

**Final Report**

**Honour-based Violence (HBV) and**  
**Honour-based Killings in Iraqi**  
**Kurdistan and in the Kurdish Diaspora**  
**in the UK**

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Roehampton University, UK  
in partnership with  
Kurdish Women's Rights Watch**

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This report was prepared for the Kurdistan Regional Government, for agencies working on honour-based violence in Iraqi Kurdistan Region and the UK, and for all victims and survivors of 'honour'-based violence and their families.

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## ***Section 1***

### **Chapter 1: Introduction**

This Final Report to the Kurdistan Regional Government addresses 'honour'-based violence (HBV), and killings in the name of family 'honour', in Kurdish communities, particularly in Iraqi Kurdistan but also in the UK. 'Honour'-based violence<sup>1</sup> is a widespread and distressing form of family and gender violence occurring in many countries of the world.

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In 2008, the Iraqi Kurdistan Regional Government (KRG), on the initiative of the former PM, Mr. Nechirvan Barzani, took the unprecedented step of commissioning an international research project on 'honour'-based violence in Kurdistan and within the Kurdish Diaspora. The KRG is to be congratulated on taking this step to start to address the issue, as one part of a wider Government strategy, including the setting up of the Government Honour-based Violence Monitoring Commission in 2007, which later became the High Commission to Monitor Violence against Women. These initiatives were designed to contribute to the committed democratization and modernization process currently underway in Iraqi Kurdistan, including the integration of gender issues into social and public policy.

The study commissioned by the KRG was a pioneering and unique piece of research, breaking new ground for social researchers in Kurdistan Region. It was carried out between 2008 and 2010 by a consortium of senior researchers from the Centre for Gender and Violence Research, School for Policy Studies, University of Bristol, UK, and Roehampton University, UK, working in partnership with the Kurdish women's

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<sup>1</sup> We have used 'honour' in quotation marks in this chapter, at the beginning of this report, to signify the contested nature of a concept of honour which leads to violence and abuse. We have not used quotation marks, thereafter, in the later chapters which form the body of the report.

organization, Kurdish Women's Rights Watch (KWRW) which is based in London with an office in Iraqi Kurdistan.

The research was a practice and policy analysis, which aimed to enable social development and change in response to this pervasive form of violence, but also to evolve new theoretical insights.

The aim was to follow best practice in trans-national research on gender issues<sup>2</sup>, consciously attempting to avoid ethnocentrism and the imposition of Western ideas, and to understand and respect cultural issues and traditional practices, while working towards modernization. The team also took the view throughout that HBV is a wide-spread phenomenon and that Kurdish society and communities must not be singled out or stigmatized in this respect. Nevertheless, it is important that the issue is addressed in Kurdish communities, as well as in others, to lead to social development and to address harmful social practice where they exist.

The research was investigated in detail and then approved by the Ethics Committees of both the University of Bristol and Roehampton University. The Universities provided financial and project management and ethical oversight throughout, and also developed comprehensive risk assessment agreements, and security arrangements and procedures, which were complied with by all participants across the duration of the study.

### **The research team**

The research was a collaborative effort between the two UK universities and Kurdish Women's Rights Watch. The team was led by Professor Gill Hague, Professor of Violence Against Women Studies, and a founding member, twenty years ago, of the Centre for Gender and Violence Research, School for Policy Studies, University of Bristol. This Centre provides research and consultancy nationally and internationally on gender violence, within an activist frame where possible, and designed to lead to social development. Professor Hague has worked on violence against women issues nationally and internationally for nearly 40 years and has published about 100 publications on the issue.

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<sup>2</sup> Naples, 2002.

The major Iraqi Kurdistan section of the study was led by Dr. Nazand Begikhani, Senior Research Fellow at the University of Bristol and member of the Centre for Gender and Violence Research. Dr Begikhani has a long experience in research on gender and Kurdish women. She is a poet of international renown, advocate for human rights and a consultant on gender and human rights. She has over 15 years' experience in advocacy, writing and consultancy both at international and Kurdish community levels. She has provided expert advice on HBV to a number of government bodies. Between 2007-2009, she sat on the board of the High Commission to Monitor Violence Against Women in Kurdistan Region and participated, as an independent observer, in its seasonal meetings. Her work has had considerable influence on action and strategy to address HBV in Iraqi Kurdistan Region. She has published a number of publications on the subject in Kurdish, English and French.

The UK section of the research was led by Dr Aisha Gill of the Department of Social Sciences, Roehampton University. Dr Gill has had a national and international impact in the field of violence against women in minority communities, and has undertaken extensive research on intersectional criminal justice responses to rights, law and forced marriage; gendered crimes related to patriarchy; so called 'honour' killings and 'honour'-based violence in the South Asian/Kurdish Diaspora; acid violence; post-separation violence and child contact; trafficking; and sexual violence. She also has over ten years' experience of providing expert advice to government and the voluntary sector in the UK on legal policy issues related to the murder of women in the name of 'honour'. She has also published widely in peer-reviewed journals and is currently co-editing a book entitled 'Forced Marriage: Introducing a social justice and human rights perspective' that will be published by Zed in summer 2011.

The research was assisted by Ms. Kawther Ibraheem who worked as a research associate in Iraqi Kurdistan Region. Ms Ibraheem holds an MA in gender and identity from Exeter University and currently works as program officer for the International Republican Institute in Erbil.

### **Our thanks**

The research team, the University of Bristol, Roehampton University, and Kurdish Women's Rights Watch would like to extend our deepest thanks to the Kurdistan

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We are also most grateful to Ms Bayan Sami Abdul Rahman, High Representative of the Kurdistan Regional Government to the UK for her continued support and assistance.

Our gratitude goes to all the Ministers, government officials, policy officers, practitioners, police officers, lawyers, judges, MPs, women's non-governmental organizations (NGOs), shelters, journalists and media groups, and religious leaders in Kurdistan Region and the UK, who willingly participated in the study and generously gave their time.

Most of all we extend our thanks to the survivors of 'honour'-based violence and their families who agreed, sometimes at some personal risk, to be interviewed.

## Chapter 2: The existing literature

The UN Population Fund estimates that 5,000 women are killed in the name of honour each year, mainly in the Middle East and Asia, but also in Europe. However, it is impossible to determine the exact number of women killed annually, or to determine how widespread HBV is, as reports to the police are sporadic, not least because both male and female family members often try to cover up honour crimes. Also, many victims of HBV are abducted: they disappear and are never reported missing<sup>3</sup>. In this rather confusing context, it is important to understand what honour-based violence is and why it occurs.

### 2.1. What is honour-based violence?

Honour-based violence (HBV) is a form of intimate violence committed, most commonly, against (often young) women by husbands, fathers, brothers and male relatives. It has existed throughout history and in a broad variety of societies across the world from white European to African cultures, to South and East Asia to Latin America<sup>4</sup>.

Thus, the application of an honour code to women's conducts especially in terms of behaviour and sexuality is neither unique to Kurdish society, nor specific to Islamic cultures. Although there are commonalities between communities and societies that practice honour violence and killing concerning the notions that women should be considered to be both the 'property' of men and the repository of their honour, there seems to be no agreement as to what constitutes 'dishonourable' behaviour.

In overall terms, the literature highlights that honour codes and associated views about the subordinate position of women are embedded in broad social structures. They are part of a larger phenomenon that revolves around the values and norms that legitimize control of women's sexual and other behaviour by men, and impose restrictions on women's lives and activities.

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<sup>3</sup> Dustin, 2006.

<sup>4</sup> Abu Odeh, 1996.

While so-called honour killings may not be prevalent everywhere, the idea of honour exists in almost every society, though what this entails differs dramatically<sup>5</sup>. In these societies, while male honour depends on an individual's public reputation and, thus, is something that can be actively achieved, female honour is determined by the avoidance of certain behaviours and, especially, by sexual discretion. Thus, men acquire honour by virtue of their character and public behaviour, but they can easily lose it because of "dishonourable" behaviour by 'their' womenfolk.

Honour-based violence covers a wide range of actions including physical violence, assaults and killings in the name of honour, curtailment (sometimes very extreme) of liberty, basic rights or education, suicide and coerced suicide, enforced self-immolation, starvation, poisoning and forced marriage of women on the grounds of honour, including to men who have raped them. 'Honour revenge' is often discussed as a subcategory of honour crimes, along with abandonment, removal of children, aspects of female genital mutilation, forced virginity, forced hymen repair, forced abortion, imprisonment of partners who are disapproved of, and other forms of coercion and abuse<sup>6</sup>.

The most extreme form of HBV – killing in the name of honour - is tragically widespread. Reports submitted to the 2002 United Nations Commission on Human Rights document the continuing occurrence of the practice in Bangladesh, Brazil, Britain, Ecuador, Egypt, India, Iran, Iraq, Israel, Italy, Jordan, Pakistan, Morocco, Sweden, Turkey, Uganda and the United States<sup>7</sup>.

However, over the last decade or so, national and international efforts, new policy-development and activist campaigns have begun to challenge the practice in a variety of countries. This research is at the forefront of this new and challenging policy direction and represents a significant part of the pioneering contribution of Iraqi Kurdistan to the global effort to decrease violence in the name of honour.

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<sup>5</sup> Wikan, 2008.

<sup>6</sup> Welchman and Hossain, 2005; UNAMI, UNHR and ASUDA, 2009.

<sup>7</sup> United Nations, 2002; Begikhani, 2005; Gill, 2006; Welchman and Hossain, 2005.

## **2.2. Honour-based violence is best understood as gender-based violence**

From the international research, it is clear that the most appropriate context in which to consider honour-based violence is gender-based violence<sup>8</sup>. Gender-based violence is violence which is gendered in terms of who commits it, who experiences it, and why. The UN Declaration on the Elimination of Violence Against Women (1993) states that the abuse of women by men takes many forms, including physical, emotional and sexual violence, and is a continuing manifestation of unequal power relations and of the enduring notion across the world that women should, in a variety of ways, be under the control of men. Honour-based violence can be seen as fitting into this view. While some men do experience HBV and some women commit it, it is predominantly perpetrated by men and experienced, as noted above, by women, especially younger female family members.

This form of violence is also a gendered form of cultural behaviour within families and local communities<sup>9</sup>. Thus, in order to understand honour-based violence, it needs to be considered alongside both other forms of gender-based domestic violence, *and* specific social and cultural contexts<sup>10</sup>. Honour-based violence – crime committed in the name of honour – is usually differentiated from other forms of domestic violence in that it occurs within a framework of collective family structures and communities. It usually involves an act which is premeditated and which is used to attempt to restore honour as a family or social value system and norm, in a perceived or actual situation where such honour has been in some way threatened<sup>11</sup>.

Thus, honour-based violence usually results in the control of women's sexual and social choices by (mainly) male relatives, and the perception that women should obey strict codes of behaviour controlled by their male and senior family members<sup>12</sup>.

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<sup>8</sup> Begikhani, 2005; Welchman and Hossain, 2005.

<sup>9</sup> Welchman and Hossain, 2005.

<sup>10</sup> Gill, 2006.

<sup>11</sup> Gill, 2010.

<sup>12</sup> Sen, 2003; Welchman and Hossain, 2005.

Honour killings particularly occur when younger women have engaged in friendships, relationships, or even minor social contact, with men to whom they are not related or who are deemed inappropriate<sup>13</sup>. The likelihood of HBV occurring acts as a discipline on the overall behaviour of all women in the society. It further enforces and increases the control exerted by men, in general, over female relatives and has been suggested to make all women more unsafe<sup>14</sup>.

### **2.3. Honour, culture and religion**

An ongoing discussion in the literature involves what 'honour' itself means in this context and why violence is accepted as a method for remedying situations where it has been in some way compromised. Violence is thus used to bring some form of family or cultural resolution. Why does an act of collective violence neutralize presumed transgressions of behaviour?

A second discussion involves the role of culture and religion in the phenomenon<sup>15</sup>, as noted above. Thus, two principal interpretations of honour violence have emerged from these various debates. These are that HBV is:

- An expression of violence against women; and
- A reflection of cultural patriarchal practices.

Most commentators would view these issues as interlinked and overlapping.

### **2.4. Is HBV limited to some communities and cultures?**

The literature generally agrees that honour-based violence is widespread across the world, and always has been, as discussed throughout this chapter.

Patterns of family honour killings and violence are evident in Latin American and Mediterranean societies, various European cultures, communities in many countries of the Middle East and parts of South Asia, and in some migrant communities, including,

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<sup>13</sup> Welchman and Hossain, 2005.

<sup>14</sup> Gill, 2010.

<sup>15</sup> Coomaraswamy, 2003.

among several in the UK and other Western countries, the Kurdish community<sup>16</sup>. The practice is not confined to any particular type of society, community, religion, culture or social class/stratum. Thus, it is important to recognize that it is not possible to associate honour-based violence with one particular religion (for example, Islam) or culture. The practice is spread across a variety of religions and cultural groups.

Public attention to HBV often comes to light when details of a particularly shocking crime are broadcast in the media (sometimes in a sensationalized way). The community involved can then become stigmatized as a likely site of such violence, to the exclusion of other communities. The crimes involved are usually then either implicitly or explicitly identified with certain ethnic groups and communities (including, in countries like the UK, minority groups), which may then as a whole be viewed negatively and judgementally. This has been the case for Kurdish communities<sup>17</sup>.

Unfortunately, misleading perceptions confining HBV to certain ethnic groups or regions of the world have often then led to polarized and ill-informed debates about immigration and gender equality, especially in the UK and other European and North American countries<sup>18</sup>. However, it would be neither appropriate nor accurate to stigmatize particular Kurdish communities in this way, according to commentators in the wider literature<sup>19</sup>. The Legal Review in 2009 carried out by the Kurdish Human Rights Project in 2009 similarly finds that gender-and honour-based violence cannot be confined to any particular society or ethnic group<sup>20</sup>. Nevertheless, recognizing universality does not absolve particular societies from addressing the context-specific manifestations of these practices which occur in their region<sup>21</sup>.

Thus, in recent years, across the world, national and international initiatives have been developed, often as a result of activism by women's organizations and human rights

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<sup>16</sup> Gill, 2010; Meeto and Mirza, 2007.

<sup>17</sup> Begikhani, 2005.

<sup>18</sup> Gill, 2010; Meeto and Mirza, 2007.

<sup>19</sup> Welchman and Hossain, 2005.

<sup>20</sup> Kurdish Human Rights Project, 2009.

<sup>21</sup> Mojab and Hassanpour, 2002; Kurdish Human Rights Project, 2009.

bodies. These initiatives have begun to challenge the practice, and to put in place culturally-sensitive strategies and services to support victims of HBV<sup>22</sup>.

Internationally, attention has been given to the issue through CEDAW (the 1979 Convention to Eliminate All Forms of Discrimination against Women) and, in 2000, a resolution on honour crimes was circulated at a special session of the UN General Assembly. In 2002, the General Assembly adopted the Resolution on *Working towards the elimination of crimes against women committed in the name of honour* (UN Resolution 57/179). The Resolution urges member states to investigate honour crimes, to punish perpetrators and to take measures to “*raise awareness of the need to prevent and eliminate crimes against women committed in the name of honour, with the aim of changing the attitudes and behaviour that allow such crimes to be committed*”<sup>23</sup>.

However, in contrast to the high attention that HBV is beginning to receive at international levels, there has been, until recently, little attention (in either the media, or in academic research and government policy) to the issue in Iraqi Kurdistan. The study reported here is part of breaking that silence.

## **2.5. Researching a traditional cultural practice**

It was clear throughout this research study that issues of deeply held belief and cultural tradition are involved in the tragedy of honour-based violence and of killings in the name of honour. Traditional cultural practices are of value across the world and the research team were intent at all times to be sensitive to Kurdish traditions and to the belief systems of communities, cultures and individuals.

