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Social and legal actions to combat honor related abuse

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Introduction

The project ‘Social and Legal Action to Combat Honor Related Abuses’ is a Bulgarian-Norwegian collaborative project conducted by the Center for Sustainable Communities Development (hereinafter CSCD), in cooperation with Women Lawyers Association and KUN Centre for Equality and Diversity. The project was carried out from September 2019 to February 2021.

The main objective of the project was to contribute to competence development around the topic of honor-related violence in Bulgaria, as well as to attitude changes and improved guidelines for capturing and dealing with this type of criminal acts.

The first stage of the project was aimed at building a knowledge base. CSCD conducted a survey in Bulgaria to find out the existing attitudes to and the general knowledge about honor-related violence in the society and among experts from various fields. The main findings from the conducted research study showed the importance of addressing the problematic issue of child marriage in Bulgaria.

KUN Centre for Equality and Diversity contributed to the knowledge base through collecting and disseminating experiences from the work that is being done on honor-related violence in Norway, as well as by providing examples of good practice on the topic. The results of the work were presented in a literature overview and a summary of interviews with experts.

During the second stage of the project the acquired knowledge on honor-related violence was disseminated. CSCD made a 20-minute film on the topic, arranged a series of digital roundtable conferences, as well as held a final online conference in Bulgaria, with participants from both civil society and support services.

The present report summarizes the knowledge base that was developed by partners from Bulgaria and Norway during the first stage of the project, and consists of the following three parts: a handbook for Bulgarian experts, institutions, authorities, researchers, support services and voluntary organizations; a literature overview of Norwegian research, legislation and case law related to honor-related violence; and a summary of six interviews with experts working on various topics related to honor-related violence in Norway.

The present report is a compilation of the Norwegian and Bulgarian reports. Firstly, we present the Bulgarian report, and then the Norwegian one.

TOOLKIT

TO SUPPORT THE WORK OF EXPERTS ON PREVENTING AND COMBATING HONOUR-RELATED VIOLENCE IN BULGARIA

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The entire responsibility for the content of the document lies with the Center for Sustainable Communities Development (CSCD) and the project partners and under no circumstances can it be assumed that this document reflects the official opinion of the European Economic Area Financial Mechanism and the Operator of the Active Citizens Fund Bulgaria.

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INTRODUCTION

Who is this Handbook for?

The handbook is intended for use by experts, interested parties representatives - legislative institutions, local authorities, researchers, human rights and justice institutions, social workers, teachers, general practitioners, health mediators.

How to use?

The Handbook is designed to support the implementation of practical solutions at local, national and European level. It sets out a series of actions to identify 'honour-related violence', ways to support those facing this risk and provides tools for a multidisciplinary approach for prevention and combat.

Purpose of the Handbook

The Handbook should provide confidence, knowledge, skills and tools to assist the expert in providing effective and timely advice and support to a victim or potential victim of 'honour-related violence or abuse'.

In particular, the Handbook will help to better understand the cultural practices that lead to 'honour-related violence', as well as timely and sustainable intervention to protect the individual from abuse or even murder.

PROJECT PRESENTATION

This Handbook was created within the 'Social and Legal Action to Combat Honour Related Abuses' Project (www.hra-project.eu), which was implemented by a consortium with a leading partner 'Center for Sustainable Communities Development' (www.cscd-bg.org), KUN Center for Equality and Diversity (<https://www.kun.no>) from Norway and the Women Lawyers Association - (<https://www.womenkovića.bg>), within the period September 2019 - February 2021.

The legislation lacks a definition of honour-related violence or abuse, as well as a data collection system. The result is impunity for the perpetrators and inadequate protection of the victims. Forms of abuse are early/arranged/forced marriages, acid attacks, dowry deaths, female genital mutilation, etc. The problem is partially recognized only among some Roma communities, especially in the part of early marriages, which lead to early pregnancy, sexually transmitted diseases, dropping out of school and subsequent permanent marginalization. With the entry of immigrants in the country other forms that are not yet recognized by professionally interested groups may spread. These forms are much more severe because they are encouraged by the family and the community, and women are also involved in the planning of the violence. Legal and social practice for effective protection and targeted intervention is currently insufficient.

Interviews with experts from various fields, a review of case law and a nationally representative survey among representatives of different ethnic groups and migrant communities; 13 public consultations with the participation of 130 people from the country, profiled by ethnicity, profession and religious affiliation; 5 round tables in the regions with the participation of 200 people - representatives of the general public were conducted within the project. As a result of the activities, Recommendations for changes in policies and legislation were prepared, that were supported by a written Petition, as part of a broad advocacy campaign.

GLOSSARY

Human rights are universal guarantees protecting individuals and groups of individuals from actions that violate fundamental freedoms and human dignity. Norms are routine behaviour of individuals or groups of people in society and this behaviour is used to determine normal behaviour.

Violence is any action directed against another person causing harm, pain, intimidation or insult, as well as forcing a person to do something against his/her will, or to stop doing what he/she wants (Isdal, 2000). Violence can take many forms.

The World Health Organization (2020) defines different types of violence as physical, psychological or sexual, as well as deprivation or neglect.

Gender-based violence is a term that refers to any harmful act committed against the will of a human and based on socially attributed (gender) differences between men and women. Gender-based violence is not synonymous with violence against women and girls, although it is perceived as such. Accepting men and boys as the main culprits does not exclude them as victims. There are many forms: sexual violence, sexual exploitation, domestic violence, honour-related violence, economic violence and emotional violence.

Emotional violence -this is a behaviour aimed at controlling a person by causing

emotional harm, which may include threats, humiliation, coercion, etc., and can often lead to other forms of violence, including domestic and sexual violence, or to combine with them.

Honour-related violence/abuse - a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and/or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

That is why 'honour-related violence' is used to assert male power over female autonomy and sexuality. There is no honour in committing or ordering murder, kidnapping and many other acts that constitute 'honour-related violence'.

Killings in the name of honour (often called honour killings) are homicides in which the predominant victims are women with proven or alleged immoral behaviour that has embarrassed the entire family (The Halo Project).

Female genital mutilation (FGM)¹ is a procedure for the partial or complete removal of the external genitalia or other injuries to the female genital organs without medical reasons. This is usually done with a blade by a person who traditionally performs the circumcision ritual, and no pain medications are used. Although the practice is internationally recognized as a violation of human rights,

1

<https://www.europarl.europa.eu/news/bg/headlines/society/20200206STO72031/zhenskoto-ghehitalno-osakatiavane-i-borbata-na-parlamenta-za-slaghane-na-kray>

about 68 million girls worldwide are at risk of being circumcised by 2030.

Forced marriage is a marriage concluded without the consent of one or both partners and in which one of the factors is coercion.

SECTION 1: CONCLUSIONS FROM NATIONAL REPRESENTATIVE SURVEY AND EXPERT INTERVIEWS CONDUCTED

As part of the activities under the project ACF/13 'Social and legal action to combat honour related abuse', implemented under the 'Active Citizens' Fund of the Financial mechanism of the EEA 2014-2021 Center for Sustainable Communities Development commissioned Association 'Korektiv' to conduct a nationally representative study of the population on the basis of face-to-face interviews and in-depth interviews with experts.

The study had **the following goals:**

- To **establish public attitudes** towards honour-related violence, including **the expert's understanding of the phenomenon**
- To **outline risk factors** for the spread of the phenomenon in Bulgaria
- To **outline how widespread the different forms of honour related violence are in the country**, as well as to describe **the socio-demographic profile of risk groups** in relation to such forms of violence
- To **examine the experts' assessment of their own familiarity, preparedness and level of interaction between the different experts** who work on cases of honour-related violence
- To **summarize the recommendations of the experts regarding the legislation in Bulgaria**, concerning forms of abuses related to honour based violence

In order to achieve these goals, as part of the project **the following studies were conducted:**

- **Nationally representative survey among the population of Bulgaria aged 16 and older**, with a focus on various social groups (people of Bulgarian, Turkish, Roma and Armenian ethnicity and Jewish origin, etc.) in order to establish public attitudes towards forms of honour-related violence and its spread among different social strata of the Bulgarian population. The nationally representative survey was conducted in June and July 2020 among 1,007 people
- **Survey of the opinion and attitudes of various experts who work or who are involved in forms of honour-related violence through quality methodology (in-depth interviews)** conducted in March 2020.

MAIN FINDINGS FROM THE NATIONALLY REPRESENTATIVE SURVEY

1. **Impact of traditions and moral norms on behaviour and organization of family life and decision making**
- **IMPACT OF TRADITIONS AND TRADITIONAL COMMUNAL MORAL NORMS ON BEHAVIOUR** is much stronger among the ethnic groups that are different from the Bulgarian – Turkish, Roma, Armenian and Jewish. With the increase in age and decrease in educational level attained there is a larger share of people for whom communal traditions are crucially defining for their behaviour.

- **ORGANIZATION OF FAMILY LIFE AND DECISION MAKING** - cohabitation of several generations in the same dwelling, division by gender of domestic chores and preservation of the 'good' family name by all means are much more common among the Roma and the Turks in the country and among people of low financial means and education. Taking all important decisions concerning the family by a single person is more widespread among the Roma (compared to other ethnic groups) and low-educated people of scarce income. The most vulnerable in terms of organisation of family life are those people who strictly adhere to their roles and duties in the family and are unaware of their rights as citizens.
- **CHOICE OF MARITAL PARTNER AND REACTION IN CRISIS SITUATIONS (FROM A PERSPECTIVE OF FAMILY LIFE)** – a much stronger indicator of potential exercising of honour-related violence or early marriages is the choosing of marital partner only by the parents). Such is the stance of 1.9% of the respondents. This position has been much more shared by the Roma and the Turks. The low educational status is again a leading factor in such views. However, the income levels are not a determining driver. Those who follow strictly family and communal traditions are more vulnerable when it comes to how the marital partner is chosen. The perception of certain reactions to infidelity by a man as normal brings to the fore the registered gender inequality. It is a reality for all ethnic groups, but the values are significantly higher among people of Roma origin.
- **Relationships in the family are an indirect indicator that can help us ascertain which social groups are most at risk for acts of honour related violence and in particular, its most widespread form in Bulgaria - early marriages. From the point of view of the traditions and their influence on people's behaviour, the smaller ethnic groups (compared to the Bulgarians) - Roma, Turkish, Armenian and Jewish, are differentiated as adhering to the community precepts. With the accumulation of various indicators, the Roma and the Turkish groups remain the ones most attached with the traditions and the previous generations. Indicators focusing on various forms of inequality bring the Roma group to the fore. Other demographic groups at risk are those with low income and of low educational status. Logically, it is the older generations that more frequently stick to traditions and try to transmit them to future generations.**

2. Awareness and dissemination of forms of honour-related violence in the close family circle and risk factors

- **The results from the nationally representative survey confirm the observations made by experts in the course of the conducted in-depth interviews that the most 'problematic' form of honour related violence in Bulgaria are early forced marriages.**The share of citizens who believe that early marriages are spread in the country is 89%; 13% have come across an early marriage in their family or other families they know. 1.4% of the population have fallen victim to early marriages before they had turned 16. That is why it is of crucial importance to shed light on the issue concerning early marriages and their forced character, as well as to take measures for prevention among the most vulnerable groups - people of Roma ethnicity, minors below 16, people having low-educational levels or those tightly connected with traditions and rights of the community.
- **Between half a percent and 13% of the Bulgarian population confess that they know about forms of honour related violence in their own family or other families they keep in touch with.** The most common is the most fluid form of violence - restrictions of social contacts with friends, relatives and others done as a preventive measure to avoid the risk that someone might tarnish family honour, stated by 13% of the Bulgarians. Respectively, the least common

are the most hurtful forms of violence which are characterised by extreme cruelty like murder attempts, acid attacks due to tarnished family honour or female genital mutilation.

- **The survey has found out that a combination of risk factors foster honour related violence acts. These are the low educational level of the victim, marginalisation of the social group combined with adherence to extremely traditional way of life.** As these factors do not come into play separately, measures for preventing and combating honour-related violence should be aimed at overcoming and/or taking into account all these factors at the same time. Some of them are related to deeper motivations and socio-cultural traditions. For this reason, their change over time would be very slow and would require a lot of efforts.
- **The social groups that are most at risk to fall victim to honour related violence are minors, people of Roma and Turkish origin, people of insufficient financial means and with almost no educational background. Another vulnerable group are the representatives of marginalised communities who adhere to extremely traditional way of life.** Therefore, targeted work with minors is needed to prevent or at least reduce the acts of sexual violence or early marriages that they may succumb to. The data from the current survey show that an equal share of boys and girls become victims of early marriages.
- **As violence in general (and honour-related violence in particular) is not tolerated by citizens, the majority of the Bulgarian population (93%) consider honour-related acts to be inadmissible forms of cruelty that cannot be justified by any arguments.** Bulgarian citizens are much more ambivalent in their evaluation of early marriages. Some people realize their destructive impact on future social chances of the individual. Other people, however, regard early marriages as a crucial element of cultural traditions of certain communities that should be accepted. The lack of unanimous position and understanding of early marriages both among experts and the general public may pose a significant problem in the fight against honour related violence and hinder public awareness campaigns on the nature of the phenomenon.
- Between 3% and 4% of Bulgarian citizens declare that they would exercise an act that is in reality some form of honour-related violence in order to protect the family's reputation. On the other hand, 12% have imposed restrictions or prohibitions in situations in which they believed that the family's good name had been threatened.

3. Attitudes to reporting honour related violence

- **Although early and forced marriages are almost identical in nature, a different share of Bulgarians would react if they are familiar with a case of an early (26%) and forced marriage (21%).** The fact that the marriage may be forced is less alarming than an early marriage for the respondents, as if it concerns an adult, marriage in general is a personal matter, where the individual is responsible for their own actions. Another argument for non-interference is the thesis that problems such as early marriages involve specific socio-cultural traditions and relationships in certain social communities.
- **The emergency telephone number (112) and the police** are the institutions in whom citizens have the highest level of trust and to whom would direct a report concerning a situation of honour-related violence. 54% and 61%, respectively, would alert the police or call the emergency telephone number. This implies that a public awareness campaign on honour-related violence must necessarily entail police officers. In such a way these experts on field may further learn to identify correctly signs of honour-related violence and would acquire the

skills to communicate efficiently about the problem with the victim and other interested parties.

- The fact that in case they become a victim to honour-related violence, 41% of the population in Bulgaria **would share this information with a relative whom they trust vs. 37% of the citizens who would alert the police, shows that people misunderstand the nature of such acts of honour-related violence.** This form of violence is generally committed by family members. Thus, sharing with a close relative may further aggravate the problem. Here comes the need for information campaigns in Bulgaria to explain to the social groups at risk the nature of this type of violence and where they can signal if they fall victim to honour related violence.

MAIN FINDINGS FROM THE SURVEY AMONG EXPERTS

1. Experts' understanding² of honour-related violence

- The term 'honour-related violence' is a relatively new conceptual framework for understanding certain forms of cruelty or abuse that are legitimized by traditions and cultural norms. **The present study found that experts do not have a single position on what phenomena are included in the concept of 'honour related abuses'.**
- The interviewed specialists consider a wide range of phenomena as forms of honour-related violence - both mental manifestations (social isolation, psychological harassment, control over sexual activity of a family member, dowry extortion) and physical coercion and cruelty such as forced marriage, rape, various forms of sexual violence, female genital mutilation, human trafficking and honour killing.
- The term 'honour-related violence' summarizes abuses of various kinds. According to the driving motive for their commission, we can conditionally divide them into two types - in order to prevent unwanted behaviour or to sanction actions that have already violated family honour. 'Preventive' forms of violence in defense of family morality mainly include early forced marriages and sexual control. In contrast, some of the sanctioning acts of honour related violence are characterized by a high degree of cruelty, such as murder or genital mutilation. **These two types of abuse suggest different coping strategies. While in the manifestations of violence for the purpose of prevention the information campaigns for raising the public awareness are of paramount importance, in the forms of violence for the purpose of sanction, the penalties for the committed violence should be leading.**
- **An important prerequisite for the successful fight against honour-related abuses in the country is the expert community to be aware of the specifics of this kind of violence.** On a positive note, according to the majority of experts interviewed, there are clear demarcations between domestic violence and honour-related violence. However, experts on field are generally unaware of honour-related violence and are unable to identify such cases in their practice. **Good practice in this regard would be to work with the institutions and in particular the police, the Social Assistance Agency and health mediators in order to raise awareness among these experts.**
- The biggest controversies between experts are about early forced marriages and the more 'invisible' forms of honour-related violence - physical coercion or mental pressure, or violence. At the same time, according to experts, early forced marriages and related abuses, such as sexual control, psychological harassment and others are the most common form of honour-related violence in Bulgaria. **Therefore, a broader consensus and awareness of violence in**

² Police officers, health mediators, social workers, lawyers, psychologists, researchers - 24 people

these marriages should be built among the expert community. Otherwise, due to the different position of the experts, early forced marriages may be a 'stumbling block' in the fight against honour-related violence in Bulgaria.

- The growing number of cases of honour-related violence, including in countries other than Bulgaria, suggest work on the prevention of 'more invisible' forms of honour-related violence, in order to avoid more serious manifestations such as human trafficking.
- As honour-related violence is culturally conditioned, it is much easier for experts to define and identify it when talking about other countries or social groups that are not specific to Bulgaria - the countries of the Middle East, Africa, the people seeking international protection in Bulgaria. **This also shows how difficult it is to combat this type of violence. As people living in a certain society, they are much less likely to recognize honour related abuses among the social groups and cultural traditions of the society in which they live.**
- If the fight against this type of violence does not place a clear focus on the more common forms and abuses and does not work directly with at-risk groups, there is a risk of underestimating its seriousness in society. **Therefore, strategies should be developed to combat the forms of honour related violence found in the country.** For example, early forced marriages are a problem for Bulgaria, not acid attacks when it comes to bringing shame on family honour.

2. Experts' assessment of the spread of honour-related violence in Bulgaria

- Although generally refraining from taking a firm stand, **most of the interviewed experts are of the opinion that honour-related abuses are not widespread in the country, but are rather inherent in closed and marginalized social groups. Two such risk groups are the Roma community, refugees and asylum seekers in Bulgaria.** Girls between the ages of 16 and 18 from such closed, isolated and marginalized communities are most at risk to be affected by honour-related violence, followed by minors and economically dependent women.
- The interviewed experts are unanimous that **male figures in the family - father, brother, sometimes husband, are the main perpetrators of acts of honour-related violence.** The mother-in-law is often mentioned as a perpetrator, as she went through similar atrocities in her youth and internalized them as the norm. In early forced marriages, in which one or even both partners are minors, parents of both parties should be held accountable.
- **The experts in the study consider the consequences for the victim of the experienced honour related violence only in an individual plan - as reduced social chances in life.** Unlike domestic violence, there is no connection with the impact of abuses in the name of tradition at societal level - e.g. certain social groups' dropping out of the labour market leads to higher costs for health care, social services, etc. This **shows again the cultural dimensions of the phenomenon and how difficult it is to combat such abuses when they are considered only as ones having a negative impact on the individual.**
- At the same time, field experts share positive transformation processes in the communities themselves, where honour related violence occurs. Such events are caused by experience abroad or acquaintance with another way of life, different from the one which the individual from the community is accustomed to. **That is why we need to work on presenting new patterns of behaviour for representatives of risk groups. This can serve as a prerequisite for changing attitudes towards honour related violence.**

3. Professional experience of experts in cases of honour related violence in Bulgaria

- The experience of the interviewed experts with cases of violence and abuse caused by moral, community and other motives can be considered on two levels. The severe cases where there is an attempt to take a human life or mutilation are minimal and are more related to the refugees and the life they have led before coming to Bulgaria. Experts' experience with early marriages/cohabitation, which are part of some Roma groups' tradition, is far greater.
An increase in the number and severity of honour-related violence cases can be expected with an increase in the number of migrants in Bulgaria who come from cultures where honour-related violence is a norm.
Concentrating efforts on overcoming the most common form of violence based on community motives in our country - early marriages - would have a positive effect on the lives of the largest number of people.
- The ways the information about violence reaches experts are through direct contact with the victim and by receiving a signal. Direct contact and monitoring allow an earlier response, while the institutional approach is leading in signals.
The inclusion of people from the community as officials (health mediators, teachers), who are also involved in the problems of honour-related violence, would help detect these cases earlier. This will make it easier to gain the community's trust and support.
- The interviewed experts share that they recognize the victims of honour-related violence by three types of indicators - behavioural (sudden change in behaviour, restriction or cessation of social contacts, silence and unwillingness to share, coming late for work or leaving school); psychological (introversion, insomnia, nightmares, anxiety neuroses, panic attacks); physical injuries (frequent and unconvincingly justified).
Good knowledge of the indicators for identifying victims of violence allows the preparation of questionnaires, checklists and other materials that would support the work in this area.
- There are three levels of response in these cases - internal (within the structure itself), in cooperation with non-governmental organizations and state institutions.
The more severe cases of violence appear to be problematic, as there are not enough good practices for them due to their minimal number and lack of experience.
The development and introduction of a risk assessment checklist would significantly support the work of the police.
- Actions to help the victim include legal, material, psychological and educational assistance. They often go hand in hand and aim to overcome the problem in a comprehensive way.
- The obstacles that experts face are procedural, legislative and personal.
Measures to curb early marriages include reducing the response time to identify such cases and enacting higher penalties for perpetrators.

