by the Council of Europe project "Parliaments United in Combating Domestic Violence against Women"

(2006–2008). This project was initiated by the Parliamentary Assembly of the Council of Europe in cooperation with the member states and states with observer status as well as a range of national and international parliamentary assemblies, in particular the European Parliament, the Nordic Council and the Inter-parliamentary Union.³¹

Sometimes it can arise that a victim of forced marriage cannot be safely accommodated in their country of residence. Thus, safe accommodation has to be guaranteed in a neighbouring country.

Therefore it is necessary by means of bilateral or multilateral agreements to guarantee accommodation as well as access to resources and services in the respective partner country.

Recommendation

Guaranteeing of assistance to victims in neighbouring countries should be ensured by means of multilateral agreements.

29

³¹ Council of Europe, Parliamentary Assembly AS/EG (2008) 27, 23 June 2008: “Parliaments united in combating domestic violence against women: the results of the Council of Europe campaign and the outlook for the future.”, <http://www.coe.int/t/pace/campaign/stopviolence/>

Outlook

All member states of the Council of Europe and the European Union have signed and ratified international agreements concerning the issue of forced marriage. Thus, these states have entered into an obligation to actively take up protective and preventative measures against forced marriage. Furthermore, the issue of forced marriage has been discussed for a number of years in different European bodies and a number of proposals to tackle the problem have been worked out. From this, we can ascertain the existence of a common will to tackle the issue at a European level by means of specific actions and strategies. The initiatives which have been taken up in each country differ considerably in nature, some countries have action plans which include specific measures at the levels of prevention and intervention and which have largely been implemented. In contrast, other countries are only beginning to develop and implement concrete actions and measures. Besides the legal instruments what is primarily required are effective preventative and intervention services as well as agreed multi-agency practice guidelines.

In drawing up the recommendations for action presented here, the project “Active against Forced Marriage” wishes to contribute towards the development of new and innovative action strategies at national, European and international levels.

Many of the measures which have been tried and tested in practice, and the agreed procedures within the partner countries can provide a new impetus towards dealing with the issue.

In addition, these guidelines can serve as a matrix for reviewing and developing existing structures, strategies and service provision with respect to how effectively they serve the specific target group.

In some places the action guidelines make clear that effectively tackling forced marriage

can only succeed when the corresponding strategies are embedded in an innovative Equality and Integration Policy at European level. For this reason, all the project partners hope that the results of this project will stimulate further discussions in these policy areas.

In addition, the project has shown that there exists a marked interest in an international exchange of expertise and international cooperation. Above all, this can be seen by the fact that both Switzerland and Turkey as associated members took part in the project and that the media work accompanying the project attracted the attention of representatives of state and voluntary sector agencies. This resulted in a steady increase of interest in the project and the expert conferences on the part of representatives drawn from the circle of state and voluntary sector organizations. Thus for example, representatives from Norway took part in the conferences in Istanbul and Amsterdam.

On the whole, these are sound prerequisites for developing common international strategies to tackle forced marriage as recommended by the action guidelines presented here.



Appendix I

Good practises from the Partners' Countries

IV

COOPERATION AND NETWORKING (II.2.2)

Austria: Internal Working Group on Forced Marriage of the Vienna City Administration

On the basis of the recommendations formulated in the study “Situation Report & Catalogue of Recommendations – Forced and Arranged Marriages in Austria with special account taken of Vienna”, a “working group on forced marriage” was established by the Executive City Councillor charged with women’s issues as an internal coordination and working group of the Vienna City Administration.

Timetable

The working group took up its activities in April 2007 under the aegis of Municipal Department 57 (Women’s Department of the City of Vienna).

By November 2008 the working group participants had conducted a total of eight working meetings.

During this period other governmental and extern institutions were invited to some working group sessions. These meetings served the purpose of exchanging experience and reflecting on existing cooperation activities.

Participants of the internal working group

The participants of the internal working group on forced marriage of the Vienna City Administration are representatives of municipal departments to which persons affected or threatened by forced marriage might turn to. These include Municipal Department 11 (Youth and Family Office), Municipal Department 13 (Education, Out-of-School Activities for Young People), Municipal Department 15 (Public Health Services of the City of Vienna), Municipal Department 17 (Integration and Diversity), Municipal Department 35 (Immigration, Citizenship, and Registry Offices), Municipal Department 57 (Promotion

and Coordination of Women’s Issues), the Vienna Children’s and Young Persons’ Representative, the Vienna Board of Education and the Vienna Women’s Health Programme.

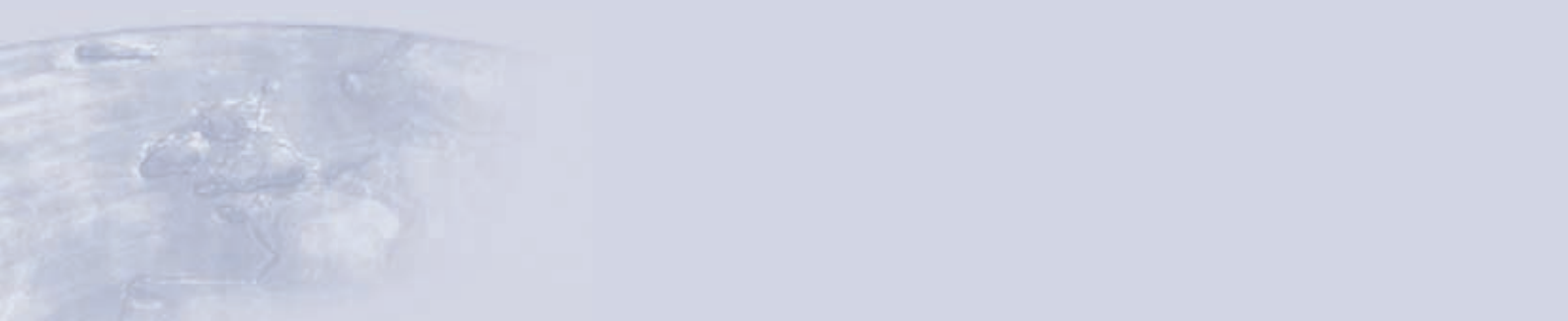
Objectives of the approach

The objectives of the working group followed the key recommendations of the study “Forced and Arranged Marriages in Austria with special account taken of Vienna”; above all, persons affected or threatened by forced marriage were to be provided with an optimised assistance and intervention network within the Vienna City Administration.

The working group was to agree on a definition of what constitutes a forced marriage, i.e. to clarify the outlines of the issue to be tackled. Instances of when the individual departments come into contact with the phenomenon of forced marriage were to be pinpointed, and the existing resources and expertise available within the Vienna City Administration were to be identified with the twofold objective of obtaining an overview and ascertaining which measures still need to be taken to be able to safeguard optimum support for persons affected or threatened by forced marriage. Moreover, the working group also set itself the task of planning and implementing a uniform statistical record of cases of forced marriage. In addition, action guidelines were to be developed to offer the staff of the respective municipal departments some basic orientation and help to enable them to react and intervene adequately and professionally.

Data collection

The study “Situation Report & Catalogue of Recommendations – Forced and Arranged Marriages in



Austria with special account taken of Vienna” likewise emphasised the importance of comparable data derived from fine-tuned, standardised and uniform documentation and data capturing. After some discussion, the members of the working Group agreed, when talking about cases of forced marriage, to distinguish between imminent and actually contracted forced marriages and to statistically record both these items. Of course there was awareness that multiple counts will happen and in fact are inevitable. However, the group agreed that the multiple counts to be expected would lose their relevance in view of the – certainly much higher – estimated number of (not reported or captured) cases.

Furthermore the working group was not solely motivated by obtaining concrete figures but mainly by creating awareness, greater sensitivity and actual “recognition” for the problem of forced marriage through documentation and data capturing.

Since 1 January 2008, the municipal departments and divisions represented in the working group have been statistically recording cases of “imminent forced marriage” and “actually contracted forced marriage” as the two applicable categories.

Action guidelines

Another important objective of the working group was to develop action guidelines to handle cases of forced marriage. These action guidelines were to provide some orientation that would provide the municipal staff faced with actual critical situations with help and greater reliability in tackling the problem, thus ensuring the best possible professional management of such situations. Due to the heterogeneous composition of the municipal departments participating in the working group with respect to their approach, mission and

competencies, it was realised that ONE set of action guidelines for all municipal departments is neither possible nor useful. Every department represented in the working group thus developed its own action guidelines, in keeping with the different intervention possibilities and specific requirements.

Sensitisation measures

Internal sensitisation within the individual municipal departments was attained simply by having working group participants communicate the topics and measures discussed in the meetings to their respective offices, thus informing their colleagues. Moreover, the development of action guidelines by the individual departments led to an in-depth confrontation of the issue of forced marriage. Statistical recording and the application of the action guidelines kept the issue of forced marriage in the field of attention; thus the sensitisation and, above all, learning process will continue in the future.

Through the working group, it was realised that the departments and divisions of the City of Vienna have already amassed a significant body of specialised knowledge and expertise relating to forced marriage. Each of the municipal departments represented in the working group has prepared a schedule of training programmes and lectures on its specialised knowledge for the various other departments involved; several of these internal training and sensitisation courses have already taken place.

Sensitising wide circles outside the Vienna City Administration is another major concern of the working group.

Service folder on forced marriage

Another awareness-creating measure envisaged by the working group on forced marriage is the

compilation of an information and service folder on forced marriage. The folder “Heiraten ohne Zwang” (Marriage without Constraint) is to promote awareness creation, information and sensitisation relating to this issue. It was developed for persons affected or threatened by forced marriage as well as for multipliers, contains thematically relevant information and lists key contact points in Vienna. The folder is available at municipal offices and institutions such as schools, youth centres, counselling points, etc. in order to reach the greatest number possible of multipliers and, of course, persons affected or threatened by forced marriage.

The future of the working group on forced marriage

Two or three networking meetings per year will continue to be held; it is also planned to invite other counselling points and institutions confronted with the issue of forced marriage as well as the working party on forced marriage for an exchange of expertise and to build new cooperation ties. Other desiderata include networking

and cooperation with representatives of the police and judiciary.

Target groups of the approach

The target group of this approach are primarily victims of forced marriage, who get in contact with various departments of the Viennese City Administration.

Moreover all participating departments are target groups of this approach because via the work within the working group they had to look into the subject of forced marriage and dispute on it respectively gain knowledge and new approaches.

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COOPERATION AND NETWORKING (II.2.2)

UK: “Honour Network” (Karma Nirvana)

Karma Nirvana is an Asian men and women's project staffed by 18 volunteers, all of whom are survivors of forced marriage and honour-based violence. In 2008 the Forced Marriage Unit contributed funds towards the setting-up of Karma Nirvana's Honour Network Helpline

offering 24 hour advice for actual and potential victims of forced marriage.

Further information

www.karmanirvana.org.uk

GUIDELINES (II.2.3)

UK: Guidelines for Professionals (FMU)

The Forced Marriage Unit, in conjunction with relevant agencies and NGO's, has produced individual, single-volume practice guidelines for Police, Health, Social Work and Education professionals to follow when dealing with potential and actual victims of forced marriage. These guidelines outline the fundamentals of handling forced marriage cases, from recognising the symptoms, to dealing with victims, multi-agency working, and what to do if a victim has travelled overseas.

Under the Forced Marriage (Civil Protection) Act 2007, the government issued statutory guidance in November 2008 setting out strategic responsibilities of agencies in England and Wales

who may be involved with handling cases of forced marriage. The guidance aims to ensure a consistent and sensitive standard of service is being provided by all UK agencies with statutory duties of protection.

As of Spring 2009, officials are revising and up-dating the existing non-statutory practice guidelines for front line staff, which will be re-issued in a single volume later in the year.

Further information:

www.fco.gov.uk/en/fco-in-action/nationals/forced-marriage-unit/info-for-professionals

MEASURES TARGETED AT SCHOOL PUPILS (II.3.1.1)

Austria: School Workshops (Orient Express)

The association "Orient Express", is a specialised institution to fight the phenomenon of forced marriage. The association runs a women's counselling and service centre as well as a centre for various courses and classes. The staff members of the multicultural counselling team are also native speakers of clients' mother tongues. The clients thus assisted are migrants and their relatives, mostly from Turkey and countries from the Arabic-speaking region.