Cultural practices everywhere are not singularly beneficial or harmful. Indeed, it is the conflicted nature of ‘culture’ which often results in both its change and development, and also its longevity. Cultural beliefs and traditions usually have a root in promoting community or family cohesion, but may include harmful or damaging practices which, for example, allow men to dominate or control women and to use violence in this process. However, it is the belief of the research team that it is possible to preserve

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<sup>22</sup> IFWF, 2007; Idriss and Abbas 2010; Gill, 2009; Welchman and Hossain, 2005.

<sup>23</sup> Erturk, 2005: 171.

beneficial cultural aspects and traditions, while working to change harmful practices, especially those which lead to abuse of individuals and which discriminate against, or damage, women and girls.

The researchers consciously attempted at all times to avoid possible stigmatization of Kurdish communities specifically, and to locate honour crime in its wider societal context. Nevertheless, reform of traditional practices involving honour-based violence has occurred in recent years in various other societies, and this research is part of that trajectory in Kurdistan and in the Kurdish Diaspora. Modernization is now bringing economic, social and cultural changes, both negative and positive, to Iraqi Kurdistan, and initiatives to change harmful cultural practices are part of this modernization and democratization effort, to which this research is committed.

## **2.6. The case of Du'a Khalil**

The research was commissioned in Iraqi Kurdistan Region by the Kurdistan Regional Government to respond to concerns in Kurdistan about honour-based violence, particularly following the stoning to death of the teenage Yazidi girl, Du'a Khalil, on 7th April 2007, in the Ba'shiqah administrative sub-district of the Mosul governorate. During the stoning, official agencies were filmed failing to intervene. Du'a's case sparked off a national and international reaction, as the scene was filmed by mobile phone cameras and the footage was then broadcast across the world. According to women's rights groups in Iraqi Kurdistan Region, the footage effectively normalized violence against women and led to an increase in honour killing in the region. On March 27<sup>th</sup> 2010, the Mosul Penal Court issued a verdict condemning four persons involved in Du'a's murder. The four men are being kept in a prison in Mosul while the verdict is being sent to the Supreme Court for ratification<sup>24</sup>.

As a partial response to this atrocity, the Kurdistan Regional Government established the Honour Killing Monitoring Commission (later the High Commission to Monitor Violence against Women) on 17<sup>th</sup> June 2007. The Commission was initiated by the then

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<sup>24</sup> In the highly sectarian and tense situation of Iraq, Du'a's murder has taken a political and religious dimension with several unfortunate violent acts occurring, while, according to activists and experts, her murder was motivated purely by honour. See Begikhani, 2005. Also Begikhani, 2007, Daily Paper, 3 May 2007: 4. It should be noted that, following the verdict by the Mosul Penal Court, the Yazidi community protested the decision, saying it was an attempt to "*condemn the Yazidi community*". See [www.rudaw.net](http://www.rudaw.net), 'Yezidis are against the death penalty issued in Du'a's case' (Rudaw, 27 March 2010).

PM. Nechirvan Barzani who chaired its meetings, with Ministerial-level participation and with the aim of developing a coherent and effective response to the problem. This international, collaborative research was commissioned to start the process of providing evidence for the Kurdistan Regional Government, and for relevant agencies and women's rights organizations, to facilitate positive strategies to redress the problem.

## **2.7. Kurdistan: Contexts and history**

This report is written for both an Iraqi Kurdistan and an international audience. For this reason, we include a particularly lengthy contextualization section on Kurdish communities and Iraqi Kurdistan Region. This section provides information for the non-Kurdish or non-expert reader and sets the scene comprehensively, in terms both of background and history, and also of the present-day political situation and the position of women within this, in order to embed the findings of our research on honour-based violence. The coverage of the research study itself commences in Chapter 4.

# Chapter 3: Contexts: Iraqi Kurdistan Region and Kurdish Communities in the UK

## 3.1. The status of Iraqi Kurdistan Region

Iraqi Kurdistan Region is a constitutional entity within the federal State of Iraq, comprising three governorates in the north: Erbil, Sulaimaniya and Duhok. It borders Syria to the West, Iran to the East, and Turkey to the North. The area is estimated at 40,643 square kilometres with a rapidly increasing population of around 4 million<sup>25</sup>.

### Background history

Kurdistan (the 'land of Kurds') is a generally mountainous land, ranging over some 200,000 square miles, straddling the present state boundaries of Turkey, Syria, Iraq, Iran, and the former Soviet republics of Armenia and Azerbaijan<sup>26</sup>. Until the end of the First World War, Kurdistan was divided between the Ottoman and Safavid empires, which, according to the Zuhab Treaty in 1639, divided East from West along the Zagros Mountains. After World War I and following the *Treaty of Lausanne* (1923)<sup>27</sup>, Kurdistan was divided between Turkey, Iran, Syria and Iraq. Since then, Kurds have been involved in military struggle to defend their cultural and human rights, which have been violated at the hand of the different States sharing their land.

Kurds are predominantly Sunni Muslims, at around 60%<sup>28</sup>, following generally the Shaf'i school of legal thought<sup>29</sup>. Other religious groups in Kurdistan include different Shi'i sects, including Alavi and Ahli Haqq<sup>30</sup>, as well as the *Yezidi*<sup>31</sup> and Christians. Since the establishment of the Iraqi state (1923), Iraqi Kurdish chiefs have challenged various central governments on their failure to uphold their obligations to provide the Kurdish

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<sup>25</sup> *The Kurdistan Region in brief* and *A few facts about the Kurdistan Region in Iraq*, [www.krg.org](http://www.krg.org), retrieved August 27<sup>th</sup>, 2010.

<sup>26</sup> Dahlman, 2002: 273.

<sup>27</sup> The Treaty of Lausanne was signed in 24 July 1923, between the allies of the First World War and Turkey. It settled the Anatolian and East Thracian parts of Partitioning of the Ottoman Empire.

<sup>28</sup> For more information see Izady, 1992.

<sup>29</sup> Of the four schools (or *madhhabs*) of Sunni jurisprudence, Shaf'i is considered to be the least restrictive, the others being Hanafi, Maliki, and Hanbali. See Dahlman, 2002: 275.

<sup>30</sup> The Alavi population are found in South East Turkey (Northern part of Kurdistan), while Ahli Haqq, who share a veneration of the Imam Ali and draw heavily from Zoroastrianism, are settled in Iraqi Kurdistan.

<sup>31</sup> Yezidi Kurds practise an orally transmitted and syncretic religion linked to scripturalist religions such as Islam, Christianity, and Zoroastrianism. Fuccaro, 1999: 9-17.

population with their cultural and economic rights<sup>32</sup>. They have fought against different Iraqi regimes, taking refuge in the mountains. During this period, there have been periods of ceasefire, negotiations and unfulfilled promises by Iraqi governments, leading Kurdish leaders to resume fighting from their isolated mountain refuges. The Kurdistan Democratic Party (KDP) was founded in 1946 under the leadership of General Mullah Mustafa Barzani, taking up the leadership of the Kurdish nationalist movement in Iraq. In the late 1970s, the Patriotic Union of Kurdistan (PUK) was established, led by current Iraqi President, Jalal Talabani.

The establishment of the Ba'ath regime (1968-2003) in Iraq presented the Kurds of Iraq with their greatest and most deadly challenge. In the late 1960s, the KDP agreed to a ceasefire and talks with the new regime, but the Ba'ath government failed to fulfil the demands for autonomy by the Kurds, who insisted on the inclusion of Kirkuk and Mosul into an autonomous Kurdistan. The Kurds resumed military resistance and "*the Ba'ath regime initiated a policy of crushing the Kurds through military might and began an Arabization<sup>33</sup> process that continued until the end of the Ba'athist regime in 2003*"<sup>34</sup>. In the 1980s, during and after the Iraq-Iran war, the Iraqi regime launched several military campaigns against Kurdish combatants and civilians in Iraq. The most notorious military operation, named *Anfal*<sup>35</sup>, took place in the spring and summer of 1988<sup>36</sup>. The campaign included a series of military offensives conducted in six geographical locations in the Kurdistan Region<sup>37</sup>. Thousands of villages were destroyed. Approximately 200,000 Kurds, men and women of all ages, along with children were murdered or disappeared. A large number of villagers who survived deportation, imprisonment and mass murder, were put together in concentration camps called "*Mujamma'at*".

These atrocities have inevitably impacted upon present-day Kurdish society: "*The 35-year campaign of violence, deportation and mass murder that the population in the Kurdish region of Iraq*

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<sup>32</sup> Yeldiz and Blass, 2003: 31-32.

<sup>33</sup> A process designed to change the ethnic balance from Kurdish to Arab. Yeldiz and Blass, 2003: 120.

<sup>34</sup> Yeldiz and Blass, 2003: 21.

<sup>35</sup> *Anfal* is an Arabic word taken from Qur'an, *Surah* 8, literally meaning 'spoils/booty of war'.

<sup>36</sup> For more information on *Anfal*, see Middle East Watch (1993). *Genocide in Iraq: The Anfal Campaign against the Kurds*. Also see Randal (1997). *After such knowledge, what forgiveness? My encounters with Kurdistan*.

<sup>37</sup> Middle East Watch, 1993.

*had to endure during the tight rule of Saddam Hussein, has deeply affected the economic and social structures of the Kurdish society”<sup>38</sup>.*

In the aftermath of the First Gulf War in the spring of 1991, Iraqi Kurds took to the streets against the regime in a popular uprising which saw the liberation of most of Kurdistan from the Ba’ath agents. However, with the Ba’ath regime still in place, the uprising ended in a mass exodus of the population towards the Turkish and Iranian borders in March 1991, when the Iraqi army attacked Kurdish cities. It was then that Western Coalition forces established a no-fly zone or ‘safe heaven’ in Northern Iraq to protect the population against attack by the Iraqi government. Months later, Saddam Hussein withdrew the Iraqi Army and his administration, and imposed an internal blockade on Kurdistan. In 1992, the Kurdistan Front, comprising various Kurdish political parties, held general elections establishing the Kurdistan National Assembly and formed the Kurdistan Regional Government<sup>39</sup>.

In 1994, the two main Kurdish political parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) began a fratricidal war that lasted four years<sup>40</sup>. The war led to the end of the power-sharing arrangements between the KDP and the PUK<sup>41</sup>, and the division of the territory with the creation of two separate administrations, the KDP-led administration in Erbil and the PUK-led government in Sulaimaniya. Although the military conformation ended officially in 1998, the division continued up to May 2006, when, following the 2005 elections, the two administrations joined, and announced the unified Kurdistan government led by elected PM. Nechirvan Barzani.

According to the Iraqi Constitution, which was adopted following a general referendum in October 2005, the federated region of Kurdistan has judicial powers and can enact and implement criminal laws and procedure<sup>42</sup>. In 2007, the Kurdistan National Assembly

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<sup>38</sup> *Diakonia Newsletter*, 2008: <http://www.diakonia.se>, retrieved 27 August 2010.

<sup>39</sup> Begikhani, 2005: 209.

<sup>40</sup> The military conformation between the KDP and the PUK continued until 1998, when the leaders of the two parties signed a ceasefire agreement under the supervision of the Clinton administration and in the presence of Madeleine Albright, then Secretary of State.

<sup>41</sup> *The Kurdistan Region in brief and A few facts about the Kurdistan Region in Iraq*, [www.krg.org](http://www.krg.org), retrieved 27 August 2010.

<sup>42</sup> The Constitution of the Republic of Iraq (Dastur al-Jumhurait al-Iraq), year 2005, Article 121.

ratified the Justice Ministry Law<sup>43</sup> which, along with the Kurdistan Judicial Council, is designed to strengthen the judicial authority in Kurdistan Region. The Region has three official institutions, recognized in the Constitution of Iraq, including the Kurdistan Region Presidency, the Kurdistan Regional Government (KRG), and the Kurdistan National Assembly (KNA). Iraq's Constitution also recognizes the *Peshmerga*<sup>44</sup> as the legitimate military force of the region<sup>45</sup>.

Thus, Iraqi Kurdistan region has become a stable area in recent years: *"After decades of oppression and struggle, Iraqi Kurdistan is now a relatively peaceful region, one that is seen by many as an emerging democracy located in the middle of a volatile region"*<sup>46</sup>. Based on the Iraqi Constitution, 17 per cent of the Iraqi budget is now allocated to the Iraqi Kurdistan Region. Also, within the legal frame of Iraq, the Region benefits from its own trade activities. Since the fall of Saddam Hussein and with the contribution of some United Nations agencies, governments and international donors, the Kurdistan Region has shown considerable change, including the re-construction of villages, the building of schools and hospitals, and training for judiciary, police and medical professionals, as well as the establishment of women's and media groups. Until recently, the KRG had a Human Rights Minister to monitor human rights, as well as a Women's Affairs Minister. In a move to reduce the number of Ministries, these two Ministers were removed with the formation of the sixth Cabinet in Summer 2009.

Although government has been officially unified, several Ministries remain separate and affiliated to the old administration system of the Erbil-led and Sulaimaniya-led administrations. Today, there are still three Ministries, including the Asayish (intelligence and security), Peshmerga forces and Finance, which are yet to complete the process of unification started in 2006, and to end, once and for all, the legacy of the era of dual administrations<sup>47</sup>. Thus, the legacy of division still undermines the goal of a unified and properly functioning system of government, covering all parts of Kurdistan Region. While steps have been taken to bring greater administrative unity and considerable

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<sup>43</sup> See Law number 13 of year 2007 in <http://www.perleman.org/files/articles/101207013953.pdf>. It is worth noting that Article 2-- Clause 1 of the Law stipulates that the aim of the law is to establish justice and respect for human rights in Kurdistan Region in accordance with international human rights conventions and treaties.

<sup>44</sup> Name for Kurdish freedom fighters means literally 'those who stand in front of death'.

<sup>45</sup> Source: [www.krg.org](http://www.krg.org), retrieved 27 August 2010.

<sup>46</sup> Khalifa, 2010 (*Human Right Watch*, June 2010: 24).

<sup>47</sup> Source: [www.krg.org](http://www.krg.org), retrieved 27 August 2010.

progress has been made, this legacy of division can be witnessed still in government strategies and work in general, and in dealing with women's issues in particular.

### **Women's position in Iraqi Kurdistan**

While the exact number of the female population in Kurdistan Region is unknown, the large number of widows left by consecutive wars and genocide combined with the continuous migration of men in the 1980s, 1990s and the beginning of 2000s, have led to conclusions that women constitute the majority of the Kurdish population.

There is a growing population of unmarried females, widows and separated/divorced women in Iraqi Kurdistan. Women, who are deemed to be beyond the age for marriage, are defined with the stigmatizing term of 'qayra kch' (old girls). This population is on the increase for a variety of reasons, including the migration of men, the high costs of marriage and housing, and finally the exercise of greater choice by women, which is not always welcomed by men. As for widows, there are no exact statistics of their number in Iraqi Kurdistan Region. However, there are suggestions that the number of *Anfal* widows stands at approximately 50 thousand<sup>48</sup>. Regarding divorced/separated women, according to media reports, the number of separations and divorces has increased in Kurdistan Region in recent years. Rudaw weekly paper reported on 21 September 2010 that the number of divorces and separations increased by 66 per cent in 2010; 4792 cases of divorce and separation have been recorded in the first six months of 2010 in different Kurdistan Region's courts, compared to 4237 across 2009 and 3663 in 2008<sup>49</sup>. Most of these divorced women are between 18 to 30 years of age. Divorced and separated women seldom have the freedom to live alone. In most cases they have to go back to their parent's home. If they do manage to live as single women, with or without children, society stigmatizes them with pejorative names, such as '*talaqdraw* - divorcees', which places them and their families under pressure, intense enough to even result in murder and suicide<sup>50</sup>.