4. Good practices and ways to prevent forms of honour-related violence in Bulgaria

- Prevention goes through two key factors - awareness and education. Awareness must be directed to the whole society, to the institutions and employees involved in these problems, to marginalized groups, to parents, to potential victims and perpetrators. **Getting an education significantly limits the possibilities for early forced marriages and other forms of violence.**

- Working with perpetrators involves changing their thinking and values. This is possible through including educational elements and information on legislation and possible sanctions, as well as more severe penalties.
- The assessments of the level of training of workers in such cases vary. However, **the need for more training, exchange of experience, preparation of support materials** is a general finding.
- The legislation in Bulgaria is assessed by the interviewed experts mostly positively. There is criticism, but it focuses more on the implementation of laws rather than on their quality. **The main concrete proposals for legislative changes are related to stricter penalties for early marriages and the adoption of the Istanbul Convention on the Limitation of Domestic Violence.**

SECTION 2: VIOLENCE IN THE CONTEXT OF GENDER EQUALITY

'Everyone should be safe in their homes, in their close relationships, in their workplaces, in public places and online. Women and men, girls and boys, in all their diversity, should be free to express their ideas and emotions and pursue their chosen educational and professional paths, without the constraints of stereotypical gender norms'³

Gender equality is not only a women's issue - it is everyone's. The division of society between women and men is a universal division. Women are not a disadvantaged group! Their involvement in social processes and their empowerment are beneficial for all. Within the group, of course, there are disadvantaged women, such as women of Roma origin, women with disabilities, etc., which, in turn, requires additional efforts and policies in order to include and empower these subgroups.

Real equality is associated with equal opportunities in access to society's resources and with equal rights and obligations for women and men. This is a goal that requires guarantees of equality and the elimination of systemic discrimination, i.e. it is not enough for a society to adopt legislation that does not discriminate against women, but to follow the practices - what happens in the implementation of laws and policies under the influence of stereotypes, religion, traditions and centuries-old understandings of the social roles of both genders. The process is long and complex, as it requires a change in people's thinking and the realization that everyone has the right to be different, and others have a duty to respect diversity, because in addition to being a human right, diversity is valuable - diversity enriches the process of development. For example, women and men are valuable for the development of society with their different approaches of process management, with their different priorities, knowledge and skills acquired in long-term management processes /men/ or care /women/. This policy requires the efforts and involvement of all levels of institutions and all members of society.

³ Union of Equality: Strategy for Gender Equality (2020 - 2025) Brussels, 5.3.2020 COM (2020) 152 final

For example: The functions, determined by the physical sex, are the ability of the man to fertilize and the ability of the woman to give birth and breastfeed. In contrast, raising a child is a role, that can be performed by both men and women, and who and how performs this role is determined by the understandings of people from a specific society, in a specific time and place, as traditions, religion and established stereotypes also have an impact.

The relations between the two sexes are power relations, because it is a matter of power and control, on the one hand - of one sex over the other, and on the other hand - of control over resources. In this aspect, the violence between women and men should also be considered. Its main characteristics are:

- Violence is defined as a mechanism for social control over women that serves to maintain the status quo of male domination. There is higher frequency of aggression against women in societies or groups dominated by 'male power'. The cultural and legal mandate on the rights and privileges of spouses has historically legitimized the power and domination over women, promoting their economic dependence, while allowing men to use violence and threats to control women.
- Violent behaviour towards women is passed on as learned patterns of behaviour from generation to generation. The transmission takes place mainly in a usual relationship environment.
- Social standards downplay the damage done and justify men's violent behaviour. It is explained by male disorders, diseases and addictions. Guilt is also usually attributed to women, although they are the main victims.
- Alcohol, which in many cases is claimed to be responsible or predisposing to abuse, is denied to be a factor in direct violence and acts as an excuse for the aggressor's behaviour.
- The androcentric sexual model, driven by gender social roles, also promotes violence against women. Hyper-masculine behaviour, for example, can cause a communication problem that can lead to violent behaviour against women.

Gender-based violence - or violence that is directed against a woman because she is a woman, or that affects women disproportionately - remains one of our societies' biggest challenges and is deeply rooted in gender inequality. Gender-based violence, in all its forms, remains under-reported and overlooked both inside and outside the EU. The EU will do all it can to prevent and combat gender-based violence, support and protect victims of such crimes, and hold perpetrators accountable for their abusive behaviour.⁴

⁴ Union of Equality: Strategy for Gender Equality (2020 - 2025) Brussels, 5.3.2020 COM (2020) 152 final

Figure 1 – THE WHEEL OF POWER AND CONTROL



Source: *Improving the Effectiveness of Law Enforcement in Combating Violence against Women and Domestic Violence, Training manual for trainers, Anna Costanza Baldry*

The wheel of power and control (http://gbv-implement-health.eu/implement_train_BG_201606_web.pdf) offers a framework for understanding the manifestations and mechanisms of power and control in intimate relationships. This model was developed by the Domestic Abuse Intervention Programs in Minnesota, USA and includes the experiences of women victims of intimate partner violence who participated in focus groups. The wheel consists of eight spokes that summarize the patterns of actions that an individual uses to intentionally control or dominate his intimate partner: through intimidation, emotional abuse and isolation, belittling, denying and blaming, using children, imposing male privilege, financial violence, coercion and threats. These actions serve to impose 'power and control' - the words are in the middle of the wheel. The frame of the wheel consists of physical and sexual violence - this violence unites everything.

Violence against women is one of the key social mechanisms through which women are forced to be in subjection to their men. Some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, women in institutions or detainees, women with disabilities, elderly women and women in situations of armed conflict are particularly vulnerable to violence. This is particularly true in the case of **honour-related violence** in all its many varieties and forms. Violence against women is usually perpetrated by men whom women know or have close relationships with, but in cases of honour-related violence, families and communities are also involved.

Honour-related violence is a form of violence that takes place in the name of so-called family or community honour. The honour code which it refers to is set at the discretion of male relatives and women who do not abide by the 'rules' are then punished for bringing shame on the family. Honour-related violence and abuse can take many forms, such as threatening behaviour, assault, rape, kidnapping, forced abortion, forced marriage, threats of murder, and false imprisonment committed for so-called 'honour'. Murders in the name of so-called honour (often called honour killings) are murders in which mostly women are killed for actual or perceived immoral behaviour, which is considered to have brought shame to the family.

The concept of 'honour' and its connection with patriarchy in social systems

Violence and crimes committed in the name of honour are a manifestation of cruel and inhuman control and subordination exercised by men over women in the context of patriarchal societies. Female genital mutilation (FGM), forced marriages and forced suicides are the most common practices imposed by these societies.

Patriarchy is a social system in which the main role in all social sectors is given to men who keep women in a subordinate position. Patriarchal society is characterized by male hegemony, in which men have power and control over the community. Control is a fundamental value in patriarchal societies. Social life and the relations between the members of the society are built on it. It is usually achieved through violence and creates structural inequalities that affect all areas of women's lives, including their sexuality.

Women's sexuality is a key element of honour-based cultures. The sexual behaviour of women in the family is the honour of the family. Men have complete control over the bodies of their daughters, sisters, wives, or even cousins or extended family members.

Hundreds of women of all ages have been killed over different interpretations of 'honour'. The most common punishments are, among others, stoning, strangulation, throat slashing, and acid attacks. Traditions against human rights, religious interpretations and tribal laws have a very strong influence on the population.

Definition

Both the definition and the exact terminology for referring to 'honour' crimes have been somewhat problematic. The term 'honour crime'⁵ is used to designate a wide variety of violent actions against the victim, usually (but not always) a woman. The point in common among these types of actions is the motivation of the perpetrator(s), who consider their action as redressing a perceived 'loss of honour' caused by the victim's behaviour. The perpetrators usually come from the victim's family or the wider community to which they belong. They commit violent attacks on the victim on the basis of culturally determined notions of what is acceptable behaviour in such situations. This violence may take the form of abduction, mutilations, beatings or even acid attacks, with the most extreme examples resulting in killing the victim, so-called 'honour' killings.

⁵ United Nations General Assembly, Resolution 69 / L.23 on 'Child, Early and Forced Marriage', 17 November 2014. http://www.un.org/ga/search/view_doc.asp?Symbol=A/C.3/69/L.23/Rev.1

The 'dishonour' brought by the victim's behaviour may take several forms and can relate to, for example, dressing in a manner considered inappropriate by the community, not accepting or wishing to terminate an arranged marriage, engaging in sexual relations outside of marriage, or engaging in homosexual relations.

*Female genital mutilation, forced abortions and forced sterilization, early and forced marriages, the so-called 'honour-related violence' and other harmful practices against women and girls are forms of gender-based violence and serious violations of women's and children's rights within the EU and worldwide. In addition to possible legislation, the EU will make a recommendation on the prevention of harmful practices, including the need for effective preventive measures and recognition of the importance of education. It will also address the strengthening of public services, prevention and support measures, the capacity building of experts and access to justice that is tailored to the needs of victims.*⁶

History of 'honour' crimes

This type of violence is not a new phenomenon. Its roots can be traced back to 1750 BC and the Code of Hammurabi, which considered that a woman's virginity is the 'property' of her family.⁷

Roman law made it permissible for a husband to kill his wife if he caught her in adultery, but not vice versa.⁸ Religious texts have also addressed adultery. The Old Testament, for example, mentions the death sentence as an appropriate response to adultery and premarital sex.

'Honour' crimes and religion

Even though 'honour'-based crimes are popularly associated with Islam⁹ not all 'honour' killings appear in this context¹⁰ (for example, they are also found in Hindu and Sikh communities, as well as Druze, Christians and Jews). In fact, some Islamic leaders have condemned the practice and claim that there is no support for it in their religion. Communities where these types of crimes do occur are cultures in which the family dominates the individual, and therefore personal choices against the wishes of the family are perceived as shameful or dishonourable. The Napoleonic Code in the French law is also mentioned as a source of provisions concerning 'honour' crimes.

honour crimes are categorised either as gender-based violence or as crimes resulting from cultural tradition. Some authors argue that, in order to give 'honour' crimes proper treatment,

⁶ Union of Equality: Strategy for Gender Equality (2020 - 2025) Brussels, 5.3.2020 COM(2020) 152 final

⁷ European Union Agency for Fundamental Rights (FRA). Addressing forced marriage in the EU: legal provisions and promising practices, page 8. http://fra.europa.eu/sites/default/files/fra-2014-forced-marriage-eu_en.pdf.pdf

⁸ Statistics on Forced Marriage 2015: <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2015>

⁹ Gabriela Bravo. Enquête sur les mariages forcés et l'accompagnement des victimes en Seine-Saint-Denis Réalisée en Seine-Saint-Denis 2012. Observatoire des violences envers les femmes du Conseil général de Seine-Saint-Denis

¹⁰ European Union Agency for Fundamental Rights (FRA). Addressing forced marriage in the EU: legal provisions and promising practices, page 12. http://fra.europa.eu/sites/default/files/fra-2014-forced-marriage-eu_en.pdf.pdf

both of these approaches need to be taken into consideration, but that ultimately, 'honour' crimes are a violation of human rights¹¹.

'Honour' crimes and gender

Even though the victims of 'honour' crimes are mostly women, there have been cases where the victims of 'honour' killings have been men, mostly romantic partners of women whose families defended their perceived loss of honour. *An example of this is the case of Abbas Rezaei, who was killed in Sweden in 2005 by his girlfriend's parents because they did not approve of him dating their daughter.*

If we open Wikipedia we will find the following definition of the term 'honour': 'A set of moral qualities and principles of the individual that are worthy of respect and create a good name in society.' It is a complex concept that combines loyalty to one's own principles, nobility, dignity, and thirst for justice. A man of honour is one who can live according to his/her conscience and maintain dignity even in difficult situations. Strength and wealth are secondary to him/her. Honour is honesty, decency, dignity, in general - all moral qualities and principles worthy of respect. And despite the fact that each society has its own vision of honour, the common understanding is for expressed respect, esteem and recognition of a person or a group, because their behaviour meets certain norms and expectations of society.

The honour code is a set of personal or group rules of conduct that are considered mandatory, inviolable by a person or group of people and protect the sense of personal (group) dignity and decency. These social norms and expectations are not a constant value, but have changed over the centuries of development, with the special influence of traditions and religions. Interestingly, the meanings of this word are different for people of different genders. Years ago, honour was only about a woman's chastity, and for a married woman, it was about marital fidelity. What is honour for a girl? To this day, the concept of 'maiden's honour' exists in many communities, definitively associated with the 'chastity, innocence, virginity' of the girl, as a condition for marriage. If the person does not live up to these expectations, it is considered a violation of personal or family honour. There are various methods of punishing the one who did not keep her virginity before the wedding - in the 19th century such brides were put on a collar and not only the guilty woman could get it - parents and matchmakers were also punished, including with murder.

Most murders of women take place after the affected woman has been accused of premarital or extramarital affairs; marry a man of her choice, despite the resistance of her family, or refuse a marriage proposal made by her family.

According to the Independent Human Rights Commission of Pakistan, the honour killings in 2015 were 1,100, in 2014 they were 1,105 and in 2013 - 869. The Council of Islamic Ideology declared such killings un-Islamic as early as 1999, but in 2015 it was interpreted that husbands could lightly beat their wives, leading to a public reaction, and then the same Council

¹¹ United Nations General Assembly, Resolution 69/L.23 on 'Child, Early and Forced Marriage', 17 November 2014. http://www.un.org/ga/search/view_doc.asp?symbol=A/C.3/69/L.23/Rev.1

announced that it was restoring its position since 1999 after a series of killings in recent weeks.¹²

Although most of such crimes still remain unregistered, even when reported to the police, this type of crime is often wrongly categorised. Experts warn that this violent behaviour is different from domestic violence, for example, because the perpetrators are usually groups of people who find grounds for the crime in their culture or traditions. They believe that by violence or even killing the victim, they are defending the honour of the family or the community that is in some way tainted' by the victim's behaviour. Although the frequency of honour crimes is higher outside the EU, increased migration and subsequent problems with the integration of immigrants into host communities have contributed to these types of crimes becoming a serious problem for some EU countries as well. Apart from individual, national efforts, EU institutions have also taken steps to combat 'honour'-based violence, mostly within the framework of combatting gender-based violence¹³.

TOP 10 MYTHS ABOUT FORCED/EARLY MARRIAGE ¹⁴

Despite widespread condemnation of forced/early marriages, this practice persists in the EU and around the world, perpetuated by a toxic mix of poverty and patriarchal power structures. Its effects are devastating, yet the issue is often deeply misunderstood. Dispelling these misperceptions is one of the crucial first steps towards ending it.

Here are ten of the biggest myths about the practice, its causes and its consequences:

»MYTH 1: FORCED MARRIAGES ARE ATYPICAL FOR EUROPE

180,000 girls and women in Europe are at risk of female genital mutilation (FGM) each year. The Communication from the European Commission 'Towards the elimination of female genital mutilation' (2013) identifies 13 EU countries where there is evidence of women and girls who have undergone FGM or who are at risk of being subjected to this harmful practice. According to the European Commission, these countries are Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Portugal, Spain, Sweden and the United Kingdom¹⁵.

»MYTH 2: ONE SHOULD RESPECT THIS CULTURAL TRADITION.

Forced and early marriages are crimes and abuses of human rights, a form of violence and, if the victim is under 18, are considered violence against children.

»MYTH 3: IT ONLY HAPPENS TO GIRLS.

It is true that the vast majority of forced and early marriages involve girls. But boys can be married off, just as girls are.

¹² Pakistan 'honour' killing: Why clerics' call may fall on deaf ears By M Ilyas Khan BBC News, Islamabad, 15 June 2016

¹³ Combating 'honour' crimes in the EU, European Parliament Briefing December 2015

¹⁴ Adapted from UNFPA Top 10 myths about child marriage available online <http://www.unfpa.org/news/top-10-myths-about-child-marriage> and Frequently Asked Questions from the organization Against Forced Marriages available online <http://againstforcedmarriages.org/forced-marriage/faq>

¹⁵ <https://www.28toomany.org/research-resources/>

Estimates from UNICEF suggest that about 18 per cent of those married before age 18 are boys, while about 82 per cent are girls.

»MYTH 4: THE BEST PLACE FOR THE GIRL IS HER FAMILY AND THE BEST WAY TO SOLVE THIS SITUATION IS TO USE FAMILY CONSULTATIONS, MEDIATION, ARBITRATION AND CONCILIATION.

In cases of forced marriage, it is important that **experts do NOT initiate, encourage or conduct family counseling, mediation, arbitration or conciliation**. There have been cases of murders of people from their families during mediation. Mediation can put the individual at risk of further emotional and physical abuse. Any action taken must be in accordance with legal norms, including those on human rights, which require the protection of specific principles, including the prosecution of the perpetrator.

»MYTH 5: ONLY MONSTERS WOULD CONDEMN THEIR DAUGHTERS TO FORCED OR EARLY MARRIAGES

Parents often believe that marriage will ensure their daughter's safety and future. However, girls forced to marry are at higher risk of depression, suicide attempts and domestic violence. Culture, faith and tradition are not the cause of forced marriages. They are the excuses for that.

»MYTH 6: THESE ARE FAMILY MATTERS, MATTERS OF A CULTURE.

The consequences of forced and early marriage do not stay in the family. They affect whole societies and countries. Victims are more likely to become pregnant before their bodies mature, increasing the risks of maternal and newborn death. In addition, they are much more likely to drop out of school and become victims of domestic violence. This is a violation of human rights.

»MYTH 7: THESE GIRLS ARE COMPLETELY HELPLESS.

Actually, girls can play a huge role in preventing forced and early marriage - when they know their rights and have access to the right information and opportunities. These include their right to dignity, their right to education and health, their right to live free of abuse and coercion, and their right to choose, as adults, whether and whom to marry. Access to critical information and services, including comprehensive sexuality education and life skills training is imperative. When people begin to see healthy, educated, secure, and unmarried adolescent girls as the new normal, perceptions and expectations of forced and early marriage will change.

»MYTH 8: ONLY HARSH PENALTIES CAN END THIS PRACTICE.

Most countries have already enacted strong laws against child marriage.

In France and Austria, the maximum penalty for forced marriage is five years' imprisonment.

Although it is true that these laws need better enforcement, laws alone cannot end the practice of forced/early marriage. Zero tolerance must be achieved in the community and awareness-raising measures must be put in place to challenge and change stereotypes about the rights of both sexes, which are the root cause of gender discrimination.

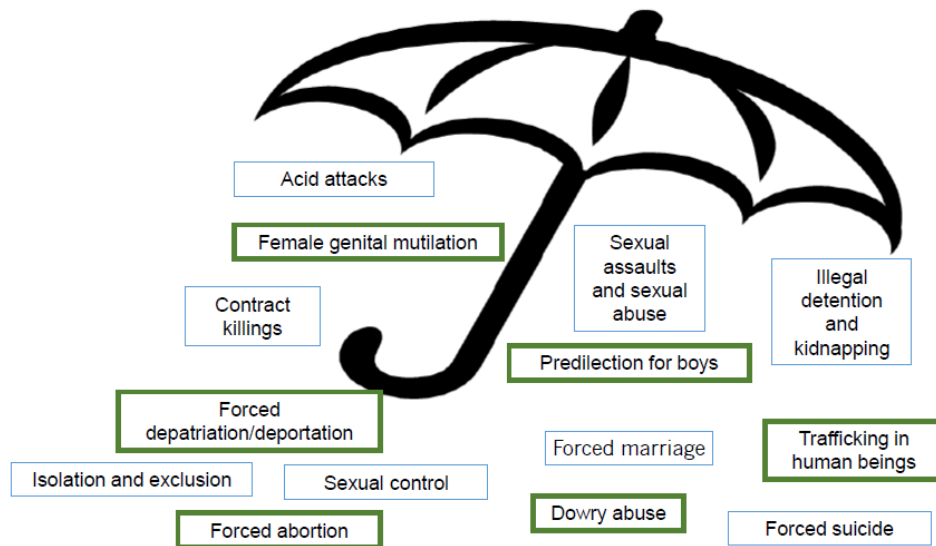
»MYTH 9: THE PRACTICE OF FORCED / EARLY MARRIAGES DOES NOT AFFECT ME
When the potential of a third of all girls is undermined, everyone is affected. The loss of their collective potential is immeasurably huge, and it touches every economy and workforce in the world. Respect for human rights is the responsibility of each of us as citizens.

»MYTH 10: BY DISAGREING WITH OUR IMPOSED MARRIAGE, WE TAKE A STAND AGAINST RELIGION.

All major religions proclaim that a person has the right to choose with whom to marry. However, families or communities may use a religious argument to try to force a son or daughter to agree to a marriage of their choice. The act of forcing someone to marry is against the practices and teachings of Islam as well as other religions. Therefore, the issue of forced/early marriage is not a matter of religion, but a cultural practice that violates human rights.

'Umbrella of dishonour'

The word 'honour' is an umbrella under which many crimes and abuses are hidden. It is important for practitioners to know the variety of crimes that are under the protection of honour.



It is clear from the scheme of the umbrella of dishonour that this type of violence is not in a single form, but rather a combination of various human rights abuses. Although almost all abuses look the same, it is important to explore and recognize the characteristics of communities that commit violence in the name of 'honour'.

SECTION 3: LEGAL FRAMEWORK AND ANALYSIS OF honour-related CRIMES CASE LAW

Honour-related abuses and violence, as any form of violence constitute a violation of human rights, as well as gender-based discrimination, in cases where the victims are women or a violation of children's rights, when the victims of such violence are minors. Traditional practices that have a negative impact on the health of women and children and that violate international human rights standards are defined as 'harmful traditional practices' (e.g. female genital mutilation, forced feeding of women, early marriage, the various taboos or practices which prevent women from controlling their own fertility; nutritional taboos and traditional birth practices; son preference and its implications for the status of the girl child; female

infanticide; early pregnancy; and dowry price¹⁶). Overcoming and sanctioning such practices is important because no one can be deprived of their human rights and dignity because of the traditions and culture of a community. The main activities of the United Nations and the Council of Europe are to create instruments to combat violence, to promote the adoption of international law to be applied directly or by transposing it into the local legislation of the Member States concerned.