The association "Orient Express" has been focusing in particular on the problem of forced marriage by organising prevention, information and awareness creation measures. One of such a measure takes the form of school workshops in

order to reach potential clients before marriage. The school workshops of "Orient Express" take place at school, in the classroom, for pupils aged 13 to 18. The workshops are first agreed with the school and planned in consultation with the school or class teacher. For every group, one teaching unit of approx. 50 minutes is set aside for the workshop, although this may be extended to two teaching units. The number of participants should not exceed 20 to be able to discuss the issue within the group. The counsellors of "Orient Express" offer background information about the legal situation in Austria as well as about all facilities young people may turn to for assistance, drawing the youngsters' attention clearly

to the intrinsic link between forced marriage and violence.

“Orient Express” wants to strengthen the students’ inner capabilities to say no, even if they are exposed to massive pressure by their families. Positive examples are cited to highlight perspectives and possibilities for young people to shape their future for themselves.

The workshops comprise the following thematic areas:

- Forced marriage – background and traditional aspects
- What is forced marriage?
- Why do forced marriages happen?
- How are counselling sessions organised?
- How can forced marriages be prevented?
- What can you do if it actually happens?
What institutions can help you?
- How can you help yourself or a friend?

“Orient Express” provides the young people with information sheets of the various institutions and essential phone numbers. They are also given

stickers with the phone number of their counselling point to help them memorise the number.

These workshops allow policy makers to reach potentially affected young people (above all girls and young women) and their friends who can play an important role in supporting victims of forced marriages. The awareness of young people can be best and most lastingly stimulated through schools and youth organisations, i.e. environments where young people spend a lot of their time. Working with girls (and boys) before marriage is essential, since they have no clear understanding of the extent of the risk and consequences, and interventions are still “easier” in this phase. The best period for these workshops is before the summer holidays, when the question of marriage may acquire importance for families.

Contact

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MEASURES FOR EDUCATIONAL PROFESSIONALS WORKING IN SCHOOLS (II.3.1.2)

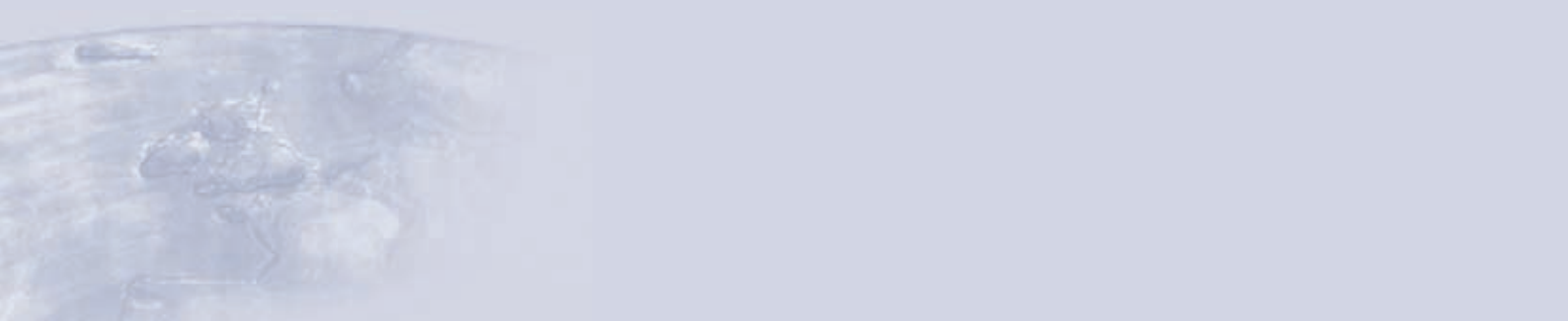
Sweden: A National Assignment against Honour Related Violence in Sweden

The regional county of Östergötland has since 2003 worked with an assignment from the Swedish Government, to work preventive against honour related violence including forced marriage on national level. Until 2008 has 13 million SEK been given out to these efforts.

The national effort mainly consists of contribution for financing projects, which are working all over Sweden. Until 2008 30 projects have been

granted. The projects are e.g. worked with trainings in the municipalities on forced marriage, but also changing of attitudes among young men.

The county of Östergötland also functions as a support in trainings and cooperation. There have been almost 100 trainings events every year since 2003. The priorities in the trainings have been concentrated on forced marriages in the field of honour related violence.



In the assignment from the Government the NGO's have an important role in the preventive work against forced marriages. The NGO's are always invited to take part in the trainings and NGO's also have their own projects on forced marriages.

As a result from the work in Sweden on forced marriages the authorities and municipalities have

become much better, when they meet young women who are exposed to forced marriages, even though the demand to get more knowledge is still big. An evaluation shows that even more education is necessary on honour related violence and forced marriages in the whole of Sweden.

MEASURES AIMED AT PARENTS/INVOLVING MOTHERS AS IMPORTANT KEY PERSONS (II.3.1.3)

Austria: Mother-Daughters-Workshops (Orient Express)

(Excerpt of the documentation of the Daphne Conference in Vienna, March 27th 2008, p.60. <http://www.hamburg.de/eu-project/konferenzen>)

Parents

The association "Orient Express" has set itself the task of tackling a highly complex phenomenon here it was clear from the outset that prevention work would be extremely difficult. We want to prevent, eradicate and totally abolish forced marriages.

To combat ancient traditions and social norms is an extremely arduous endeavour. Escaping from a forced marriage does not only mean running away from a violent husband or father but also cutting the line with established customs, the entire family and even one's society as whole.

It is imperative for us to involve the parents and above all to win over the girls' mothers. Mothers, who often were victims themselves and now are about to become perpetrators, must absolutely be sensitised and strengthened to be able to better defend their daughters threatened by a forced marriage against the male family members.

To attain that goal, "Orient Express" has developed the workshop "Help! I don't want to marry yet!"

The workshop is designed for two target groups:

- girls (starting at age 13, as potential victims)
- women (mothers as "potential co-perpetrators")

How do we work with mothers?

Concrete examples and role playing are used to show clearly why this custom is a terrible form of violence.

It is stressed explicitly that the mothers should be at their daughters' side to give them moral support and courage. The mothers are informed about the legal situation.

How do we work with girls?

The girls meet to voice their problems with their families and with society, to speak about their wishes, dreams and hopes but also to express concerns and fears. We support and coach them in this process of awareness creation. We inform

them about the social background of this inhuman practice.

It is emphasised that forced marriage is not a game but in fact cancels a girl's whole childhood from one moment to the next. The girls are informed about institutions that can offer help, assistance and moral support.

While we probably cannot reach all women through this workshop, the association "Orient Express" does consider it a viable starting-point. Further workshops, meetings and discussions are necessary to win over more mothers to protect their daughters.

Additional workshops, meetings and discussions – also for potentially affected persons – are moreover necessary so that the association "Orient Express" can communicate essential information to these girls and strengthen their capabilities to put up resistance and say a decisive "no".

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MEASURES AIMED AT PARENTS / INFORMATION EVENTS (II.3.1.3)

Sweden: Save the Children (The "FUGA-Method" developed by Sonia Sherefay)

The FUGA-method is directed to parents who come from other countries and have children in the kindergarten or in primary schools. This education is mostly evening courses.

Facts

The method gives facts on Swedish legislation, the social law, bringing up children and the social life in Sweden.

Experiences

The participants have the opportunity to watch Swedish movies, read Swedish news papers and so on. Then they can give their opinions of their experiences.

Realization

The participants will now in their mother tongue write or describe their feelings, new

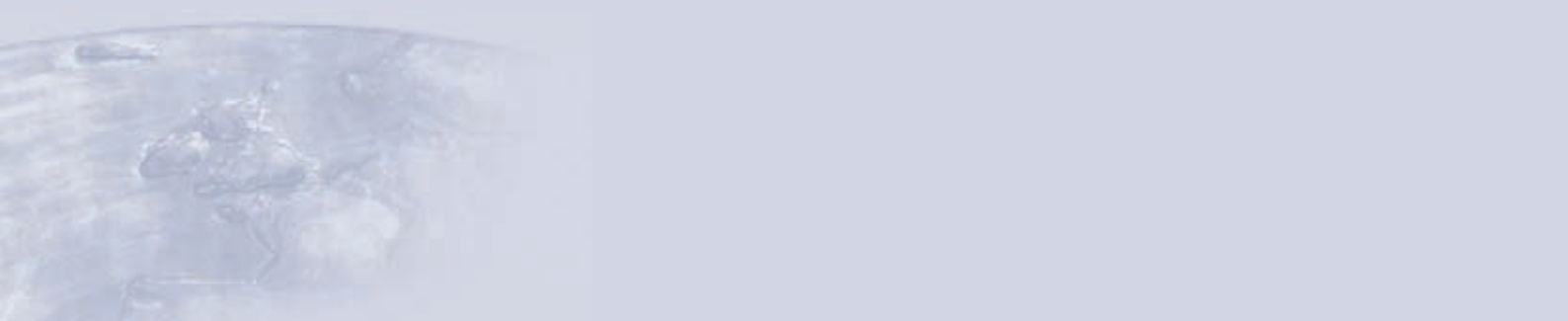
knowledge, values and the experiences they have achieved.

Analyses

Every theme ends with discussions about:

- What have been learned?
- How did we learn?
- Have the experiences empowered and enriched our knowledge?
- Have we got better understanding?
- Have we made own discoveries, own experiences?
- How do we go further?

This FUGA-method has been successfully worked with since 1997.



MEASURES AIMED AT PARENTS / SUPPORT FOR OPEN-DOOR INITIATIVES (II.3.1.3)

Germany: Parents Talk (Bavaria, Germany)

In Bavaria so-called “Parents Talks” have been established where numerous people from migrant backgrounds do volunteer work. The idea behind the “Parents Talks” is that parents give advice to other parents, they meet privately in groups and discuss questions related to bringing up children. The people leading these discussion groups are volunteers who have children of their own and who received training from professionals in 21 locations to enable them to carry out this task. The project has been coordinated by two voluntary organisations, and numerous towns and country areas have

been reached by the project. At the end of 2006, 62% of those taking part in the “Parents Talks” were migrants. This was due to the fact that the “social-work pressure“ was missing and those participating had no problems in opening their doors of their homes to others. Thus the service is open access, effective and a good example of meaningful prevention of forced marriage and for successfully involving migrants in volunteer work.

(Excerpt of the documentation of the Daphne Conference in Hamburg, June 13th 2007, p.61. <http://www.hamburg.de/eu-project>)

EDUCATIONAL MEASURES TO TRANSFORM TRADITIONAL ROLE MODELS (II.3.1.4)

Sweden: Work with Boys in Schools (NORMal)

Preventing violence by working with gender equality together with men and boys. The aim is to receive social justice. Girls and women are treated injustice in the society and NORMal works with getting a change.

NORMal works with changing men and masculinities in:

- Understanding gender and power

- Young masculinities

- Violence

Changing men and masculinities is possible. NORMal works with young boys from secondary schools. They go to camps and have trainings and discussions for starting up a process among the boys.

Sweden: Courses for Young Men (“Sharaf Heroes”, Fryshuset)

Fryshuset has within their organisation started up Sharaf Heroes; they focus on young men from patriarchal cultures. The work is mainly of a pre-

ventive nature, dealing with changes in attitudes. The main idea is to build a young network that works towards improving other young people’s

knowledge of human rights and thereby counter-acting honour related repression.

Sharaf Heroe's work is directed to young men from 17 years, who live within the honour culture. The aim is to change the young men's attitude through their own engagement.

Sharaf Heroes work in several cities in Sweden, and they are well known, as good examples in working with forced marriages.

Further Information

www.fryshuset.se

EMPOWERMENT STRATEGIES (II.3.1.5)

Turkey: Human Rights Education Program (HREP) for Women (Women for Women's Human Rights (WWHR) – NEW WAYS)

Women's Human Rights Education Program (HREP) was developed by Women for Women's Human Rights – NEW WAYS through a series of pilot applications between 1995–97, first in the shantytown areas of Istanbul, then in the South-eastern region of Turkey, in Diyarbakir, Urfa and Gaziantep. During this time, a number of training materials were produced, including a comprehensive 330 page trainers' manual, illustrated brochures on legal rights, sexual and reproductive health and rights, a video on domestic violence and sexual abuse in the family, and a series of research reports and books on the findings of WWHR's action research. In 2006 WWHR – NEW WAYS produced the "Purple Series", a 12 episode documentary TV series based on HREP about women's empowerment in collaboration with NTV, a leading Turkish TV station. The series telling life stories of participants of HREP and how they were able to change their lives in private matters and public spheres. Many of the women featured are victims of early and forced marriages.