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<sup>48</sup> Many of these widows did not have the legal right to remarry, as the fate of their husbands was not clear; they were not registered as dead, but rather as 'disappeared'. The law could not, therefore, allow them to remarry. After the fall of Saddam Hussein and the discovery of mass graves, information about the fate of the 'disappeared' has begun to appear. However, many widows remain unmarried.

<sup>49</sup> Abdulla Rawa, September 2010: 1-11. The main reasons for this high number of divorces and separations, as highlighted by Judge Abd-al-Basit Farhadi, are: the lack of family education, lack of dialogue and tolerance between couples, infidelity caused by 'foreign' TV programs and soap operas, and wrong use of modern communication technology.

<sup>50</sup> Shakir, Taman June 2010: 13. In this column, famous Kurdish female columnist, Shakir, refers to the case of Saya Fatih who committed suicide on 2 June, a day after she received her divorce certificate.

## Gender Roles

Traditionally, gender roles have been clearly defined in Kurdish society. Women are wives and mothers, who look after the household and family, and men are fathers and heads of the family. Women have a lower status in the family as men dominate the private space through patrilineal relations, financial decisions and selecting partners for their children. Traditional forms of arranged, early and forced marriages are still in evidence, especially among the uneducated rural and tribal populations. Female virginity upon marriage is a requirement, and women are expected to show respect and politeness to men. Breaching such norms devalues women to the point of being perceived as 'shameful and dishonouring'.

## Legal Status

The Iraqi legal system is the foundation of law in Kurdistan Region, and, despite some reforms, Iraqi legal provisions remain in force. In 2008, the Kurdistan National Assembly ratified law number 15, and so reformed Article number 188 of the Iraqi Personal Status Code. The new law prohibits forced and early marriage and limits polygamy, making it 'conditional'<sup>51</sup>. Honour and preserving family honour in particular occupy a considerable place in the Iraqi criminal justice system. Apart from Articles 128, 130, 132, 377 which have been amended by the PUK- and KDP-led administrations in 2000-2001 (see section on the judiciary); there are other Articles that take a gendered approach to the assessment of crime and, in some circumstances, to the penalty imposed. These include Article 409 related to "adultery" (*zina*)<sup>52</sup>, Article 41 which allows for the 'established right' of a husband or father to 'discipline' (*ta'dib*) his wife or children "within limits established by law or custom"<sup>53</sup> and Article 393, which refers to rape as a private offence and, significantly, does not stipulate a minimum penalty and permits consideration of the victim's sexual history<sup>54</sup>.

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<sup>51</sup> Law number 15 of 2008, amended law to the Iraqi Personal Status Law number 188 of year 1959 for the Kurdistan Region-Iraq. See Judge and MP Al-bazzaz, 2009: 111-125.

<sup>52</sup> Article 409 provides that: 'Whosoever finds his wife or one of his female unlawfuls (*mahrams*) in an act of adultery (*zina*) or in the same bed with her partner, and immediately kills one or both of them, or assaults one or both of them in an attack that leads to death or permanent disability, shall be sentenced to imprisonment not exceeding three years'. Begikhani, 2005: 212.

<sup>53</sup> Ibid: 213.

<sup>54</sup> UNAMI, UNHR and ASUDA, 2009: 13.

## Education

For decades, school attendance for Kurdish children has been difficult as a result of war and displacement, but girls have been disproportionately affected<sup>55</sup>. According to a report by the Iraqi Family Health Survey in 2006/2007, 43.3 per cent of women in Iraqi Kurdistan are illiterate, compared to 19.6 per cent of men<sup>56</sup>. Some families, especially in rural zones and among uneducated sectors of society, stop sending girls to school, often forcing them into early marriage or into helping with household chores. According to a report covering 2006/2007 by the World Health Organization, over 26 per cent of women between the ages of 20-49 years are married before they reached 18, and 10 per cent of women and girls between 15 and 19 are married<sup>57</sup>.

## Health

In recent years, access to formal and institutionalized health care has increased in Iraqi Kurdistan. A number of local and international agencies have been involved in promoting the health of women in particular. Although not sufficient, there are special emergency health centres dedicated to treating women suffering from burns. Centres for psychological relief have started to operate in the main cities. The majority of women receive antenatal care and 58.7 per cent are assisted by a doctor during delivery<sup>58</sup>. However, according to the United Nations Children Fund, 19.8 per cent of women in the three Kurdistan Region's governorates do not receive neonatal and postnatal care<sup>59</sup>.

There are suggestions that in urban settings, women have access to contraceptives. Exact and reliable figures of usage are difficult to ascertain given the secrecy which is imposed upon women by the necessity to conceal their behaviour if they exercise reproductive choice, and the fact that such expressions of autonomy are not always welcome within the context of the patriarchal domination of social life by men<sup>60</sup>. We should also note that there is an absence of proper medical supervision and regulation of contraception,

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<sup>55</sup> Khalifa, 2010 (*Human Rights Watch*, June 2010: 25).

<sup>56</sup> See World Health Organization, 2006; *Iraqi Family Health Survey* (IFHS), 2006/2007.

<sup>57</sup> Ibid: 26.

<sup>58</sup> The World Bank, Fertility rates (total rates per woman), see [www.worldbank.org/indicator/SP.DYN-TFR.IN](http://www.worldbank.org/indicator/SP.DYN-TFR.IN), retrieved 27 August 2010.

<sup>59</sup> United Nations Children Fund, 2006, *Iraq Multiple Indicator Cluster Survey* (MICS).

<sup>60</sup> For the presentation of statistics on the use of contraceptive technologies in Iraqi Kurdistan, see HRW, June 2010: 28.

which again places the health of women in jeopardy. For abortion, outlaw status means that access to this service carries even greater danger.

While the security situation in Kurdistan Region is different from that in central and southern Iraq, because of the legacy of consecutive wars there and continuing social violence, women tend to suffer from depression and post-traumatic stress disorders<sup>61</sup>. According to UNFPA, there is a pressing need for interventions to help families and communities to cope<sup>62</sup>.

### **Employment**

Many women are now engaged in paid employment. In rural areas, women still engage in agriculture and tend to crops, animals and the household, while in the urban setting their position has shifted. Women are represented in the judiciary, police, primary and secondary education, higher education and other branches of the public sector, as well as in parts of the private sector. In the media industry, women are visible, but have only a marginal presence in mainstream media. They are invisible at the peak levels of ownership and control. However, there are eight women's media publications and two women's radios run by women's activists and journalists (for more information on women's media, see the later chapter on the media). Women are also visible and well represented in the work of NGOs. There are estimated to be 60 women's organizations run by women. Many are involved in campaigns to combat VAW, and attend local and international public forums, conferences and seminars, both as speakers and delegates. Even so, it remains the case that women are seriously under-represented in employment.

### **Political representation and public visibility**

Despite indices of disadvantage, women in Kurdistan have begun to make an impact. Following campaigns by women's rights groups, a quota for female representation in the Kurdistan parliament was imposed in 2005. At first, 25 per cent of seats were reserved for women, but this was increased to 30 per cent following further mobilizations. In the current parliament, of 111 parliamentary representatives, 41 are women. Until recently, two women MPs were at the head of their parliamentary factions, the Kurdistan and

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<sup>61</sup> See Dr Rashid, Rawust, March 2010: 16-17.

<sup>62</sup> Source: <http://www.unfpa.org/emergencies/iraq/index.htm>, retrieved 20 September 2010.

Goran Lists<sup>63</sup>. The Women's Rights Protection Committee in parliament has initiated several legal reforms and prepared draft Bills to advance women's rights, including the projected law on VAW and FGM. Progress has also been registered in the representation of women in the governorates' council, with 14 women in Sulaimaniya governorate, six in Duhok and 11 in Erbil.

Thus, while there has been progress, there is still a long way to travel. Very few women are represented in the leadership of Kurdish political parties and there is only one female Minister in the current government cabinet. The under-representation of women in political institutions, as well as in other key institutions of society, undermines access to resources and decision-making processes, contributing to continued discrimination and disadvantage.

### **3.2. Kurdish communities in the UK: Context and background**

*The emergence of a new Kurdish Diaspora took place in the context of a bloody conflict over Kurdistan, the homeland of the Kurds, which has been ongoing since the 1960s.*<sup>64</sup>

The Kurdish Diaspora has occurred due to the history of difficulties and discrimination experienced by the Kurdish people and, in the case of Iraqi Kurdistan, to the recent genocides, wars and militarization, as described above. Census information on the number of Kurdish immigrants, refugees and citizens residing in Western nations is not available in many countries because the statistics collected by various government agencies are based on country of origin. Thus, Kurds are considered to be Iraqi, Iranian, Syrian or Turkish nationals<sup>65</sup>. According to the Institut Kurde de Paris most estimates suggest that there are more than one million Kurds in Western countries<sup>66</sup>.

While there are substantial Kurdish communities in the UK, particularly in London, there are no reliable statistics on the Kurdish population due to the reasons noted above. According to estimates provided by Kurdish Organizations (such as the London-based Kurdish Cultural Centre), 65-70% of people originating from Iraq are Kurdish (with figures of 70% for those originating from Turkey and 15% for those from Iran).

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<sup>63</sup> The Head of Goran List, Ms Kwestan Muhammad was replaced by a male MP in summer 2010.

<sup>64</sup> Mojab and Gorman, 2007: 62.

<sup>65</sup> Mojab and Gorman, 2007: 63.

<sup>66</sup> Source: <http://www.institutkurde.org/en/>, retrieved 6 January 2010.

Applying these estimates to the 2001 Census figures suggests that there are about 11,200 Kurds originally from Iraqi Kurdistan. However, this figure is increased by undocumented migrants and those who have immigrated since 2001. According to figures collected by Kurdish community organizations from reports, publications and interviews, the Kurdish population in the UK could be between 130,000 and 300,000, though most estimates put the maximum at 200,000. The Kurdish population in London is estimated at 60,000 to 80,000.

### **3.3. Kurdish migration to Europe and the UK**

In the last few decades, many Kurds fled repression and instability in their homelands to seek asylum in Europe and North America. Kurdish migration to Europe mainly began in the 1960s when a significant number of young Kurdish intellectuals migrated for educational reasons. Most were from Iraq but some came from Iran, Syria and Turkey<sup>67</sup>. During the 1970s, the balance changed due to the influx, particularly to Germany, of Turkish Kurdish migrant workers responding to the demand for unskilled labour in the rapidly expanding European economy at the time. In the late 1960s and 1970s, and particularly after the difficulties faced by the Kurdish movement in 1975, other small groups came from Northern Iraq because of the conflicts in the region. In the 1980s and 1990s, migration from Iraq increased significantly following uprisings, the aftermath of the Gulf War and the repressive actions of Saddam Hussein's regime, including the brutal *Anfal* campaign.

By 1999, the number of Kurds in Europe probably exceeded 750,000<sup>68</sup>. In the last decade, an overwhelming majority of the Kurds coming to the UK has been asylum seekers, many fleeing from the recent war in Iraq, as well as the consequences of the fratricidal confrontation in Kurdistan Region, though some have been students, professionals or business people.

Ethnic and national identity has become strong among the immigrant Kurdish population. Martin Van Bruinessen (2005)<sup>69</sup> highlights the intimate connection between exile and nationalism, arguing that:

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<sup>67</sup> McDowall, 1997.

<sup>68</sup> McDowall, 1997.

<sup>69</sup> Van Bruinessen, 2000: 5.

*The awareness of Kurdistan as a homeland, and of Kurds as a distinct people, has often been strongest in those Kurds who lived elsewhere, among people of different languages and cultures. ... It was exile that transformed Kurdistan from a vaguely defined geographical entity into a political ideal.*

As with other migrant communities, the second generation have shown strong interest in their origins, with “*the desire to discover ‘who I am’ led to a significant surge of interest in political and linguistic identity among younger Kurds during the 1980s and 1990s*”<sup>70</sup>. As a result, a significant number of Kurdish political and social organizations, together with workers’ associations and women’s organizations were created from the late 1970s and 1980s onwards, with specialist support organizations set up in the 1990s and 2000s to assist Kurdish refugees and asylum seekers. The women’s organizations have been very active in supporting Kurdish women in the UK, particularly in London, campaigning around issues for Kurdish women such as HBV and polygamy, providing assistance, support and publications from the Diaspora for women in Iraqi Kurdistan, and working with the British State, the Foreign and Commonwealth Office, the police and other agencies to put in place policy improvements. They also educate these bodies on issues for Kurdish women, combat discrimination or stigmatization against women, and campaign around individual cases of HBV in the UK and potential inadequacies in agency responses.

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McDowall, 1997: 457.

## **Chapter 4: Aims and Methods of the Research**

### **4.1. Aims of the study**

The study was conducted between September 2008 and November 2010. The research aims overall were to provide:

- Robust evidence
- Policy and practice recommendations to assist in tackling honour-based violence in both Iraqi Kurdistan and the UK.

The main aims and objectives were to:

- Assess the nature and extent of honour-based violence (HBV) and honour-based killing in Iraqi Kurdistan and the UK Kurdish Diaspora, and to evaluate the impact of these practices on women's experiences in Kurdish communities.
- Investigate how HBV in Kurdish communities is understood, including within cultural and family traditions, and the representations that appear in the Kurdish media in relation to gender relations and family honour.
- Compare the emergence, definitions and development of honour-based violence in Iraqi-Kurdistan and the UK, and provide data to support interventions in both countries.
- Build on the research data to develop:
  - a) An Action Plan for the Kurdistan Regional Government and agencies in Iraqi Kurdistan, based on this research evidence and resultant good practice and policy strategies.

- b) Research evidence about the nature of honour-based violence and wider strategies to challenge its occurrence (including data collection and policy and practice development).
- c) Recommendations for policy-makers and agencies in the UK.
- d) Contributions to the work of women's organizations and NGOs working on the issue in both Kurdistan and the UK.
- e) Hold a Summit Meeting and Research Launch with the Kurdistan Regional Government and relevant bodies in Iraqi Kurdistan to present the Action Plan.

## **4.2. Methods used in the study**

The full methods used in this mainly qualitative study are described in detail in the Appendix. Detailed contracts, management agreements, ethical agreements, risk assessments and security policies were developed initially, and a research officer was employed by Kurdish Women's Rights Watch to assist with the fieldwork in Iraqi Kurdistan Region. One hundred and twenty semi-structured interviews were conducted with legal representatives, government officials, police, MPs, women's NGOs, media groups and other agencies in Kurdistan, including 12 in-depth interviews with honour violence survivors and family members. Investigations into several honour killing cases were carried out. In addition, 11 informal interviews were conducted with survivors of self-immolation and burning at different hospitals as well as two detainees at a junior detention centre. The interviews numbered 131 in overall. A total of 34 interviews were conducted with various professional agencies in the UK, including police, criminal justice and government officers, and front line women's organization working on HBV in London, together with four detailed case studies of cases of honour killing which were carried out with multiple interviews with family members and the professionals involved. The research team adopted participant observation methods and also followed these cases through the courts and directorates to follow up VAW. All the interviews were subjected to a thematic analysis using both NVivo computer analysis soft ware and manual analysis. A media monitoring exercise was carried out in Kurdistan across the life of the project, and subjected to a textual analysis. The findings across the different sections of the study were compared and further developed into policy evidence, recommendations for both Iraqi Kurdistan Region and the UK and an Action Plan for Iraqi Kurdistan.

## ***Section 2: Iraqi Kurdistan Region***

### **Chapter 5: Understandings and experiences of honour-based violence in Iraqi Kurdistan Region**

The following sections are based on 120 in-depth interviews conducted in Iraqi Kurdistan Region, in cities and villages, including with: 12 victims/survivors, 14 police officers, 15 prosecutors, 26 women's NGOs, nine shelters, eight journalists and media representatives, six health professionals, four faith leaders, two perpetrators, four international NGOs and 15 decision makers, including ministers, governors and MPs. Multiple interviews were held with five further family members in the cases studied.