The introduction of these international standards contributes to the harmonization of national legislation and to the identification and action against this type of violence.

1. International Legal Framework

The main normative acts of international legal significance for the creation of the framework and the necessary elements for recognizing and providing protection in the event of violence, including this, in the name of honour are:

- **Universal Declaration of Human Rights / UDHR /**, adopted in 1948 by

The UN General Assembly is the most important global instrument for the protection of human rights, establishing fundamental rights and freedoms, some of which are of particular importance in ensuring non-violence, such as freedom from discrimination (Article 7), right to life, liberty and security of person (Article 3), freedom from slavery (Article 3), freedom from torture and degrading treatment (Article 5).

- **Convention for the Protection of Human Rights and Fundamental Freedoms (known as the European Convention on Human Rights - ECHR)**, adopted by all member states of the Council of Europe in 1950, is the main human rights instrument in Europe. Its implementation is guaranteed by the European Court of Human Rights.

- **Convention on the Elimination of All Forms of Discrimination against Women (CEDEW)**, adopted by UN General Assembly resolution 34/180 of 18 December 1979, encourages Member States to take legislative measures to prevent discrimination against women, to ensure gender equality before the law, and to encourage the overcoming of cultural patterns and prejudices that lead to inferiority or superiority of one sex over another or restrict and impede the exercise of rights on the grounds of gender. These guarantees are extremely important for overcoming this type of violence, given the fact that these are crimes that are closely related to the traditional understandings of a group of communities related to the control of sexual and social choices of women and children.

- **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).**
- **Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).**
- **UN Convention on the Rights of the Child (1989)** - the first legally binding international instrument that affirms the human rights of all children.
- **Charter of Fundamental Rights of the European Union, adopted** on 1 December 2009 is another major step towards the protection of human rights. The six sections of the Charter include fundamental rights, such as the right to life, the prohibition

¹⁶ <https://www.coe.int/bg/web/compass/what-are-human-rights>

of torture, slavery and the death penalty, the right to privacy, marriage, and freedom of thought, speech, education, employment, property and others.

- **UN General Assembly Resolution A/RES/57/179** on the measures to be taken to eliminate crimes against women committed in the name of honour of 2003.
- **UN General Assembly Resolution A/RES/59/165** on the measures to be taken to eliminate crimes against women and girls committed in the name of honour of 20 December 2004.
- **Resolution 1468 (2005) on forced marriages and child marriages** of the Parliamentary Assembly of the Council of Europe.
- **Resolution 843 (IX) of the UN General Assembly of 17 December 1954.** on customs, ancient laws and practices relating to marriage and family incompatible with the principles of the Charter of the United Nations (Universal Declaration of Human Rights).
- **Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence** of the Council of Europe (the so-called Istanbul Convention)

of 2011, containing one of the most complete regulations at international level regarding the protection against gender-based violence, including clear regulations, as in **Article 37 'Forced marriage'** *'State parties are under a duty to criminalise the intentional forcing of an adult or a child to enter into a marriage'*, and with regard to the honour introduced in **Article 42 - Unacceptable justifications for crimes, including crimes committed in the name of so-called honour** *'Parties shall take the necessary legislative or other measures to ensure that, in criminal proceedings initiated following the commission of any of the acts of violence covered by the scope of this Convention, culture, custom, religion, tradition, or so-called honour shall not be regarded as justification for such acts. This covers, in particular, claims that the victim has transgressed cultural, religious, social, or traditional norms or customs of appropriate behavior.'* (Declared unconstitutional by Decision 3/2018 of the Constitutional Court of the Republic of Bulgaria)

2. National Regulation

The protection of human rights, and in particular the protection in case of honour-related violence, depends to a large extent on the policies, laws, procedures and instruments adopted and implemented at national level. National procedures and legal norms have a more immediate and direct application and influence than those at the international level. However, it is very important that the national legislative framework is adequately received and in accordance with current international regulations.

The main tool for protection against this type of crime is **the Criminal Code**. According to Article 3 of the Criminal Code, the Code applies to all crimes committed on the territory of Bulgaria, therefore protection from honour crimes in all its forms can be sought by all criminally responsible persons.

In 2019, after the Constitutional Court declared the Istanbul Convention unconstitutional, certain acts committed *'in the conditions of domestic violence'* were criminalized. For the first time, a definition of 'domestic violence' was introduced in the Criminal Code.

According to Article 93 (31) of the Criminal Code¹⁷ the crime is committed *‘in conditions of domestic violence if preceded by systematic physical, sexual or psychological violence, placing the person in economic dependence, coercive restriction of personal life, personal liberty and personal rights, and enforced against persons in ascending and descending order, a spouse or ex-spouse, a person with whom one shares a child, a person with whom one is or has been in a de facto marital cohabitation, or a person with whom one lives or has lived in a common household.’* It is obvious that this type of criminal acts violate rights and values, as well as the so-called ‘honour crimes’ - personal freedom, freedom of will, personal rights, etc.

Until that moment, the definition of domestic violence was contained only in the Civil Law - **Article 2 of the Law to Combat Domestic Violence.** *In the legislation in our country, however, there is still no definition of honour-related abuse or violence.*

A distinction should be made between ‘honour crime’ and actions that are not criminalized but constitute encroachments on individuals in the form of ‘honour-related abuse/violence’. What the criminal groups have in common is that they have one specific feature - criminal behaviour is associated with committing honour-related violence **in order** to protect perceived cultural and religious beliefs, or when the ‘code of honour’ of the family or the community is violated. In view of the distinction made on the grounds for committing the crimes and the availability of *explicit data on the group and ethnicity* of the perpetrators, respectively of the victims of the committed acts, the following groups of crimes, provided for in the Criminal Code, can be mainly distinguished as honour crimes or related to them in Bulgaria:

1. Crimes against marriage and family:

- inducing another in compulsory manner to enter into marriage through the use of force, threat or abuse of power (**Article 177, paragraph 1 of the Criminal Code**),
- abducting another for the purpose of forcing him/her to enter into marriage (**Article 177, paragraph 2 of the Criminal Code**); -
- giving a compensation or mediation in giving such compensation (**Article 178 of the Criminal Code**).

According to Article 46 of the Constitution, marriage is a voluntary union between a man and a woman. Only civil marriage is recognized as legal, and the form, conditions, procedure for its conclusion and termination are regulated by the Family Code, which stipulates that a court may only exceptionally permit marriage of a minor aged over 16. The basic principles are equality and voluntariness between spouses.

The right to protection of children is generally formulated in **Article 10 of the Child Protection Act** : *‘Every child has a right to protection with a view to his/her normal physical, intellectual, moral and social development and to protection of his/her rights and interests.’*

¹⁷Article 93 (31) of the Criminal Code (SG, issue 16/2019).

Article 2 of the Convention on the Rights of the Child provides that *'States Parties ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination.'*

International law defines **early marriages** as *marriages between children*. Resolution 1468 of the Parliamentary Assembly of the Council of Europe (PACE) defines **'child marriage'** as *'union of two persons, at least one of whom is under 18 years of age.'*

The problem with early and forced marriages in our country is localized mostly among the population of Roma origin. The cited UNICEF study contains the following data¹⁸: *'In 2001 6,181 girls under 18 were in cohabitation, of whom 2,283 under 16 years of age. In ten years, the number of 18-year-old girls in cohabitation has decreased by about 30 percent, to 4,334 in 2011. Among the under 16-year-old girls in cohabitation, the decrease is by 33 percent—to 1,505 in 2011.'*

These marriages are a severe form of sexual violence that violates children's basic rights such as education, healthy life, security - legal and social environment. The most endangered are girls under the age of 18, who are forced to live with a partner, which leads to early pregnancy, sexually transmitted diseases, low education, isolation from social life, and permanent marginalization.

As **reason/motive** for making decisions about early or forced marriages can be indicated: traditions, social and economic factor, poor living conditions and low level of education, low income or lack of income at all.

Section I of Chapter IV of the Criminal Code regulates the types of **crimes against marriage**, as two of the panels affect **freedom of expression in connection with marriage - Article 177 and Article 178 of the Criminal Code**. The immediate objects of these crimes are public relations, which guarantee the freedom of will in marriage and its reality.

Section II of Chapter IV of the Criminal Code regulates **crimes against the family**. In the judicial regions in Bulgaria examined under the project, there is no evidence that the above-mentioned criminal acts have been committed as 'honour crimes'. Therefore, of the crimes included in Section I of Chapter IV of the Criminal Code, only those under Article 177 and 178 of the Criminal Code – 'crimes against marriage', have been the subject of the study.

2. Crimes Against Youth - Section II of Chapter IV of the Criminal Code:

- inducing another in compulsory manner to start living as married with another through the use of force, threat or abuse of power (**Article 190, paragraph 1 of the Criminal Code**),
- abducting another for the purpose of forcing him/her to start living with another as married (**Article 190, paragraph 2 of the Criminal Code**);
- forcing another to live as married with another, by misleading him/her in order to persuade him/her to cross the territory of another state (**Article 190, paragraph 3 of the Criminal Code**);
- living as man and wife with a person of the female gender, who has not completed 16 years of age (**Article 191, paragraph 1 of the Criminal Code**);

¹⁸ https://www.unicef.org/bulgaria/sites/unicef.org/bulgaria/files/2018-10/Report_on_Social_Norms_Bul.pdf pp. 21

- an adult persuading or facilitating an underage male and a female who have not completed 16 years of age, to start living as spouses, without concluding a marriage, (**Article 191, paragraph 2 of the Criminal Code**);
- aggravated offence under **Article 191, paragraph 3** - if the acts under the preceding paragraphs have been committed by a person under 14 years of age;
- giving or receiving a compensation or mediation for giving such compensation to a parent or relative in order to permit his/her daughter or female relative, who has not completed 16 years of age, to start living as married with someone (**Article 192 of the Criminal Code**).

These are the crimes under Articles 190, 191 and 192 of the Criminal Code, for which there is the necessary data that **the reasons** for their implementation is compliance with certain **customs and practices** by the perpetrators and victims, given **group and ethnicity** of the perpetrators, respectively of the victims of the committed acts. The studied case law shows that the acts under Articles 190-192 of the Criminal Code are the most striking expression of the so-called 'honour crimes', as there is the most numerous case law, which is homogeneous, and the penalties imposed by the courts on the perpetrators are, with few exceptions, almost the same.

According to a number of studies **the requirement for keeping the virginal status (the honour, virginity, maidenhood) of the bride is the main social norm for child marriages among the Roma**. *The requirement for a girl's virginity is not a Romani tradition per se; however, it is considered by the Roma to be an important part of their identity. Virginity as a norm is still considered to be the main ethnic differentiating marker of identity separating them from other ethnic communities.*

This peculiarity is contained in the reasons of some of the examined court decisions¹⁹ : *'They both respected **the tradition of the Roma ethnic group**, as on the same day they ran away and hid with relatives of R., where they spent some time together. Following this tradition, the two youths knew that they would force their parents to accept their decision to live together, because **according to the Roma ethnic group, after the girl ran away with the boy and spent some time alone with him, she became his wife**. That same evening the two youths went to N.R.'s home, where they announced their decision to his parents - the accused A.N. and D.R. **They accepted the decision and agreed** the two youths to start living together as husband and wife, after which they visited the home of the accused A.A. and S.A. to ask G.'s hand officially.'*

The same is stated in another decision²⁰ : *'At the beginning of May of the same year **in accordance with the Roma traditions** the two youths decided to live together as husband and wife. On... 2014, the two youths ran away from their homes, knowing, **that the tradition of the Roma ethnic group suggests**, when the girl runs away with the boy, she becomes his wife.'*

¹⁹Decision No. 144/14.09.2015 on criminal case No. 456/2015 of Regional Court - Ihtiman (Article 191, paragraph 2 of the Criminal Code, Article 20, paragraph 1 of the Criminal Code, Article 20, paragraph 2 of the Criminal Code, Article 78a of the Criminal Code).

²⁰Decision No. 116/22.07.2015 on criminal case No. 335/2015 of Regional Court - Ihtiman (Article 191, paragraph 2, Article 20, paragraph 1 of the Criminal Code, Article 78a of the Criminal Code).

From the analysis of the court decisions it is established that in a large part of the crimes, especially those under Article, 191 paragraph 2 of the Criminal Code, more than one person participates - usually the parents of persons who have been inclined or facilitated to live as husband and wife without concluding marriage, which is typical for these communities, observing their customs.

3. Peculiarities of the imposed sanctions

Based on the analyzed 69 court decisions, within the jurisdiction of the regional courts, as follows: Province of Sofia - 19, Regional Court-Ihtiman - 12; Pleven - 11; Blagoevgrad - 8; Targovishte -5; Vratsa-3; other areas of Regional Courts - 23, the penalties imposed are the following:

- fine BGN 1,000 - 50
- fine BGN 1,300 - 1
- fine BGN 500 - 1
- Imprisonment - 4
- probation - 3
- discharge- 3,

, i.e. in more than 70% of the cases the penalties are a fine of BGN 1,000, which is the minimum amount under Article 78a, paragraph 1 (from 1000 to 5000 BGN). It should be noted that in these cases the court has imposed an administrative penalty, releasing the perpetrators from criminal liability on the grounds of Article 78a of the Criminal Code, without imposing penalties under Article 37 of the Criminal Code. In these cases the court analyzes in detail all mitigating and aggravating circumstances, assesses the existence of the requirements under Article 78a, paragraph 1 b 'a', 'b' and 'c', namely - to provide imprisonment of up to 3 years for the crime or a lighter penalty; for an intentional crime - imprisonment of up to 5 years or a lighter penalty for unintentional crime; the perpetrator must not have been convicted of a crime of a general nature and must not have been released from criminal liability under this Section of the Criminal Code; the property damages caused by the crime must be compensated. In most of the cases the court has applied Article 78a of the Criminal Code and has imposed an administrative penalty 'fine', and in determining the amount of the fine the court has discussed the 'lack of funds'.

4. Right to free legal aid

The Legal Aid Act, in force since 01.01.2006, regulates the conditions for providing free legal aid in criminal, civil and administrative cases for persons before all court instances in order to ensure equal access of persons to justice.

According to Article 23 of the law, individuals who are unable to pay for their legal protection are provided with free legal assistance by the state.

From the total number of 69 analyzed court acts it is established that only in 10 of them a public defender was appointed - 9, and 1 special representative (15% of cases). Given that both the defendants and the victims have no education or have only primary education, in rare cases - elementary education; they have no legal culture, no income, no opportunity to obtain adequate legal assistance. This may justify the conclusion that they need to be referred to a public defender, given the requirements of a fair trial. Most of the victims of the crime do not have the necessary income to pay a lawyer and seek their rights. The only mean of protection remains the opportunity to seek and receive legal assistance under the Legal Aid Act (LAA) on a general basis. From the studied cases it is established that in the majority of cases both the victims of crimes and their perpetrators were not offered and provided legal assistance in the consideration of this type of cases with honour crimes. The courts do not always advise the parties in the proceedings to seek legal aid by appointing a public defender under the Legal Aid Act. In case criminal proceedings have already been instituted, the body before which the proceedings are conducted, respectively the court, requires evidence from the relevant competent authorities in order to assess whether the party is able to pay attorney's fees. Then the party may receive legal aid. At the same time, in the vast majority of cases, the court, in assessing the property status and other data about the participants in the proceedings (defendant and victim), regarding the lack of education and legal knowledge, does not explain completely to the parties that they are entitled to and need legal assistance, and the justice interests require it, given the requirements of international and European norms for a fair trial. There is a lack of sufficient specialized knowledge in this area and mechanisms for clear recognition and adequate protection both for the persons involved in the proceedings and for the other involved in the process.

The analysis of the studied court decisions shows that apart from the lack of legal aid provided, in most cases the victims were not constituted as civil plaintiffs or private prosecutors. The latter circumstance is also influenced by the fact that the victims are usually dependent on the perpetrator/defendant, or respect their cultural understandings or community customs, traditions.

5. Conclusions

The legal norms regarding the so-called 'honour crimes' are concentrated in Chapter Four of the Criminal Code – 'Crimes against marriage, family and youth' - Articles 177 and 178, Articles 190, 191 and 192 of the Criminal Code.

1) The victims of 'honour crimes' in most cases are persons of Roma origin, and the reason for committing such acts is rooted primarily in the traditions of communities, in the low legal culture of the perpetrators, in the protection of 'values', typical for certain communities, and sometimes, low incomes and the desire to receive material benefits.

2) In the majority of cases, the perpetrators of 'honour crimes' are persons without education, with primary education or in rare cases with elementary education.

3) The crimes affect certain groups of persons, and in most cases they are under 18, under 16 and under 14 years of age, which persons are also the most vulnerable.

4) The crimes mostly affect people from ethnic communities. To date, no cases of migrants perpetrators or victims of these crimes have been identified.

5) The crimes mainly affect young women and girls, and in isolated cases the perpetrator or victim is a person with mental health problems.

6) The crimes are committed by the victims' parents or relatives, and the defendants in a case are usually more than one.

7) In most cases of cohabitation, the court applies Article 78a of the Criminal Code and imposes an administrative penalty fine of about BGN 1,000, given the reclassification of the act as a minor case due to the subsequent marriage between the persons.

8) It is appropriate for the prosecuting authorities, investigators and judicial authorities to inform the victims, as well as the accused, on the possibility to receive legal aid under the Legal Aid Act, as well as to be provided with such assistance, in compliance with the requirements for a fair trial.

SECTION 4: HUMAN RIGHTS SYSTEM: MATERIALS FOR THE INTERESTED PARTIES

OBSTACLES TO REPORTING HONOUR-RELATED VIOLENCE

Many victims of honour-related violence face obstacles in reporting abuse and seeking help or support. This may be due to a lack of awareness and knowledge of where and how to seek support, or it may be due to the very nature of the abuse.

The most common obstacles to reporting faced by the victim

- Cases are perceived by family members as well as by the community or society as a private problem.
- Discussing violence with people who are not family members is also perceived as a stigma.
- A shared belief that the victim will have 'bad luck' if they run away from home or they consider suffering to be part of their spiritual journey.
- Sexual abuse becomes an excuse for not having children and/or heirs.
- Victim's fear of becoming an obstacle to the marriages of their brothers and sisters.
- Fear that they will disturb the family or that they will come into conflict with family traditions or cultural rules.
- Religious belief that marriage is sacred.
- Abuse and violence by more than one person.
- Fear of violating confidentiality, especially if the family finds out.
- Fear of expulsion (from home or country).
- Fear of exclusion from the community or embarrassment.

- Victim's fear that they will locate and find him/her.

Other obstacles

- Perceived or actual lack of awareness and knowledge in the structures that can provide support.
- A small number of employees who are aware of the cultural peculiarities.
- Reluctance to change the migration status.
- Lack of access to public funds by refugees and lack of language skills, which increase isolation.
- Lack of trust in human rights organizations, bad previous experience.

INDICATORS AND WARNING SIGNS FOR THE PRESENCE OF honour-related VIOLENCE

Noticeable change in the behaviour

- Appointments are often missed.
- The person looks scared, too anxious or depressed.
- The person is always accompanied when attending a consultation / meeting / appointment.
- The partner / family member looks aggressive, dominant.
- The person is passive and afraid.

At school and at work:

- Absence or dropping out of school or work.
- Low motivation at school, institute, university and/or at work.
- Absence or refusal to participate in educational activities.
- Low academic qualification.
- Lack of accuracy.
- Exercised control over professional development/career.

Regarding physical and mental health:

- Frequent visits to the doctor for no apparent reason.
- Alcohol or drug abuse.
- Self-harm or suicide thoughts / attempts .
- Eating disorders.
- Depression.

There is already a file in the police registers for:

- Family disputes, incl. arrest / detention of children from the same family.
- Disappearance of young girls or other family members.
- Running away from home or disappearing'.
- Backgrounds with siblings forced into marriage.

- Occasional cases of domestic or gender-based violence registered with the police in private conflicts.
- Criminal or antisocial behaviour.

Social and family control:

- Unfounded restrictions and controls.
- Isolation.
- Economic control, confiscation of assets, scholarships and financial aid.

INTERVENTION IN CASE OF HONOUR-RELATED VIOLENCE

It should be taken into account that when an individual seeks help and support, they should already be aware of the risk they are taking. Experts should not underestimate the courage of the act, and should approach it professionally and supportively.

Take it seriously

It is extremely important to treat very responsibly any reported honour-related violence, forced marriage, female genital mutilation, even if it is just a guess. Women, girls, men who are at risk of this type of violence may also underestimate to some extent the risk to which they are exposed. Do not underestimate the risk to their lives. Keep in mind that other family members who are believed to have helped the victim are also at risk. The most important first step is to provide protection for the alleged victim. Follow the procedures in your organization. Also keep in mind that a victim of honour-related violence, forced marriage, or female genital mutilation must overcome the vast cultural, personal and tradition-related prejudices in order to trust a friend or a specialist, or to seek contact with an institution. There may also be a situation in which a friend signals possible honour-related violence. Immediate action must be taken to protect the victim. The need for 'positive action' is crucial for an effective and responsible response.