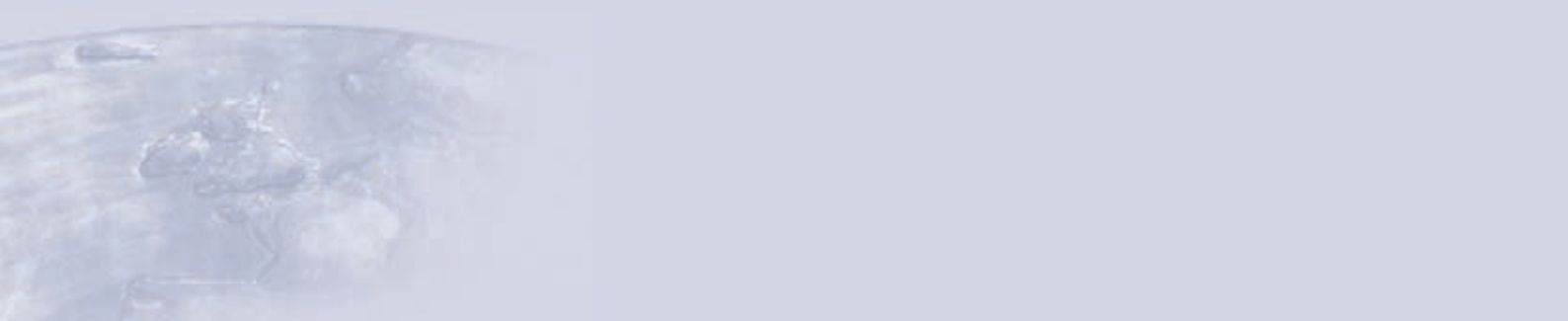
The "Purple Series" serves also as a visual resource and outreach tool on women's human rights.

Goals of the Program

The main hypothesis underlying this program is that: if women are given the opportunity to learn their rights and acquire the necessary skills to take action, they might begin to "do something" individually and/or collectively, such as speak out against an infringement of a right. This program aims to equip women for social change by helping them become "citizens" who hold the government accountable and who work as "partners" with other actors in civil society and the public sector towards meaningful participation in a democratic society.

The goals of the program are:

- a) to create awareness of global norms and national laws on human rights and women's human rights;
- b) to encourage social action leading to remedy of violations of women's human rights, as well as to promote greater respect and application of those rights by both the state and society;
- c) to fill the gap left by the limited efforts of the state in creating awareness and education programs on human rights and women's human rights.



Objectives of the Program

The main objectives of the program are as follows:

- To enable women to gain awareness of their rights as equal citizens;
- To support women in developing strategies for the implementation of their legal rights in daily life;
- To raise women's consciousness of how customary practices, i.e. "unwritten" laws, often limit or violate their rights;
- To provide basis from which women can discuss and create action plans to change these practices and written and unwritten laws;
- To create a safe environment in which women can share their own life experiences with one another and determine common and pressing problems in an atmosphere of solidarity;
- To enable women to view themselves as active individuals in the process of social change, at both local and national levels;
- To enable women to develop personal and collective grassroots organizational skills, which will assist them in mobilizing to confront the problems and needs they identify;
- To support grassroots organizing efforts developing between women.

Subject Matter

The Women's Human Rights Education Program consists of a minimum of 16 participatory workshops, in which a diverse range of issues is discussed depending on the specific needs of each local group.

The Workshops:

1. Greeting Session; Introduction of the Women's Human Rights Education Program; Needs Assessment
2. Women's Human Rights

3. Constitutional and Civil Rights
4. Violence against Women and Domestic Violence
5. Strategies against Violence
6. Women's Economic Rights – Section 1
7. Women's Economic Rights – Section 2
8. Communication Skills – Section 1
9. Communication Skills – Section 2
10. Gender Sensitive Parenting and Rights of the Child
11. Women and Sexuality – Section 1
12. Women and Sexuality – Section 2
13. Reproductive Rights
14. Women and Politics
15. Feminism and the Women's Movement
16. Women's Grassroots Organizing

Partnership with the General Directorate for Social Services

Since 1998, this program is being implemented with the collaboration of a Turkish governmental agency, the General Directorate for Social Services and Child Protection (SHCEK). WWHR – NEW WAYS has expanded the program to women living in different regions of Turkey through the Directorate's community centers. WWHR – NEW WAYS has conducted trainer training for the social workers of the community centers who in turn have started offering training to women at the community centers under close supervision and monitoring of WWHR – NEW WAYS. The cooperation proved to be very yielding. The partnership created the possibility for the sustainable and widespread implementation of the Women's Human Rights Education Program at the grassroots level. The first "trainer training" was held in Ankara which was followed by 5 more, the last one being in 2008. A total of 116 social workers have participated in the trainer training and 17 grass roots

organisations have formed in 12 provinces. Some of these organisations like Van Women's Association (VAKAD) and the Canakkale Association to Promote Women's Labour (ELDER) have become key actors in their communities and active members of the women's movement in Turkey.

Since the latest trainer training in 2008, the program has expanded to 42 provinces in 7 geographical regions of Turkey. The primary target group of the trainer trainings has been the social workers who work in the community centres. Besides the community centers, the program has also been held in other units of the General Directorate for Social Services such as women's shelters, girls' orphanages, kindergartens, and rehabilitation centers, and was also conducted after request with units of female police officers and health service personnel. In 2009 HREP will be implemented with female leaders of workers unions and female religious advisers as requested by the ministry of religious affairs in Ankara.

Approximately 6000 women and girls have so far participated in WWHR – NEW WAYS' Women's Human Rights Education Program and far more women and girls have been reached to information brochures and the Purple Series.

According to an External Evaluation Research on HREP conducted by an independent research team in 2002, the impact of HREP on participants is:

- 93 % of them have improved their self-confidence;
- 63 % have stopped domestic violence while 22 % have reduced it;
- 88 % became resource people in their communities;
- 74 % started participating more equally in decision-making in the family;

- 43 % started participating actively in the labor market;
- 72 % their husband's attitude and behaviour towards them changed positively;
- 54 % restarted their interrupted formal or non formal education;
- 90 % gained knowledge on their political, civil and economic rights.

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INFORMATION CAMPAIGNS / AWARENESS RAISING OF THE PUBLIC (II.3 .2)

Switzerland: Postcards (Zwangsheirat.ch – a Human Rights-based Programme)

“zwangsheirat.ch – ein Programm verankert Menschenrechte (a program to enshrine human right)” has published a set of postcards consisting of 8 different motives and individual statements, as an integral part of a multi-annual and differentiated task (activity) to raise awareness and do educational work in the public.

As information medium, postcards are suitable for pointing out different and complex set of problems. On the one hand you are able to show several connected aspects related with the issue concisely with one statement. On the other hand through the combination of illustration and lettering it is possible not only to combine but also to emphasize the messages. Furthermore through a deliberate selection of motives, statements and language you can address a diverse target audience, different groups within the (im-)migrant community as well as the respective majority society.

Concretely, postcards can be distributed to public authorities and administration, social workers, social organizations (institutions/services), teachers, tutors, students, migrant organizations, opinion leaders (key personalities) as well as the general public (on the street, on events). They not only serve for an immediate awareness raising by the stakeholders mentioned but also to undertake prevention work e.g. at school.

At the conception of the postcards “zwangsheirat.ch” get inspired by the exemplars from a Swedish (“Be a man, take care of your sister.”) and a German Project (“Honor is to fight for my sister’s freedom!”).

We had the claim to develop several differing postcards to reproduce the minority groups which are affected and to describe the different nature

of relationships and themes connected with it. We wanted to accentuate that people with different ethnic and religious affiliation can be affected and that in this set of problems a wide range of social and thematic aspects are playing a role: for example the concernment not only of women but also of men, the understanding between generations about free choice of partnership, forcing someone to stay in a marriage, the challenge of the 2nd and 3rd generation from different cultures to integrate, the respect among siblings and homosexuality. This plurality encourages reflecting carefully in a wide context about forced marriage in the Diaspora. In a differentiated sensitization work and awareness training the purpose always has to express the complexity of this set of problems.

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INFORMATION CAMPAIGNS / AWARENESS RAISING OF THE PUBLIC (II.3.2)

Netherlands: Hand in Hand against Forced Marriage (SPIOR and the City of Rotterdam)

SPIOR³² is the umbrella organization of 58 mosques and other Islamic organisations (like youth and women's associations) in Rotterdam and neighbouring towns, in the Netherlands. SPIOR aims to promote the participation of Muslims in Dutch society. To achieve this, it develops projects and activities in fields like education, employment, empowerment of self organisations, and women's emancipation.

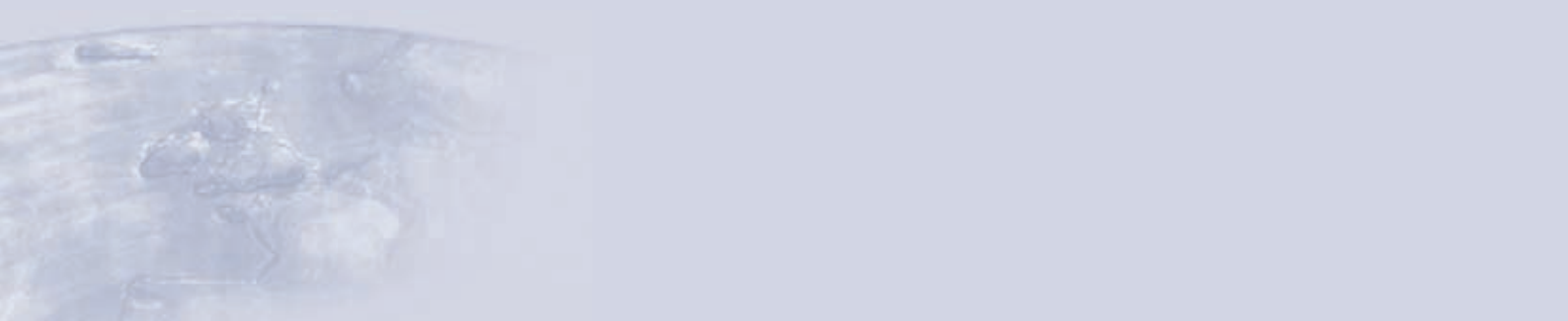
One of the issues that SPIOR addresses is the problem of forced marriages, a cultural tradition that is present also among Muslim communities. Though nobody knows exact numbers, it is known that forced marriages are still quite a common practice among certain ethnic minorities. It does not necessarily happen with physical force, but it is a more subtle process of psychological pressure and force from family and community. SPIOR noticed that especially previous to the summer holidays, Muslim girls run away from home out of fear of being forced into marriage while on vacation in their parents' country of origin. Having run away from home, they are faced with many problems. Often times, it is very difficult to return to their family and community. Further more, a lot of forced marriages end in problems and divorce, having severe negative effects for both partners (but especially the women involved) and any children.

That is why SPIOR started a project to prevent forced marriages among Muslim communities by educating people and raising awareness. In

SPIOR's approach the Islamic identity is used for this purpose. Though some Muslims think that the parents should choose their children's spouse, as an order of Islam, it is actually forbidden in Islam. A marriage is only valid according to Islam if both man and woman assent to it of their own free will. Though parents or other people may introduce potential partners to each other, they must always have the option to say "no". Furthermore, it is actually recommended that the man and woman involved get to know each other before making this decision. These and other aspects from Islamic sources are used to educate people and change cultural traditions that hinder especially women's emancipation. Another important aspect of SPIOR's approach is that the whole community is involved. The problem does not only affect girls, but also boys, fathers and mothers. An important theme is improving the communication between parents and their children about these and other issues, because the lack of effective communication between them is a large part of the problem. Also, imams and scholars are involved in the projects.