In addition to the in-depth interviews, the following chapters have been informed by informal interviews and discussions with a number of victims of burnings, including self-immolation, 'incident-based burning' and forced burning, at the different burning units in Kurdistan Region's cities. The interviews numbered 131 in total. Also, the sections are informed by meetings and discussions with women at different shelters and women's detention centres. Furthermore, the research team participated in a number of women's meetings, seminars, conferences and roundtable discussions on HBV in Iraqi Kurdistan Region. Informal meetings and discussion with media representatives, school teachers and pupils, staff at the Institute for Judicial Medicine, police officers and clerics during our visit to mosques, as well as court observations, have also informed the discourse.

Regarding the cases of honour based violence investigated, the research team met some family members at home as well as at women's shelters, and studied their files and document, kindly put at our disposal and accessed at police stations, courts and the Institute for Judicial Medicine. Also, qualitative press documents were used to support some of the cases and a textual analysis was made of media sources during the media analysis part of the study.

## 5.1. Understanding honour-based violence

Honour-based violence, as described in the Introduction, can be defined as any act of violence and abuse, actual or threatened, perpetrated against individuals, mainly women, by members of the family and community in defence of their honour. Although men are the main perpetrators of honour crimes, women are not excluded from exercising oppression and carrying out honour based violence<sup>71</sup>.

While there is an increasing and welcome recognition of the problem in Iraqi Kurdistan, our research findings demonstrate that there is a lack of a clear and agreed definition of honour-based violence. This is true at the level of government, as well as within human rights and women's rights groups. After June 2007 and the establishment of the government High Commission to Monitor Violence against Women (we will call it the High Commission throughout this report)<sup>72</sup>, the term violence against women (VAW) started to appear in some government documents and publications<sup>73</sup>.

Women in Iraqi Kurdistan Region are subjected to many forms of physical, emotional and psychological violence<sup>74</sup>. However, not all experiences of violence against women can, or should be, described as motivated by honour. It is the judgement of the research project that greater precision by all agencies involved in the task of overcoming HBV is required, in order to understand and therefore properly tackle the problem.

From 2007 onwards, the High Commission met four times a year, chaired by the then Prime Minister, Nechirvan Barzani, and established three Directorates in the three Kurdish governorates, under the supervision of the Ministry of Interior Affairs with the remit of tackling the issue of VAW in Kurdistan Region, including HBV and honour killing.

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<sup>71</sup> Begikhani, 2005: 210.

<sup>72</sup> High Commission on Violence against Women was set up in 17 June 2007. It consisted of the KRG Ministers for the Interior, Justice, Education, Religious Affairs, and Civil Society Affairs, Ministers from the then Ministries of Human Rights, Ministry of Sports and Youth and Ministry of Women's Affairs, as well as the Department of Foreign Relations, representatives from the Council of Ministers and Police Departments.

<sup>73</sup> "Killings of women" (qatl al-nisa). The records give only the number of each case and the name of the police station recording the case.

<sup>74</sup> Faraj and Shwan, 2003: 4.

These Directorates have started to set up structures to collect data on violence against women, to record and classify the data under different categories and to make them public in bi-annual reports<sup>75</sup>. However, the Directorates have not concluded a unified, agreed definition of the phenomena, and none of the government units dealing with VAW use the term HBV.<sup>76</sup>

It is worth noting that while there is no agreed definition of HBV and honour killings, the issue has been addressed at the High Commission's meetings and reported in local media outlets. Hence, on 17 June 2007, at the first meeting of the High Commission, the former Prime Minister told the meeting that: "*the term of "cleansing dishonour", which is stipulated in the Iraqi Penal Code, should be replaced by a term that captures the negative aspect of the act, for the idea of "cleansing" can be publicly perceived as positive*". He suggested that honour killing be defined as "*a pre-meditated act to murder an innocent soul*"<sup>77</sup> by family members and relatives.

## **5.2. Understanding honour in Iraqi Kurdistan**

One of the KWRW activists interviewed during this study explained the problem of honour in Kurdistan:

*I was on my way to school in Kirkuk when I saw a crowd of people, with policemen and blood stains covering the doorstep of the house and the walls. I asked a boy of my age what was going on. He said, "Ahmad bought his honour." It didn't make any sense to me. I kept on asking him what do you mean "he bought his honour". He said Ahmad had killed his sister. Heading towards my school questions filled my mind, what is honour? How it could be sold and bought? This incident left me with a deep fear that one day I might face the same. And the feeling that I had to protect myself so my family will be safe.*

(Female activist)

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<sup>75</sup> The reports were made public twice a year; however, for the meetings of the High Commission to Follow up VAW, the Head of the Directorates used to present their data quarterly. Based on interviews with former Head of the Sulaimanya Directorate to FVAW, Mr Nariman Abdulla Qadir, 2 December 2009, Erbil. Mr Qadir has been generously dedicated his time to the research team who conducted two semi-structured interviews with him plus several complementary discussion over the phone.

<sup>76</sup> It is worth noting that the lack of a unified agreed understanding by the Directorates is reflected in their work. The lack of a unified system within the KRG in general, and in dealing with women's issues in particular, can be seen as one of the reasons hindering the effective addressing of this problem. The outcome contributes to a lack of coordinated strategies and policies in government on women's issues.

<sup>77</sup> Khabat daily newspaper, 18 June 2007: 1.

It is important to understand what is meant by honour and why it is used to justify violence against women by some people in Iraqi Kurdistan Region. The collective entity, whether family, clan, local community or wider nation, provides the codes by which honour and dishonour are measured, and honour codes place a particularly heavy burden of responsibility upon women. Women are expected to be chaste, virginal prior to marriage, obedient, subservient, docile and modest, and to comply with the demands and word of the male members of their family. According to our respondents, highly restrictive boundaries are often created in relation to dress and attire codes, physical and social mobility, education, relationships with the opposite sex, and choice in love, marriage and divorce.

This dominant representation of honour, and the position in which it places women, finds reflection in popular discourse, as demonstrated in the following quotes from wide-ranging participants in our study:

*Our society perceives women as honour. So if a woman makes a mistake, she is seen as dishonoured and this affects the family's honour.*

(Female civil servant)

*In the Kurdish community, honour is linked to woman's sexual conducts/relations.*

(Male human rights activist)

*Honour in our measure is a product of men's way of thinking. Men's mentality defines the border of honour in our community. Once you cross the red-line, you will be alienated, labelled as an outsider. These measures can be very restrictive, even someone who just advocates women's rights can be perceived as an immoral woman.*

(Female judge)

*Honour in our society is linked to the hymen, virginity.*

(Health functionary)

*Honour is embodied in women, because of women's biological role in reproduction.*

(Senior KDP official)

*There is nothing more valuable for a woman than her honour. Once lost, it can never be regained and she is finished.*

(Elderly woman interviewee)

*Honour is a principal based on Kurdish custom and norms, which represents honour in women's bodies, their social and sexual conduct. In this context, the freedom of women is seen as a violation of traditional norms and customs.*

(Senior Goran official)

These understandings are a recurrent theme of our findings, particularly across the data sets of professional agency interviews. While the issues were more prominently discussed in the interviews with women's NGOs, they also emerged in other professional interviews. When the prevailing public perception holds honour to be embodied in women's body and sexuality, any attempt by women to resist control by men in the family and step beyond the restrictions of social borders brings the danger of damage to reputation, and the individual and their family being perceived as 'shameful' and 'dishonouring'. The broader collective will often directly and indirectly remind the so-called errant family that the fall from grace requires remedial action. To dishonour is thought to require punishment and publicly legitimized sanctions.

### **5.3. Honour-based violence in practice, including case studies**

In order to capture the nature of honour-based violence in today's Kurdistan Region, we present the experience of four survivors of honour-based violence from the 12 cases we studied. The cases illustrate the different forms of honour-motivated violence that women experience and the specific dynamics, including limiting freedom and punishment following love relationship, deprivation from education, forced marriage, and public dishonouring through the use of information communication technology. The four cases shed particular light on the concrete reality of the practice. The first three survivors were living in shelters. (Names and locations have been changed or omitted and their dialect/form of speaking edited to safeguard identity). The fourth woman is an independent woman, who decided to fight her case and agreed that her real identity be revealed. We met her in a public place in Erbil. This rich qualitative data sheds light on

the definition of honour and the violence which can follow when reputations and honour are brought into question.

**“Falling in love is a sin”: the case of Avin**

“The main problem was that I fell in love with a boy who proposed to marry me. My family agreed in the beginning, but later refused...They see love as a sin. So my family stood in the way of my marriage...Then, my fiancé said we had to be together, whether they liked it or not. So, one night I ran away with him and we went to the ... area asking for protection. There, we were told that they were not allowed any longer to deal with such cases. So my fiancé called his cousin in a nearby village, who accommodated us for two nights. He couldn't protect us any longer because my brother threatened him. So, the third day, we were taken to the police station” (Victim in women's protection house, location withheld). The rest of the story is narrated by her case worker: “Her family members did not consent to the marriage because she fell in love. For them... girls are not allowed to fall in love. She told me that she was a clever student, but her family deprived her from continuing her schooling. That is another form of abuse against young women...” (Female case worker, location withheld)

**“He raped me and then threatened me not to tell anyone”: the case of Zara**

“When I was 15 years old, one night I was staying at my brother's house, with my sister-in-law, who is also my cousin, while my brother was away. That night her brother (my cousin) slept over. I was sleeping in the same room as my sister in law with the baby's cradle between us. Her brother came to my bed at night and I started to scream for help, but my sister-in-law did not react. He raped me and threatened me not to tell anyone; otherwise he would inform my brothers that I asked him to make love with me, that I gave myself to him. I did not say anything to anyone. After four months ...the doctor said that I was pregnant, my mother paid a midwife 400 US dollars to abort the baby. It was done in a dark room and, as soon as it was finished, I had to leave. Later, my father and my uncles and my school found out about it. I had to stop going to school and my family got together and asked the man to marry me, even for two months -- to save face. But he refused and denied the act. Later my brother accompanied by his brother took him to the suburbs and killed him. My life was then in even greater danger. I was not

afraid of my father, but from revenge. Then officer J came and saved me. I heard later that my family and his family tried to negotiate a Namusana (a sum of money or a piece of land given as the price for honour and the bloodshed” (Victim).

Zara had to be taken to a refuge for her safety.

**“My father married the daughter of the man I was given to” : the case of Lana**

“I was thirteen years old and given away by my father in exchange for another woman in a *jn ba jn* marriage arrangement to a man who was in his 50s and already had 11 children. In exchange, my father married the daughter of the man I was given to. I have lived with my husband and his eleven children for thirteen years. I have been abused, beaten and suffered during all these years.

I found myself falling in love with another man and we were close. Later, my husband knew about the relationship and one of my stepsons attempted to kill me, but people intervened and stopped him. After that, I was arrested along with the man and accused of adultery. I was put in a detention centre for one year and a half. He was asked by the court to pay 2000 US dollars to my husband as divorce compensation.

Now, my father regrets what he did. I don't think that he will kill me, because he feels guilty and told me he would protect me. I have to stay in this place until my problems are resolved. I have been in this protection house for one year (after the year and a half in the detention centre)

I regret my act, because I have two kids who are now separated from me. After my divorce, I would like to go back to my father's house. I am only afraid of people, of what they say about me.”

**“They made a prostitute out of me”: The case of Azeema**

**Cyber-abuse/public dishonouring through information communication technology**

“I was a successful political cadre. I did not have support inside the politburo, but rather gained support of the public and grassroots. When I nominated myself to stand for the parliamentary elections in 2009, my name was deleted from the list.

They did not want me to stand for the elections and removed my name and put in a substitution one. [...] They could not directly intimidate me, but after I nominated myself for the Kurdish parliament, they went for me and tried to dishonour me publicly. [...] They produced pornographic footage and circulated it through mobile phones saying that the woman in the footage was me. The footage was also publicized by women's representatives. It has been circulated to a wide range of people. You know, if they write something negative about you on the internet, it is not that bad, but making a prostitute out of me -- me a sister of a martyr -- this is the first case of its kind.

When I heard about that, I immediately informed my family. I was confident. The woman in the footage was not me and it was important for me to let my family know. [...] Later, I spoke out and talked to the media. I am not accusing the whole [...], but certain people inside who have a sick mentality, those who did that to me. After that, they released a statement which was published in some local media outlets, condemning the act, saying the woman featured was not me and calling upon the public to stop circulating the footage “out of their human and party duty”. [...]. I took the case to the police, but, because of political intervention, there was no follow up. What is sad is that women rather than men participated in preparing the pornographic footage. It turned out that I was jeopardizing the position of those women because I was different from them. [...]

I receive calls from numbers which belong to officials from both parties, and they intimidate me. I now carry a gun. I no longer have guards, because their salaries were cut off. I have lost everything. I had my salary, my status, and my reputation put at risk. My child and I are now staying with my mother.”

The experience and observations of professionals and advocates provide further testimony to the reality of the practice of honour based violence in Iraqi Kurdistan Region.

*HBV is prevailing and we deal with it in our shelter on a daily basis. It happens because of the morality code which is perceived as sacred in our community. So any act that breaches this*

*sacred code could lead to violent acts. The cases we deal with are different: there is a case of a woman who has been physically abused by her husband, her face was distorted by battering and he cut her nose off.*

*There is another case of a woman whose lover has been killed and her life is in danger. You know being in love in this community is still perceived as something bad/shameful.*

(Female activist)

*Violence takes different forms ranging from discriminatory treatment of girls at home like preventing them from going out... Women are also sometimes coerced not to speak in the presence of men.*

(Male medical doctor)

*Under social pressure or because of psychological problems, women mostly commit suicide by self-immolation or by gun-shooting. They also use rope to hang themselves or overdose on medicine. In this month I had two cases of hanging by rope...Most of the women are exposed to unjust treatment and beating on a daily basis. Cases do reach the court, but many women eventually give up, fearing divorce.*

(Female judge)

Dishonour, 'a'r', and shame, 'a'ib', are caused by breaching a variety of social and sexual boundaries for women, such as going out frequently, wearing cloths perceived as unacceptable, forming overt love relationships, losing virginity before marriage, and having sex outside marriage. Maintaining and restoring honour requires removing the a'r through the act of cleansing or purifying "ghasl" the honour, which consists of punishing the perceived "dishonoured" person, even to the extent of physical elimination. Killing is the most severe act of violence, but in our findings, women perceived as 'bad', dishonourable or shameful had also undergone physical abuse and torturing, confinement, the control of their movements, coercion, deprivation of education, forced and early marriages, mutilation -- including the cutting off of ears and noses -- and FGM, forced divorce, rape, forced abortion/infanticide, forced suicide/self-immolation, forced prostitution as punishment, and public dishonouring. While most of these acts

of violence were levelled against women, our findings have shown that men are also face murder, especially in case of love affairs and rape<sup>78</sup>.

We have also attempted in the study to address the new issue of cyber-abuse and public dishonouring, through modern information communication technology (further discussed, additionally, in Section 5.5). Using new technology, women can now be easily dishonoured by materials, real or fabricated, published through mobile telephones, the internet and cyberspace. They may then be subjected to further direct honour-based violence as a result. Alternatively, footage of honour killings and violence may be broadcast for salacious purposes. In the case of the 'successful' political activist, Azeema Baboli whose situation was described in the box above, it seems that there was a coordinated action to dishonour her publicly through modern cyber-technology, but was told at the time by the police: "*do not raise this issue and it is better for you not to publicize it as your life is at risk.*"

#### **5.4. Mapping the extent of HBV**

Identifying the scope of HBV is not easy. As we have noted, it encompasses a broad range of practices, ranging from control over attire and physical presentation and movement, to access to cultural goods and services such as education, to the limitation of sexual choice and arranged marriage, to physical violence and maiming, including murder.