- **It is crucial to hear** the victim's or potential victim's concerns - remember that she may not be able to explain why he/she thinks she is at risk and to provide evidence of this.
- **Do not seek contact** with family or community leaders - this may increase the risk for the victim.
- **Do not attempt** mediation or agreement with family and/or community members.
- **Do not make** assumptions and do not judge solely on the basis of your perceptions of 'cultural difference'.
- Assure the victim that you take the risks for her safety very seriously and **offer support**. All victims must be treated with a high degree of responsibility and sensitivity to their condition.
- Assure the victim that everything is **confidential**, and the family or other members of the community will not understand anything.

- Carefully assess the situation and clearly describe to the victim all **possible safety measures** that you have taken even if the victim asks to return home.
- **Move the victim to a safe place**, unknown to family and friends.
- Make sure that **all other institutions have been notified** of the case and have taken appropriate measures ensuring the victims' safety once they take over the case from you.
- **If you need an interpreter, use a professional one.** NEVER use friends or family members (even if they are children) or community members. Make sure that the interpreter does not know the victim and does not have any contact with the community. Whenever possible, obtain the victim's consent to include the appropriate interpreter. Always talk to the interpreter before and after the conversation.
- Advise **the victim to change her mobile phone number** to avoid being found by family members through direct contact or tracking by a mobile operator.
- Ask **the victim to change her bank details** to avoid being tracked when performing certain transactions.
- **Create a code system** to contact the victim - use passwords. This is extremely important when using SMS.
- **Keep in touch with the victim** the way she prefers.
- **Assess the risk for children, siblings** and take appropriate action.
- **Be careful when using public services such as fees, renting or health services.** This may endanger the victim (family and community members may work in these institutions and be notified about her location).
- **Advise her employer or the educational institution** she visits about the situation and explain the need to create a safe environment.

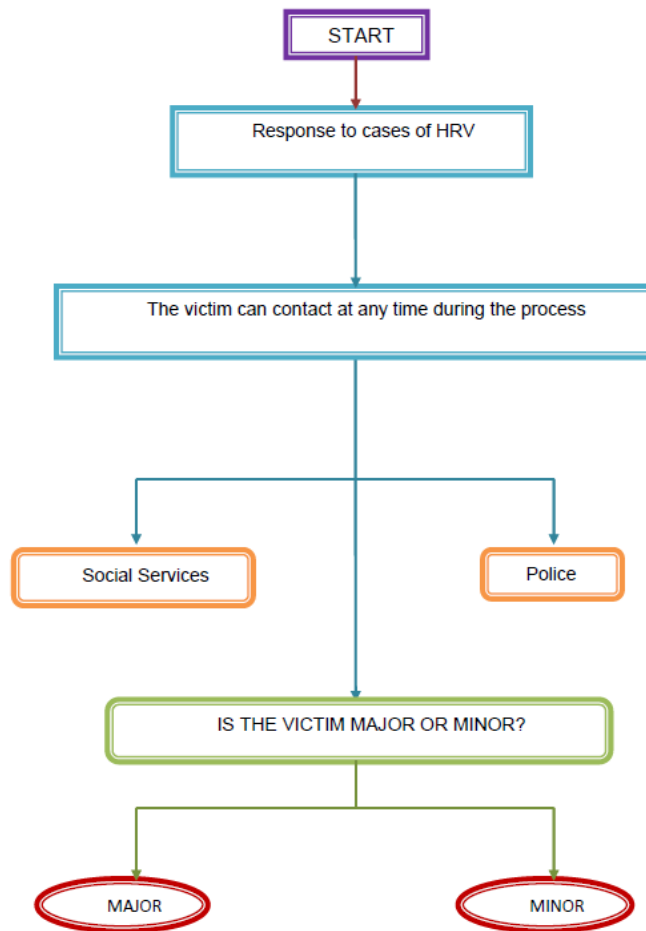
REMEMBER:

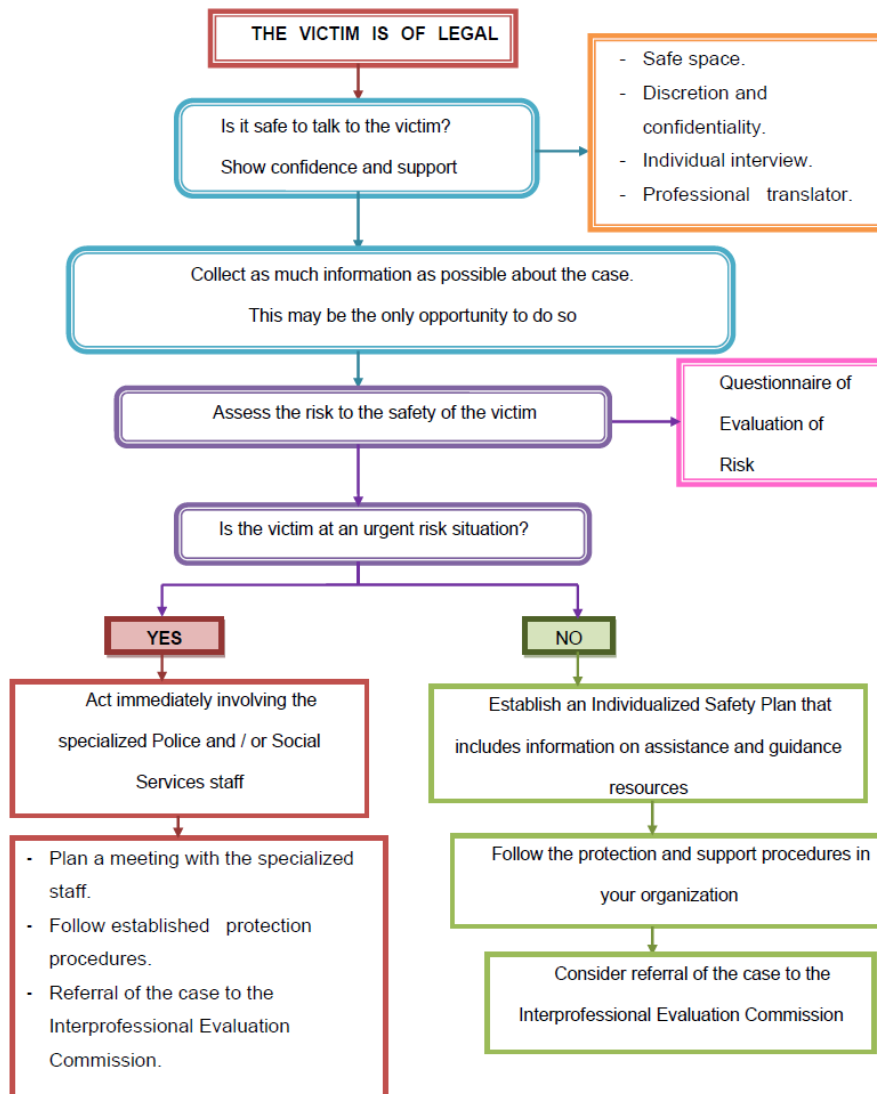
Your role is not to encourage a woman to leave her partner and home.

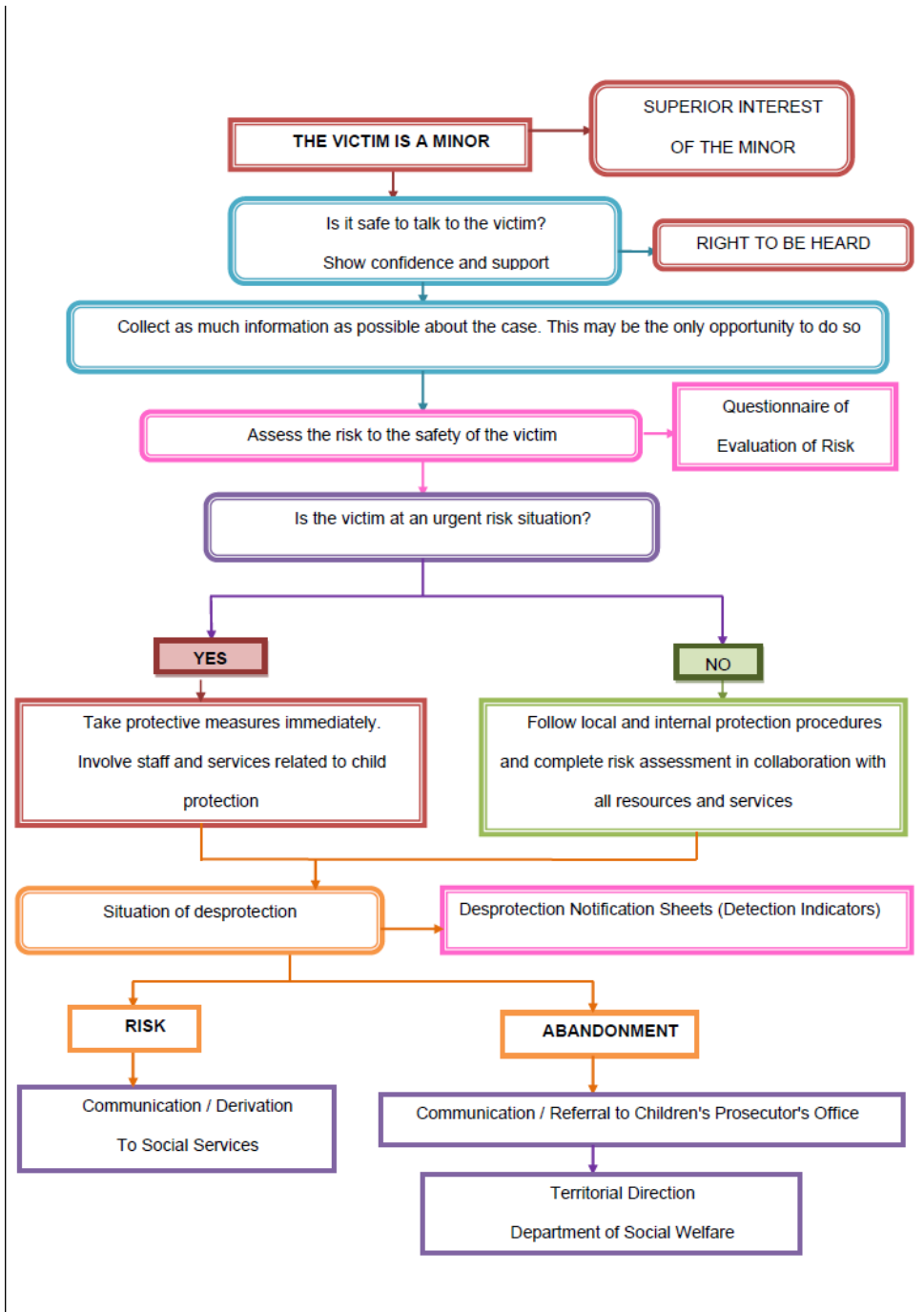
Leaving does not always mean an end of violence.

Women are even at greater risk of death or serious injury when they are alone or leave an aggressive partner or family.

■ FLOWCHART OF INTERVENTION







ADVICE TO THE POLICE REPRESENTATIVES

Missing people

Reporting missing people, especially young women and girls, should provide another reason to look more closely at the case. Documented cases very often show that girls and young women leave their homes to escape an arranged or forced marriage. Experts should be aware that family and community members can involve the police or other institutions to find 'someone who has run away', and thus try to avoid responsibility for the violence. In the same way, the family and the community can provide false information, even declaring the missing person to be an abuser, in order to direct the police's efforts to find the person.

There are many cases in which families and community members try to thwart police investigations of missing people by hiding information or pointing in the wrong direction. No matter how obvious the circumstances may be, the personnel involved must assess the potential risk consequences of returning the missing person to their family.

The Only Chance Rule

Once the victim or potential victim has taken the step to seek help and support, it is essential that immediate and adequate action is taken. It is very likely that the employee may have no other opportunity to help the victim. This first possibility is known as '*The Only Chance Rule*'.

WHAT THE POLICE OFFICER SHOULD DO

- To put the protection of the victim and her safety first in order to prevent her further involvement in case of increased risk.
- To assess the potential risks for the victim, taking into account things that hurt the victim.
- To interview the victim individually in a protected place.
- To assure the victim that the conversation will be confidential and that no information will be shared with her family, friends and community members.
- To accept what the potential victim shares.
- To explain all the possibilities and potential results to the victim.
- To recognize and respect her wish.
- To assess the risk through analysis.
- To be aware of any risk for the expert and to assess the risk for her protection.
- To contact as soon as possible an 'honour' related violence expert.
- To create a safe way for contact with the victim.
- To collect information in order to provide it to the responsible employee and to add it to the archive.
- To provide contacts and to help the victim to remember the basic information from support institutions.
- To evaluate the interim report, protection and removal from the family.
- To take the personal data of the victim, to photograph her and to take fingerprints (with her explicit consent).
- To require from the victim to keep her personal documents in order to avoid being forced to leave the country by family members (to check if the victim has dual citizenship, i.e. whether she has more than one passport).

- To draw up an action plan in case of emergency.
- To offer the victim to change her identity for the sake of her safety.

WHAT THE POLICE OFFICER SHOULD NOT DO:

- **Should not** send the victim of honour-related violence away with the argument that this type of violence is not a police problem, because it is.
- Should not coordinate, arbitrate, or mediate family conflicts related to honour and forced marriages.
- Should not give information about the case to family members, friends and/or to the community.

MATERIALS FOR THE SOCIAL WORKER:

VICTIM' CHARACTERISTICS AND BEHAVIOUR

Victim	Surviver	Winner
She thinks she doesn't deserve good things to happen to her	She struggles to find reasons and chances to recover	She is thankful for everything that happens in her life
She has low self-esteem /shame/, she is unworthy in her eyes	She accepts herself as an injured and healed person	She accepts herself as a miracle
She is super vigilant	She uses external support to recover	She is thankful for her new life
She is lonely	She seeks help	She collaborates
She feels selfish	She deserves to seek help	She is proud of the healthy life she has begun
She feels confusion and stiffness	She learns to grieve, to work with the trauma she has experienced	She mourns her current losses
She is overloaded by the past	She calls things by their proper names	She lives in the present
She feels hopelessness	She hopes she can handle it	She believes in herself and in life
She uses the outside world to hide from himself	She is still under the influence of emotional pain	She understands that the emotional pain will pass and this will bring her new knowledge

She hides her story	She is not afraid to tell her story in order to protect others	She is ready to tell her own story, but first she must have a rescue plan with her doctor
She believes that others are better and stronger	She comes out of her hollow to hear the others, to receive compassion from them	She lives with her heart open for herself and for others
She is often hurt by insecure contacts with others	She learns how to protect herself by sharing	She protects herself against unsafe relationships
She puts her own needs last	She acquires healthy habits	She puts herself first; she understands that this is the only right way and only then she helps others

MATERIALS FOR THE SECONDARY SCHOOL TEACHER

A. ROLE PLAY

Eight people (possibly volunteers) are randomly selected from the participants in the training and are divided into pairs. Each couple draws a specific case, which must be presented to everyone else - the audience. The idea is that by distributing the roles among themselves, they can most faithfully recreate the stories and actions of the respective described persons.

FIRST CASE

A woman, a victim of physical abuse, deaf. She has visible signs of violence on her face. She can write, but her right hand is currently broken.

She appears in the reception of the police inspector and wants to report violence.

SECOND CASE

A woman of Arab origin, asking for international protection. She does not speak Bulgarian. On her way to Bulgaria, she was sexually abused by a man unknown to her. She is currently bleeding.

She seeks help from a medical professional at the Center of the State Agency for Refugees.

THIRD CASE

A man, a soldier - a victim of physical and psychological violence by his wife, who systematically drinks alcohol.

He asked a colleague with whom he was on a mission in Afghanistan and whose wife is a social worker for advice.

FOURTH CASE

A 10-year-old student is often absent from school, and the reason, according to his mother, is his health. During the breaks, the boy bullies his classmates and children from the lower grades, often kicking, pulling or humiliating them with insulting words. In a conversation with his teacher, he shared that he harasses his classmates because they are lazy, weak and men should behave like that. What should be the actions of the teacher?

B. DISCUSSION OF A REAL CASE IN CLASS

The father of little Cleopatra, who was put up for sale on the Internet:

'The girl wanted to upload some skis to sell for BGN 200, but something went wrong with the buttons and that's it.' With these words, Dobri Paskalev the father of 12-year-old Cleopatra from the village of Vetovo, Ruse, explained the ad for the sale of his daughter, which blew up social networks. Many people suspected the child's parents about the ad in the Facebook group 'Razgrad - sell/buy', which was accompanied by a photo of the minor girl of Roma origin. The sale announcement for 100,000 euros was published by a profile called 'Daddy's Princess', and there were many photos of the heavily made-up girl who had begun using a mobile phone since a short time. Subsequently, information that Cleopatra posted her photo on social media for fun by herself was spread, and the parents said that they knew what was happening during the whole time. Paskalev, however, admitted that many Roma parents had sold their daughters. 'But we will wait for her to graduate', he vowed on BNT, adding that he wanted the girl to study in Ruse to become a nurse. Social Assistance Services have already identified measures to work with the child. Their family is well known because they have a 4-year-old girl with a disability. 'The child will be directed to use a social service on the territory of the municipality and an appointed psychologist and a social worker will work with her', commented the head of the Social Assistance Directorate in Vetovo, Yanitsa Racheva. Cleopatra lives in one of the slums of Vetovo. The family house consists of 2 rooms. She is in fifth grade, but she is often absent from school. Now she is afraid to go to class because she is afraid that her classmates would make fun of her.

C. CONDUCT A SURVEY AFTER INTRODUCING THE CAUSES AND CONSEQUENCES OF FORCED MARRIAGE TO STUDENTS

SURVEY: FORCED MARRIAGE

1. Is there a difference between 'ARRANGED' and 'FORCED' marriage?
.....
2. If YES, what's the difference?
.....
3. Define 'arranged' marriage
.....
4. Define 'forced' marriage
.....
5. What is the age for forced marriage?
.....
6. Men are not subject to forced marriage
.....

7. Which communities/countries is forced marriage characteristic for?
.....
8. FORCED marriage is a practice related to the culture of a community
.....
9. FORCED marriage is a religious practice
.....
10. Is FORCED MARRIAGE legal in Bulgaria?
.....
11. FORCED marriage is not contracted with people who have a mental illness or are disabled
.....
12. Can you name 3 factors that can lead to FORCED marriage?
.....

D. SURVEY WHAT DO WE KNOW ABOUT 'HONOUR-RELATED VIOLENCE'

According to you:

1. What is 'honour-related violence'
.....
2. What is 'honour killing'?.....
3. What behaviour can incite honour-related violence or killing?
.....
4. What behaviour is considered to be honest and what is not, in societies where honour-related violence occurs?
.....
5. Are honour killings related to religion?.....
6. What are the typical 'means' of restoring honour that are usually applied before the last step - killing?
.....
7. Why is it called 'honour killing' and not 'shame killing' for example?
.....

- 8. What kind of women does it relate to? What are the standards and expectations they must meet?
.....
- 9. Where in the world is this violence happening?
.....
- 10. Are there honour killings in the United States and Europe? Why?
.....
- 11. How is honour-related violence different from domestic violence?
.....
- 12. How does honour-related violence relate to forced marriage?
.....
- 13. How many cases of honour-related violence are reported per year globally?
.....
- 14. Are honour-related violence and honour killings found only in Islamic societies?
.....
- 15. Could domestic violence be motivated by honour preservation?
.....
- 16. Is dowry related violence honour-related violence?
.....
- 17. Are the victims of honour-related violence only girls?
.....
- 18. At what age can a person become a victim of honour-related violence?
.....
- 19. What solution do you see for the problem?.....

E. DISCUSSION OF CASES

CASE 1: AYLA

Ayla is a 17-year-old student. Ayla's teacher notices that she looks depressed after a long absence from class and after returning from a trip abroad. He also notes that Ayla's family looks very controlling. Ayla is always accompanied by someone when she is not at school, and the teacher has heard from her classmates that she is not allowed to go out with friends without a family member to accompany her.

- When the teacher asks Ayla if she is okay, she says that her parents have taken her to relatives abroad. When they have arrived, her parents have told her that she would only be able to return to Bulgaria if she agrees to marry her cousin, whom she has never seen. Without a passport or money, Ayla has been forced to marry her cousin abroad in order to return home. Ayla's parents have told her also that when she turns 18, she would have to sign migrant documents for her cousin so that he can come and live with her.
- Ayla tells the teacher that she feels like a slave and has never wanted to marry her cousin; that she feels trapped and afraid of what might happen if she tries to refuse. Ayla asks her teacher for help.

CASE 2: LUKAS

Lucas is a 17-year-old boy. While in secondary school, Lucas has begun a secret affair with a girl who does not belong to his community group.

- When Lucas' parents have found out about his relationship, they have become very angry. They have told him that he has dishonoured his family and they have forbidden him to see the young woman again.
- Shortly afterwards, Lucas's parents have informed him that they have arranged a marriage for him and he has to marry another young woman named Yoana, who they consider to be more suitable for him and who belongs to his community. He has been told that if he refuses to marry the young woman chosen by his parents, he will be rejected by his family.
- Although Lucas is not old enough to get married legally, his parents say that age does not matter because they will arrange a religious marriage.
- Lucas does not know what to do. Although he does not want to marry the woman his parents has chosen, he does not want to embarrass his family or to lose them. Lucas believes that he must respect the authority of his parents.
- Lucas decides not to ask for help from friends or community leaders because he feels ashamed of the situation. He is also worried that if he asks for help, his parents will find out. Instead, he contacts a local NGO anonymously to seek advice.

CASE 3: KATYA

The secondary school principal has been informed that a sixth-grader has told her teacher that her friend Maria, from the same grade, could not attend classes because her father 'does not allow her to leave the house' and also 'he has hit her more than once.' According to the student, Maria's father does not want his daughter to attend school because she is 'too old to go to school' and 'she has already learned everything she needs to know'. The student has told her teacher, 'I received a text message from Maria a few days ago', explaining that 'her father told her she was old enough to get married' and soon 'her cousin would come home to ask for her hand'.