In 2004–2005 SPIOR implemented the project "A woman's right is in her own hands" ("Het recht van de vrouw ligt in haar eigen hand"). During this project, a conference for Muslim girls was held (with about 125 participants from all over the country) and ten meetings for parents (with more than 600 participants). All participants wanted more meetings about the subject. Furthermore, SPIOR was asked by Muslim boys

³² The Dutch abbreviation for Foundation Platform Islamic Organizations Rijnmond; Rijnmond is the area of Rotterdam and neighbouring towns.



and professionals working with young people to organise meetings for them as well. Based on these results, SPIOR started a new project on the subject in September 2006, called “Hand in hand against forced marriages” (“Hand in hand tegen huwelijksdwang”). During this project, which runs until the end of 2007, four meetings for Muslim boys were organised (with information and discussion) as well as two discussion meetings for Muslim girls and boys together, and six meetings for Muslim parents and youth together are being organised at the moment. Also, SPIOR organised five meetings about the subject in other parts of the country, in cooperation with local partner organisations. The project was closed with a conference for professionals who are confronted with forced marriages in their work. At the conference, a publication

‘Hand in hand against forced marriages’ was presented with explanations and recommendations for a broad public, the muslim population in the Netherlands. This publication is translated in English, French, German, Spanish, Italian, Turkish and Arabic and will be spread out with help of an European Muslim network all over those countries to raise awareness.

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INFORMATION TARGETED AT (NEW) IMMIGRANTS – AN IMPORTANT INTEGRATION POLICY APPROACH (II.3.3)

Austria: Welcome Packages “Welcome in Vienna” (Vienna)

The City of Vienna aims to help all new immigrants in getting a good start in Vienna. Getting started is often difficult. Getting started in a new country and a new city can be even more difficult. That is why the City of Vienna has been offering a welcome package as a special form of support since the year 2002. It is sent automatically to new immigrants who got their first residence permits from the Municipal Department for Immigration, Citizenship and Registry Offices.

This welcome package provides useful information to all immigrants and supports them in their first integration efforts but it also offers the opportunity to communicate to newcomers

Austrian legal standards, local norms and values. Information on their rights as well as on expectations they will be confronted with is seen as a fundamental prerequisite for the facilitation of the integration process of newcomers.

The package consists of three parts

Welcome Folder: It includes a welcome letter from the Mayor and the Executive City Councillor for Integration, a city map of Vienna and several folders. In a total of 10 chapters the Welcome Folder contains relevant information about working, living, traffic, social insurance, child care, school, health, equal rights for women and

men and contact addresses of consultation centres, other important institutions and offices.

A separate chapter provides all newcomers with additional information on women's rights and services for women which have not been addressed in other chapters. This chapter contains clear statements about the equality of women and men in all spheres of society, the equal role of women and men in partnerships (also with regard to child-care and housekeeping tasks) and the prohibition of all forms of domestic violence. Women and girls are encouraged to know their rights and to make their own decisions in life. A list of advisory facilities and associations providing services particularly for migrants and offering multilingual counselling on a broad range of topics such as legal matters, social issues, psychology, education, or the labour market is part of this chapter which is aimed to empower female immigrants.

The Welcome Folder is a practical reference work that can be used for all questions concerning the everyday life in Vienna. It is published in the languages most frequently spoken by newcomers in Vienna: Arabic, Bosnian/Croatian/Serbian, English, German and Turkish.

Orientation Talks: The Welcome folder also includes an invitation to an orientation meeting. New immigrants can receive information in small

groups in a pleasant atmosphere, get answers to their individual questions, and obtain help. These meetings are held by people who immigrated to Vienna themselves. Therefore they know the questions and problems newcomers have to deal with from their own experience.

There are specialised orientation talks for women which are carried in collaboration with women's NGO's and the "waff – Vienna Employment Promotion Fund". Child-care is offered to allow as many women as possible to participate and be informed about women-specific issues and support.

Magazine "Welt & Stadt": The magazine "Welt & Stadt" offers information on important issues such as further education, language courses, health care and leisure time facilities in Vienna.

There will be some changes in the arrangement of the welcome package in near future. The orientation talks will be replaced by individual mentorings (Begleitung) for new immigrants.

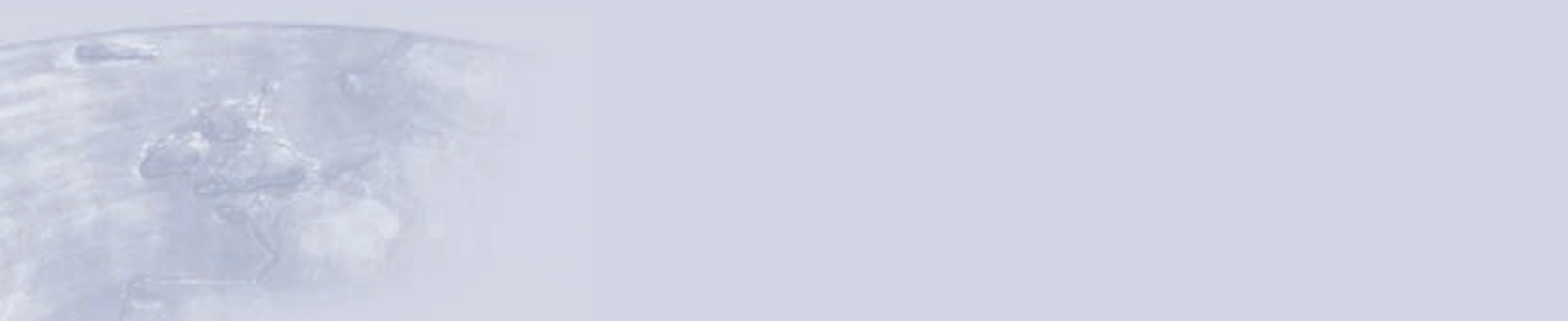
Contact:

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FURTHER POSSIBLE MEASURES FOR INTEGRATION (FROM SWITZERLAND)

- Integration from the beginning in form of a welcome culture and reception package for new residents. Systematic informations with a welcome package as for example in Vienna. This package include informations about rights and

duties as habitant and many other useful facts about education, advanced trainings, professional progressing, housing conditions, assurances, cultural and association offerings as well as residence authorisations.



- Acquisition of language for communication and self-realisation
- There should be enough and good courses for different target groups.
- The right of free partner choice can be also a class issue in language and integration courses.
- Empowerment and support of migrant organisations, especially opinion formers
- Opinion formers have a specific know-how and their engagement against forced marriage is important for authenticity. These persons are also important for a better awareness training and prevention work.
- Accept and advance human capital for a better labour market integration and professional mobility for a higher independence in according to the diaspora community
- Anti-discrimination projects against xenophobia and racism to ameliorate the multilateral integration process. Protection for discrimination and right for equal treatment is also important for medias.
- Right of residence and the right of return for persons who are affected of forced marriage.
- A good protection is naturalisation. That's why the naturalisation for the second and third generation should be facilitated. And in general no discrimination in giving residence authorisation.
- For the family reunion a minimum age of 18 years for husbands as the general minimum age for marriage should be. There has to be equality before the law.
- For a balanced living composition and against the formation of ghettos a controlled living policy is necessary

In the whole a progressive integration policy should contain measures for equal starting chances, equal access to work, habitation and health, equal rights and responsibility and equal participation. In this perspective integration is a cross-sectional task. In analogy to gender mainstreaming we have to reach an integration mainstreaming.

INTERCULTURAL COUNSELLING PROVISIONS (II.4.1)

Germany: Two Intercultural Counselling Services for Migrant Victims of Domestic Violence and Forced Marriage (i.bera und LÂLE) in Hamburg

The Ministry for Social and Family Affairs, Health and Consumer Protection in Hamburg is funding two intercultural counselling services for migrants affected by domestic violence and forced marriage within the scope of the implementation of the Hamburg action plan to combat forced marriage and the integration action plan for migrants. This service is offered by two integration centres in Hamburg, hereby ensuring easily

accessible counselling to the target group. The service is targeted at minors and adult women and men from an migrant background, who may be foreign or German nationals and who are victims of domestic violence or affected by a threatened or actual forced marriage. The service offers individualised culturally-sensitive counselling in the client's own language and is voluntary and free of charge.

Besides individual counselling and crisis intervention, information is given regarding the legal, medical and therapeutic possibilities available. Working together with the victims, means and perspectives are developed to lead the victims out of a spiral of violence and subordination towards a self-determined life. The service is accompanied by empowerment training for victims where their self-confidence and self-esteem is strengthened, thus enabling them to maintain a self-determined lifestyle.

Both counselling facilities also offer training programmes specifically organised for education professionals in schools, youth work professionals and staff from other counselling agencies. The aim is to provide professionals from other agencies with reliable practice guidance in dealing with the specific problems of the target group, so that they can quickly assist and cooperate according to their respective responsibilities.

A further important field of activity is the establishment and development of existing and new regional and national cooperation structures

by means of intensive cooperation with the respective youth authorities and youth work agencies, refuges and counselling services within the voluntary sector.

In addition, both services within the scope of implementing the Hamburg Action Plan to Combat Forced Marriage are organising themed discussion evenings on the issues of domestic violence and forced marriage for the general public, in order to raise awareness for the problems faced by the target group.

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INTERCULTURAL COUNSELLING PROVISIONS (II.4.1) AND REFUGES / HOUSING PROJECTS (II.4.2)

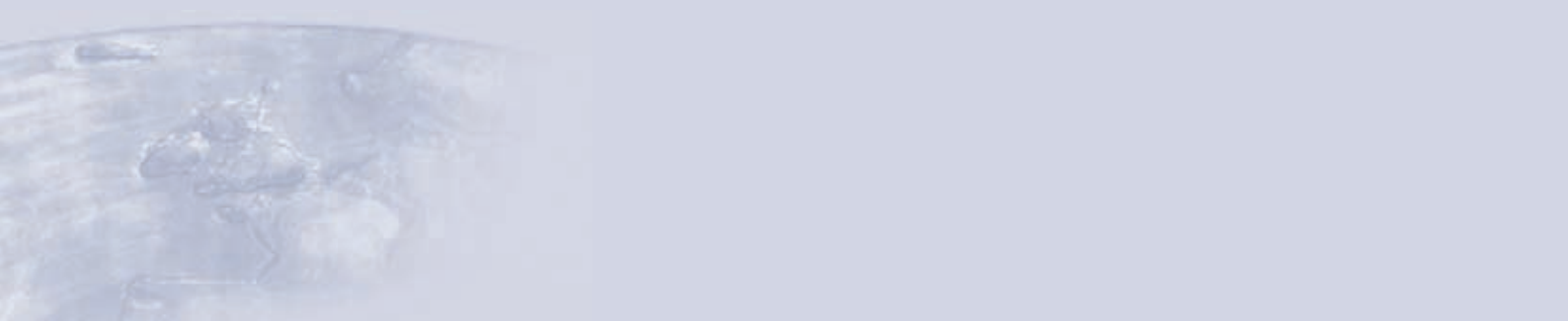
Sweden: National Telephone hotline and Shelters in Sweden (ROKS)

The Swedish Government has created an action plan, how to deal with honour related violence and forced marriages. This action plan orders how the Swedish authorities and NGO's shall work in the field honour related violence.

There is a national hot-line Kvinnofridslinjen, where women who are subjected to violence and threats get support and help. This national hot-line

gives advice where women can get safety housing, help with interpreters and contacts with authorities such as police, social service etc. Kvinnofridslinjen also support women who suffer from honour related violence.

The national organisation for women's shelters and young women's shelters in Sweden, Roks was established in 1984. Roks is the largest



organisation in Sweden working with men's violence against women and children. Roks has 100 shelters as members in their organisation, all NGO's. One important task for Roks is to provide further education to the shelters' members through seminars and weekend courses. Every shelter meet women who are subjected to honour related violence, and among Roks' shelters there is one shelter Terrafem, which works only with women, who are suffering from honour related violence. Terrafem has five specialized shelters, and they give support for migrant women of all ages. At present they give support and advice in about 43 languages. Terrafem offers a place of refuge for women and can also give legal advice in about 25 languages. Terrafem has a national helpline.

The Women's Network is a specialized counselling and protecting organisation. They can offer counselling and safety housing for women and young women, they work together with the social service and other NGO's. They have foster families for the help seeking women.

Somaya a NGO is a member of SKR. They give help and support for migrant women. The women

working at Somaya are muslim women, and they give help and support in nine languages.

Gryning is a counselling centre in Gothenburg. They give help and support to women of all ages who are subjected to honour related violence. They are specialized in giving help to minors. Gryning works close with authorities, and is financed by the municipality.

All these mentioned organisations are all together a big network. This network works together on all levels in Sweden. The network also works close with authorities such as the police, social service and the health care.