However, methodological problems prevail in data collection, and statistics are hard to come by. It is only in the last couple of years that the authorities have been in a position to even begin the task of collecting data. In addition, there is the problem that, even in its most extreme form, HBV is resistant to exact measurement. For instance, it is not always possible to determine when a suicide is, in reality, an act of auto-destruction, or whether it is an act performed under duress, or is the false representation of a murder. In this regard, the research team was sensitive to the claims that many supposed acts of self-immolation and burns accidents appear to be authored beyond the victim. As the

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<sup>78</sup> For more information on this subject, see Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah and Duhok, KRI, 6 to 20 January 2010, Copenhagen, March 2010, in [www.nyidanmark.dk](http://www.nyidanmark.dk), retrieved 12 August 2010.

Director of the Emergency Nursing Centre (ENC) in Erbil Dr Rawand Mushir Hawezi told us: “it is difficult to get accurate statistics on burning cases related to HBV, as women do not talk. They do not file complaints against anyone, as they are afraid”<sup>79</sup>. According to the Head of Erbil DFVAW, Mr Ari Rafiq, women who experience burning and end up in the emergency hospital, “do not tell the truth, as they are afraid if they survive, their family would kill them”<sup>80</sup>.

With investigative skills and technologies operating at a low level of development, and with policing and judicial systems open to political influences, to presuppose under-recording is a reasonable assumption. When we add to our understanding the fact that honour killings will be conducted in secrecy and that the fate of victims may be regarded as beyond the proper jurisdiction of the law, the difficulties of data collection are greatly multiplied<sup>81</sup>.

However, overall, according to statistics by the Directorates, the clearly identifiable murder of women in recent years has decreased, and reports and official statements claim that there have been more burning/self immolation cases, as well as more women issuing complaints to the authorities about violence. The Minister of Interior Affairs, Karim Sinjari, states that, from January 2008 until the end of September 2009, 3829 women approached the authorities and filed complaints against men<sup>82</sup>.

The Directorates’ reports categorize burning cases as “*anqast u qaza u qadar*”, which literally translates as “intentional/premeditated and accidental”<sup>83</sup>. It would appear that this term, pre-meditated, could cover murder, attempted murder and also attempted and actualized suicide. In Sulaimaniya, the classification includes “*sootan*” and “*khosootan*”,

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<sup>79</sup> Quote from interview with Director of the ENC, Erbil, 9 December 2009.

<sup>80</sup> Quote from interview with Head of Erbil DFVAW, Ari Rafiq, Erbil, 16 March 2009. Mr Ari Rafiq has generously and sincerely contributed to the research by allowing an in-depth interview and by ongoing email and telephone interaction.

<sup>81</sup> With the release of each report, concerns by activists and members of civil rights groups are raised in local media outlets about the accuracy of the statistics. Our research has not been able to confirm whether the number has increased or decreased in the last two years; however, our findings indicate that VAW and HBV is continuing in Iraqi Kurdistan Region and it has become one of the most pressing issues in the Region.

<sup>82</sup> Tahir, M., November 2009: 1-7. According to the report, 80 per cent of the cases have been settled and 496 have been convicted.

<sup>83</sup> “*Qaza u qadar*- destiny” is an Arabic term used here to refer to incidents with reported unknown or distorted factors behind the death. Most of the fire incidents are referred to as “*qaza u qadar*”; that may include burning during cooking, or filling a stove or “*Paramez* - a cooking and baking tool functioning with gas or petrol – i.e. with burning oil.

meaning “burning” and “self-immolation”. The demarcation between these categories can be misleading.

While “self-immolation” is clearly categorized, among those recorded as “burning” cases, the reports do not tell how many of them are caused by accidents and how many are the product of the actions of others (murder). It is essential that data is collected in a precise manner. In Sulaimaniya Governorate, the 2008 report shows that in the first nine months of 2008, 140 women experienced burning. Of this figure, the report adds, only 21 registered as self-immolation and 119 were registered as accident-related burns<sup>84</sup>. Again, the category of ‘accident’ can be misleading, for the reasons specified above. The 2008 annual report by Erbil Directorate states that, among 163 burning cases in Erbil and its surrounding areas in 2008, 77 were ‘pre-meditated’ and 86 cases were caused by “*qaza u qadar- accident*”<sup>85</sup>. Of this figure, 72 women survived and 91 died from their injuries. In Duhok, 58 women experienced burning, including 21 ‘pre-mediated’ burnings and 37 cases caused by accident “*qaza u qadar*”. Of these women, only four survived<sup>86</sup>. In 2009, the statistics show that across the whole Region, 414 women experienced burning through self immolation, both accident “*qaza u qadar*” and pre-mediated<sup>87</sup>. According to the 2009 report, over 50 per cent of them died<sup>88</sup>.

Burning cases have been continuously reported in the local media. According to the organization, Kurdish Women’s Rights Watch, which compiled local media reports on self-immolation and burning of women in 2008 in Kurdistan Region, there were reports

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<sup>84</sup> “Amari rudaw u tawanakani tundutiji y dji jnan la snuri parezgay Slemani u edaray Garmiyan: la 1/1/ 2008 taku 30/ 9/2008” (“Statistics of violent incidents and crimes against women in the Sulaimaniya governorate and Garmiyan Administrative-district: from 1 January 2008 up to 30 September 2008”), *Barewabarayati baduwadachuni tundutiji y dji jnan, Sulaimanya, 2008: 2-4.*

<sup>85</sup> “Barudokhi komalayati afratan le Kurdistan la sali 2008, lagal barawurdkariyak sabarar ba asti tundutikyakan la newan hardu Sali 2007-2008, la snuri parezgay Hawler, Duhok” (“social situation of women in Kurdistan in 2008, with a comparison with 2007 violence cases, in Erbil and Duhok governorates”), *Barewabarayati baduwadachuni tundutiji u dij ba afratan, raporty salana (Annual Report), Erbil, Kurdistan Region, 2008: 14-15.*

<sup>86</sup> “Barudokhi komalayati afratan le Kurdistan la sali 2008, lagal barawurdkariyak sabarar ba asti tundutikyakan la newan hardu Sali 2007-2008, la snuri parezgay Hawler, Duhok”, 2008: 22-23. We noticed a difference in the figures presented by the joint Erbil-Duhok report and the separate report prepared by Duhok in the same year. The Duhok document reports 52 burning cases, saying seven survived. We considered the centralized compiled 2008 report by the Erbil Directorate.

<sup>87</sup> “Barudokhi komalayati afratan la haremi Kurdistan la sali 2009, lagal barawurdkariyak sabarar ba asti tundutikyakan la newan hardu Sali 2008-2009, la 1/1/2009 ta 31/12/2009, Hawler, Slemani, Duhok” (“Social situation of women in Kurdistan in 2009, with a comparison with 2008 violence cases, in Erbil, Sulaimaniya and Duhok”), *Wazarati nawkxo, hikumati haremi Kurdistan, 2009.*

<sup>88</sup> *Ibid.*

of 248 women killed or injured by fire burning<sup>89</sup>. The Human Resource Data Bank reports that in the first eight months of 2008, 290 women were burnt<sup>90</sup>. We observe that the majority of burns cases are registered as caused by “*qaza u qadar* -- accident”. These accidents typically involve supposedly faulty cooking or heating appliances.

We are struck by the fact that, when there is a case of a woman being burnt due to such ‘accidents’, in very few cases are there any other persons exposed to injury. These are ‘accidents’ which mostly occur in the home. Kurdish families are large and women rarely find themselves alone or not part of familial observation. However, we are led to believe that, with the exception of a few cases, when a woman has a burns accident, no one is nearby or at risk of immolation. When we also consider the low levels of survival, brought upon by extensive burns, even greater suspicion is generated. When a cooking or heating appliance fails and causes a fire, one would expect immediate evasive and remedial action to be taken by anyone around, by others in immediate danger, and by all the people sharing the same space. How is that women in accidents are the only ones suffering very extensive burns?<sup>91</sup> The answer to this question requires thought and action.

It is worth noting that the majority of burning cases occur in rural areas and suburbs, with 95 cases throughout 2008 in the Erbil governorate, compared to 68 inside the city of Erbil. In Duhok, 43 burning cases were reportedly from rural areas and suburbs, while 15 were from the city of Duhok. The same is true for Sulaimaniya governorate; in the first five months of 2008, 18 burning cases were registered from the city and 48 ‘outside the city’<sup>92</sup>. It may be the case that urban dwelling provides greater freedom from social pressure, and it seems that social restrictions and pressure have a considerable role in these incidents.

As for recognized murder figures, according to the official report by the Directorates, 109 women were killed in 2008 in the three Kurdish governorates. Compared to official

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<sup>89</sup> See Rashid and Hodgkin, 2007. Source: [www.kwrw.org](http://www.kwrw.org). Also Rashid, Begikhani & Hogan (2008), in the same source. The numbers given includes figures presented in several reports between January 2008 up to December 2008.

<sup>90</sup> Source: <http://www.hrdb.org/pdf/amarpeshdzhan.pdf>, retrieved 7 September 2010.

<sup>91</sup> For more information see and Hodgkin, 2007. Source: [www.kwrw.org](http://www.kwrw.org).

<sup>92</sup> “Raport y bashi amar u plan bo rudaw u tawanakani snuri Slemani u edaray Garmyan: le 1/1/2007 taku 31/12/ 2007, la 1/1/2008 bo 30/5/2008 (“Statistics of violent incidents and crimes against women in the Sulaimaniya governorate and Garmiyan Administrative-district: from 1 January 2008 up to 30 September 2008”): 29.

numbers collected by the Directorates in 2007, the number dropped by 38. In 2009, the Directorates report says only 85 were killed in the three governorates in Kurdistan Region. The reports do not tell how many of these 'unnatural deaths' are honour-related. Also, the related court documents are ambiguous and do not provide an answer to this question<sup>93</sup>.

The Kurdistan Institute for Judicial Medicine carries out virginity tests for all murder, burning and suicide cases, where a file is sent to the court. According to Dr Yasin Ameen, director of the Institute, who is personally involved in this process: "*60 to 70 per cent of the murder cases of women in Kurdistan Region are honour-related*"<sup>94</sup>. Likewise, Mr Ari Rafiq, Director of the Erbil DFVAW, states that: "*honour is the dominant motif when understanding all the different forms of violence experienced by women Iraqi Kurdistan*"<sup>95</sup>. The 2009 report by the Directorate in Erbil indicates that the majority of women are killed by male members of their own families<sup>96</sup>, and, according to the 2008 Sulaimaniya DFVAW, the majority of perpetrators in the Sulaimaniya governorate are husbands, followed by fathers and brothers<sup>97</sup>. However, our research interviews, as well as the literature on honour killings show that, although killings are in most instances executed by one person, the decision to kill is frequently the product of a collective decision, arrived at, after family and in some cases tribal consultation, including the decision as to who should carry out the murder<sup>98</sup>.

Other forms of violence against women reported by the Directorates in 2008 and 2009 include threats, sexual harassment (including through mobile phones), rape, beatings, kidnapping, gossip and rumour, defamation and forced marriage. For example, in the 2008 Sulaimaniya report, the highest level of violence is reported under the category of 'beatings', with 270 in the first nine months of 2008, followed by 'threats' (226 cases). In Erbil and Duhok, the 2008 report refers to "sexual violence, torture and complaints". The reports by the DFVAWs show that the majority of the perpetrators of severe acts

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<sup>93</sup> Most of the murder cases are tried by the article 405 of the Iraqi Penal Code with the sentence going between six months to twelve years. We will talk about the legal system in a later chapter.

<sup>94</sup> The research team visited the Institute on several occasions, including on May 11<sup>th</sup> 2009, April 5<sup>th</sup> and 28<sup>th</sup> 2010, and interviewed Director, Dr Ameen, who kindly put at our disposition the latest data.

<sup>95</sup> Based on interview with the Director of Erbil DFVAW Mr Ari Rafiq, March 16<sup>th</sup> 2009 and a telephone discussion on August 30<sup>th</sup> 2010.

<sup>96</sup> Barudokhi komalayati afratan la haremi Kurdistan, Raport y Haremi Chwar Mangi Yakami Sali 2009, Hawler, Sulaimaniya, Garmiyan u Duhok, Barewabarayati baduwadachuni tundutiji di ba afratan, Wazarati Nawkho, Erbil, 2009.

<sup>97</sup> "Raporti bashi amar u plan, barewabarayati i Baduwadachuni Tundu tiji i dji i jnan", 4/7/2008.

<sup>98</sup> Begikhani, 2005.

of violence, as well as the victims are illiterate and among those who are literate, “*their level of education is low*”<sup>99</sup>.

Improving the level and coverage of education is of course a worthy aim in and of itself, but given this finding it is clear that progress in the field of education provision may well have beneficial results in improving the position of women. It is also the case that, when women have greater access to the means of communication, they are undoubtedly empowered and therefore better placed to access the resources necessary to expand their horizons and to defend themselves from abuse. However, while HBV may be practised most vigorously amongst the poorly-educated and within rural isolation, as we illustrate in this report, even the urban educated elite are not immune from the practice, up to and including murder.

### **5.5. Specific dynamics of HBV in Iraqi Kurdistan Region**

The intensity of violence directed at women in Iraqi Kurdistan Region is without doubt a cause for concern. There is a widespread perception that the situation in Iraqi Kurdistan Region is particularly acute, a view shared by the KRG, local and international NGOs and women’s groups. While there are many societies in which HBV prevails, as we discussed in earlier chapters, we need to identify and consider the specific forces which make HBV such a pressing problem in the Iraqi Kurdistan Region.

In order to set the scene for an exploration of the specific dynamics at work in the reproduction of honour-based violence in Iraqi Kurdistan Region, we present the voices of research participants, each of whom alerts us to different understandings of the forces promoting HBV.

*A girl faces different forms of violence from her childhood, even without realizing it as violence. Baby females are not welcome and they are considered a source of shame to the family. Then, the family will start to discriminate between the female and her brother and domestic commitment will be imposed on her; she will be taught to serve her brother and her father. But a male is not put under all these responsibilities from such an early age. A young female is not allowed to speak up or express herself. She is not allowed to speak loudly or to cry out in pain...When she goes out, she has take into consideration the ways she dresses, her hair, her*

<sup>99</sup> Barewabarayati baduwadachuni..., Sulaimaniya report, 2008: 6.