ADVICE TO LAWYERS / LEGAL PRACTITIONERS

Ten steps, according to the Decalogue, a joint publication of the Association of Women Lawyers and the Milan Bar Association, applicable to all forms of violence, including those in the name of 'honour':

1. Reception and hearing - creating an environment where the victim can tell his/her story freely without judging him/her and giving moral judgments. Each story has its own personal characteristics and it is necessary to pay attention to it, to invest time in listening to it, to create trust and reliability, asking the necessary questions only at the end of the story.

2. Identification of cycles of violence - explain the victim that violence develops cyclically and it escalates.

3. Distinguishing conflict and violence - do not confuse the conflict that presupposes equality of powers with violence, in which one side is subordinate - physically, mentally or economically - and sometimes tries to use aggression as a form of defense.

4. Right to information - provide the victim with information about hospitals, protection centers, ways of reporting/filing a complaint, right to legal aid, including free of charge, translation of documents, protection measures and compensation.

5. Providing information about basic regulations - provide the victim with information about the legal possibilities for protection.

6. Information on free legal aid and on the right to compensation of victims of violence - under the Legal Aid Act and the Assistance and Financial Compensation to Victims of Crime Act.

7. Services - guidance and assistance to the injured person for using services, provided by municipal, state bodies and non-profit institutions and organizations.

8. Protection tools - providing information about the possibility of immediate use of instruments and measures for protection under the Domestic Violence Protection Act, as well as about special rules for hearing explanations of witnesses with special needs, minors.

9. Risk assessment - all specialists working in this field have to use mechanisms / tools / questionnaires for risk assessment.

10. The victim is a foreigner - inform the victim and provide opportunities to use all mechanisms provided for in the law for protection of their rights / provision of an interpreter, free legal aid, right to asylum and international protection /.

ANNEX 1: RISK ASSESSMENT IN CASE OF honour-related VIOLENCE

RISK ASSESSMENT FORM

Purpose:

- To assist experts on field in identifying high-risk cases of domestic violence, harassment and ‘honour crimes’.
- To support the decision to report cases that require the intervention of other institutions. The completed form takes the form of an actual report, which can be included in the potential victim's file.
- To create a tool for common use by all institutions involved in case of risk of domestic violence, harassment and ‘honour crimes’.
- To support the work of institutions that use well-known risk assessment models.

NAME OF THE VICTIM

NAME OF THE VIOLENT

NAME OF THE ADVISER

DATE

Please explain that the purpose of asking these questions is only to assess risk and to protect the individual. Check the box if the factor is present. Use the comment box at the end of the form to provide additional explanations. If your source of information is not the victim (as presumed), please indicate your source of information.	Y E S	N O	I D O N , T K N O W	Your comment / Notes
1. Did the last incident end with an injury? Please indicate when it happened and if this was the first injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Are you scared?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. What are you afraid of? Are you afraid of another injury or violence? Please tell us what do you think (name of the abuser) can do and to whom, incl. children?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Do you feel isolated from family / friends? If so, does the abuser try to stop you from seeing friends / family or other people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Do you feel depressed and have you had suicidal thoughts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Have you tried to separate from the abuser in the last year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Are you in conflict about the children?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Does the abuser constantly send text messages, does he call you, does he try to contact, watch and harass you? Please try to determine if these actions are intended to scare you? Comply with the specifics of his behaviour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

9. Are you pregnant / have you recently given birth (in the last 18 months)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Do violations of your rights become more frequent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Are the violations getting worse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Is the abuser trying to control everything and is he painfully jealous? For example, in terms of the contacts you have: does he want to know who you go out with; does he decide what you wear?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Has the abuser ever used a weapon or other object to injure you?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Has the abuser ever threatened you or anyone else, , to kill you, and did you believe him ? If YES, please indicate the target group: You: <input type="checkbox"/> Children: <input type="checkbox"/> Other (specify): <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Has the abuser ever tried to strangle you (to hold your head under water) or has he tried to drown you?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Has the abuser ever said words with sexual overtones that make you feel uncomfortable, or has he hurt you or someone else physically?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Is there anyone else who scares you or whom you are afraid of? If YES, please describe who and how. Think about your extended family.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Do you know if the abuser has hurt anyone else? Please specify who, including children, siblings or older relatives: Children <input type="checkbox"/> Another family member <input type="checkbox"/> Someone from a previous relationship <input type="checkbox"/> Another (please describe) <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Has the abuser ever abused an animal or a pet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Are there any financial outstanding issues? For example, are you financially dependent / have you lost recently your job or do you have other financial problems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Has the abuser had a history of drug abuse, alcohol or mental health problems that have prevented him from leading a normal life? Drugs <input type="checkbox"/> Alcohol <input type="checkbox"/> Mental health <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Has the abuser attempted to suicide?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23. Has the abuser breached the guarantee and/or the formal agreement regarding meetings with you and/or the children, if applicable? In regard to: - breach of the terms of the guarantee <input type="checkbox"/> - non-violent correspondence <input type="checkbox"/> - arrangements for children <input type="checkbox"/> - protection against incitement to forced marriage <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Do you know if your abuser have had problems with the police and does he have a file? If, YES please specify: Domestic violence <input type="checkbox"/> Sexual violence <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Another type of violence <input type="checkbox"/>				
Other <input type="checkbox"/>				
TOTAL NUMBER OF POSITIVE ANSWERS				

**ANNEX 2: RISK ASSESSMENT IN CASE OF honour-related VIOLENCE
MADE BY DIFFERENT EXPERTS**

Is there any other information available (from the victim or the expert working with her) that indicates a threat of an increased risk? Consider the victim's situation with regard to disability, substance abuse, mental health problems, cultural/language barriers, honour-related traditions, geographical isolation and disparagement. Does she/he agree to help you? Please describe.	
Consider the abuser's activities and interests. Do they give him access to weapons? Please describe.	
What are the main priorities of the victim in relation to her safety?	
Do you think there is a risk to the children in the family?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If you think the answer is Yes please confirm that you have contacted the relevant institution.	Yes <input type="checkbox"/> Date: No <input type="checkbox"/>
Signature:	Date:
Name:	

ANNEX 3: SPECIFIC SCREENING QUESTIONS FOR DISCOVERING A CASE OF 'HONOUR-RELATED VIOLENCE'

QUESTION	Y E S	N O
Is honour important to your family?		
Is your family influenced by the opinion of your community members?		
Is the treatment of boys / men different from the treatment of girls / women in your house?		
Did you choose your husband by yourself / Will you choose your husband by yourself?		
Have any of your siblings been forced into getting married?		
Has anyone in your family stopped you from going to school?		
Have you been locked at home for a period of time without being allowed to go outside?		
Were you able to keep in touch with your family after you got married?		
Has anyone in your family threatened you with violence?		
<i>(If applicable)</i> Do you know your immigration status?		
<i>(If applicable)</i> Have you been threatened with being returned to your home country?		
Do they give you the opportunity to go out and go home when you decide? Or should you always be accompanied by someone?		
Are you allowed to go to work?		
Do you have any physical / emotional health problems?		
Has anyone in your family practiced black magic and has he/she threatened you with it?		

ANNEX 4: FOLLOW-UP OF CASE LAW							
court	case number	decision number	article, law	crime	penalty	nationality	
Area of Regional Court Blagoevgrad and Kyustendil							
Regional Court Blagoevgrad	criminal case № 668/2014	41 / 22.04.2015	Article 191, paragraph 2 of the	facilitating cohabitation	FINE BGN 1,000		

			Criminal Code				
Regional Court - Petrich	criminal case № 1107/2014	684/ 08.12.2014	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Roma origin	primary education
Regional Court - Dupnitsa	criminal case № 601/2016	222 /21.06.2016	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Bulgarian	primary education
Regional Court - Gotse Delchev	criminal case № 295/2015	2534 /14.09.2015	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Bulgarian	primary education
Regional Court - Kyustendil	criminal case № 1166/2016	330 dated 28.09.2016	Article 191, paragraph 3 in relation to paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Bulgarian	elementary education
Regional Court - Blagoevgrad	criminal case № 1961/2016	8820 dated 16.11.2016	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court - Petrich	criminal case № 275/2015	278 dated 20.04.2015	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Roma origin	without education
Regional Court - Petrich	criminal case № 1149/2012	819 dated 23.10.2012	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		elementary education
Area of Regional Court Pleven							
Regional Court - Lukovit	criminal case № 183/2017	158 dated 01.11.2017	Article 192, paragraph 1 Criminal Code	bribe BGN 1,200 to allow cohabitation	FINE BGN 2,000	Bulgarian	without education
Regional Court - Lukovit	criminal case № 256/2017	26 dated 01.03.2018	Article 192, paragraph 1 Criminal Code	bribe BGN 1,200 to allow cohabitation	FINE BGN 1,000	Bulgarian	illiterate
Regional Court - Pleven	criminal case № 5432/2012	1941 dated 21.12.2012	Article 192, paragraph 1 Criminal Code	accommodation of a minor in a center	does not terminate the accommodation		

Regional Court - Pleven	criminal case 1556/2012		Article 192, paragraph 1 Criminal Code	bribe to allow cohabitation	1 imprisonment (suspended sentence) 3 years		
Regional Court - Pleven	criminal case № 2124/2019	504 dated 28.11.2019	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	PROBATION 9 months		primary education, unemployed
Regional Court - Lukovit	administrative criminal case № 3/2020	22 dated 06.02.2020	Article 192, paragraph 1 of the Criminal Code	bribe BGN 750 to allow cohabitation	FINE BGN 1,000	Bulgarian	unemployed
Regional Court - Nikopol	criminal case № 316/2012	Decision dated 19.11.2012	Article 192, paragraph 1	received a bribe in the amount of BGN 20,000	FINE BGN 1,000	Roma origin	unemployed; motive - according to their ethnic customs
Regional Court - Pleven	criminal case № 998/2011	403 dated 18.11.2011	Articles 159a, 188,190,192, paragraph 1 of the Criminal Code	tortured a minor relative-granddaughter, received a RANSOM in the amount of five gold coins	FINE BGN 100		
Regional Court - Pleven!!!	criminal case № 2849/2010	Sentence 45 dated 26.1.2011	Articles 159a, 188,190,192, paragraph 1 of the Criminal Code	received a ransom of five gold coins	FINE BGN 1,000	Kalderash	without education, does not work
Regional Court - Pleven	criminal case № 239/2011	Decision 31.03.2011	Article 190 of the Criminal Code Article 192, paragraph 1 Criminal Code	forces cohabitation	imprisonment 6 m	Roma origin	
			Article 187,188 paragraph 1 and paragraph 2 Criminal Code	tortured a relative - a granddaughter	FINE BGN 1,000	Roma origin	
REGIONAL COURT - CHERVEN BRYAG	criminal case № 142/2016	39 dated 16.05.2016	Article 375 CCP, Article 179, paragraph	second void marriage	FINE BGN 1,000		

			ph 1 Criminal Code				
Area of Regional Court Targovishte							
Regional Court Popovo	criminal case № 160/201 3	S dated 24.06.2013					
Regional Court - Targovishte	administ rative criminal case № 18/2019		Article 190, paragra ph 1 of the Criminal Code	legal aid			
Regional Court - Omurtag	criminal case № 48/2017	Decision dated 26.04.2017	Article 192, paragra ph 1 Criminal Code	bribe BGN 2,000 to allow cohabitati on	FINE BGN 1,000		
Regional Court - Omurtag	criminal case № 48/2017	Decision dated 26.04.2017	Article 191, paragra ph 1 Criminal Code	cohabitati on	FINE BGN 1,000		
Regional Court - Omurtag	criminal case № 48/2017	Decision dated 26.04.2017	Article 192, paragra ph 1 Criminal Code	bribe BGN 2,000 to allow cohabitati on	FINE BGN 1,000		
OTHER COURT AREAS							
Regional Court - Sliven	criminal case № 626/201 3	Decision dated 10.5.2013	Article 192, paragra ph 1 Criminal Code	allows cohabitati on	FINE BGN 1,000	Roma origin	does not work
Regional Court - Sliven	criminal case № 626/201 3	Decision dated 10.5.2013	Article 192 paragra ph 1 and paragra ph 2 Criminal Code	gave a ransom of BGN 280	FINE BGN 1,000	Roma origin	
Regional Court - Peshtera	criminal case № 199/201 3	79 dated 8.8.2013	Article 192, paragra ph 1 Criminal Code	bribe BGN 30 to allow cohabitati on	FINE BGN 1,000	Roma origin	unemployed, without education
Regional Court - Yambol	criminal case № 1422/20 13	437 of 06.12.2013	Article 192, paragra ph 1 Criminal Code	bribe BGN 700 to allow cohabitati on	FINE BGN 1,000		completed 7th grade
Regional Court - Kardzhali	criminal case № 378/201 2	Sentence 31.05.2012	Article 192, paragra ph 1	bribe BGN 800 to allow	FINE BGN 1,300	custo ms	primary education, unemployed

			Criminal Code	cohabitation			
Regional Court - Botevgrad	administrative criminal case 414 / 2018	79 dated 04.09.2018	Article 378 of the CCP Article 192, paragraph 1 Criminal Code	bribe BGN 1500 to allow cohabitation	FINE BGN 1,000		
Regional Court - Botevgrad	administrative criminal case 563/2018	128 dated 07.11.2018	Article 192, paragraph 1 Criminal Code	bribe BGN 2200 to allow cohabitation	FINE BGN 1,000		
Regional Court - Plovdiv	criminal case № 6838/2011	2120 dated 2.11.2011	Article 191, paragraph 2 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court - Chirpan	criminal case № 215/2014	56 dated 20.08.2014	Article 191, paragraph 2 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		secondary education
Regional Court - Plovdiv	criminal case № 6087/2009	1988 dated 16.12.2009	Article 191, paragraph 2 Criminal Code	lives in cohabitation with a minor	FINE BGN 500		without education
Regional Court - Aytos	criminal case № 371/2015	151 dated 06.10.2015	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court - Haskovo	criminal case № 836/2016	177 dated 15.07.2016	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court Peshtera	criminal case № 237/2015	79 dated 17.12.2015	Article 191, paragraph 1 of the Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court - Razgrad	civil case № 333/2010	Decision dated 25.10.2010	Article 26 LOC Article 192, paragraph 1 Article 151, paragraph 1 Criminal Code	lives in cohabitation with a minor	accommodation in a crisis center	Roma origin	unemployed
Regional Court - Sliven	criminal case № 760/2015	Decision dated 06.01.2016	Article 191, paragraph 2	facilitated cohabitation with a minor	FINE BGN 1,000	Bulgarian	does not work, illiterate

			Criminal Code				
Regional Court - Gorna Oryahovitsa	criminal case № 402	Decision dated 07.06.2017	Article 192, paragraph 1 Criminal Code				
Regional Court Lovech	criminal case №1102/2005	№825/16.11.2005	Article 192, paragraph 1 of the Criminal Code	received a ransom		Bulgarian	without education
Regional Court Lovech	administrative criminal case № 677/19	204 dated 22.07.2019	Article 191, paragraph 1 Criminal Code	facilitated cohabitation	FINE BGN 1,000	Roma origin	primary education, unemployed
Regional Court - Yambol	criminal case № 1422/2013	437 dated 06.12.2013	Article 192, paragraph 1 Criminal Code	ransom BGN 700	FINE BGN 1,000		unemployed, completed 7th grade
Regional Court - Provadiya	criminal case № 531/2013	44 dated 28.05.2014	Article 191, paragraph 1 and 3 of the Criminal Code	cohabitation with a minor	probation 6 months	Roma origin	unemployed, without education
			Article 152 of the Criminal Code,	sexual intercourse with a minor	imprisonment for six months, reduced to 4 months		
Regional Court - Chirpan	criminal case № 220/2017	Sentence 06.11.2017	Articles 189, 191, 192 of the Criminal Code	facilitating cohabitation	probation 6 months and imprisonment 9m	Roma origin	primary education, unemployed
Regional Court - Galabovo	criminal case № 109/17	15 from 19.07.2017	Article 192, paragraph 1 and 2 of the Criminal Code	received a ransom of BGN 300	FINE BGN 1,000	Roma origin	primary education, unemployed
REGIONAL COURT - BYALA SLATINA	administrative criminal case № 716/2018	15 DATED 21.02.2019	Article 191, paragraph 1 of the Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Bulgarian citizen	primary education, unemployed
SOFIA DISTRICT COURT	criminal case № 34/2015	41 dated 22.04.2015	Article 191, paragraph 3 in relation to paragraph 1	misdemeanor 4/25.11.14, criminal case 671/13	discharged	Roma origin	primary education, unemployed

			Criminal Code				
SOFIA DISTRICT COURT	administrative criminal case № 17/2013	29 dated 04.03.2013	Article 191, paragraph 1 Criminal Code			canceled fine	Roma origin illiterate, unemployed
SOFIA CITY COURT	criminal case № 4895/2013	1402 dated 13.12.2013	Article 177, paragraph 2 Criminal Code	bride kidnapping		1 year imprisonment with 3 years probation	primary and elementary education
SOFIA DISTRICT COURT	criminal case № 46/2013	204 dated 11.03.2013	Article 191, paragraph 3 of the Criminal Code	lives in cohabitation with a minor		discharged	Roma origin primary education, unemployed
SOFIA DISTRICT COURT	criminal case № 256/2013	75 dated 21.6.2013	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor		FINE BGN 1,000	
SOFIA CITY COURT	criminal case № 4044/2015	211 dated 15.02.2017	Article 195, paragraph 1, items 1 and 4 of the Criminal Code	received a ransom of BGN 400		FINE BGN 1,000	
Regional Court - Ihtiman	criminal case № 209/2013	109 dated 9.5.2013	Article 191, paragraph 2 Criminal Code	facilitated cohabitation		FINE BGN 1,000	Roma origin unemployed, illiterate
Regional Court - Ihtiman	criminal case № 541/2015	128 dated 21.10.2015	Article 191, paragraph 2 Criminal Code	facilitated cohabitation		FINE BGN 1,000	Roma origin primary education, unemployed
Regional Court - Ihtiman	criminal case № 456/2015	№ 144 dated 14.09.2015	Article 191, paragraph 2 Criminal Code	facilitated cohabitation		FINE BGN 1,000	Roma origin primary education, unemployed
Regional Court - Ihtiman	criminal case № 335/2015	116 dated 22.07.2015	Article 191, paragraph 2 Criminal Code	facilitated cohabitation		FINE BGN 1,000	Roma origin primary education, unemployed
Regional Court - Ihtiman	criminal case № 28/2013	39 dated 14.02.2013	Article 191, paragraph 2 Criminal Code	facilitated cohabitation		FINE BGN 1,000	Roma origin primary education, unemployed
Regional Court - Ihtiman	criminal case № 7/2014	21 dated 06.02.2014	Article 191, paragraph	facilitated cohabitation		FINE BGN 1,000	Roma origin primary education, unemployed

			ph 2 Criminal Code				
Regional Court - Ihtiman	criminal case № 50/2013	50 dated 25.02.2013	Article 191, paragra ph 2 Criminal Code	facilitated cohabitati on	FINE BGN 1,000	Roma origin	primary education, unemployed
Regional Court - Ihtiman	criminal case № 756/201 7	23 dated 30.01.2018	Article 191, paragra ph 1 and 2 of the Criminal Code	facilitated cohabitati on	FINE BGN 1,000	Roma origin	primary education, unemployed
Regional Court - Ihtiman	criminal case № 381/201 6	69 dated 13.07.2016	Article 191, paragra ph 2 Criminal Code	facilitated cohabitati on	FINE BGN 1,000	Roma origin	primary education, unemployed
Regional Court - Ihtiman	783 / 2017	3 dated 12.01.2018	Article 191, paragra ph 2 and Article 192, paragra ph 2 Criminal Code	bent and facilitated	FINE BGN 1,000	Roma origin	primary education, unemployed
Regional Court - Ihtiman	criminal case № 234/201 7	83 dated 24.04.2017	Article 191, paragra ph 2 and Article 192, paragra ph 2 Criminal Code	bent and facilitated	FINE BGN 1,000	Roma origin	primary education, unemployed
Regional Court - Botevgrad	administ rative criminal case 414 / 2018	79 dated 04.09.2018	Article 192, paragra ph 1 Criminal Code	ransom BGN 1500	FINE BGN 1,000	Roma origin	unemployed, without education
Regional Court - Ihtiman	criminal case 9/2013	07.02.2013	191 paragra ph 2 Criminal Code	facilitated cohabitati on	FINE BGN 1,000	Roma origin	unemployed, without education
Area of Regional Court Vratsa							
REGIONAL COURT - VRATSA	administ rative criminal case № 1296/20 18	20 dated 22.01.2019	375 et seq. 375 CCP, Article 179, paragra ph 1 Criminal Code	second void marriage	FINE BGN 1,000	Bulgari an	primary education

REGIONAL COURT - VRATSA	administrative criminal case № 444/2016	299 dated 08.09.2016	191, paragraph 4 Criminal Code,	lives in cohabitation with a minor	DOES NOT PUNISH HIM.	Bulgarian citizen	primary education, unemployed
REGIONAL COURT - VRATSA	administrative criminal case № 162/2019	94 dated 12.03.2019	Article 191, paragraph 1 of the Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000	Bulgarian citizen	primary education, labourer
Regional Court Burgas	administrative criminal case № 44/2020	92/14.05.2020	Article 191, paragraph 1 of the Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court Pazardzhik	administrative criminal case № 349/2020	260013/13.10.2020	Article 191, paragraph 1 Criminal Code	lives in cohabitation with a minor	FINE BGN 1,000		
Regional Court Sliven	administrative criminal case № 218/2020	02.07.2020	Article 191, paragraph 2 Criminal Code	facilitates cohabitation with a minor	FINE BGN 1,000	Bulgarian	elementary education

TOTAL NUMBER OF CASES REVIEWED: 69 - Blagoevrad - 8; Targovishte -5; Sofia-province-19; Vratsa - 3; Others-24; RC Pleven-11

Public defenders in less than 10 cases; 191 CC-37; 192 CC-27; 177 CC- 1

PENALTIES: fine BGN 1,000 - 50; fine BGN 1,300 - 1; fine BGN 2,000 -1; fine BGN 500 - 1; Imprisonment - 4; Probation -3; Discharged - 3

Note: the last three cases are not included in the statistics - they were studied

Honor related violence: social and legal practice in Norway

An overview based on desk research and interviews with the experts

Marte Taylor Bye, Minela Kosuta og Nezihat Bakar

The logo for KUN consists of the letters 'KUN' in a stylized, outlined font. The 'K' is purple, the 'U' is green, and the 'N' is orange.