In the Nordic countries there is a good cooperation between the different countries. The Nordic countries have special agreements for working together. And often when a woman from Sweden has to move to another country, it is quite easy to support her to move to another Nordic country. She gets the same help at the shelters, which mostly are NGO's, and the cooperation is functioning with the authorities.

REFUGES / HOUSING PROJECTS (II.4.2)

Germany: Shelter for Girls and Young Women with a Background of Migration (PAPATYA)

PAPATYA, an anonymous crisis and transitional center in Berlin was founded in 1986. PAPATYA offers protection and help for girls and young women who have fled from home as a result of family conflicts. PAPATYA can provide immediate intake and round-the-clock-service at a secret address.

A team of Turkish, Kurdish and German social workers and a psychologist takes care of the girls.

PAPATYA takes in girls aged 13 to 21 years. Admission into the crisis center occurs according to KJHG. The girls can stay for a transitional period of up to two months, in individual cases longer. PAPATYA can shelter up to 9 girls at a time, about 60 come every year.

PAPATYA is a small NGO, the main funding is provided by the City of Berlin.

The staff is taking the girls' side, but also stimulating contacts with the family. It centres on the wishes of the girls, but takes their ambivalence concerning their family into consideration. It uses the self-support potential of the girls group and offers all-round support concerning medical, judicial, financial and educational issues in order to build up a starting point for a better future for the girls. Apart from safety, the empowerment of the girls is an important aim. Each girl is encouraged to search for her perspective on her life, her past and her future and is supported to make her voice heard. Papatya's concept of an only-female place with strict curfew regulations is suited to soothe the parents' fears and to support the possibility for family talks. During the stay at Papatya an assessment of the danger posed by the family is made and expertise is available for the long-term placement of the girls.

In addition to the shelter, Papatya offers internet counselling in Turkish and German since about 5 years (virtual counselling center SIBEL).

Experience shows the internet to be an anonymous, low threshold approach, which opens doors into the support system, especially for young women who are being fenced in by their families.

Who can turn to us?

- Girls under threat from honour related violence
- Girls faced by an arranged or forced marriage
- Girls who fear being sent back to the countries of their parents
- Girls suffering from abuse or sexual violence
- Pregnant girls
- Girls in need of a safe refuge.

Contact

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www.papatya.org

Internet Counselling: SIBEL, E-mail: beratung@papatya.org

STRENGTHENING VICTIM'S RIGHTS IN THE COURTS (II.4.4)

Austria: Free-of-charge Psychological and Legal Assistance

during the Penal Trial – Description of the approach/taken measures

In Austria, certain victims of violence are entitled to **free-of-charge psychosocial and legal assistance during the penal trial** (§ 66 Abs. 2 of Penal Code). This measure is aimed at reducing the stress suffered by victims of violence during criminal proceedings. Support is to be individually fine-tuned to each victim's needs; this can be achieved through close co-operation between psychosocial and legal assistants.

Psychosocial assistance during trials includes:

- Information about possible legal steps and procedures, compensation for damages and other claims, and rights and responsibilities in a criminal proceeding
- Support in deciding whether to report the act to the police or not
- Accompaniment to the police, to court, to lawyers and to legal experts (gerichtliche GutachterInnen)

- Coordination with all relevant persons and institutions, e.g. lawyers, youth welfare office, etc.

Legal assistance during trials includes:

- Legal advice by a lawyer
- Legal representation (Rechtsanwaltliche Vertretung vor Gericht)

The following persons have a legal title to psychosocial and legal assistance during the trial:

- victims of sexual and violent offences, victims of “persistent pursuit” (Art. 107a of Penal Code) and victims of “threatening serious bodily harm” (“Gefährliche Drohung”, Art. 107 of Penal Code). The offence must have been committed with intention;
- close relatives (e.g. parents, children, spouses, partners, brothers and sisters) of a person, who was killed by a criminal offence and
- other relatives (e.g. cousins, nieces, nephews) who have witnessed the homicide.

The entitled persons have to be informed about the conditions of psychosocial and legal assistance and about institutions that offer this support right before their first police questioning. Moreover they have to be informed if the public prosecutor stops a proceeding and abandons prosecution and they have to be informed ex officio about the release of the suspected person(s) before the court decision at first instance.

The costs of the legal and psychosocial assistance are borne by the Austrian Federal Ministry of Justice. The Austrian Federal Ministry of Justice concludes contracts (so called “Förderverträge”) with victim protection institutions who offer psychosocial assistance and pays the lawyers who offer the legal assistance.

Objectives of the approach

Traditionally criminal proceedings are focused on the perpetrator and focused on proving his guilt or innocence. Beginning with the year 1987 a series of measures to improve the legal position of victims were introduced in Austria. This took account on the fact that court proceedings constitute an especially stressful and difficult experience for victims of violence, which necessitates a sensitive and respectful approach.

The whole process going from the decision to make a report at the police to making this report and going through the penal or civil proceeding is mostly connected to immense fears and insecurities. Persons affected by forced marriage in particular need all the measures offered by legal and psychosocial assistance in order to minimise the feelings of insecurity triggered by the criminal trial and the stress of being once more confronted with the experience of violence.

With the implementation of legal and psychosocial assistance the Austrian legislator enforced the active role of victims in a criminal proceeding and so tried a compromise between public prosecution and victim support.

Legal and psychosocial assistance must work in the area of conflict between victim support and public prosecution. Institutions, working in the field of victim support, must approach the realities of criminal proceedings, authorities working in the field of justice must use new measures to improve the legal position of victims and to deal with their exceptional circumstances.

Target groups of the approach

The target groups of this approach are primarily victims of violent offences. Other target groups of the psychosocial and legal assistance are legal authorities as the police, the public prosecutor and

judges. They have to ensure that victims are treated according to their rights within the instrument of psychosocial and legal assistance. Of course also victim support and counselling centres offering the psychosocial assistance and lawyers offering the legal assistance are target groups.

Contact

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STRENGTHENING VICTIMS' RIGHTS IN THE COURTS (II.4.4)

UK: Proposal for further discussion of the legal situation: "Civil Protection Act"

The Forced Marriage (Civil Protection) Act 2007 came into force in November 2008. The aim of the Act is to enable the family courts to prevent forced marriages occurring and to stop attempts to force another person into marriage. Where a forced marriage has already taken place, the court will be able to make orders to protect the victim and help

remove them from the situation. Under the Act, the family court will be able to make a Forced Marriage Protection Order. Each Order will contain terms that are designed to protect the victim in their particular circumstances. The Act also enables the court to respond to emergency situations by making orders without notice to the respondent(s).

UK: INTERNATIONAL ACTIVITIES / CONSULAR ASSISTANCE FOR VICTIMS (II.5)

Case Study/Consular Assistance (FMU)

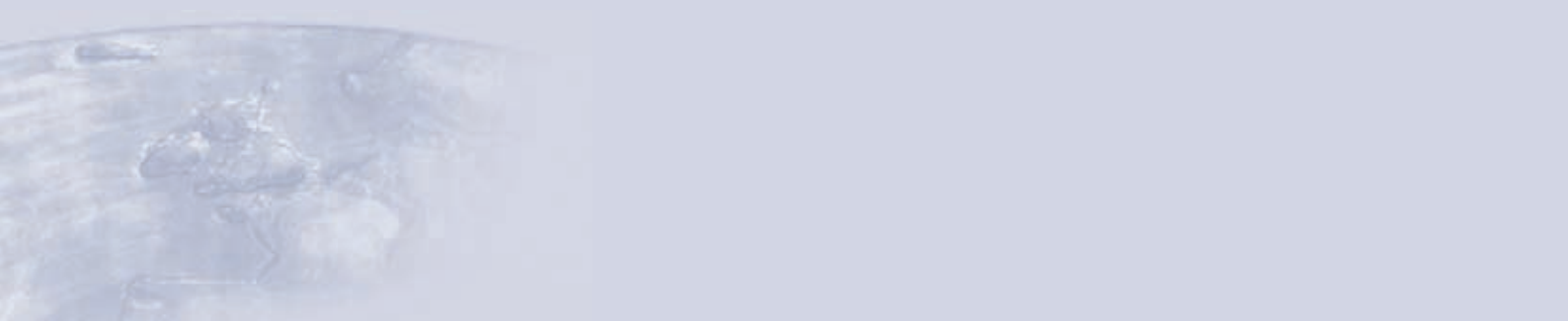
A case study illustrating the work FMU and staff in our overseas missions do follows:

On Monday, the Forced Marriage Unit was contacted by Kevin, 23, who was worried about his 19 year old girlfriend, Sameena.

According to Kevin, Sameena had been taken to Pakistan after her parents had learned about her relationship with him. He knew all along that they disapproved of her going out with a white boy, but didn't think she would end up being taken out of the country. Kevin told FMU that Sameena's parents tricked her into believing

she was visiting a critically ill relative. Apparently her passport was taken off her before she left, and Kevin was worried that she was about to be forced into a marriage. Sameena was taken to Pakistan two days before Kevin called the FMU.

Kevin was particularly concerned about Sameena as she had a history of depression and self-harming. She was diagnosed as having schizophrenia and had been taking medication. Kevin was also worried about the possibility that Sameena could be pregnant.



Unfortunately, Kevin didn't know where Sameena was staying in Pakistan nor did he have a contact number for her. All he knew was that it was a small village near Mirpur, a three hour drive from Islamabad. He did, however, know the name of Sameena's father, who had a business in the region and owned a house there.

After speaking to Kevin, the Forced Marriage Unit confirmed that Sameena was a British citizen and contacted the High Commission in Islamabad. This happened on Tuesday morning.

On Wednesday, High Commission staff contacted the FCO's Honorary Consul in Mirpur. He told them that he was familiar with the name and could provide a location for the house.

Given the potential severity of the situation, High Commission staff decided that a welfare check on Sameena was necessary. Her medical condition, and the possibility of her pregnancy, all suggested that she may be particularly vulnerable. By now it was Thursday. High Commission staff planned to drive to Mirpur the following Monday.

On Thursday afternoon, the High Commission contacted local police in Mirpur to ask for an escort for the welfare check. Relations with the local superintendent are good, owing to efforts on the part of the High Commission, and they agreed to provide the escort.

High Commission staff arrived in Mirpur City at midday on Monday. The team was made up of a driver, the UK-based Head of Assistance Unit, and a locally-engaged member of the Assistance Unit who speaks Urdu. The car contained a satellite phone, camera, medical kit, drinking water, tissues and sick bags. The case file, containing all available information, was also taken. Accompanied by the police escort, the team arrived at the house, a short drive outside of Mirpur City.

The father answered the door, and agreed to allow the team in to see his daughter. Leaving the police outside, the team went inside. A number of the extended family were present, but it was easy to identify Sameena from her passport photo. A mixture of English and Urdu was spoken, and the team were able to get Sameena into a room by herself, where she could speak freely, away from the pressure of her family. She told the team that she had indeed been pregnant with Kevin's child but that she had been forced to have a back-street abortion. Her marriage had been planned for the following Friday, when she was to be married to her father's cousin, a man 20 years her senior. Because of a lack of medical facilities, she had been unable to take the medication required for her schizophrenia and had been suffering from panic attacks. She was terrified of getting married, and wanted to leave the family home with the High Commission staff.

Because Sameena was afraid of what her father would do if she left with the team, she arranged to meet them in an hour at a local market. As the team left, she told them loudly that she was fine in Pakistan and that she was not being forced into a marriage. An hour later she met the team at the market, and they returned to Islamabad.

As they were travelling back to Islamabad, the team arranged for a bed to be reserved at a local refuge which is partly funded by the High Commission. The refuge has a qualified physician who was able to help Sameena, both with any side-effects from her abortion and with obtaining the correct medication for her schizophrenia. The refuge was also able to provide counselling and emotional support.

It was now Tuesday. With Sameena safely at the refuge, the High Commission staff began to make the necessary arrangements for her to be

repatriated to the UK. Unfortunately Sameena did not have her passport with her, so an emergency one was issued. Nor did she have any money with her, and can't pay for the flight to the UK.

Luckily, Kevin was able to find the £300 needed for Sameena's return flight, and he transferred it to the FCO. The High Commission booked her a flight back to the UK for Thursday. Kevin confirmed that he was also able to support and house her on her return. The High Commission arranged for social workers at Heathrow

Travel Care to meet Sameena when she landed at Heathrow and to accompany her to a meeting point with Kevin.