*breasts. Everybody is looking. As a result, girls end up controlling their own behaviour and lose self-confidence. At school, violence is practised against them. It has happened here that girls who do not wear hijab are perceived to be immoral by school teachers and other girls.*

*So everyone interferes in mapping the life of girls. It is not only the parent but uncles, cousins and even at school and at work. She is not the one who is in charge of her life. There is always a group of people designing and making decisions for her. If she makes a mistake, she does not get a second chance.*

(Female activist)

*The main factor behind such violence is religion... The point is our people consider religious leaders as their reference point and they behave according to their words... I am not saying Islam is wrong, but rather misinterpreted.*

(Male activist)

*This culture of violence is based on the superiority of men which results from the wrong interpretation of religious doctrines that make women subordinate and not an equal partner. Indirectly, certain verses were interpreted in a wrong way -- there is no modern interpretation of Qur'an. For example, it orders women to obey men or it imposes obedience on women because women as wives are subordinate and have no choice. ...Laws themselves embody a violent language such as the in Iraqi Penal Code, Personal Status Law and prostitution law."*

(Female judge)

*Honour-based violence has to do with tribal values, as well as religion. Religious and traditional values govern us and violence occurs consequently...When a man kills his daughter, his wife or mother, he would say I did it for the community. That indicates the impact of tradition and social norms are very powerful. These beliefs are rooted in our mentality.*

(Male health functionary)

*The practice of honour crimes has increased because of the militarization of the Kurdish community in Iraq. It is due to the increasing presence of weapons, the internal fights, which reactivated the tribal mentality and backward thoughts. These have undermined the rule of law."*

(Former Peshmerga)

*As you know, our community is a tribal and religious one and we are influenced by certain cultural ideas inherited from the past. We are also surrounded by countries like Iran and Arabustan (Arab countries), which have the same traditional... beliefs.*

(Forensic expert)

*Islamic religion plays a very important role in the Middle East, but religion is not necessarily the main reason behind this phenomenon. [...] I believe that both religion and social norms have become interrelated and they have both contributed to the prevalence of the honour code.*

(Male medical doctor)

*I have a woman friend who used to be in love with a man for several years. She is blackmailed by him now and has a terrible life. The man took her pictures with his mobile while she was naked and making love with him. He kept these pictures and after they split up, he threatened to use the pictures to dishonour her publicly. To prevent him doing so, she concluded a deal with him, to pay him every month several hundred dollars in order to keep him silent."*

(Male journalist)

*When someone looks down at you, it is violence even if it does not involve direct physical abuse. Violence occurs when parents favour a son over a daughter, with the latter regarded as inferior. Boys are allowed to go out and girls are prevented from doing so. That really affects woman's lives from an early age and it also disrupts her future*

(Female lawyers)

*Honour can easily be destroyed through the internet and mobile phones. Technological development has taken place rapidly in our society. The pace of change has been too fast for us to keep up with."*

(Security officer)

From the above quotes and from the themes emerging from the thematic analysis of all the research data, we can highlight the following themes, perceived as producing and promoting HBV in Iraqi Kurdistan Region:

- Domination and control by men;
- Culture and social norms;
- Tradition and tribal values;
- Religion, or, perhaps more accurately, misinterpretation of religion;
- Lack of, or weakness in, law enforcement mechanisms;
- The legacy of war/militarization and the culture of violent confrontation;
- Dominant regional powers and underdevelopment;
- Rapid transformation of society and communication technology in Iraqi Kurdistan.

The role of religion was identified by respondents as important although not in a straightforward way. A male medical doctor stated, for example, that: *“Islamic religion plays a very important role in the Middle East, but religion is not necessarily the main reason behind this phenomenon”*. This health professional believes that *“both religion and social norms have become interrelated and they have both contributed to the prevalence of the honour code”*.

Most importantly, patriarchy, or male control, in Kurdish society was identified by the majority of research subjects (including police, lawyers and judges as well as women’s organizations) as the core dynamic in reproducing HBV. It prevails across every sector and at every level of society and results in male family members asserting control and domination over women. The family is the terrain upon which these practices are initiated and reproduced, for it is in the home that girls are taught to occupy an inferior position in relation to boys, compelled to serve male needs, and schooled in the task of internalizing their ‘object’ status. Women tend to be looked down upon, while presented with the supposed need to shape themselves, their ambitions and everyday conduct to the taste and requirements of men. Within this patriarchal context, family, mass media as well as religious and government institutions largely favour the submissive position of women and enforce, often unconsciously, the dominant status of men<sup>100</sup>. Honour violence and killings can be seen as powerful enforcement mechanisms of women’s subservient position.

Thus, HBV in Kurdistan is rooted in the material realities of social structures and cultural and tribal values and traditions, mediated by the specific dynamics of the

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<sup>100</sup> Henslin, 2001: 66.

national liberation struggle and religious fundamentalism<sup>101</sup>. As women's rights activist and writer Mahabad Qaradagi put it, "*honour is a chain to enslave women*"<sup>102</sup>. Men's honour is measured by their power to control 'their' women.

*Women in Kurdish society are prisoners of shame and honour and the community is her "prison-guard" watching her daily conduct and interactions [...]. Like a prisoner, she is docile, tamed, and disciplined. If she steps outside of the rules, she is punished*<sup>103</sup>.

The vast majority of our interviewees believed that this practice is deeply rooted in people's mentality, expressed in the form of societal norms that regulate women's lives, mobility, opportunities for social interaction and expression of sexuality. Social pressure is exercised on and within the family and clan, in general, and on men, in particular, to "*cleanse shame and dishonour*". The task is to save face and "*regain public credibility –rad al-i'tibar*". The enforcement of honour codes through violence is "publicly accepted" and this same code often hinders the implementation of the state/formal law.

In the context of Iraqi Kurdistan, these factors promoting HBV are reinforced by the exposure of the Kurdish population to several decades of war, the legacy of the Ba'hist regime, the internal fights between the two leading parties, and militarization, as well as the reactivation of Islamism. The militarization of the society is a significant factor behind violence in general and HBV in particular. According to a study based on fieldwork on the link between militarization and VAW, more than one million people own firearms in Kurdistan<sup>104</sup>. The research also found that "*each year dozens of women are killed by fire arms*"<sup>105</sup>. The report goes on to say that in Erbil alone, the police stated that "*in 2008, 165 women were shot dead and 12 men and women were killed mistakenly through the use of fire arms.*" The study quotes Erbil Police Director, Abd-al-Khyalq Tal'at, as saying that the presence of a high number of fire arms in Kurdistan is linked to internal war and the threat of external powers<sup>106</sup>.

It is also worth adding that Kurdistan Region has not been immune from the emergence of political and fundamentalist Islam in the Middle East. The influence of regional

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<sup>101</sup> Begikhani, 2005: 218.

<sup>102</sup> Qaradaghi, 2004, subtitle of the book.

<sup>103</sup> Begikhani, 2007a: 12.

<sup>104</sup> Tanya K., Bahra H. R., Tavga A., Rebwar A. & Bokan H, (2009). See [www.warvin.org](http://www.warvin.org), retrieved August 20<sup>th</sup>, 2010.

<sup>105</sup> Ibid.

<sup>106</sup> Ibid.

powers, including Iran and Sau'di Arabia, has played a significant role in the creation of Islamic political parties in Kurdistan<sup>107</sup>. Until the removal of the Ba'ath regime, "*Kurds were led to take refuge in their customs and tradition, as part of preserving their national identity in a region surrounded by hostile states*".

No account of HBV can be complete without a consideration of the new world ushered in by the 'information revolution', as noted above in terms of cyber-abuse. In Kurdistan, the development and spread of satellite, digital, mobile and internet based communications have occurred at a rapid pace. Our research uncovered various examples of digital technologies being used in Iraqi Kurdistan Region to capture, manipulate and fabricate images of women, which are then relayed and distributed through mobile phones and the internet, for the purpose of dishonouring and destroying reputations, and for voyeuristic reasons. Hence, for Kurdish women, to the fear of being subject to whispering and gossip, is added the potential terror of cyber-abuse.

Kurdish culture, however, is not static, and is subject to change and transformation. If we reconsider the 'information revolution', it is the case that new communication technologies also allow for previously unheard, or suppressed, voices to be heard and broadcast at high speed across borders. Women in Kurdistan have been able to grasp the potential. The capture by mobile phone video footage of the stoning of Du'a, and the rapid relay of sound and images through the internet and resultant outrage, provide ample testimony to the power of new communications technologies to be used for the exposure of errant behaviour. As the later sections demonstrate, there are sometimes spaces and forces for change both inside the community and State agencies.

## **5.6. Effects of HBV on women and society**

From the study, we identified the following impacts of HBV:

- The impacts of HBV on victims range from death, physical and mental torture and disfigurement, to constant fear of violence from those closest to them and with whom they live side by side.

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<sup>107</sup> For more information on this subject, see Begikhani, 1997.

- For children, the practice and expectation of HBV provides damaging role models that are likely to be emulated and passed on through the generations.
- HBV creates a climate of fear, where the potential threat to reputation precludes the possibility of transparent, honest social interaction and erodes possibilities for trust. When individuals feel compelled to conceal thoughts, desires and practices, to avoid shame and ruination if they deviate from accepted standards, then important foundation stones of social cooperation, transparency and cohesion are removed<sup>108</sup>.
- The enforcement of honour codes places such a high tariff on deviation that it acts to generate practices of deception, which add fuel to the practice of constant observation and familial social policing, including gossip and rumour.
- With the confinement and silencing of women, fearful of the dangers of entering public spaces (physically and through speech and words) or even prevented from making that journey, their strength, vitality, skills and intelligence are diminished from the service of the society and nation. Further, the overwhelming majority of those women subjected to violence in Iraqi Kurdistan Region, according to our interviewees and the statistics, are the young (those aged between 14-30), who might otherwise have the greatest vitality to offer in the service of society<sup>109</sup>.
- In general, the climate created by HBV undermines the physical, emotional and psychological well-being of women and can result in silencing, isolation and lack of positive support. This can, in turn, lead to low self-esteem, emotional distress, and hopelessness. In extreme cases, these feelings can generate self-harming and suicidal thoughts and practices.
- The effect upon men is also destructive, generative of a one-dimensional being, where status and power are derived from an implied or actual aggression and dominance. This gives rise to a gendered authority which often masks inadequacies and weaknesses and which may act as a barrier to the potential for meaningful and full human interaction.

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<sup>108</sup> For a discussion of the importance of reliability for social reproduction, see Grieco, 1996.  
<sup>109</sup> Barewabarayti badudachuni tundutiji i..., general 2009 report.

- It is not only women who suffer from violence, but also the wider society. *“Violence causes a serious public health problem and a violation of human rights”*<sup>110</sup>.

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<sup>110</sup> World Health Organization, <http://www.who.int/medacentre/factsheets/fs239/en/>, retrieved 26 August 2010.

## **Chapter 6: Action to combat HBV: What has been done in Iraqi Kurdistan?**

In response to the pressing issue of VAW in general, and HBV in particular, the Kurdish community, women's organizations and the KRG have addressed strategies and worked towards combating this 'epidemic' in the society. Strategies and actions have been developed by women's rights groups, official authorities, and the community, including media groups and faith leaders. In this study, through our extensive interview program, we were able to assess progress so far.

### **6.1. Women's organizations' activities**

Since 1991 and the formation of the KRG in general, and after the fall of Saddam Husain 2003 in particular, the number of women's organizations has increased in Iraqi Kurdistan. This was facilitated by several factors, including the new space created by the departure of the Ba'athist regime, growing awareness of women's and human rights, the return of exiled women to Kurdistan after years of life in the Diaspora and the presence of international organizations in Kurdistan sponsoring women's projects<sup>111</sup>.

Today, there are more than fifty women's organizations, with many working on VAW, including, from our research evidence, on raising public awareness, training, campaigning, providing outreach services, and legal and psychological support to women, as well as protection. Although there is some criticism saying that there has not been enough cooperation and solidarity between the women's groups, they have also formed functioning networks. It is worth mentioning the Nawandi Hawbashi Zhnan (Women's Joint/Cooperative Centre), established in 1997 and including 18 women's and civil rights groups, and the Women's Network, established in 2005 and including 22 organizations.

#### **Awareness-raising programs**

Women's awareness-raising programs have been carried out through seminars, workshops, conferences, exhibitions, marches and campaigns, and are often intensified

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<sup>111</sup> Begikhani, 2005: 223

on specific occasions such the International Day to Combat Violence Against Women. For example, in 2008 and 2009, Asuda Organization to Combat Violence against Women has been involved in organizing a series of events (some observed by the researchers) to raise awareness on women's legal rights in general, and HBV in particular, among the internally displaced population, as well as faith leaders and judges.

During our research, we have observed that women's NGOs, such as the Women's Empowerment Organization, Kurdistan Women's Union, Harikar, Khatuzin, Zhnan Women's Union, Rasan, Start Social Development Organization, Khushkan and many others, have been involved in different awareness-raising activities, often trying to move beyond traditional or tribal loyalties<sup>112</sup>. The Zhnan has been involved in public awareness programs on HBV in the Garmyan and Pishdar areas, and the Head of the organization, Kafiya Sulaiman, commented:

*In 2009, we launched a project on raising public awareness by holding 70 seminars on HBV in Garmiyana and Pishdar. We selected an open-minded faith leader, a lawyer and a social worker; they all addressed HBV and especially honour killings in their different capacities. For example, the faith leader argued that Islam does not allow such crimes...*<sup>113</sup>

#### **Examples of events observed by the research team**

On March 8<sup>th</sup> 2008, the Women's Media and Information Centre showed a documentary film on Du'a followed by poetry readings and discussion in the city of Sulaimaniya,<sup>114</sup> inviting female students from different secondary schools. In the Q & A session, the discussion around HBV with the public was so animated that some students mentioned that "*there was a difference between the moment we moved in and the time we left the hall. The event marked us*"<sup>115</sup>.

During the study, Asuda Organization to Combat Violence against Women has been involved in organizing a series of events to raise awareness on women's legal rights in general and HBV in particular among the internally displaced population, faith leaders

<sup>112</sup> Zhyanawa, No 371, 31/05/ 2009: 1.

<sup>113</sup> Quote from interview with Ms Kafia Sulaiman, Sulaimaniya, 5 December 2009. Ms Kafia Sulaiman kindly and generously accorded us an in-depth interview and organized a round-table meeting with her staff and shelter heads that greatly informed our research.

<sup>114</sup> "Tuée pour l'honneur", documentary film by Kurdish film Director Mr Giawdat Sofi, 2008.

<sup>115</sup> Research team members attended the event, participated in the debate, and carried out interviews with some of the participants.

and judges. Members of the research team attended two of its events, one in Erbil in October 2008 and the other one in a Sulaimaniya suburb in March 2009.

The Erbil event was organized in cooperation with the Ministry of Endowment and Religious Affairs, aiming at raising awareness among faith leaders about women's rights and the need for their support to combat VAW. The March event targeted the internally displaced population in the Sulaimaniya suburb, with about 100 men and women, focusing on women's legal rights in the context of the reformed law introduced by the KRG.

Some of the initiatives have been described by some activists as 'traditional or tribal'<sup>116</sup>, but we observed their positive impact in some rural areas. For example, the Zhnan Kurdistan Women Union involved the Union of Kurdistan Islamic Scholars and the Komelayati bureau of the PUK to carry out a series of awareness courses about early and forced marriages (gawra ba bchuk) in the Saruchawa village, Pishdar area in the Sulaimaniya governorate in 2009.<sup>117</sup> During the course, involving the families, they registered all the cases of early and forced marriages concluded between families in the area. Following the course, the population mobilized and deactivated/cancelled 68 marriages among 132 cases, through "*tribal mediation, but without involving money*" in the affair.<sup>118</sup>

During our visit in late April 2009 to the area and at a meeting with the then governor of Koysinjaq Ms Kurda Omar, we met with administrative representatives of some of the villages and they "*approved such initiatives, which help avoid tribal/clan disputes that can lead to bloodshed*".

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<sup>116</sup> These terms are used by 'radical' women's rights activists who disapprove of involvement of faith leaders and Komalayati bureaus in women's issues. We have observed that the disapproval comes also from the fact that most of the organizations that adopt these approaches are affiliated to the leading political parties, including Zhnan and Kurdistan Women Union. This disapproval can be seen as form of disassociation with the authorities on the ground. We also observed, that among the grassroots, ordinary people trust more the KDP- and PUK-affiliated women's organization, because "*we know them and they don't deviate our women*" (interview with a baker, Erbil). As suggested by former MP and Head of the Women's Rights Protection Committee in the parliament, Pakhshan Zangana, "*the reality of Kurdistan, requires both forms of "traditional and radical" methods.*" (Quote from interview with Pakhshan Zangana, October 13<sup>th</sup> 2008). Ms Pakhshan Zangana has generously and sincerely dedicated her time to our research and allowed two in-depth interviews (13 October 2008 and 5 July 2009), several meetings and telephone discussion that enriched our data.

<sup>117</sup> It is worth noting that in 2004, Zhnan Kurdistan Union, Directorate of Human Rights Union of Kurdistan Islamic Scholars in Raniya and the Komalayati bureau of the PUK set up a federation with the aim of "*raising social awareness*" among the rural population in Pishdar and Bitwen areas, near the Iranian frontiers.