KUN is a Norwegian non-governmental organization founded in 1991, based in Steigen with a regional office in Steinkjer. KUN's work to combat discrimination and promote equality includes perspectives on gender, sexual orientation and gender identity, ethnicity and ability. KUN does research and applied work in the field of equality and anti-discrimination.

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Introduction

Having the partner role in the project “Social and legal actions to combat honor related violence”, KUN Centre for Equality and Diversity had the task of developing a report that gives an overview of the work that has been done on honor related violence in Norway, as well as provide examples of good practice on the topic.

This present report will briefly introduce some basic knowledge about violence, difference between domestic violence and Honor related violence/abuse. It will also provide the overview of the national context in Norway, in terms of how the topic of Honor Related Abuse has been approached.

Further, we will provide a brief introduction on patriarchy, its correlation with domestic violence and honor related violence in different ethnical, religious, or other closed communities, give a description on different types of HRV / abuse, as well as a brief overview of the standards in terms of reporting and risk assessment and what's the situation in Bulgaria and Norway.

Finally, we have interviewed six experts working with different aspects of honor related abuse and negative social control, and summarised their experience and recommendations for work on preventing and handling honor related abuse.

LITERATURE REVIEW

Introduction. The Context.

Although Norway is often considered as a prime example of gender equality, the rate of violence against women remains still high. This is a perplexing situation which has been called as *Nordic paradox* (Garcia & Merlo, 2016). Norway is considered as one of the most equal countries (Global Gender Gap Report, 2020), however domestic violence still exists as a continuous challenge regarding gender equality in Norwegian society. While both women and men may be victim of and perpetrator of domestic violence, women are typically subjected to the most severe kind of violence, to a greater degree than men. According to existing research, approximately 25 percent of women have been exposed to violence or threats of violence during their lifetime. 1 in 10 women in Norway have been subjected to rape. It is known that most of the rapes (86 percent) are committed by people known to the victims. In addition, about 25-30 percent of all homicides are committed by an intimate partner (all statistics from Thoresen & Hjemdal, 2014). Domestic violence has severe consequences for society, both economically and socially. Not only in that it traumatizes and harms the personal integrity of individuals, violence also has lifetime economic consequences such as poor work performance, losing jobs and long-term unemployment due to being exposed to abuse. If taking into account lost productivity from paid work, lost profits as a result of violence plus public service costs, domestic violence is estimated to cost Norwegian society between 4,5 and 6 billion NOK annually (Rasmussen, Strøm, Sverdrup & Vennemo, 2012).

Definition of violence

Violence is any act directed at another person, which, through this act injures, pains, intimidates or offends, causing/forcing the person to do something against his/her will or to stop doing what he/she wants (Isdal, 2000). Violence can manifest itself in various forms.

The World Health Organization (2020) defines different types of violence as physical, psychological or sexual, and as deprivation or neglect.

Physical violence is violence that involves physical contact. Physical violence may be more easily visible than other types of violence as it may leave visible damage and bruises. The gravest form of such violence is murder (Nasjonal veiviser ved vold og overgrep, 2020).

Psychological violence is measured as negative or hostile attitudes or actions, without any physical force, which can expose the victim to fear, powerlessness, guilt, shame, feelings of inferiority, low self-esteem, despair or the fundamental feeling of not being wanted and loved (The Norwegian Directorate for Children, Youth and Family Affairs, 2020)

Sexual violence can emerge in a form of psychological and physical violence. It can appear as unwanted physical affection and rape. But it can also manifest itself as sexualized talk, indecent exposure, filming and photography (Nasjonal veiviser ved vold og overgrep, 2020). Sexual violence affects our most private and vulnerable side and destroys sexuality in a relationship.

Deprivation or neglect is not giving care or giving insufficient care to those that depend on you, be it younger or older people.

There are various forms of violence which can occur at the same time in a violent relationship. For instance, **material violence** is a form of physical violence against material objects, and not physically targeted at the victim itself. Another form for violence is **economic violence** that refers to control over the finances of other partner; that the partner is being denied control over his or her own finances. Financial independence is an essential factor for being able to make free choices, such as leaving a violent partner and choosing where to live. Economic violence often affects women who have lived in a relationship with a partner who is controlling. **Latent violence** refers to a state of constant fear of recurring violence, as a result of previous experience. This also occurs without any active threat. Having experienced violence means that you know it can happen again (Isdal 2002, Nasjonal veiviser ved vold og overgrep, 2020).

Violence in close relationships – Norwegian context

The latest Norwegian action plan against violence (2014-2017) specifies violence in close relationships as a serious crime, violation of fundamental human rights, and a public health problem. Violence in close relationships can manifest itself in a various form of exploitation, including physical, psychological, sexual and material abuse against a person to whom the perpetrator has a close relationship. The perpetrator may be a romantic partner or former romantic partner, cohabitant or spouse. The victims may also be children, grandchildren, or other close relatives. Ultimately, violence may have serious consequences as it takes lives. It is recorded that 7 of 28 killings in Norway in 2012 were committed by present- or ex-partner (married or cohabiting). Six of the victims were women, one was male. The last decade the number of women who were killed by present- or ex-partners was 63. Between 20 and 30 per cent of the murders who are committed in Norway are committed by present or former partner.

Norway, along with other Nordic countries which are known for their gender-neutral legislation, have moved from the conceptual use of “violence against women” to “violence in a close relationship” in order to include all groups of victims in a close relationships. This gender neutral concept not only includes men but also all victims of violence such as same-sex couples, children, the elderly, and violence from other members of the family, such as violence in close relationship in large families with minority backgrounds (Bjørnholt, 2019). Violence in close relationships has become a standard term for cases where abuser/perpetrator and victim are linked to each other by close family ties or otherwise are close to each other in everyday life. Honor-related

violence most often takes place in close relationships and therefore falls under the term violence in a close relationship (Bjørlo, 2014).

Honor based violence

Honor based violence is often defined as a form of violence that aims to protect or restore honor through the use of violence (Narud, 2014). How to keep honor and what it takes to lose honor is decided by different norms in the community. Girls are particularly exposed to this type of violence, because of norms linking their sexual behavior to family honor. This type of violence usually occurs in families with strong collectivist and patriarchal values (Harnes, 2019, Wikan, 2009).

Violence that is committed to prevent future loss of honor also falls under the same concept. Severe limitations of young people's freedom, forced marriages and female genital mutilation are also defined as honor related violence. Honor killing is the utmost consequence of honor related violence. Honor related violence is often initiated by parts of the large family or members of the close network. The perpetrator is often a member of family, either locally or internationally (Bjørlo, 2014)

The Norwegian Directorate for Children, Youth and Family Affairs describes how honor-based violence differs from other types of the violence:

- The violence can be seen as legitimate by (parts of) the family / networks / people within same community.
- There are several perpetrators of violence, not only one as is usually the case with cases related to violence in intimate relations in the majority population.
- The violence may be the result of a collective decision.
- The victim has few supporters.

It is crucial to have knowledge about the phenomenon, mechanism and characteristics in order to identify cases of honor-based violence, and thus being able to reach out to victims and to assist practitioners and families. Identifying cases of violence as honor-related affects which security measures and support measures to carry out. Research based knowledge of the phenomenon of honor related violence can also help us broaden our understanding of how shame, fear, loneliness and loss of network affects the individual person's mental health (Ibid).

Honor based violence- Norwegian context

Honor-related violence is a relatively new phenomenon in the Norwegian context, which has been more visible over the last decades. An increased awareness of the phenomenon occurred in parallel with escalation in cases of violence which is uncovered in the same period. More knowledge, and especially understanding the phenomenon and the various traditions, has been crucial in uncovering this type of crime (Bjørlo, 2014).

In the 1990s there has been increasing public attention towards the issue of honor-based violence. Histories of Sima and Nadia were the well-known cases commencing

awareness in Norway on honor-based violence. Sima was subjected to forced marriage and sent to her parent`s country of origin. Nadia was left in parent`s country of origin because she broke the norms and family honor (Friberg & Bjørnset, 2019). These and other cases of forced marriages got media`s attention in the 1990s, and several organizations subsequently started offering assistance to young people at risk. Oslo Red Cross was among the first to offer assistance to the victims of honor related violence (Bredal, 2005). In 2002 honor related violence caught huge attention when Swedish-Kurdish Fadime Sahindal was murdered by her father. Her history became a defining part of public debate on honor-based violence in the Nordic countries. After that, other known cases of honor related violence have led to a public debate on forced marriages and social control in Norway (Friberg & Bjørnset, 2019).

While many in the following public debates expressed an urgent need to build knowledge and competence about the phenomenon, some also claimed that it in fact happens few forced marriages in reality and it is the media who is portraying the issue as enormous, which leads to further stigmatization of an already stigmatized groups. Some others alleged that people stay silent about the issue of forced marriages because they are afraid of being labeled racist (Bredal, 2005). We see that this kind of debate is still visible in the Norwegian public debate and is strongly linked to the immigration politics.

In 1998 the Norwegian parliament was the first in Europe who introduced Action plan against forced marriages. Later this was followed by six more other action plans. The first two plans had (from 1998 and 2002) primarily pays attention to forced marriage. The second action plan entered into force in 2002 as an urgent call after the honor killing of Fadime Sahindal in Sweden (Norwegian broadcasting corporation, 2002). The third plan (2008-2011) brings the honor-based control and strong control into focus while action plans from 2012,2013 and also recent action plan for the period from 2017-2020 concentrates on the issues of forced marriage, genital mutilation and control. These plans were introduced separate from the "regular" action plans against domestic violence. These action plans signalize the societal challenges that politicians consider as a need to address. The issue of forced marriage, and later genital mutilation and negative social control, have been considered as a gender equality challenge in the Norwegian society for over 20 years. Until the last action plan migrants/ ethnic minority groups in Norway had been center of attention. However, the last action plan first time acknowledges that ethnic Norwegian citizens who are growing up in closed religious communities may also experience the same issues, and thus it is crucial to broaden our understanding of the phenomenon.

Violence against minority women has been referred to and treated differently than violence against majority women (Akpınar, 2003). Violence against women with minority background experiencing forced marriage and honor-based violence have been *hypervisible* in Norwegian public debate. Violence against minority women has been portrayed as integration issue and described as part of the *culture* of certain ethnic minorities, while violence against minority women was invisible in the mainstream anti-

violence work. Hypervisibility refers to politicians' crisis rhetoric when they talk about the issue, as well as policies and initiatives, which have been ad hoc for a while (Bredal, 2013)

Honor-based violence is a form of violence and should not be legitimized or acknowledged as neither culture nor tradition. In this report we identify honor-based violence as a form of violence. When we say that other types of violence such as forced marriage and female genital mutilation are expressions of honor based violence, it is important to recall that they should be seen as honor based violence only insofar as honor is an relevant issue in the cases that we are talking about.

Concept of honor and its correlation with patriarchy in different societal systems

Honor

Honor is basically a positive concept, related to self-esteem, social inclusion and status (Harnes, 2019). Across cultures, all human beings have honor. Either individually or a collective honor we share with other members of the same community.

«The code of honor» are different norms and rules for what gives honor and how to lose it (Wikan, 2009). Both women and men have honor, but norms on what gives honor and dishonor are usually gendered. Girls' and women's honor are connected to the idea of being sexually pure. Mainly, this means being a virgin when entering marriage. But there are a number of other norms connected to purity that has an impact on women's daily life; dressing and acting appropriately, not to interact with the opposite sex, not to participate in leisure activities, and to have responsibility for care work and household chores. Men are expected to provide for women, make decisions on their behalf and to guard their honor (The Norwegian Directorate for Children, Youth and Family Affairs, 2019). Boys and men can have different roles in this system. They can be victims or perpetrators of the violence, forced marriages and control. They can also be expected or being forced to control others, use violence or contribute in forced marriages in order to preserve the collective honor. In other words, boys and men are made responsible to maintain the collective honor. Boys and men usually have more freedom than women and girls, at least as long as they fit in their families' traditional gender roles. Boys can experience same sanctions as girls for not living accordingly the traditional masculinity roles (Bredal, 2011; Rexvid & Schlytter, 2012). The concept of honor is not connected to a specific culture or religion but is often evident in societies where the state is weak and has little legitimacy and trust within the existing population, and where the extended family takes over many of the community coordinating functions. Honor based cultures are found all over the world, but more often in communities originating from regions that reach from North Africa, through the Middle East to Central Asia and the Indian sub-continent (Yourstone et al, 2013).

In some families and communities, the collective honor of the family is considered to be very important. The families may be very concerned that cultural and traditional norms be followed, in order to maintain the family's honor. HRA is a form of abuse against an individual that the family feels have disgraced them, or whom they fear will disgrace them in the future. The aim of HRV is to prevent loss of honor or to restore lost honor. HRV can consist of serious incidents of violence, as there is a lot at stake for the family and the community if honor is lost. For the family, loss of honor may mean that the family loses its recognition, that relations are broken, and that the family is excluded from their social community (The Norwegian Directorate for Children, Youth and Family Affairs, 2019).

Patriarchy

The hierarchy based on gender is often referred to as patriarchy. Patriarchal power structures are a common denominator across cultures where one finds examples of honor-based violence. While patriarchy can be defined as a cultural logic, values and norms characterized by perceptions of male superiority and female subordination, it is however in *classical patriarchies* also based on a hierarchy between generations (Bredal & Melby, 2018). In a classical patriarchal society, power is distributed according to gender and age, placing (the older) man as head of the family, granting him the privilege to decide the rules and to effectuate sanctions when said rules are not followed.

The bulk of victims of domestic violence in general, and honor-based violence in particular, are women, as we have seen how it is mainly the concept of women's sexual purity that is connected to family honor. But both women and men – as well as transgender persons, whatever their identity – may be either victim or perpetrator, or both (Johnsson-Latham, 2005). The patriarchal power structures frame the lives not only of the women, but also of the men, who have to find their place in the system and live up to its definition of what being a man entails (Bredal, 2011). Young people who identify as LGBT and grow up in families that practice negative social control are also a particularly vulnerable group in this connection (The Ministry of Justice and Public Security, 2017).

Honor based violence, culture and context

As noted in chapter one, honor-based violence has been discussed as an issue present in some migrant communities in Norwegian public debate. Rather than focusing on connecting honor-based violence to particular cultures or regions, existing research in the Nordic countries has focused on phenomenal similarities across cultures, as well as the context of honor related violence and the situational triggering mechanisms. There is research suggesting that the stress connected to migration can be triggering for patriarchal violence, and that situational factors in the country of residence might be just as crucial as cultural background (Bredal, 2011). We will expand on this in the

chapter on the situation of migrants and refugees. Some have also pointed out that honor-based violence is also exists in Norwegian Christian communities (Langvann, 2015, Langvann, 2017, Lervåg, 2017). Members of religious communities can be subject to strict rules concerning what is honorable, as well as sexually and morally acceptable. Some religious communities may practice control so that members remain in the congregation, restricting their contact with people on the outside. This, however, has been a blind spot in Norwegian public debates as well as in the help structures. Studies show that some of those who have experienced social control in religious communities in retrospect report that they missed and wanted engagement and reaction to their situation from the outside society (Helpsource, 2020).

Common for both migrant communities and religious communities is that they are tight communities with outspoken norms, interdependence and low tolerance for deviant behavior (Gelfand et al., 2011). They can also be seen as communities of moral. Communities of moral is a term for a community beyond the family. Such communities do not have to agree on everything, yet they share so much morality that it makes sense to define them as such community (Gullestad, 2002). Based on the growing awareness of and research on these mechanisms, the latest Norwegian action plan for combating honor-based violence and social control acknowledges these similarities, and includes religious communities as one of their target groups.

To summarize, we are talking about a social logic connected to strong power hierarchies, and emotionally close communities. HRV is connected to men's power based on their gender, elders' power over the following generations and the collective power over the individual (Bredal, 2011). Honor and honor-based violence are difficult topics to discuss. It is important to avoid generalizations suggesting that all members of a certain religion, ethnicity or cultural group practice honor-based violence. It is also important that the help structures build their competence about the mechanisms of honor, patriarchy and collectivism, as well as growing up in closed religious communities (The directorate of integration and diversity, 2019).

Types of Honor Related Violence

Honor related violence entails a variety of different sanctions with the aim of restoring family honor (Bye, Eggebø & Thunem, 2016). Ranging from social exclusion to forced marriage and murder, the term encompasses a variety of violent actions, of varying degrees of severity. While the physical sanctions may be more visible and seem more serious to the bystander, the potential risk for the individual attached to for instance being isolated or excluded needs to be recognized and acknowledged (Bredal, 2004). In Norway the focus has mainly been on forced marriage, FGM, negative social control, physical violence, honor killings and to be left abroad, either to marry or to be forced to attend school against your own will.

The Norwegian directorate for children, youth and family affairs provides the following list of different kinds of HRV:

Negative social control, physical violence, degradation and other forms of psychological violence, threats, forced marriage, social exclusion, acid attacks and honor killings. In addition to that it involves forced deportation and female genital mutilation (FGM).

Negative social control is defined by the Norwegian government as different kinds of pressure, threats and coercion that is carried out systematically in order to ensure that individuals live according to the norms and values of their family or social group. The control may violate the individual's rights according to the Convention of the Rights of the Child as well as Norwegian law (Justis- og Beredskapsdepartementet, 2017, s. 12).

Forced marriage refers to a situation where individuals right to consent to a marriage, to choose whom to get marry, or to end an engagement or marriage without facing sanctions taken away. Forced marriages occur when an individual cannot choose who she or he wants to marry with, can't choose to be unmarried, and becomes subjected to psychological pressure, threats or coercion to marry (Bjørlo, 2014).

Female genital mutilation signifies various procedures where external female genitalia are partially or totally being removed, or when other lasting damage is afflicted, without medical grounds (Norwegian Centre for Violence and Traumatic Stress Studies, 2020).

Forced deportation refers to a situation where people are being held abroad against their will. The cases which is known in Norway usually concern children who are sent back to their parents' home country and held there against their will. The main reasons for parents sending their children abroad is a reaction to Norwegian child welfare services, to prevent their kids to become "too Norwegian" and to strengthen their children's knowledge about their religious and cultural identity (Oslo Economics, 2019).

Legislative Point of View

Norway is a democratic state with the rule of law. Norwegian Constitution Law was passed in 1814. In this chapter we will present the relevant international conventions, Norwegian legislation and some of the reported cases of violence, especially cases of honor-based violence. After presentation of the legislation we will give an overview of a different protection measures the police implements in cases of violence.

Violence and honor-based violence

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (The Istanbul Convention) was ratified and entered into force in 2017 in Norway. The Convention calls on parties to take a wide range of actions to combat domestic violence. The article 12 (5) and 42 (1) in the Istanbul Convention and article 4 in Declaration on the Elimination of Violence against Women (1993) state that cultures, custom, tradition or "honor" should not be considered as justification for violence.

In Norway the term *abuse in close relationships* is used to differ domestic violence from violence that happens in other areas of life among the strangers then in close relations. The Penal Code, section 282 (2005) defines abuse in close relationships as threats, forced deprivation of liberty, violence or other degrading treatment seriously or repeatedly abuses by a present or former spouse or cohabitant, a present or former spouse or cohabitant's relative in direct line of descent, a relative in direct line of ascent, a member of the person's household, or anyone in the person's care. This understanding of close relationships is thus primarily confined to the core family and in a straight downward or upward lineage, but may also include persons who are part of the household or who have an emotional or family relationship with them (The Penal Code, 2005).

In 2018, according to Statistics Norway there were 3,406 cases reported as abuse in close relationship, of which 280 cases ended with a verdict (Statistic Norway, 2018). This shows that many cases do not end up with a verdict.

According to the Penal Code. Section 254. *Deprivation of liberty* is punishable. Deprivation of liberty is defined as any person who by confinement, abduction other means unlawfully deprives a person of his or her liberty.