High Commission staff contacted FMU to inform them of plans for Sameena's arrival. FMU made contact with Sameena following her return and were able to put her in touch with NGO's in the UK with experience of dealing with victims of forced marriages. They were able to provide her practical advice and emotional support as she started to move on with her life.

INTERNATIONAL ACTIVITIES / INTERNATIONAL COOPERATION AND EXCHANGE OF KNOWLEDGE (II.5)

UK: Funding of refuge and awareness raising project abroad; Overview of funded activities (FMU)

The FMU has provided £70,000 over two years for our High Commissions in Pakistan, Bangladesh and India to take forward projects to publicise the work that they do.

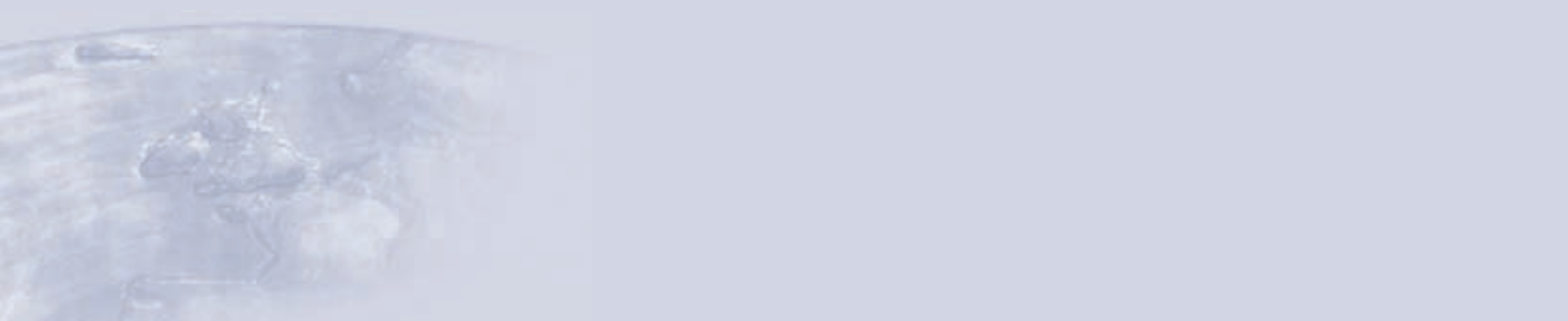
In Pakistan, consular staff have:

- built up excellent relations with a local human rights NGO – SACH. The refuge not only provides a range of services for victims of domestic violence, including refuge, it also conducts its own outreach work. We have worked closely with them on a series of projects, including public debates and anti-forced marriage advertisements on buses and local television.
- built strong relationships with Government officials, local chiefs of police and community leaders across Pakistan to improve their understanding of the issues surrounding forced marriages and the work of the High Commission.

- begun co-operating with Geo TV to organise a televised debate in Mirpur, from where most of our cases originate. This will bring together members from across the community to debate the issues of forced marriage. It will also be televised in the UK.

In Bangladesh, consular staff have:

- held a series of road shows across the country to raise awareness about the issue of forced marriage and the assistance that we offer. The road shows brought together members of the public and professionals, including police, imams, and local mayors, and also incorporate street theatre.
- collaborated with the Bangladeshi National Women Lawyers' Association (BNWLA) to provide safe refuge for British victims of forced marriage



- built strong relationships with the local police and government offices in Sylhet, where 97% of the cases originate from.

In India, consular staff have:

- teamed up with a UKvisas initiative on secure migration to the UK to raise awareness about the assistance they offer.
- begun planning a larger event to bring together NGO and Government contacts and have produced posters on forced marriage, which have been placed in High Commission waiting areas as well as in visa issuing offices around India.

The British Government funds refuges in both Pakistan and Bangladesh. The refuges provide safe accommodation in which victims of forced marriages can stay while awaiting repatriation to the UK. They are also able to provide counselling and medical care where necessary.

In **Islamabad, Pakistan** SACH runs a refuge which can house between 15–20 people at any

one time. Young women in need of emergency accommodation stay in the refuge for 2–3 days on average. In the period April – September 2008, the High Commission placed 20 people in this refuge – 18 females, 1 male and 1 minor. SACH provide counselling, medical assistance and help with legal issues. They will also accompany victims to appointments at the High Commission and to the airport. The High Commission provides £20,000 per annum towards SACH's running costs.

In **Dhaka, Bangladesh** victims of forced marriage can be placed in a 3-bedroomed flat in a secure and anonymous residential block. This refuge is not yet able to provide counselling services, but does have a live-in housemother as well as a car and driver available to take victims to the airport or outside appointments as necessary. The average stay at the refuge is between 2–3 days and approximately 15 girls have been placed there since its opening in March 2008. The High Commission provides £5,763 per annum to the refuge.

INTERNATIONAL ACTIVITIES/INTERNATIONAL COOPERATION AND EXCHANGE OF KNOWLEDGE (II.5)

The Netherlands: The transnational organisation SSR in The Netherlands and Morocco

The NGO SSR (Stichting Steun Remigranten, The foundation for Support for Return migrants) foundation offering support for returning migrants in Morocco, works in the Netherlands and in Morocco. In The Netherlands the foundation office is located, whereas in Northeast Morocco an helpdesk is located where most of the juridical and social problems are handled which return-migrants face.

The SSR foundation “discovered” the problem of women and children who have been left behind as a structural problem and were able to put it on the political agenda. Each year, about 80 women and children, living in the Netherlands, are left behind by their husbands and fathers who take their residence permit and passport and leave for The Netherlands. Most of them are in poor

conditions because the husband and father refuse to pay alimention. Those women try to get a divorce and need juridical support in Morocco but also in the Netherlands from lawyers to continue their residence permit. SSR support those women in Morocco and in The Netherlands.

Besides, SSR is active to inform Moroccan women about the Moroccan family legislation. In 2004 the family law in Morocco has been reformed. To explain these reforms to Moroccan migrants in the Netherlands a special workgroup is active, the Moudawwanah workgroup, in which SSR is participating. This workgroup organises lots of activities, especially teaching and informing women about the new family law.

Dealing with those social and juridical problems, SSR started a network of lawyers and other people (in social care) working with Moroccan women and children in the Netherlands and in Morocco. The starting point is womens' rights. A meeting of this network is organised twice a year. A newsletter with information and a list of participants is published. Recently an expert meeting has taken place in Morocco in the north with Moroccan lawyers, Moroccan members and activists of the women's movement and social care workers. There will be another two expert meetings, in the west and in the south.

With this network and the helpdesk of SSR in the north of Morocco, there is a network of juridical and social support, in Morocco and in the Netherlands, in connection to each other. A Moroccan woman or girl in the Netherlands, forced to marry or threatened to be abandoned, mostly during holidays, can get support from this network. When they are able to reach the SSR helpdesk, in one way or another, by a visit, a telephone call or a letter, they will get support, to come back, to contact the Dutch embassy, to

be received in the Netherlands, for lodging for instance, and to get new official identity papers, especially a residence permit.

This network started in 2007 and is still expanding. Dutch Moroccan second generation women who are lawyers and social workers in the Netherlands are members too.

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The 2005 publication by Rude-Antoine contains a summary of the relevant legislation in 28 European countries.³³ The partner countries each made notes of the subsequent amendments and updates made to legislation during the timeframe of the Daphne

project. These amendments are detailed below and follow the structure used by Rude-Antoine – the partner organisations are responsible for their own contributions.

1 INTERNATIONAL AGREEMENTS

a) Austria added the following – for Austria binding – instruments of international law:

- The Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, Council of Europe. Austria ratified this convention in 1957.
- The UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, ratified by Austria in 1963.
- The International Covenant on Civil and Political Rights, 1966, UN, ratified by Austria in 1978.

b) Switzerland changed as follows

The UN Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979 (CEDAW)³⁴ came into force on 3 September 1981. At present, there are 185 states parties to the Convention. Switzerland acceded to the Convention on 27 March 1997. The objective of the Convention is to end discrimination against women in all areas of life.

The Convention...

- defines discrimination against women;
- obliges states parties to eliminate discrimination on the basis of sex in their own actions;
- obliges the states parties to adopt measures to achieve equality between men and women in all areas of life;
- guarantees that women will have the same rights as men in public and political life, in acquiring nationality, in education, employment and healthcare and in matrimonial and family law.

A Committee monitors implementation in the states parties. These undertake to submit reports to the Committee at regular intervals on the actions they have taken. The Optional Protocol to the Convention of 6 October 1999 allows individual women to submit complaints to the Committee. The Protocol also enables the Committee to initiate enquiries into situations of grave cases of discrimination.³⁵

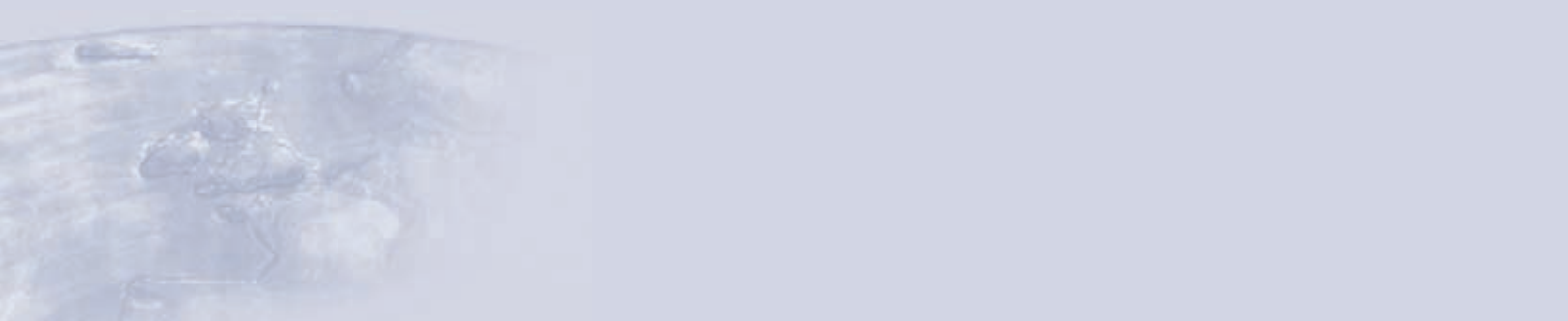
The UN Convention on the Rights of the Child of 20 November 1989 (CRC)³⁶ came into force

³³ Rude-Antoine, Edwige (2005), p. 64

³⁴ see original version in english: <http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>

³⁵ see: <http://www.eda.admin.ch/eda/en/home/topics/human/humri/humtr/humrep/women.html>

³⁶ see original version in english: <http://www.unhchr.ch/html/menu3/b/k2crc.htm>



on 2 September 1990. Switzerland acceded to the Convention on 24 February 1997. The Convention provides a comprehensive guarantee of the human rights of all children, i.e. persons below the age of 18 years. The Convention works on the principle that in all actions concerning children the best interests of the child shall be the primary concern.

The provisions of the Convention:

- protect the child against discrimination of any kind;
- protect the right of the child to preserve his or her identity;
- govern the separation of the child from his or her parents and the illicit transfer of children abroad;
- protect against the sexual exploitation and trafficking of children;
- guarantee the classical rights to freedom of expression and to be heard in judicial and administrative proceedings.

The Optional Protocol to the Convention on the involvement of children in armed conflict seeks to increase the protection of children during armed conflicts by raising the minimum age for voluntary or compulsory recruitment from 15 years, as provided for in the Convention, to 18 years. The Optional Protocol to the Convention on the sale of children, child prostitution and child pornography strengthens the protection of children against sexual exploitation. The Committee on the Rights of the Child monitors the implementation of the Convention. The states parties regularly submit reports to the Committee. The two Protocols make provision for a monitoring mechanism in the form

of reports. In Switzerland, the Optional Protocol on the involvement of children in armed conflict entered into force on 26 July 2002 and the Optional Protocol on the sale of children, child prostitution and child pornography on 19 October 2006.³⁷

The HCCH Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children of 19 October 1996³⁸ came into force on 1 January 2002. Switzerland signed the Convention on 1 April 2003, but has not yet ratified it.

The objects of the Convention are:

- to determine the State whose authorities have jurisdiction to take measures directed to the protection of the person or property of the child;
- to determine which law is to be applied by such authorities in exercising their jurisdiction;
- to determine the law applicable to parental responsibility;
- to provide for the recognition and enforcement of such measures of protection in all Contracting States;
- to establish such co-operation between the authorities of the Contracting States as may be necessary in order to achieve the purposes of this Convention.