<sup>118</sup> Zhyanawa, number 371, 31/05/2009: 1.

In addition, some women's organization have established their own radio stations, particularly helpful since many women in Iraqi Kurdistan are not literate, as well as establishing women's publications. Zeen radio, run by the Khatuzeen organization, airs every day around Erbil<sup>119</sup>, with 20 weekly programs, including one devoted to VAW and HBV, while Tawar radio belongs to Zhnan and covers the Garmiyan area, Sulaimaniya governorate, as well as newly liberated zones such as Khanaqin, Mandali. Tawar Radio airs in an area, which was heavily subjected to the Anfal operations in the 80s and in high need of awareness and support.

### **Campaigns and creating pressure**

Women's rights groups and their networks have initiated several important campaigns, including the campaigns for defence of women's legal and civil rights, against FGM, and for government action against HBV. These include the campaign by Women's Media and Information Centre against the cyber-abuse/public dishonouring of Azeema Baboli, discussed previously. From the research, we can particularly highlight the campaign to condemn Du'a's murder (Summer 2007) and the Start Campaign to Combat Violence Against Women (November/December 2009). In June 2007, following Du'a's murder and the distribution of the cyber-footage showing her being killed, a group of Kurdish women's organizations launched a campaign calling for justice for Du'a and urged the government to address the issue of HBV and make it a priority. The group made its statement and publicized their activities and aims<sup>120</sup>. In 2009, the Start Social Development Organization launched a 16 days campaign to combat violence against women in the Erbil governorate. They initiated a number of activities, including several days of workshops with universities, and both high school students and school leaders, to raise awareness about HBV, posting and distributing a special poster illustrating VAW, visiting shelters and meeting with survivors of violence.

Women's campaigns are often for a short period of time and the main aim is to create pressure on the authorities to mobilize their resources and to address the situation of women and their experience of violence in particular. The impact of such activities on the general public cannot be denied. For example, according to an evaluation by the

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<sup>119</sup> Source: <http://www.khatuzeen.org>, retrieved 12 August 2010.

<sup>120</sup> One of the aims of the campaign was to initiate an all night vigil at the Kurdistan parliament. The vigil did not take place, because "*the group did not get official permission*".

Start organization, in addition to the indirect positive impact on the general public, 300 people directly benefited from its November 2009 programs<sup>121</sup>.

### **Training programs**

Women's organizations in Kurdistan have been well equipped to engage in training members of government institutions, such as the police, health and legal groups, faith leaders and social workers on women's rights protection as mechanisms to combat HBV. In this regard, the role of Diasporic Kurdish groups cannot be underestimated. One example in relation to the subject of our research was the legal training for lawyers and judges, as well as women's rights' activists and government civil servants and faith leaders, in December 2007. The training was initiated by the Global Justice Centre in cooperation with KWRW.

### **Protection, legal and outreach services**

These services provided by women's rights groups include receiving women in centres for counselling, accompanying them to court, to hospital and to the police, and providing lawyers, counselling, mediation and protection through the operation of safe shelters. Outreach services include, for example, the work of Zhnan, who in 2009 dealt with 499 cases. (Among these cases, 350 were resolved "*through social intervention/mediation*" and 102 "*through legal approaches*"<sup>122</sup>. In addition to 14 hotlines provided by the government, women's organizations also provide 24-hour phone line services to distressed women and women at risk.

### **Shelters and relief services**

The most significant service that women's NGOs offer abused women, and those at risk of murder, has been refuge. In this regard, we should highlight two women's organizations in Sulaimanya, Zhnan Kurdistan Women's Union and Asuda for Combating VAW, who have been running two women's shelters, without interruption since 1999-2000<sup>123</sup>.

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<sup>121</sup> For more information, see <http://startssdo.com>, retrieved 27 July 2010.

<sup>122</sup> See Zhyanawa, *ibid*.

<sup>123</sup> In the late nineties, the independent women's organization, affiliated to Kurdistan Communist Workers' Party, opened a refuge in Sulaimaniya for women at risk called Women's Protection House. There have been other protection houses around that time, including Nawa Centre in Sulaimaniya (1999) and Mali Khanzad (2002), initiated by the German WADI organization, and Lanay Hawkati for homeless people. According to our findings, none of these shelters were able to continue their activities. Mali Khanzad was closed in 2007 under 'ambiguous' circumstances. The Women's Protection House was

Aram was established on the initiative of Kurdistan Disaster Fund and woman's rights activist Ms Nazaneen Rashid from London, who secured funds from DFID, in 1999. In 2000, with the initiative of the Norwegian NPA organization, Asuda shelter was established.

The two shelters provide refuge and long-term protection for women at risk. According to Asuda Director, Ms Khanim Rahim, Asuda provides protection "*not only to women from Kurdistan, but to women of different ethnic and national backgrounds from other parts of Iraq or foreign guest workers*"<sup>124</sup>. Some of these organizations are also involved in mediation on behalf of the women who seek their help with their families. While some independent women's groups declare themselves to be against this kind of conflict resolution, those affiliated to the two ruling political parties approve "*resolution as the best way to avoid the escalation of violence and bloodshed.*" Women's organizations are largely in favour of more formal intervention through the law, but they realize that this kind of mediation has proved to be positive, especially when families involved do not want their case to reach the court, as for them "*going to court or the police, means lengthy procedures and greater chance of more people knowing about it. They want an amicable quick solution at the hand of recognizable figures in these organizations*"<sup>125</sup>.

To provide relief services to women staying at these shelters, the organizations provide counselling to women in distress and women with mental health problems. For example, Kurdistan Women Union has set up in cooperation with the regional Health Ministry, a centre called *Bnkay Asuda bo naxoshia daruniyakani Afratan* - Asuda Centre for women's mental illness - providing counselling.

There is no doubt, however, that as a consequence of engaging in activities such as protecting 'dishonourable' women, women's organizations and activists are sometimes

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attacked in the late 1990s, allegedly by PUK forces, accused of "*immoral acts, prostitutions*". See Ahmad, S., 2004: 305-306.

<sup>124</sup> Quote from interview with Director of Asuda organization, Ms Khanim Latif, 18<sup>th</sup> August 2009. Ms Khanim Latif has kindly allowed us an in-depth interview and organized a meeting with survivors in the Asuda shelter in March 2009 that contributed greatly to the research.

<sup>125</sup> Quote from interview with Director of Kurdistan Women's Union, Dr Kurdistan Mukryani, Erbil, October 2008. Dr Mukryani has kindly accorded us with an in-depth-interview and helped to organize interviews/meetings with her staff, who contributed greatly to the research.

targeted for criticism and hostility, with some media attacks<sup>126</sup>. For example, in May 2008, Asuda shelter was attacked by unidentified gunmen who injured a woman under protection in the centre<sup>127</sup>.

These services are not without shortcomings. Deficiency includes that public awareness programs have been focused mainly towards females, often in the cities, and not towards men or in rural areas. It has been noticed that cooperation between women's rights groups has not been sufficiently well developed. There is a need for improved liaison between women's organizations themselves and also between them and government institutions; some women's groups do not want publicly to be associated with the government<sup>128</sup>, due to perceptions of corruption, party allegiance and absence of commitment to fight VAW. Some women's organizations have also been critiqued for lack of structure and accountability, for lack of sufficient specialist knowledge and for allegiance to particular political parties. There have been some criticisms of insufficiently rigorous confidentiality systems and failure to reach out to women in need, especially in rural and poor urban areas.

The role of international NGOs and of UN or foreign government agencies cannot be ignored in raising awareness amongst women's groups on gender issues and VAW, and providing helpful resources. The research team attended helpful seminars and training courses, for example, provided by Amnesty International, Global Justice Centre, Heartland Alliance, International Crisis Committee, International Human Rights Law Institute, NPA, Qandil, RRT and WADI. A number of these agencies, such as

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<sup>126</sup> One of the campaigns that occupied the local media during the writing of this report, concerned a petition against Asuda published in Rudaw weekly on 14 May 2010. The controversial aspect of the petition is that it was signed by a group of activists, mainly women, who denounced Asuda for "*lack of accountability*" and called on the authorities to form a committee investigating Asuda's work. The group went even further to say that Asuda was involved in "*women trafficking*". The word 'trafficking' was misused and misinterpreted; the group clarified later that they meant that Asuda/Asuda's Director were "*misusing the organization's money*". This case illustrates a lack of communication and cooperation between women in general, and women's activists in particular, leading to tension and dispute. Such a situation pushes those involved to publicize their criticisms that can then be interpreted as an attack on a women's organization and a women's cause. The aim of such a move is often not to repair a situation that appears 'wrong' to them, but to cause harm. See Sa'di, Salam "Women rights NGO accused of mistreating women in Kurdistan", Rudaw, 14 May 2010.

<sup>127</sup> Source: <http://www.asuda.org>, monitored regularly throughout the lifetime of the research project.

<sup>128</sup> Quote from interview with Hana Shwan, Rewan Editor-in-Chief, Sulymanya, 9 March, 2009. In addition to an in-depth interview, Ms Shwan has kindly accorded us with two meetings at her office that genuinely helped our research.

Norwegian NPA, have initiated long-term projects that are ongoing. They have also been involved in providing material and logistic support to women, alongside initiatives aiming to familiarize them with empowering mechanisms through training and awareness-raising programs.

## **6.2. Government responses**

Until recent times, HBV was not integrated into government political agendas, not only in Iraqi Kurdistan Region, but around the world. However, in Iraqi Kurdistan Region, the continuing violence against women and the response of local and international NGOs and campaigns increased awareness inside the KRG from 2000/2001. The establishment of the government Directorates to follow up VAW has been a very positive move by the government. *“Their existence is a message to men that the government is beginning to pay attention to women’s issues. At the same time, it gives women more confidence when they see that the government is serious in defending their rights. However, we cannot say that these Directorates are capable of eradicating this practice nor can they secure full protection for women”*.<sup>129</sup> As former MP and Head of the Women’s Rights Committee in the Kurdistan Parliament, Mrs Pakhshan Zangana has stated: *“The silence that existed around the issue of HBV in the past is broken and the issue is discussed at top government levels and in parliament”*<sup>130</sup>.

### **Reforming laws related to HBV**

The first government intervention was at the level of legislation, initiated during the period when the Kurdistan Region was divided between the Sulaimaniya based PUK-led administration and the Erbil-based KDP-led administration. In April 2000, the PUK issued a Decree, no 59, reforming Articles 130 and 132 of the Iraqi Penal Code no. 111 of 1969, which had allowed reductions in the penalties faced by perpetrators of honour killing<sup>131</sup>. The KDP began legal reform in June 2001, and the most significant reforms

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<sup>129</sup> Quote from interview with Head of Women’s Empowerment Organization, Suzan Arif, Erbil, 20 April 2009. Ms Arif has generously accorded us with an in-depth interview and continued telephone interaction that genuinely helped our research.

<sup>130</sup> Quote from interview with Ms Pakhshan Zangana, Erbil, 13 October 2008.

<sup>131</sup> The decree signed by PUK Secretary General and current Iraqi President Jalal Talabani, says: *“Lenient punishment for killing women or torturing them with the pretext of purifying shame shall not be implemented. The court should not apply articles 130 and 132 of the Iraqi Penal Code no. 111 of the year 1969 to reduce the penalty of the perpetrator”*. Article 130 stipulates the degrees to which sentences may be reduced in cases of accepted lenient excuses, providing: *“If the mitigating excuse applies in a crime punishable with the death penalty, the punishment shall be reduced to life or temporary sentence or to imprisonment for not less than one year. If the punishment is temporary or life sentence, it will be reduced to imprisonment for not less than six months, unless otherwise stipulated by law.”* Begikhani, 2005: 212-216.

concern Article 377, 128, 130 and 131 of the IPC, and Law no 14 of 2002, in relation to honour crimes<sup>132</sup>.

In April 2007, the Kurdistan National Assembly issued a general amnesty law, law number 4, according to which perpetrators of certain crimes receive an official pardon and can be released. What is significant in this law is Article number 7, which stipulates that the amnesty will not include “*those who are guilty of murder for “honourable motive (cleansing shame)”*”<sup>133</sup>.

As we discussed in the previous contextualizing chapter, there are many Iraqi laws that legitimize women’s subjugation as well as inferiority and require amendment. In 2008, after many years of debate, the KRG initiated reform of some articles of the Iraqi Personal Code No 188 of the year 1959 (significantly in relation to the changes regarding polygamy)<sup>134</sup>.

### **Collection, recording and classification of data**

As discussed earlier, as a response to the increasing number of HBV both at home and inside Kurdish communities abroad, the KRG set up the Commission to Monitor Violence against Women to develop strategies and establish policies to address this “*epidemic disease*”<sup>135</sup>. This move was a response by progressive members of the KRG to Kurdish women’s rights groups and national as well as international campaigners who have been actively involved in raising local and international public awareness about the issue.

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<sup>132</sup> The reformed law reads: “*Crimes against women with the pretext of “honourable motivation” will not be legally liable for lenient punishment and articles 128, 130 and 131 of the Iraqi Penal Code number 111 of the year 1969 will not be implemented.*”. Article 128(a) addresses conditions for the mitigating excuse: *[Legal] excuses [have the effect of] either exempting from penalty or mitigating it, and there is no exemption unless defined by law. Besides these circumstances, the commission of the crime for honourable motives or based on grave (khatir) provocation by the victim without right shall be considered a mitigating excuse.* Begikhani, 2005: 212-216.

<sup>133</sup> See Waqay’y Kurdistan, number 67, 1 July 2007: 16-17.

<sup>134</sup> The new law was passed in October 27<sup>th</sup>, 2008, by 35 votes against 30, making polygamy “conditional”. The new legislation limits the circumstances under which a man may have more than one wife, permitting him to take a second wife, and no more as stipulated by Qur’an, only when his first wife is unable to have children or suffers from a disease. It also mandates that a man can’t have a second woman if he has pledged in his first marriage contract never to take another wife. While conservative groups and members of the Islamic parties in Kurdistan Region protested against this new legislation saying it was against their social and religious norms, feminists and human rights activists expressed their discontent, calling for a full ban of polygamy in Kurdistan. See Begikhani, 2008: 20

<sup>135</sup> See <http://www.krg.org/articles> : “Nazand Begikhani: A women’s rights activist discusses honour-based crimes”, 12 March 2008.

It was at the first meeting of the High Commission that it was decided to establish the three government units, named Directorates, to follow up VAW in the three Kurdish governorates. Since then, the Directorates opened their branch offices in several towns and administrative districts.

Since their establishment, the different Directorates have been involved, as noted, in collecting data on VAW through the official records of police stations, health agencies and courts. The Directorates not only collect official data and makes them public every six months, they also classify and categorize them according to the nature of the crimes, with a briefing of the education background of the victims/survivors and their relationship to alleged perpetrators as well as their location. Further, they present their training and awareness-raising activities on VAW, as well as press communiqués released in relation to any particular cases. The reports attempt to analyze briefly the reasons behind crimes.

As discussed earlier, the data collected by the Directorates are about general violence against women, and there is no category on HBV. According to Director of the Erbil Directorate, Mr Ari Rafiq, classifying cases according to the nature of the crimes and dynamics behind them “*requires experts capable of distinguishing direct and indirect reasons related to HBV, as data are collected from different institutional sources, which cannot provide the Directorates with details required*”<sup>136</sup>.

### **Informing public opinion**

The authorities have started to publicly address VAW through media debates, including radio, TV and the press, as well as at conferences, workshops and seminars. A very positive move consisted of the KRG agenda to dedicate an annual week-long campaign program, in which women’s NGOs and human rights groups participate, to fight VAW from the 25<sup>th</sup> November, the International Day to Combat VAW, with events, media debates, marches and the conferring of awards to those who have been active in combating VAW. The first of these was awarded to Ms Khandan Muhammad Jaza who wrote a book based on a social study on the phenomenon of prostitution and women

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<sup>136</sup> Quote from email exchanges with Director of the Erbil DFVAW, Mr Ari Rafiq, 12 September 2010.

trafficking in Kurdistan society, in cooperation with International Hawkari Organization<sup>137</sup>.