Cases and trials where honor is found to be underlying reason for the violence have appeared in the Norwegian court. Norway does however not register cases of honor-based violence separately from other cases of violence, and it varies whether honor is seen as relevant. To exemplify, we will briefly describe two cases, one in which the Court held that honor was motive and one in which the Court did not focus on issues of honor:

1. March 2019, a father was sentenced in the Supreme Court for serious threats against two of his children. The convicted person had repeatedly threatened to kill his daughter and his son, who he found had violated the family's honor, and he ordered his son to kill his daughter. The daughter was strongly affected by the threats. The conduct was close to attempted contribution to homicide. The Supreme Court stated that motives for the threats were the family's honor (The Supreme Court of Norway, 2019). This is a historical judgment in the Norwegian context because it is the first time the Supreme Court has held that honor was the most important reason for the abuse (Law Data, 2019).
2. The trial of a 16-year-old boy who died as a result of being struck in the head several times has sparked a new debate in Norway. A 21-year-old man is charged with aggravated bodily harm resulting in death and for leaving another in helpless condition. The victim was the boyfriend of the sister of the accused. Some have argued that honor-based violence should be part of the charge. Politician Jan Bøhler has criticized the police for failing to investigate honor-based violence, and he asks for statistics on honor-related criminal cases (Stortinget, 2019).

Forced marriage

That marriage shall be entered into only with the free and full consent is stated in the Universal Declaration of Human Rights, article 16 (2) (1948), International Covenant on Civil and political Rights, article 23 (1966), International Covenant on Economic, Social and Cultural Rights article 10 (1966, Convention on the Elimination of All forms of Discrimination against Women, article 16 (1979), Convention on consent to marriage, minimum age for marriage and registration of marriages article article 1 (1964) Istanbul Convention article 37 (2018). The Istanbul Convention, article 32 states that states should make it legally possible to annul forced marriages (Istanbul Convention, 2018).

Forced marriage is defined in the Penal Code. Section 253 as any person who by violence, deprivation of liberty, other criminal or wrongful conduct or improper pressure forces a person to enter into marriage. The law also includes any person who contributes to another person's travel to a country other than that person's country of residence, with the intent that the person will there be subjected to forced marriage.

The Marriage Act, section 18 a, states that marriages entered outside of Norway will usually be recognized in Norway. Marriages will not be recognized if marriage is entered without both parts being present during the marriage, of one of them was under 18 years old, and one was already married (Marriage Act, 1993). The Marriage Act, section 16 makes it possible to annul marriage if it was forced for one or both persons (Marriage Act, 1993).

A study from ISF (2015) have analyzed all verdicts in the period from 1999 – 2014. Some verdicts are from the Supreme Court, other from the District Court and the Court of Appeal, in total 24 cases. Nine cases were about the annulment of marriage, and seven about threats to enter or already entered forced marriages (Liden et al., 2015).

Female genital mutilation

The Istanbul Convention, article 38 explicitly states that female genital mutilation should be criminalized. More specifically:

- a) excising, infibulating or performing any other mutilation to the whole or any part of a woman's labia majora, labia minora or clitoris.
- b) coercing or procuring a woman to undergo any of the acts listed in point a;
- c) inciting, coercing or procuring a girl to undergo any of the acts listed in point a (Istanbul Convention, 2018)

According to Penal Code, section 284, anyone who performs a procedure on the genitalia of a woman that damages the genitalia or permanently modifies them are culpable. Reestablishment of genital mutilation is subject to the same penalty. Consent does not exempt for a penalty. Section 285 is about aggravated genital mutilation. Whether genital mutilation is aggravated depends on if the results have led to illness or work

incapacity, an incurable defect, flaw or injury, death or considerable harm to body or health.

No one has ever been convicted of genital mutilation in Norway. A study done by NKVTS (Damvad, 2014) shows that kindergarten, school, child welfare services and health nurses in schools are usually the ones that report genital mutilation. According to this study there are many reasons why it is hard to convict anybody of female genital mutilation. If a girl got genital mutilation outside of Norway, it is difficult to find out who did it. There may be no witnesses, and parents may deny that they know anything about it. It is hard for the police to work with cases like this when they do not have enough evidence. If a girl got genital mutilation before she migrated to Norway, parents cannot be convicted for female genital mutilation as a crime (Lien, 2017).

Duty of confidentiality, Duty of report, Duty of disclosure and Duty to avert criminal acts

Employees in the public sector are obligated to provide information, report suspected cases of abuse or neglect according to the Education Act, the Kindergarten Act and the Health Personnel act. In addition, all members of society are obligated to prevent future punishable acts, according to the Criminal act.

Employees in the public sector have a statutory duty of confidentiality. In some cases, you must break this duty. This is the case if the duty of disclosure, the duty of report or the duty to avert criminal offence applies.

Duty of disclosure; you have a duty of disclosure if the child welfare services ask for information in a case where they suspect neglect, physical or sexual abuse, according to the Education Act § 15-3, the Kindergarten Act § 22 or the Health Personnel Act §32.

Duty of report; duty of report entails the same responsibility as duty of disclosure, except that it is the individual employee who is responsible to take initiative and report if they suspect neglect or abuse. This duty underlines the responsibility of the single professional individual to observe and report cases of suspected abuse, regardless of position or rank.

The duty to avert criminal acts means preventing a future punishable act. There is no duty to report punishable acts that have already taken place. The duty to avert criminal acts applies when you know for certain, or consider it as most likely, that a person will perform sexual abuse, inflict serious harm (included serious psychological abuse) or kill another person in the future, according to the Criminal Act § 196. The duty to avert criminal acts is universal and applies to all members of society.

Violence against individuals with a migrant background

Immigrants who enter Norway through marriage or reunion with a spouse who has or will receive a permanent residence permit, must stay in the country (and the marriage) for three years before they can apply for a residence permit of their own. Because of this

three-year rule, some victims of domestic violence remain in violent relationships in fear of being evicted from the country (KUN, 2019). Immigrants who are abused in marriage can, according to Section 53 of the Immigration Law, still be granted a residence permit if they or their children have experienced abuse. In practice, an analysis of proceedings shows that the evidence requirements are too strict, and that a too strict interpretation of what constitutes abuse in practice compromise the applicant's rights according to the law (Jussbuss, 2018).

Compensation from the state for victims of violence

Victims of violence and abuse can be compensated for all types of personal injury that they have suffered as the result of crime (The criminal injuries compensation Code, 2001) In order to be eligible for compensation, there must be a preponderance of evidence indicating that a crime has been committed. You may be eligible for compensation even if the criminal case was dropped. In cases involving homicide, the victim's family may be entitled to compensation. Children may also be entitled to compensation, if they have witnessed violence against family members or caregivers (The Criminal Injuries Compensation Authority, 2020).

Police's protection measures for victims of violence

Police can implement one or more protection measures for a person that experienced abuse and violence (Nasjonal veiviser ved vold og overgrep, 2015).

Emergency panic alarm / «Violence alarm» is a free tool for a victim of violence to make her/his everyday life safer. When the situation is perceived as dangerous and unsafe, victims of violence can activate the alarm to get direct contact with the police. The severity of the threats determines how long you should have the alarm. Violence alarm is meant as a temporary solution. The criminal offense doesn't have to be reported in order for victims of violence to receive a violence alarm (Nasjonal veiviser ved vold og overgrep, 2015).

«Reverse violence alarm» is a penal/criminal sanction from the court. The abuser/perpetrator is punished to use an electronic device, often a fetter. Police defines a geographical safety zone around the victim where the abuser/perpetrator is not allowed to move into. The prohibition zone must be so large that the police can cut off the convicted person before he reaches the offender. Use of reverse violence alarm has been a success where it has been applied. In all cases the perpetrator has respected the victim's safety zone. The Director of Public Prosecutions has requested increased use of the reversed violence alarm (The Higher Prosecuting Authorities, 2019).

Restraining order means that perpetrator of violence or threats is not allowed to physically, through telephone calls, emails, letters or text messages contact the victim. The police decide whether restraining order should be imposed. The ban must be tried

by the court, and the court will finally decide if restraining order should be upheld (Nasjonal veiviser ved vold og overgrep, 2015).

Secret address/unlisted address is another protection measure police can use to protect victims of violence. Code 6 is secret address, meaning that address is hidden for everybody except authorized persons. Victims of violence or threats about violence have to move when living with code 6. Code 7 is confidential address, meaning that address shouldn't be given to private persons, but public authorities are allowed to see the address (Nasjonal veiviser ved vold og overgrep, 2015).

Multi Agency Approach to HRV

There are numerous help structures and instances working with HRV in Norway. To a certain extent, work on detecting and preventing honor-based violence is mainstreamed into the regular work of the police, shelters, schools, child welfare services and health stations. There are however some organizations that specialize in this field. Firstly, the Norwegian competence team on forced marriage, genital mutilation and negative social control, provide guidance and counselling to individuals and professionals. Secondly, there are minority counsellors at a small number of secondary schools and high schools, who are trained in this field. There is also a police department specializing on honor-based violence, as well as a family counselling office. For young persons exposed to honor-based violence who are in need of protection, there is also an emergency shelter.

There are also several NGOs working with honor-based violence. The biggest is a help line run by the Norwegian Red Cross.

We will give a brief description of the different structures below:

The Norwegian Competence team on forced marriage, genital mutilation and negative social control, is a team consisting of 8 members from different directorates; the directorate for children, youth and family affairs, the police directorate, the health directorate, the foreign directorate, the work and welfare directorate and the directorate of integration and diversity. The team's mandate is to provide guidance and counselling to victims of honor-based violence and to the help structures around them, to increase the competence on the subject in the directorates and help structures, and to coordinate and administer the shelter for young victims of honor based violence. The team publishes a yearly report on the subject.

The police

All police departments have personnel specializing on domestic violence. The police tools for risk assessment are SARA (Spousal Assault Risk Assessment), and PATRIARK, an assessment tool for honor-based violence. These tools are available to all police departments, but not necessarily implemented, leading to a parliamentary proposal in

2018-2019, proposing that these tools be implemented in all police departments. Stovner police department in Oslo have a section specializing in HRV.

There are 49 **minority counsellors** working at a total of 2 secondary schools, 40 high schools and two guidance centers for youth (The Directorate of Integration and Diversity, 2019). The counsellors refer some of their cases to child welfare service, and in 2018 about a fifth of their cases were reported to the police.

Emergency shelter for young persons exposed to honor-based violence. The competence team administers places in this fortified shelter for young persons exposed to honor-based violence. Places are distributed based on a risk assessment done by the competence team in collaboration with local police, taking into account external threat of honor-based violence from the (extended) family as well as the young persons' ability to live with strict and limiting safety measures.

The **family guidance offices** are offices providing guidance to families experiencing conflict or crisis. The service is free, and open to all. The staff at the family guidance offices are psychologists and social workers. Several offices have received training in honor-based violence, with Enerhaugen office in Oslo being the leading experts nationwide.

Integration counselors at chosen foreign embassies

Norway has four integration counselors stationed at foreign service offices in areas from where many emigrate to Norway, and where many cases of forced marriage occur. Currently there are integration counselors in Amman, Islamabad, Ankara and Nairobi. The integration counsellors work with cases related to forced marriage and honor-based violence at the foreign service stations, with increasing competence among Norwegian actors on the country in which they work, with networking and collaborating with local actors who can contribute in the work against forced marriage, and with conveying information about the Norwegian society, Norwegian marriage and family patterns, traditions and law to persons seeking residence permit in Norway.

Reporting and statistics

Overall statistics from Statistics Norway show a total of 32 840 reported incidents of domestic violence and abuse in 2018 (Statistic Norway). Nordic studies indicate that children with immigrant background are relatively more at risk for being exposed to violence than children in the majority population, and children with immigrant background are over-represented in Norwegian child welfare services (Haugen, Paulsen & Caspersen, 2017). There is no separate register for cases related to honor-based violence or abuse. Neither do we know how many victims of forced marriage are.

There are yearly reports from minority counselors as well as from the Competence team and the Red Cross help line.

In 2016 as well as 2017 and 2018, the competence team had an annual total of about 600 cases (The Norwegian Directorate for Children, Youth and Family Affairs, 2018). The main cause for inquiry in 2018 was threats/violence (22%), involuntary stay abroad (15,5%), suspicion of forced marriage (15%) and fear of forced marriage (12,3%). Most of the inquiries were about girls or women (76%), mainly in the category of threats/violence, while the inquiries concerning men (20%) mainly concerned suspicion of forced marriage. 54,5% of the cases concerned persons over the age of 18, 45,5% concerned minors, under the age of 18, This is the highest percentage of cases concerning children since the competence team was founded in 2004. A total of 33 persons moved into the Emergency shelter in 2018.

Most of the cases concerning suspicion of forced marriage were connected to applications for residence permits for family reunion. About a third of the cases concerned persons who were abroad at the time of contact.

Since 2013, minority counsellors at schools and integration advisors at foreign stations have had a total of 1026 cases, of which 239 in 2017. Most of the cases concern extreme control (44%), followed by threats/violence (31%) and fear of forced marriage (10%) (The directorate of integration and diversity, 2017)

The Red Cross help line received 142 first time inquiries in the first half of 2019, 74% about women and 26% about men. 15% of the inquiries were about persons under the age of 18 (Røde Kors, 2019)

These numbers do not provide certain knowledge about prevalence. The statistics are not coordinated, and the same case might be registered in multiple systems. As with cases of violence in close relations in general, we know that many cases are never reported.

Situation of Migrants and Refugees

Migration in itself is a process creating and changing culture. Values are strengthened or weakened, and cultural, political and economic factors in the country of residence create a backdrop for migrant families and how they adjust to their situation as immigrants. For the individual, migration is connected to a redefinition of the self; it induces new arrangements in gender relations and forces the individual to answer the question 'who am I' in the new context (Apkinar, 2003). Several reports suggest that situational factors connected to living as a migrant in Norway create stress and contribute to enhancing the risk of honor-based violence. In addition, discrimination and marginalization might contribute to increased risk of honor-based violence (Bredal, 2011).

For many who come to Norway as immigrants, being introduced to the Norwegian society is a major and challenging transition. Many miss a larger community to support them. Many parents with immigrant backgrounds are used to having the extended family as well as the local community involved in child rearing. The combination of

missing a sense of community, experiencing a dissolution of the family and facing a new and unfamiliar society can be challenging for many parents (Friberg & Bjørnset, 2019). Some experience liberal attitudes towards alcohol and sexuality in the Norwegian society as threatening. In addition, some feel that their identity, religion and culture is under pressure and that their traditional tools for control are not available. In this cross-pressure some parents might become insecure about what is good care and how to set boundaries for their children. Communication can be challenging (Smette & Rosten, 2019). Language barriers can make it difficult to understand the new context, rules and norms. It might also be challenging to communicate well with the Norwegian help structures. Some immigrants also experience it as difficult to make acquaintances and to build a social network with Norwegians. In addition, parents who depend on their children to communicate in Norwegian, may experience a power shift, which may undermine their authority with the children.

It is not only the parent generation who experience stress connected to their migrant status. Children in immigrant families may experience considerable cross-pressures. For young second-generation immigrant women, a wish to be integrated into the host society can in many cases be connected to resistance to their ethnic community's subjugation, meeting expectations from the surrounding society to be free to choose partner and lifestyle on the one hand and to comply with the wishes of the family and act honorably on the other (Apkinar, 2004). In 2018 a group of young women with minority background started a public debate on social control in ethnic minorities. The women – who called themselves 'The shameless girls' - criticized their own environment for controlling women and girls' lives, as well as the Norwegian majority for depriving them of the power of definition, and for always speaking on behalf of them, instead of giving them the space to express their main challenges. The shameless girls have published a book which is translated into several languages and received numerous prizes for their contribution to the public debate on the topic.

A study from 2019 also indicates that parents are more worried about bringing up boys in a migrant context than girls (Smette & Rosten, 2019). For young second-generation immigrant men, research indicates that those who experience racism and discrimination become more conservative and patriarchal, something which can be understood as a defense mechanism or a reaction (Bredal, 2011). Thus, patriarchal attitudes and social control do not always originate from the family. Concepts of honor and traditional gender roles can also be connected to a globalized youth culture influenced by American youth culture connected to hip hop and gangster rap.

Success Stories in Norway

As we have shown in previous chapters, there is an extensive help system which specializes on honor-based violence, and part of the work is mainstreamed into ordinary help systems. A lot of the work with preventing honor-based violence is done by NGOs. The Norwegian directorate of integration and diversity administer grants and fixed

assets for organizations working against negative social control, forced marriage and female genital mutilation. The NGOs reach victims and perpetrators on other arenas and with a different approach than public instances. Some good examples are Intercultural Health info, Hjelpeskilden (help source) and the Red Cross help line.

Intercultural Health Info (Tverkulturell helseinfo) is a voluntary organization that was founded in 2015. They provide information services to people with immigrant background, as well as health professionals who have regular contact with people with immigrant backgrounds. One of their focus areas is prevention of female genital mutilation.

The help source (Hjelpeskilden) is an NGO providing help and support to people who are in a problematic process of breaking out from religious communities. They provide information about religious communities, diversity, mental health and children's rights and other subjects relevant to people who are religious outbreaks.

The Red Cross help line is run by the Norwegian Red Cross. It is one of the oldest actors working with HRV in Norway. In 2000, the help line was assigned by the Ministry of Children and Family Affairs to serve as a national helpline, as a part of the Norwegian government's first action plan against forced marriage. It is open Monday through Friday, for victims of honor-based violence, people who work in help structures or family members. It is possible to call anonymously to discuss a case. The help line provides information about Norwegian law, the individual's rights, public assistance as well as follow-up consultations at their office in Oslo. They also have a chatline and provide lectures on the subject of honor-based violence.

INTERVIEWS WITH EXPERTS

Introduction

This qualitative part of the project aims to collect data on experiences with honor-related abuse and -violence on the individual level. The aim of this report is to showcase a selection of examples of good practice in Norway, focusing more specifically on civil society. There are several actors working against honor-related abuse and negative social control in Norway. This section is based on qualitative interviews with seven people who daily work actively with preventing honor-related abuse or negative social control. With our small selection of interviews, we do not aim to show a representative picture of all the good work being done, but rather to highlight some examples, in order to illustrate different approaches, positions and work areas in this diverse work field. We would like to extend a big thank you to our respondents, who have been kind enough to share their knowledge and experience with us!

Selection, recruiting and method

Interviewees were selected with the aim of showcasing a wide range of examples. All seven have a strong commitment to preventing honor-related abuse or negative social control, and six of them represent non-governmental organizations working with topics like female genital mutilation, closed religious communities, LGBT rights, counselling services for immigrants and networks for women with immigrant background. One of our interviewees is from Norway, the six others are from families originating in Eastern Africa or the Middle East. All respondents live and work in different parts of Norway. We have interviewed six women and one man.

The project is registered and approved by NSD, the Norwegian center for research data. The interviewees were e-mailed with a request to participate, and upon replying that they wished to contribute, they were interviewed by telephone. The interview guide consisted of four open-ended questions, allowing for following up interesting topics as they surfaced.

The names of the interviewees are aliases. The names and descriptions of the organizations have also been changed, to maintain anonymity. We will present the

interviews as seven case stories before we summarize our content analysis in a concluding discussion.

Cases

Negative social control in closed religious communities – prejudice as a hinder for knowledge and help

Anne works in an organization helping people who are in a problematic process of leaving closed religious groups. The organization is growing, and there is an increase in people contacting them, either to seek help or counseling or to volunteer as peer support. She says that many people are not aware that negative social control also exists in Christian communities, nor how detrimental social exclusion can be to members who choose to leave these closed communities. Some of the inquiries the organization gets are from representatives from child welfare services and schools, who seek advice on how to help young people who are struggling with negative social control from their religious community.

There is a lack of knowledge about closed, Christian communities. All the examples you see in media are a subjugated Muslim woman in a hijab. The examples contribute to stereotypical attitudes and make it difficult for those who are exposed to it to understand that it is negative social control they are experiencing, Anne says.

She calls for a broader understanding of the mechanisms characterizing social control in closed religious communities, one that neither stigmatizes certain groups nor assumes that it is common only in extreme or radical communities. She indicates that while there is a political will to focus on these mechanisms in immigrant groups, there is still some way to go to fully recognize that negative social control is an issue also in Norwegian religious groups, and that this needs to be dealt with.

People who contact us are coming from extreme environments, but also simple religious meeting house communities. They have in common that they experience that the situation after breaking with the community has been difficult.

She also calls for research on the detrimental long-term effects of social exclusion and problematic breaks. To her surprise, she has found that a quite high percentage of the people contacting her organization are unable to work, often a long time after a problematic break, and that many receive a disability pension. The costs to the individual, and society, are huge. There is a lot to be saved by enabling the helping structures to prevent negative long-term effects and by spreading information to young people about what negative social control is, what their rights are, and that there are people who can help if they struggle. Further, she underlines that it is important not to brand the communities in themselves as unhealthy. Even though one person has experienced the process of breaking away as tough, other people in the same environment may not have the same experience.

Though she sees it as unlikely that you can change harmful practices connected to the worldview in closed religious groups from the outside, she is more optimistic about future generations and the long-term effect of working systematically with information and help structures for people experiencing negative social control in closed religious communities:

Maybe in the next generation, in 10-20 years, one can see that parents who have experienced negative social control can make other choices for their children.

Trust and dialogue the key to prevent female genital mutilation

Through educating women as trainers, who in turn arrange information their meetings in their networks, the International women's health organization works to spread cross-cultural health information to women about female genital mutilation. Judith, who has a health-related master's degree and is herself from Eastern Africa, is the founder and CEO of this organization. The goal of the organization is to spread information and to encourage more women to speak openly about female genital mutilation. Their basic principle is involving women in the target groups, and building a platform of communication, based on trust and dialogue. Women from Ethiopia, Eritrea, Somalia, and Sudan are recruited to attend a two-day supervisor training course, where the participants get updated information. A female doctor, who is also from East Africa, is responsible for the content of the course. After

the course, the newly trained supervisors recruit women from their network to attend information meetings. Each supervisor recruits five new participants. Their training includes the health content and practical information about how to organize meetings. It is an open and flexible model, where the supervisors can adjust the meetings to the perceived needs. They can choose between hosting meetings in their own home, at a cafe or a library, or several supervisors can collaborate and rent premises together. The information does not need to be presented with PowerPoints or in a technically complicated way. After the course is finished, both the supervisor and the participants she recruited receive a diploma which can be used on their CVs. Participants often end up wanting to take the supervisor course themselves, in the next round. Judith explains the organization's success with the good report between course leaders, supervisors, and participants:

The most important factor is trust. That the participants trust the course leaders, and that the course leaders trust the organization.