For the purposes of this Convention, the term “parental responsibility” includes parental authority, or any analogous relationship of authority determining the rights, powers and responsibilities of parents, guardians or other legal representatives in relation to the person or the property of the child.

³⁷ see: <http://www.eda.admin.ch/eda/en/home/topics/human/humri/humrtr/humrep/childr.html>

³⁸ see original version in english: http://www.hcch.net/index_en.php?act=conventions.text&cid=70

2 PROVISIONS IN PRIVATE INTERNATIONAL LAW

a) Switzerland changed as follows

The Swiss Private International Law Act (LDIP) of 18 December 1987³⁹, which came into force on 1 January 1989 (in the version of 1 Juli 2008) includes several provisions on marriage.⁴⁰

Article 43(1) LDIP provides that the Swiss authorities are competent to celebrate a marriage if one of the intending spouses is domiciled in Switzerland or is a Swiss national. Intending spouses who are foreign nationals and not domiciled in Switzerland may also be authorised to be married there by the competent authority if the marriage will be recognised in the state where they are domiciled or of which they are nationals (Article 43(2) LDIP). Such authorisation cannot be refused on the sole ground that a divorce obtained or recognised in Switzerland is not recognised in the foreign country (Article 43(3) LDIP).⁴¹

Article 44(1) LDIP provides that the substantive requirements for the celebration of marriage in Switzerland are governed by Swiss law. If the substantive conditions under Swiss law are not met, a marriage between foreign nationals may nevertheless be celebrated provided that it meets

the conditions laid down by the national law of one of the intending spouses (Article 44(2) LDIP). The form of marriage celebration in Switzerland is governed by Swiss law (Article 44(3) LDIP).⁴²

Article 45(1) LDIP provides that a marriage validly celebrated abroad is recognised in Switzerland. If either of the intending spouses is Swiss, or if both are domiciled in Switzerland, a marriage celebrated abroad will be recognised provided that it was not celebrated abroad with the clear intention of circumventing Swiss statutory provisions on the annulment of marriage (Article 45(2) LDIP).⁴³

Minors domiciled in Switzerland acquire majority if they marry in Switzerland or if they have married abroad and their marriage is recognised in Switzerland (Article 45a LDIP).⁴⁴

Foreign judgments or measures concerning the effects of marriage are recognised in Switzerland if they were delivered in the state where one of the spouses is domiciled or habitually resides (Article 50 LDIP).⁴⁵ This provision also covers decisions on marital property, taken either in the context of measures to protect the marital union or following a death or the annulment of the marriage.

³⁹ see original version in french: <http://www.admin.ch/ch/f/rs/c291.html> or german: <http://www.admin.ch/ch/d/sr/c291.html>

⁴⁰ see Rev. crit. DIP 1988, p.202

⁴¹ Original version in french: <http://www.admin.ch/ch/f/rs/291/a43.html> or german: <http://www.admin.ch/ch/d/sr/291/a43.html>

⁴² Original version in french: <http://www.admin.ch/ch/f/rs/291/a44.html> or german: <http://www.admin.ch/ch/d/sr/291/a44.html>

⁴³ Original version in french: <http://www.admin.ch/ch/f/rs/291/a45.html> or german: <http://www.admin.ch/ch/d/sr/291/a45.html>

⁴⁴ Original in french: <http://www.admin.ch/ch/f/rs/291/a45a.html> or german: <http://www.admin.ch/ch/d/sr/291/a45a.html>

⁴⁵ Original in french: <http://www.admin.ch/ch/f/rs/291/a50.html> or german: <http://www.admin.ch/ch/d/sr/291/a50.html>

3 PROVISIONS IN CIVIL LAW

a) Switzerland changed as follows

The rules on marriage contained in the Swiss Civil Code of 10 December 1907 (CC)⁴⁶, which came into force on 1 January 1912 (in the version of 1 Juli 2008).

3.1 MARITAL CAPACITY

In order to contract marriage, both men and women must have reached 18 years of age and must be of sound mind (Article 94(1) CC).

A person who lacks legal capacity cannot contract marriage without the consent of his or her legal representative. If consent is refused, application can be made to a court to set the refusal aside (Article 94(2) CC).⁴⁷

3.2 CONSENT

Engagements are made by means of a promise to marry (Article 90(1) CC).

An engagement is not binding on a minor or a person who lacks legal capacity unless his or her legal representative has consented to it (Article 90(2) CC).

There is no provision for legal action to require an engaged person to marry if he or she refuses (Article 90(3) CC).⁴⁸

3.3 CELEBRATION OF MARRIAGE

Marriage is celebrated publicly in the presence of two witnesses who are adult and of sound mind (Article 102 CC).⁴⁹

The civil authority asks each intending spouse separately whether he/she wishes to be joined with the other in marriage.

When each intending spouse has answered in the affirmative, they are declared to be joined in marriage by virtue of their mutual consent.

3.4 ANNULMENT OF MARRIAGE

Under Article 104 of the Civil Code⁵⁰ a marriage celebrated by a civil authority can be annulled only on one of the grounds provided for in that chapter of the code. Absolute grounds for annulment (listed in Article 105 CC⁵¹) exist if:

- one of the spouses was already married when the marriage was celebrated and the previous marriage had not been dissolved by divorce or ended by the death of the other spouse (Article 105(1) CC);
- one of the spouses was not of sound mind when the marriage was celebrated and has not since recovered (Article 105(2) CC);
- the marriage is prohibited for reasons of kinship (Article 105,(3) CC) .

⁴⁶ Original in french: <http://www.admin.ch/ch/fr/rs/c210.html> or german: <http://www.admin.ch/ch/d/sr/c210.html>

⁴⁷ Original in french: <http://www.admin.ch/ch/fr/rs/210/a94.html> or german: <http://www.admin.ch/ch/d/sr/210/a94.html>

⁴⁸ Original in french: <http://www.admin.ch/ch/fr/rs/210/a90.html> or german: <http://www.admin.ch/ch/d/sr/210/a90.html>

⁴⁹ Original in french: <http://www.admin.ch/ch/fr/rs/210/a102.html> or german: <http://www.admin.ch/ch/d/sr/210/a102.html>

⁵⁰ Original in french: <http://www.admin.ch/ch/fr/rs/210/a104.html> or german: <http://www.admin.ch/ch/d/sr/210/a104.html>

⁵¹ Original in french: <http://www.admin.ch/ch/fr/rs/210/a105.html> or german: <http://www.admin.ch/ch/d/sr/210/a105.html>

- one of the spouses was not willing to form a partnership and just wanted to avoid the laws of admission and residence for foreigners (Article 105(4) CC).

Relative grounds on which a spouse may apply for a marriage to be annulled (Article 107 CC⁵²) exist if:

- the spouse was, for temporary reasons, not of sound mind when the marriage was celebrated (Article 107(1) CC);
- the spouse consented to the marriage in error, in circumstances where he or she either did not

wish to be married or did not wish to marry the person with whom the marriage was contracted (Article 107(2) CC);

- the spouse contracted the marriage in error, having been deliberately misled about the other party's essential personal characteristics (Article 107(3) CC);
- the spouse contracted the marriage under threat of serious and imminent danger to his or her life, health or honour, or to the life, health or honour of a family member (Article 107(4) CC). This could constitute a ground to annul forced marriages.

4 PROTECTION MEASURES

a) Austria changed as follows

The Federal Act on Protection against Domestic Violence (Violence Protection Act) of 30 December 1996, which came into force on 1 May 1997 and was amended in 2000 and in 2004, introduced new provisions to the Civil Code and the Code of Civil Procedure enabling courts to issue protection orders in response to applications by victims of physical violence.

b) Switzerland changed as follows

The Swiss Penal Code of 21 December 1937 (CP)⁵³, which came into force on 21 January 1942 (in the version of 1 August 2008), provides protection measures in Article 386⁵⁴, with the aim to prevent

criminal offences. This Article also serves as a legal basis for the support and creation Organisations, which enforce such measures.

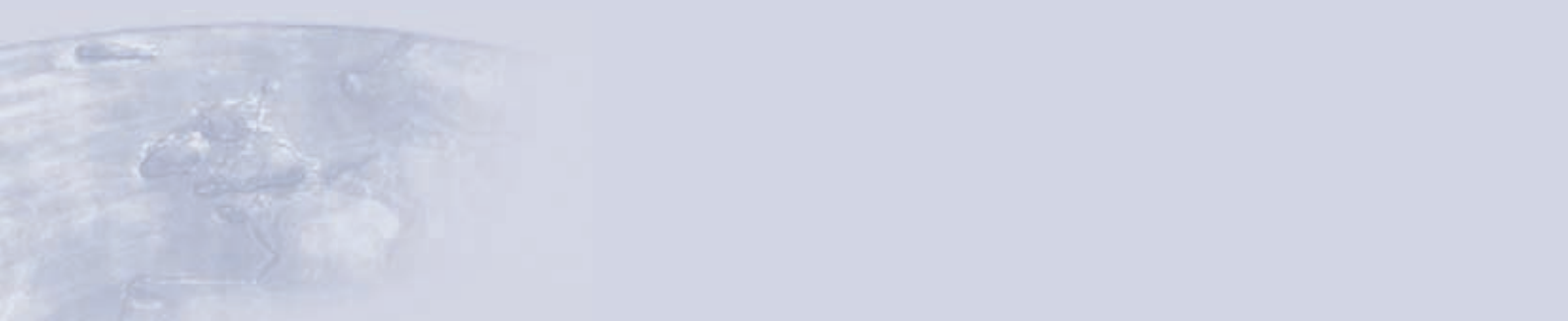
c) United Kingdom changed as follows

Part IV of the Family Law Act 1996, which came into force on 1 October 1997, gave increased civil-law protection to victims of domestic violence. More relevant to forced marriages is the Forced Marriage (Civil Protection Act) 2007 which was implemented in 2008. The aim of the Act is to enable the family courts to prevent forced marriages occurring and to stop attempts to force another person into marriage. Where a forced marriage has already taken place, the court can make

⁵² Original in french: <http://www.admin.ch/ch/f/rs/210/a107.html> or german: <http://www.admin.ch/ch/d/sr/210/a107.html>

⁵³ Original in french: http://www.admin.ch/ch/f/rs/c311_0.html or german: http://www.admin.ch/ch/d/sr/c311_0.html

⁵⁴ Original in french: http://www.admin.ch/ch/f/rs/311_0/a386.html or german: http://www.admin.ch/ch/d/sr/311_0/a386.html



orders to protect the victim and help remove them from the situation.

Under the Act, the family court can make a Forced Marriage Protection Order. Each Order will contain terms that are designed to protect the victim in their particular circumstances. Examples of the types of orders the court may make are: to prevent a forced marriage from occurring, to hand over passports, to stop intimidation and violence, to reveal the whereabouts of a person and to stop someone from being taken abroad. The Act also enables the court to respond to emergency situations by making orders without notice to the respondent(s).

In making a Forced Marriage Protection Order the court can attach a power of arrest allowing a police officer to arrest anyone they suspect to be in breach or contempt of the terms of the Order. The court can deal with the person under its powers of contempt of court, which can include sending them to prison up to 2 years.

d) Germany added as follows

According to Section 1666 (3) of the law of 11 July 2008 which facilitates family-oriented measures in cases where a child is in danger, the family court can bar the abusive parent from the home.

5 PROVISIONS IN CRIMINAL LAW

5.1 CLASSIFICATION OF FORCED MARRIAGE

a) Austria changed as follows

Forced marriage is not an offence in its own right. As a result of the international discourse concerning forced marriage, Austria introduced an amendment to the Code of Penal Procedure (Art. 106 of the Penal Code) as per 1 July 2006 in order to better combat the phenomenon.

In Austrian penal law, “coercion” is defined as an act that constrains another by force or threat to “actions, tolerations or omissions”, which also comprise coercion to contract marriage.