The supervisors write simple reports, documenting the number of participants, and what topics they are interested in knowing more about. As a result of wishes from the participants to learn more about FGM and sexual practice, the organization has initiated a collaboration with a sexologist, and now offers online consultations with her. Judith is clear that this would not have been possible and doubts that these services would have been used much if they were not there as a direct result of requests from the women themselves. She continues:

It is important to involve women who are affected. It is wrong if the experts make the information material without involving the target group. What they are concerned about and what they wish to know more about.

Judith is optimistic about the future. Statistics show that the number of women who are the victim of female genital mutilation in Norway is falling. Still, there is a need for a continued focus on the topic, to give information, and to fight taboos:

Many stress that it has been important to hear that FGM is the cause of their health complaints. We often hear women say that 'I have had pains for many years but did not know that it was because of the mutilation'.

Judith concludes by emphasizing the great impact of involving and collaborating with the women themselves.

When given the opportunity to learn more, and to talk openly, many women feel empowered, and they want to share their knowledge in their network. Many women even tell us that they have been in their country of origin and discussed the topic with others there.

A language for young people to deal with negative social control

Julia is an active social commentator who has given a voice to young people of her generation experiencing negative social control. After publishing her own story in the newspaper, Julia has become an active and visible actor and a spokesperson for young people with immigrant backgrounds who will neither be defined by their controlling families nor by prejudice and victimization from the majority population. Instead, they want to be heard and acknowledged for their diverse experience, and to be taken into account by politicians and policymakers when deciding policies to prevent negative social control.

She says this about her own process of coming to terms with her own experiences:

Myself, I did not know what negative social control was, to begin with. Putting it into words helped me legitimize my own experiences. After writing about it in the newspaper, I got many responses from others who experienced the same, and I started reading more about the topic.

She emphasizes how important it is to have a language with which to talk about negative social control, more specifically, a language that mirrors the complexity of the phenomenon. She is especially concerned that young people should not feel forced to choose either between their family and cultural background or living in freedom. She is clear that it is necessary to take negative social control and honor-based violence seriously without estranging and stigmatizing the people it concerns:

[The] stigma can be minimized if you have a language that does not require you to opt-out of your culture, a language that allows you to know that the social control has been inflicted on you, that it is not your fault. Too many times, it is explained and experienced as either/or.

In cases where there is a conflict between young people and their family, she stresses how important it is to know about the possibilities for working together with the family to solve the problems, and that this should be a well-known option in the help structures, as well as among the youth themselves.

Julia also emphasizes how the hearing about experience of other youths in similar situations is very important for young people, and that both real-life role models and characters from literature and movies can help create a reference frame which strengthens their ability to identify harmful practices of social control.

For many young people, I think that if they had tried to discuss it with their parents, they would not necessarily agree with them. They would probably say that 'we have given you all the opportunities you have wanted'. For this reason, it is important to have a conceptual framework from outside. To know that there are objective indicators, to a certain extent.

She continues:

There must exist a line between bringing up your child and inflicting negative social control on them. I usually say that it is a strong indicator if the rules become stricter exponentially as you grow older.

Agreeing with several other of the people we have interviewed, she says that there is not enough knowledge about knowledge about negative social control in the help structures. The indicators pointing to harmful practices of negative social control should be known to teachers, child welfare services and the police, and they should also be prepared for what to do when encountering them. After talking to young people across the country, Julia says her impression is that there is a general lack of competence on diversity. Youth who ask teachers for help with controlling parents can risk that the teacher's reaction is to consult their parents about it, something which is at best a breach of the young person's trust, and at worst potentially dangerous.

Finally, Julia calls for long-term political solutions that consider the embeddedness of negative social control in structural factors like discrimination and social exclusion. She points to that openness about experiencing negative social control from your family is made possible only through a feeling of trust and belonging in society.

For the future, Julia calls for a nuanced and fact-based approach to preventing negative social control.

What I would like is a mapping of the scope of honor-related abuse and negative social control, and who is affected. A lot is unrecorded. It is important to fight negative social control in a factual manner, in a language that avoids stigmatizing. I would like a better understanding of the nuances, and that more people took the problem seriously. It is important to acknowledge that negative social control is also connected to racism and discrimination, and to not ignore one side of young people's lives. It is possible to show the nuances. People are a combination of experiences and identities; you cannot design an either/or-solution for lives that are not either/or.

Empowering women to support each other

Claudia is originally from an African country, and she immigrated to Norway when she was little, as part of a family reunion. She describes herself as the kind of person who has always stood up against injustice. If something is unfair, one must do something about it.

She connects her involvement in the women's group to a personal mindset of fighting against injustice in the society, and with a wish to empower women. For her it is crucial to ask questions about what is unfair, and to strengthen women's rights. She continues that as a real social problem with serious life-threatening consequences, honor-related violence goes beyond women's rights.

Wanting to make a difference, she first became a member in a local women's network, later a board member, before she eventually became leader. She says this about how the organization aims to make change for women with an immigrant background:

How to create change? It is a complex phenomenon. If women do not stand up for themselves, they often return as victims back to these environments. What my organization does in the field of negative social control is to strengthen the woman so that she finds self-confidence.

Claudia sees the complex nature of the phenomenon as the biggest challenge, and says it is difficult to deal with, since it is such an ingrained concept in the lives of many. She is concerned that women who leave abusive marriages also have to break with their social networks, and that they are left alone with few help structures around them:

When you need help to cut the ties with your environment, you end up alone. Although in the beginning you are surrounded by social services, afterward it becomes difficult. No contact with anyone you had contact with before. Most of the network you had, the public network as well, gets lost with time. You must take care of yourself. It is always the victims who have to change their whole life, move to another place, cut their connection with their network. While the abuser still stays in that environment. We have to find a different way.

She explains that organizations like her women's network play an important role to support women who experience honor-related abuse, and that it is important that the organizations are there for them over time. It is an important supplement, as they need more support than is provided by public services, especially when they have had to break with their whole social network.

Claudia sees harder legal punishment as the most efficient way for the society to signal that honor-related violence is unacceptable. She also wants to make a clear distinction between honor and honor-related abuse, and to avoid exclusively portraying it as an immigrant problem:

Honor itself is not something negative, but it is something positive. For me, it means self-confidence, self-respect. And it is not only a social problem in the immigrant communities. On the contrary, it is also found Norwegian communities, and to varying degrees in all societies.

She is also concerned that an over-simplified focus on honor-related abuse as something which happens exclusively in immigrant communities, can contribute to a feeling of

stigma and alienation among youth. She cautions that if children of immigrants are seen as too Norwegian by their family on the one hand, while on the other hand not being accepted and included in Norwegian society, this too can contribute to fueling radicalization and crime as the youth feel marginalized and not really accepted anywhere.

At the same time, she sees hope, and like Anne, who works with negative social control in closed religious communities, she suggests that the next generation may also hold the solution to ending harmful honor-related practices:

Let new generations choose the positive components both in Norwegian society and in their culture of origin. Dare to say that I do not want that culture of honor, do not want my children to experience it. Culture is somewhat changing over time. My parents raised us in a different way than they would do now, and now they have a completely different understanding of child-rearing.

Working with imams to strengthen Muslim women's rights

Jamila has worked both as a project leader and as a volunteer, in addition to being a social commentator in Norwegian media. She has an active role in fronting women's rights in mosques. Her engagement for the topic started with her own experience of being forced to remain in an abusive marriage, fighting for several years before she succeeded in being granted a religious divorce. After going to the media with her experience, she discovered that she was not alone, and that many Muslim women stay in abusive marriages since they cannot get a religious divorce. What felt like the biggest betrayal to Jamila was the lack of support from her imam.

In my experience, there is a lack of engagement from imams. They do not dare to approach the subject. Many hide behind excuses, saying it is not my role. Many women approach imams with a wish to be granted a religious divorce but are advised to go back to abusive relationships.

Being in an abusive marriage, she struggled to get a divorce and to be recognized as single in the Muslim community because her then husband did not want to grant her a religious divorce.

When I first confronted the mosque, I felt like I'd run into a wall head on. After a while, I started thinking that the greater society should know that many women live in abusive relationships even though they want to break out. As for myself, I had the resources to carry on with my life regardless of the support from the mosque. Many others are not so lucky.

Angry and deeply frustrated, she decided on going to the media and highlight a situation she realized she was not alone to suffer. They wrote about her story, and the imam who had not wanted to help her was also named and interviewed. She says at first it seemed like he was a bit shaken from all the media attention.

He felt that his status was threatened, especially by the fact that the critique against him came from a woman.

Both he and others called her parents and asked them to “take charge of” their daughter. Her family supported her, but it was still unpleasant for her that the whole family was held responsible for her actions.

In the aftermath of the media attention, although she is no longer in contact with this imam, she has heard that he has started women’s groups in his mosque, discussing divorce rights and that women should not get married without a marriage contract. It also seems he now brings this point up in wedding ceremonies.

Jamila explains a lot of the success of the work against honor-related abuse in Norway as a result of women’s activism, both locally and nationally.

My impression is that media write more about this topic now and that an increasing number of women tell the world openly about their experiences. The women’s perspective in Islam has been more normalized.

From the stories of women who have contacted her, Jamila has concluded that more knowledge about honor-related abuse and awareness of its consequences are needed, not only among imams, but also in the police. It is important to be aware of the consequences for health and quality of life, and to stop practices that are discriminating and dangerous. Increasing knowledge about religious divorce is an important step to Muslim women’s freedom from honor-related abuse, according to Jamila:

Religious divorce is a complicated subject. I knew little about it before it landed in my lap, so to speak. It is important to know that the right to divorce does not violate the freedom of faith, as many claims. This is an issue of discrimination of women, and the women's convention should be the frame of reference.

Being queer and religious: Let those who know where the shoe pinches speak for themselves.

Radi is a member of an activist group for LGBT persons.

It all started with love and with who I was. Inside, I knew that there was something 'wrong' with me, that it was something forbidden. I had a need to live the same life that I saw other queer people live.

After coming out as gay, Radi decided to be a queer activist and to make his voice heard. His organization aims to create safe spaces where the members can feel safe and be themselves. In addition, the organization aims to be visible in public arenas and to contribute to public discourse. Radi sees a strong need to nuance the debate:

Traditionally, our cause has not been propagated by ourselves, it has been fronted by others, many of them very secular Muslims or other actors with ulterior and racist motives. LGBT rights have been used as a straw man argument to argue against immigrants by social actors on the right wing. Sadly, there are many who engage themselves in this field who do not have a genuine wish to solve the problem. The debate is so polarized, and the nuanced voices are not heard.

With the debate climate being heated and polarized, Radi finds it difficult to be heard, especially when he does not wish to contribute to stereotypes of homophobia in religious communities.

I feel that I am screaming at the top of my lungs without being heard. There is so much noise around us. There is a lot of 'I know better than you'. I am often told that I trivialize and downplay the problematic sides. Because I insist that what my family did was out of love for me, even though what they did still hurts me. I do not think you will get anywhere by further marginalizing an already marginalized group. Reaching out and embracing them is better.

Like our other interviewees, Radi is also optimistic about the possibilities of fighting honor-related abuse:

The last years you see more and more activists with minority backgrounds who take the microphone themselves. This is the key to fighting honor-related abuse in an anti-racist manner. Let those who know where the shoe pinches speak for themselves. We must draw a truthful picture of what is going on and involve those who are exposed to honor-related abuse. Otherwise, we will never make it.

In a country where you learn that your body is free, this happens

When she came to Norway as a child, Nora was already circumcised. In the late nineties, when Nora's friend was sent away and was also circumcised when she came back, Nora realized that even though you learn that your body is free in Norway, there was nobody stopping her friend's parents from forcing their daughter to undergo this harmful practice.

Nora remembers how she and her friend revolted against restricting norms in their community:

My friend was sent to [our parents' home country] because she had become a little too Norwegian. We were a bit too rebellious. At that time, we were not so many from our country in Norway, and we were hyper-visible. We were fed up with the negative social control in our community. The girls were not supposed to be seen or heard or to be outside. We were supposed to speak softly and to stay at home or inside. It was difficult to look at our Norwegian peers and the freedom they were born with. So, my friend and I did all we could, we signed up for talent shows and dancing contests, even though we were not allowed to by our parents. There was a rumor in our community that we were bad girls. Also, rumors that were not true. It ended up as a self-fulfilling prophecy – we thought that if they were saying all these untrue things about us anyway, why don't we just prove them right? So, the rumors made us even more rebellious.

When her friend was sent out of the country, Nora and her friends contacted the child welfare services several times but were not taken seriously. The school did not react to

her friend being away for months either – her mother told them that the girl was with her father and the school accepted it. The indifference from the Norwegian community around them fueled Nora’s anger.

She started to notice that several girls in her community were sent abroad only to return after a while and be engaged or circumcised. After seeing a television program about forced marriage, she got in touch with the leader of the organization for self-help for immigrants in which she is still working. She told the leader her story and was offered a job and asked to suggest measures to combat negative social control and honor-related abuse, based on her experience. Her work was later included in the background material for the first Norwegian action plan against forced marriage in 1998. She also spent a lot of time traveling to different schools and talking to the pupils about their rights.

While a lot has happened during the last decade, Nora states that there is still a need for increased knowledge and expertise:

The help structures need to become even better. The schools, for instance. How early do they need to let the police know when pupils do not show up for school? Too many times it is too little, too late. Several young people tell me that they have been dumped in the parents’ country of origin. Childcare services, schools and the health care system should know what to look for, and when to alert the police. Things are better now than in the 90-s, but there is still a need for change.

She points to educating newly arrived immigrants as an important measure to prevent negative social control and honor-related abuse. The introduction course for immigrants is an arena where you meet many of the newly arrived. Nora says that even though the pupils here are grown up, there is every reason to take negative social control seriously and discuss this with them.

You need a trained eye to be able to spot negative social control. An example – a woman wears a wedding ring to school, even though she is unmarried. When you ask her why, it turns out otherwise the men in her class harass her and make advances. But what is their teacher’s reaction? ‘Boys will be boys’! Even though the pupils are grown-up people, we found that they needed to have a teacher present during their breaks to prevent them from harassing each other.

Nora has arranged weekly discussion groups with the pupils, separate groups for men and for women. She says the groups have been a success, that many people have shared their problems and asked for help during these sessions, and that it is now easier for both pupils and teachers to approach the subject. Being careful with how you choose interpreters is also important in order to make the pupils feel safe and free to talk. Nora stresses that it is important to make sure that you use interpreters of the same sex, and preferably someone who is not familiar with the pupils or their network. Phone interpretation is a good alternative to avoid the risk that the interpreter is familiar with the network of the persons she interprets for.

Having worked with the organization for decades, Nora has met and helped many young people find their way in society. She says it is an honor to be given all this trust, and that it comes with great responsibility.

For us who work with these young people – they place their lives in your hands. You become their mother, psychologist, and best friend. So, it is imperative that we who are in this position have the competence to handle the responsibility.

Connecting the narratives – discussion, limitations and suggestions

These cases contribute to broadening our understanding. Firstly, of how individuals with immigrant backgrounds experiencing different types of honor-related abuse not only can overcome the situation, but also use their own experience to contribute to social change. Secondly, how they have played a crucial role in altering destructive norms, values, and attitudes, on the individual level as well as in society. And thirdly, how they have contributed to social change in Norway by participating actively in public debate, raising awareness and getting attention on the topic from policymakers and the helping structures.

The cases give us insight into diverse personal experiences and work methods. Our respondents are from different generations, with different cultural backgrounds and different religious views. What unites them is that they have a public voice and use it to make positive change. While many topics and positionings have been covered by

presenting these cases, we are also aware of some voices that are not well represented in our interviews. With only one of our interviewees being male, the perspective of boys and men who are exposed to honor-related abuse is underrepresented. The view from a parent standpoint is also missing, although we know several of our interviewees are parents themselves.

Still, with these limitations in mind, we feel that the cases represent a varied collection of positions and perspectives, all highlighting the necessity of the target groups being given a voice to speak for themselves, to have the power to define their challenges and to be a part of the solution. We asked all our interviewees the same questions about what they think are the important breakthroughs in the work against honor-related abuse and negative social control in Norway so far, what the challenges are, and what is needed in future work, and we will conclude the report with a brief summary of their replies to these questions.

Breakthrough moments

All seven informants have had experiences with honor-related abuse in some form, either as a victim or as a bystander. What we consider as unique is how the individuals use their own experience with honor-related abuse as a strength and eventually as a resource that allows making positive social change. This appears as the power of the voluntary sector, of working at the grassroot level. The informants have used various strategies such as participating in voluntary work, establishing a civil organization to combat different types of honor-related violence, or assisting and helping others, contributing to empowerment.

When talking about breakthroughs in the work to combat honor-related abuse on a national level in Norway so far, several of our interviewees refer to the structures that have been built, the action plans and the competence team. With expanding knowledge, the scopes of the action plans change, and several of the informants applaud how the current action plan includes chapters on Norwegian closed religious communities, as well as work with the family of victims of honor-related abuse. The knowledge structures that are built are available to service providers. Several say that they experience a demand both from municipalities and representatives from help

structures to collaborate on how to implement the existing knowledge in their work, showing both an awareness of the problem and a willingness to work with it.

A lot of the success of the work is due to activism, both locally and nationally. They point to more and more people having chosen to be open about their experience by joining the public debate, and how this has to lead to nuancing the understanding of the phenomenon, showcasing a pluralism of perspectives. The media attention given to honor-related abuse is also something that many refer to as pivotal. Several refer to specific cases that have been covered in the news which have become references for building a language and a way of understanding honor-related abuse and negative social control.

Challenges

The challenge expressed most often by the informants is the complex nature of what is coined honor-related abuse, and that finding solutions to combat it requires broad experienced-based knowledge and expertise. Our findings indicate that you can find a lack of knowledge and expertise in authorities and the police which makes itself visible as weakness in the work with identification, detection, and prevention. This prevents victims of honor-related abuse from being provided with the required assistance, something which might in the worst-case lead to serious and even fatal consequences.

It is a necessity that the support services such as schools, childcare, and health care services provide better services, act earlier, and that they know how to warn the police in the early phase, if there is anything suspicious like pupils who do not show up at schools for several days, and whose parents are not involved. The interviews give several examples of women in grave and dangerous situations who did not get the help they needed from the police or other public help structures. These stories also indicate that the competence on the topic needs to be increased, and that the police and child welfare services need to develop better routines for receiving and handling inquiries from people in need of assistance. One of the respondents points to the vulnerable position of young people who break with their families, and that the system tends to label them as emotionally unstable or even diagnose them with mental illness. There needs to be

awareness of the grave consequences for young people who break out, and a careful consideration of how best to help young people in this situation without adding to burden and stigma. Therefore, a well-established and well-equipped competence team is important, and their contact with and role in counseling local police and service providers appears as an important area to develop.

Many express that it is important to provide a space for people to speak up with their experience without fear of being stigmatized because of their country of origin, ethnicity, religion, and other social categories they have ties to. As it appears, unfortunately, honor-related violence and especially negative social control is portrayed as an immigrant problem, without giving any attention to whether it contributes to more stigmatization, discrimination, racism or social exclusion of immigrants. Many emphasize how crucial it is not to categorize and restrict it to specific cultures and ethnicities, but rather show the diversity of experiences and focus on the basic underlying mechanisms.

Preventive work

We find that several express a need for an increased focus on prevention, as it is better to put more effort into preventing the fire from starting instead of running from crisis to crisis, trying to avoid serious criminal acts. Prevention work has to include the parents and take into account how family networks and ties are both local and transnational. This is because transnational networks emerge as having an impact on family norms and values, by pressuring and controlling families to live according to the same honor-related values as in the country of their origin. One has to take into account which powers are working, and which actors need to be involved to reach a mutual understanding. As an example, a case from the Norwegian Mediation Service (*Konfliktrådet*) is mentioned, where it turned out that the parents living in Norway were pressured by their family abroad. To help the parents, the Norwegian penal code was translated to Urdu and sent to their family abroad to strengthen the parents leverage with their extended family.

Our findings support the idea that these problems not only affect girls and women, but also boys and men, as they also suffer from negative social control and honor-related

abuse. Therefore, it is necessary also to include the perspectives of boys and men in the work with identifying, detecting, and preventing.

Last words

These findings provide some tips and general principles for how to enable processes to contribute to change in society, both on the individual and societal level. The findings give us insight into how individuals get strength from their own experiences with honor-related abuse, create synergy and a movement which contributes to social change. We have seen examples of how grassroots movements impact policymakers to take action, introducing new action plans, new laws and regulations, and improving standards of social services to provide required assistance to victims such as protection, and other kinds of socio-economic assistance.

Finally, while it is important to continue building competence in this area, many of the respondents emphasize that good work with building an inclusive society in general, to continue to develop equal services for different groups and to strive for a common feeling of belonging, is the most important foundation for preventing harmful practices. We conclude our report with a quote from one of our respondents:

I think that solutions are not about designing specific action plans and laws but to strengthen the welfare state. You need to focus on getting the parents to work, to get mothers to work, to make the Somalian single mother feel safe and included at the parent meeting. To integrate, not assimilate, the parent generation. Create a greater and more inclusive definition of 'us'.

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