Rape within marriage/live-in relationships has, however, been a punishable offence since 1989. Under Article 203 of the Criminal Code, any person who rapes his spouse is liable to prosecution.

b) Switzerland changed as follows

Forced marriage is not a specific offence. But if the prerequisites of Article 107(4) of the Swiss Civil Code (CC) are fulfilled, forced marriage may, however, constitute the offence of Coercion, punishable under Article 181 of the Swiss Penal Code (CP).⁵⁵

5.2 PROSECUTIONS IN CASES OF FORCED MARRIAGE

a) Austria changed as follows

As a general rule, any member of the public who has sufficient grounds for suspecting that the law has been broken can report the presumed perpetrator of the offence to the police. In the case of rape within marriage/live-in relationships, until

⁵⁵ Original in french: http://www.admin.ch/ch/f/rs/311_0/a181.html or german: http://www.admin.ch/ch/d/sr/311_0/a181.html

2004 a prosecution could be initiated only if the victim made a request. In 2004 the legal difference between rape in and outside marriage/live-in relationships were eliminated: rape in marriage/live-in relationships became prosecutable ex officio.

When a victim avails herself of protection under the Police Act and the police have ascertained that an offence has taken place, they are required to report it to the public prosecution service.

Under what is known as “redirection”, a procedure introduced on 1 January 2000, the public prosecution service may drop a prosecution if, after a probationary period of between one and two years, it no longer seems appropriate. During the probationary period the perpetrator of the violence will undergo therapy.

Here we would like to add that – from the view of victim protection – the so called “redirection” is not considered to be an adequate measure to punish violence against women respectively domestic violence. Moreover we want to clarify that the probationary period is not the only measure the public

prosecution service can set within the instrument of “redirection” (other possibilities are out-of-court settlement, charitable activities and penalties).

Other important measures to improve the legal position of victims are:

Since 1 January 2006, victims of sexual and violent offences are legally entitled to psychosocial and legal support in court proceedings. (Art. 49a of the Code of Penal Procedure). Victims must be informed about their right to psychosocial and legal support in court proceedings and about institutions offering such support not later than before their first questioning.

Since 1 July 2006, Austria has been applying an Anti-Stalking-Act: Art. 107a of the Penal Code (“persistent pursuit”) offers protection under penal law; acts of stalking may be reported to the police. Art 382g of the Enforcement Code (“protection against the invasion of privacy”) offers protection under civil law; an interlocutory injunction may be requested from the competent district court.

6 PROVISIONS OF THE LAW ON FOREIGN NATIONALS

a) Switzerland changed as follows

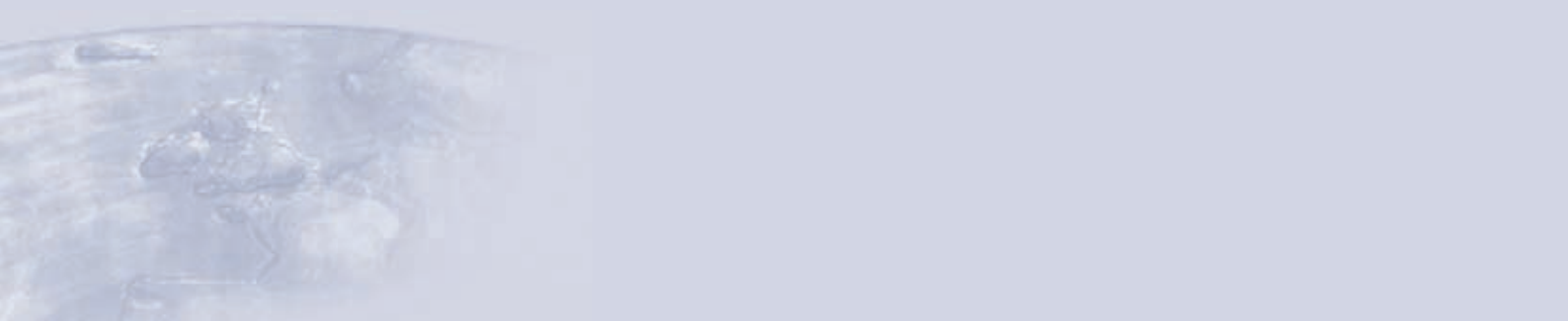
The Swiss Foreigners Act of 16 December 2005 (LEtr)⁵⁶, which came into force on 1 January 2008 (in the version of 1 January 2008).

b) Germany added as follows

The law to implement the residence and asylum guidelines of the European Union which has been

in force since August 2007 stipulates that a residence permit will only be granted to a foreign spouse when both spouses have reached the age of 18, and that at the time of entry to Germany the foreign spouse should have at least command of basic German.

⁵⁶ Original in french: http://www.admin.ch/ch/f/rs/c142_20.html or german: http://www.admin.ch/ch/d/sr/c142_20.html



7 POLICIES AND APPROACHES

a) Austria changed as follows

The police are required to give victims of violence an information document setting out the rights and duties of all parties concerned, and also to notify the local “intervention office” which will provide free legal assistance.

There is currently an intervention office in each of the nine Austrian federal states. Jointly funded by the Federal Ministry for Women, Media and Regional Policy and the Ministry of the Interior; since 1 January, the Federal Ministry of Justice pays for legal support during court proceedings.

As soon as the intervention office has received all necessary data from the police, it gets in contact with the victim, offers psychosocial support and legal advice and supports them in developing security concepts.

These offices have also the task of ensuring that measures to deal with perpetrators of domestic violence are properly observed.

In December 1998, the Ministry for Family Affairs set up a 24-hour telephone help line.

b) United Kingdom changed as follows

Paragraph 8: change Community Liaison Unit to Forced Marriage Unit.

Paragraph 8: change 200 cases a year to 887 reported incidents of forced marriage in the first six months of 2008.

c) Sweden changed as follows

Current situation concerning tackling Forced Marriages: There is an ongoing mapping of Forced Marriages.



Appendix III Partner Organisations

IV

**Free and Hanseatic City of Hamburg,
Ministry for Social and Family Affairs, Health
and Consumer Protection
Germany, Hamburg**

The Ministry for Social and Family Affairs, Health and Consumer Protection headed by Dietrich Wersich is responsible for the promotion of families, youth, welfare services, childcare and aid for disabled people. Further responsibilities are the state control of health care, provision in the hospital sector, health promotion, safety at work and food safety.

■ www.hamburg.de

Contact

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**Johann Daniel Lawaetz-Foundation
Germany, Hamburg**

The Lawaetz-Foundation, a non profit organization, is a consultant agency mainly in the fields of labour market policy, social policy and in the policy of city development. The Lawaetz-Foundation works for both public authorities and regional initiatives. It is also embedded in national and EU-wide Networks and in transnational projects.

■ www.lawaetz.de

Contact

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Magistratsabteilung 57

**Frauenabteilung der Stadt Wien
Women's Department of the City of Vienna
Austria, Vienna**

MA 57 supports women and girls in overcoming traditional role models and social disadvantages, attaining economic independence and defending themselves against violence. The 24-hour Women's Emergency Hotline, one of the three MA 57 counseling facilities, offers immediate assistance for women and girls affected by violence.

■ www.frauen.wien.at

Contact Barbara.Michalek@wien.gv.at

MOVISIE,

**Netherlands Centre for social development
The Netherlands, Utrecht**

MOVISIE is the Netherlands centre for social development. Their mission is to promote the participation and independence of citizens. They do this by supporting and advising professional organizations, volunteer organizations and government institutions. The program Domestic and Sexual Violence has contributed to this EU Daphne project.

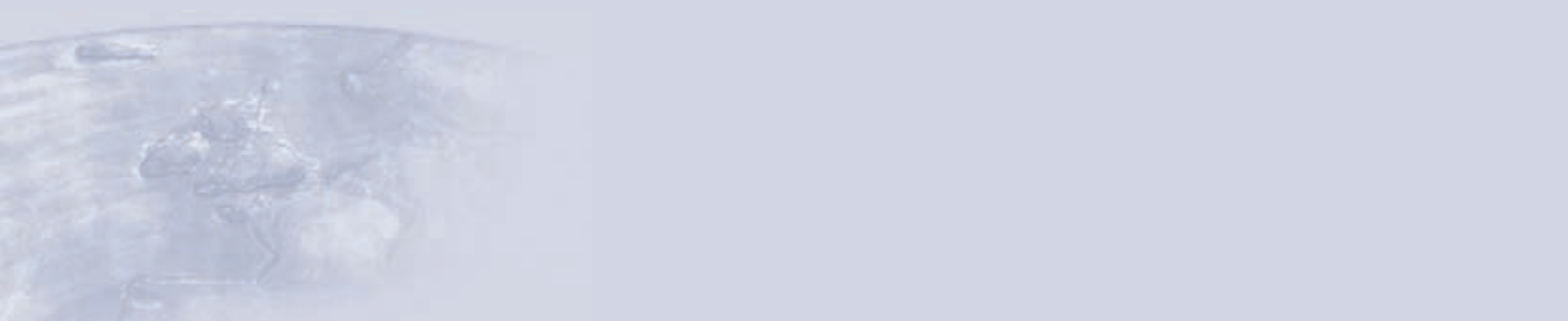
■ www.movisie.nl

Contact L.cinibulak@movisie.nl

**In cooperation with: VU University Amsterdam,
Dep. of Social and Cultural Anthropology
The Netherlands, Amsterdam**

■ www.fsw.vu.nl

Contact eac.bartels@fsw.vu.nl



ROKS,

**The National organisation for Women's shelters and young Women's shelters in Sweden
Sweden, Stockholm**

Roks is the national organisation for women's and girls' shelters in Sweden and is the largest member organisation in the country. Roks is a feministic organisation working on the rights of women's and girls' rights and liberation, as well as equality on all levels.

■ www.roks.se

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Gunilla.Westny@roks.se

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**Zwangsheirat.ch, Verein Katamaran
Switzerland, Zug**

“zwangsheirat.ch” is a programme launched in 2006, which aims to sensitise and educate the public about the social problem of forced marriages in Switzerland. The activities are conducting different projects, consulting opinion formers as well as state and non-state organisations, lobbying and public relations.

■ www.zwangsheirat.ch

Contact info@zwangsheirat.ch

**Women for Women's Human Rights (WWHR)
– NEW WAYS**

Turkey, Istanbul

WWHR – NEW WAYS is an independent women's NGO with the aim of promoting women's human rights in Turkey and on the international level. WWHR – NEW WAYS has contributed significantly to various legal reforms in Turkey, networking in Muslim societies and promoting women's human rights at the UN level.

■ www.wwhr.org

Contact k.ronge@wwhr.org

**Forced Marriage Unit, Foreign
and Commonwealth Office
United Kingdom, London**

The Forced Marriage Unit is a joint Foreign & Commonwealth Office and Home Office unit. It is the Government's central unit dealing with forced marriage casework, developing Government policy and co-ordinating outreach projects.

■ www.fco.gov.uk/en/fco-in-action/nationals/forced-marriage-unit

Contact Kay.Sweet@fco.gov.uk

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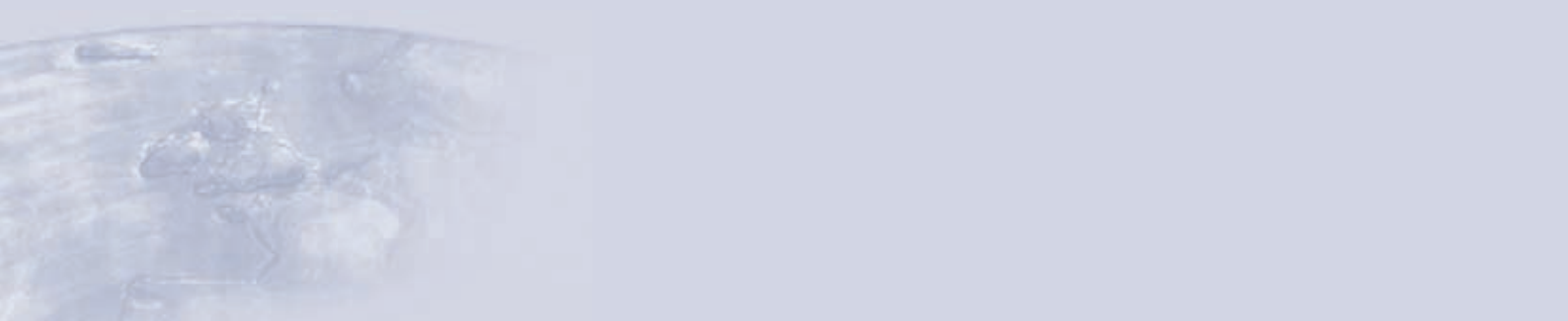
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