Former PM Nechirvan Barzani addressed the 2007 conference with a challenging speech, saying: “*We must admit that many injustices are committed against women in the name of religion or with the excuse of cultural or traditional practices. We feel that everyone in society has a duty to combat violations against women. What we ask for is equality, justice and respect for all human beings. [...] The one-week campaign of the Elimination of Violence against Women is a step we initiated in the Region because we know we have a problem. This problem has many facets: cultural, religious, political, health, educational and social. [...] We do not call for abandoning our old traditions and customs. We do not call for abandoning our religion or our heritage, which is a source of pride. But we have to know that certain issues relevant to women’s rights must change, and we have to achieve this and make progress in order to find a place in the modern world*”<sup>138</sup>.

During that week campaign to combat VAW, some TV channels, such as Kurdistan TV, also carry the DFVAW guidelines several times a day with several telephone numbers, calling on those at risk of VAW to contact them. Senior figures in the authorities, including the PM and relevant ministers intervene and discuss the issue publicly. According to our research findings, this week-long activity is the best intervention by the authorities to raise public awareness. However, human rights activists would like to see the government commit to the promotion of these programs on a longer-term basis.

The authorities, through DFVAW have also intervened in the last three years by holding press conferences to release their bi-annual reports, informing the public of the latest government activities on the issue (since the merging of the two ministries of interior affairs, 2009, there is only one annual report covering the three governorates). The police and health agencies have been involved in announcing the number of convicted cases of VAW, as well as the number of women burnt or self-immolated. Further, the Ministry of Endowment and Religious Affairs was involved in raising awareness among

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<sup>137</sup> The book and author, who received several threats following the publication of her report, were recognized by the KRG as “*an important study into the contemporary Kurdish society*”. See Muhammad J. Kh. (2007), “Oqyanusek la tawan: Twejinawayaki komalayatya sabarar ba diyarday lashfroshi u bazrgani ba jastay ragzi meyinawa la komalgay Kurdistanda” (“An ocean of crime: A social study on the phenomenon of prostitution and women’s sex trafficking inside the Kurdish society”), Ministry of Culture, Sulaimaniya, 2007.

<sup>138</sup> Quote from speech by Kurdistan Region’s former PM Nechirvan Barzani, Erbil, 25 November 2007, source: <http://krg.org/articles/detail.asp?lngnr=12&smap=02040100&rnr=268&anr=26741>.

mullahs and faith leaders, through training and networking with women's rights groups (see the later section on the role of faith leaders).

### **Legal, protection and advisory services**

A highly significant contribution of the KRG was the initiative to establish women's protection centres/shelters, and creating and publicizing the 14 emergency telephone lines for women to contact the police. There are currently three government shelters in the three governorates run by the Ministry of Labor and Social Affairs, closely working with the Directorates<sup>139</sup>.

The Sulaimaniya shelter provides immediate and temporary accommodation and protection to women at risk for the duration of 72 hours, while, in Erbil and Duhok, because of the lack of women's protection houses, the government shelters provide protection for a longer period of time for women who are at risk of murder. The shelters provide legal advice, support and mediation. Part of the legal support consists of filing complaints in cases of murder when no one from a victim's family is prepared to do so.

### **Monitoring measures**

The Commission used to meet quarterly to assess the measures implemented, and following a decision by the High Commission, a monitoring body was set up at the Ministry of Human Rights, bringing together heads of the Directorates and other related members, to discuss their actions and address their needs. All related Ministers and heads of police and security bodies had to report to the PM their activities, their challenges and needs.

Also, at one of its meeting, the High Monitoring Commission decided to form a legal body representing legal experts and judicial practitioners to monitor the court procedures in relation to VAW and HBV. This latter committee was set up, but with the change in government in 2009, there has been a break in continuity. For the same reason, the High

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<sup>139</sup> The KRG had initiated a shelter in Erbil in 2002 called Mali Khanzad bo charasarkrdni keshha daruni u komalayatiyakan (Khanzad house for women's social and psychological solution). The house was closed in 2007 following allegations that it was involved in women's trafficking. Legal procedures started against the Director of the House, but have not been followed up. She left Kurdistan and the procedures stopped.

Monitoring Commission has not been able to convene its quarterly meetings. There has been a promise to establish a new government body.

### **Challenges/shortcomings of KRG response to HBV**

Our findings indicate that the KRG interventions in reforming the law and setting up government units to tackle and monitor VAW and HBV, as well as providing support to women at risk, have been a step in the right direction. However, they have not been accompanied by serious interventions into education and awareness-raising<sup>140</sup>. Preventing HBV requires long-term preventive strategies and policies with strong political will. Such strategies need to be rooted in a human rights perspective, with programs on equality, justice and human rights, within all government bodies, as well as within civil society groups, including the judiciary, education, health, police and the media.

Our research also shows that there are problems with the accuracy of data collected. While difficulties in keeping records on HBV, including honour killings and unnatural death such as self immolation and burning, have been recognized, it is recommended that the Directorates put into place greater resources for development. Further, women in rural areas are very much isolated and left without official support. It is the duty of the government to ensure services covering all parts of the Region and reach those who are the most vulnerable.

Shelters may need some professionalization and, according to our research findings, further embedded training on how to deal with HBV cases. Victims reported to us that they are sometimes “*treated as someone who did something wrong. They made me feel guilty and in need of punishment. I have been even treated as a bad woman*”<sup>141</sup>. There is no doubt, that opening women’s protection houses is a positive move in Kurdistan Region, where until recently, in cities like Erbil, women at risk of murder used to be put in junior detention centres for their protection. However, according to a senior Director of one of the

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<sup>140</sup> The Kurdish curriculum has started addressing ‘civil rights’ courses at primary schools, but the course is very basic and does not address HBV or equality between girls and boys at home and school levels.

<sup>141</sup> Quote from interview with a victim who lived in a Kurdistan shelter and now lives in Sweden, identity withheld.

government units, these shelters in Kurdistan can be like “*another form of prison*”<sup>142</sup>. Rebuilding confidence and the ability to face life again, as part of rehabilitation and the reintegration of women into society, is an important strategy that requires more attention and work.

Here we would like to highlight a positive case which merits recognition and duplication. Zara (not her real name), who we showcased in our previous section on the nature of HBV, has been provided with psychological and legal support that helped her to rebuild her confidence and made her strong enough to take a job at the shelter itself and to develop a strong sense of social responsibility.

There is no doubt that these shelters require long-term security and protection strategies and adequate resources for training and awareness-raising programs among their staff, along with employment and vocational training for victims. Above all, the shelters need professionally trained women to run and work in the houses, sensitive to the needs of violated women.

Such staff would not only provide physical protection to women, but also give them another chance to rebuild their future. Women, who are in need of long-term protection or cannot return to their family/community, need special help, such as rehabilitation programs, long-term and transitional housing, as well as job opportunities. In some cases, women need to be relocated in a different city with a different identity, which requires anonymity and confidentiality measures. KRG related authorities need to receive training based on positive models to ensure long-term and robust protection policies and actions.

### **Weakness of criminal and legal agencies/ lack of law enforcement mechanisms**

*Judges do not work rigorously on cases related to honour killing and without their arrest warrants we cannot launch investigations and act.*

(Senior Police Officer)

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<sup>142</sup> Quote from interview with Head of Nawa centre in Erbil, Ms Namam 12 November 2009. Ms Namam kindly agreed to an in-depth interview and, along with female police officer, Lieutenant Zhyan Tal'at Sulaiman, helped organize interviews and meetings with survivors in the shelter and with family members visiting the shelter. Their contribution greatly helped our research.

*We do issue arrest warrants and send them to the police. However, police institutions do not follow them up.*

(Investigating Judge)

Police and legal bodies are considered very important government institutions for determining good governance, protecting citizens and securing justice through the rule of law. In relation to honour crimes, however, our research findings show that police and legal representatives in Kurdistan demonstrate reluctance and blame each other for the lack of rigorous investigation and poor judicial practice. The outcome is that there are a number of alleged murderers of women who walk free in Kurdistan.

#### **The case of Begard Hussein known also as Begard Qalati**

Begard Hussein, 27 years old, was a poet and journalist. She was a single mother, living with her six-year-old daughter in a rented house after she separated from her husband (She was married by a Mulla and her divorce was not registered in the court either.) She was stabbed to death, allegedly by her ex-husband in 18 April 2008 at her house in Erbil. The next day, the ex-husband was interviewed by Hawlati newspaper and admitted publicly that he had killed her because she was in love with another man. “*I had not completely divorced her*”<sup>143</sup>, he told the paper. As of August 2010, her ex-husband remains at large.

Her police file in Erbil shows that Begard Hussein had reported to the police a number of threats received from her ex-husband and asked for protection which was not forthcoming. She called the police as her ex-husband broke into her house when she was stabbed to death, but no immediate action was taken.

#### **The case of Kurdistan Aziz**

Kurdistan Aziz was 16 years old from the Kolkarash village, Siktan area, and was in love with an older man, but her parents refused to let her marry him. The young couple decided to elope to Erbil in February 2008, where they approached the police station in Tairawa quarter. The police opened a file and started a legal investigation into the elopement. A virginity test found that “*her hymen was intact and that there was no sign of*

<sup>143</sup> Ahmed, 20 April 2008, Hawlati: 2.

*sodomy*". She was consequently sent back to her parents, because the investigating judge said that "*Kurdistan Aziz did not commit any sexual crime*", after making them sign a "Balennama – document of promise", guaranteeing her safety. On the evening of 18 May 2008, Kurdistan Aziz was killed and, three days later, her parents reported the death of their daughter to the police. Both were arrested and stayed in prison for several months.

In their statement, they said that they were out on the evening of the crime, which was committed by a cousin of Kurdistan who had fled the country. The research team accompanied by two police officers met the parents and one of the uncles who, before agreeing to talk to us, called a senior military member (Peshmarga) to get his approval to talk to us. But his telephone was switched off. "*You were lucky*", one of the police officers who accompanied us, said, "*as the military man would not have allowed the interview*". The uncle and the father agreed to talk to us without the presence of the mother who stayed outside the room, and both men openly said that they were "*dishonoured and lost face inside their community*".

The team members asked for permission to talk to the mother separately and it was agreed, but not without resentment.

The mother was very emotional, burst into tears and, while constantly looking at the door to make sure no one could listen to her, and whispering, she said her husband was innocent. She said she did not know who planned her daughter's killing. On our way back to the police station, one of the police officers said "*the military man in question has power and protects alleged perpetrators.*"

The file is "temporarily" closed as the accused is absent. "If brought to the court, he will be judged with Article 406, on pre-mediated murder."

### **The murder of an alleged rapist**

Following Zara's testimony that Bestun, her cousin and brother of her sister-in-law, had raped her and her pregnancy was caused by him, the family asked Bestun to marry Zara. He refused, denying that he had raped Zara. Later, the two families wanted to negotiate the case through a 'Namusana' - a sum of money or traditionally a piece of land to be given as compensation to the girl's family'. No agreement was reached.

Bestun was shot dead in November 2007, allegedly by Zara's brother, in the Qushtapa area, Erbil. He was reportedly accompanied by Bestun's elder brother. At the time of

the interviews, November 2009, the alleged perpetrator remained at large.

These three cases highlight shortcomings in the commitment of the police and judiciary to the prosecution of honour-related crimes, in terms of the following:

1. Failure of the police in intervening, identifying and enforcing procedures to protect women, as well as in identifying perpetrators of honour-motivated killings. In the case of Begard Hussein, as Amnesty International states: “*the tragic case might have been avoided if the police had been more proactive in identifying and enforcing measure to protect her safety*”.<sup>144</sup>
2. Failure of the criminal and legal bodies to investigate promptly and thoroughly honour crimes and to prosecute perpetrators independently and impartially.
3. Weakness of monitoring mechanisms and follow-up procedures by shelters and government units after they facilitate the return of victims to their homes.

In the case of Kurdistan Aziz, if prompt and rigorous follow up action had been taken, the murder of the young girl might have been avoided. “*While shelters’ procedures for victim follow-up stipulate repeated monitoring visits for the initial six months after the return of the victim, in practice this procedure is not always followed*”<sup>145</sup>.

4. Domination of military power, which can lead to the compromising of legal and police activities, and the enforcing of further silence over the whole community, in particular for women (e.g. the mother in Kurdistan Aziz’s case).
5. Enforcement of honour codes by the judicial community through reference to the ‘virginity test’ in their legal procedures and in their verdicts. In the case of Kurdistan Aziz, the issue of virginity was of particular importance for the Judge who decided on ‘innocence’ and her return to the parental home.
6. The absence of a witness protection program: “*If the government secures strong protection measures for witnesses, more people inside families and in the community will turn up and speak the truth*”<sup>146</sup>.

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<sup>144</sup> Amnesty International, *Hope and Fear...*, April 2009: 37.

<sup>145</sup> UNAMI, UNHR and ASUDA, 2009: 12.

<sup>146</sup> Quote from interview with a police officer involved in Kurdistan Aziz’s case, 18 November 2009 (name and location withheld on request).

As we discussed earlier, the Iraqi legal system is the foundation of law in Kurdistan Region. Despite some reforms by the KDP and PUK-led administrations in 2000-2002, notably in of Articles 128, 130, 132, 377 in the IPC, the Iraqi legal provisions remain in force. Honour and preserving family honour in particular, still occupy a considerable place in the Iraqi criminal justice system (see context chapter, legal status).

Also, while the reformed laws are not always implemented, according to Judge Rizgar Muhammad Amin, even in the amended form, these laws fall short of protecting women adequately<sup>147</sup>. The Judge referred to the PUK Decree No 59, saying the word 'pretext' in the Decree is ambiguous, adding that "*a man can still kill a woman if she is perceived as dishonourable, for example by losing her virginity*"<sup>148</sup>. As the case of Kurdistan Aziz demonstrates, inspection of the hymen in cases where the victim of HBV is an unmarried woman is still practised and relied upon in court decisions. "*Referring to the broken hymen suggests that there is a 'cause' to justify the murder and the perpetrator may receive a reduced sentence*"<sup>149</sup>. In addition, the amendment is based on a Decree, by the General Secretary of the PUK and current Iraqi President Jalal Talabani, and it does not have the force law. "*This gives the space for different interpretations*"<sup>150</sup>.

Further, the existence of a parallel informal justice system (known as *Solhi Ashayri*) along with the lack of a rigorous unified judicial system in Kurdistan Region (due in part to the legacy of division between the PUK- and KDP-led administrations) and the continued reference to law derived from Bagdad, at the expense of statute defined by the Kurdistan Parliament, retard the implementation of the law. Most importantly, the law reforms took place at the time when Kurdistan Region was divided between the PUK and KDP administrations. It is recommended that all these amendments are taken to the unified Kurdistan National Assembly for ratification. Also, all new and ratified amended laws should be distributed to all courts across Kurdistan Region with recommendations for immediate implementation.

Further, the Kurdish authorities need to expedite the discussion and ratification of the Bill on VAW, which was initiated by the Women's Rights Committee inside the Kurdistan

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<sup>147</sup> Begikhani, 2005: 217.

<sup>148</sup> Quote from interview with Judge Rizgar Muhammad Amin, Sulaimaniya, 8 April 2004.

<sup>149</sup> Begikhani, 2005: 218.

<sup>150</sup> Quote from interview with Head of Legal Bureau of the Kurdistan Presidential Office, Dr Talib Kakayee, 22 April 2010.

National Assembly along with other parliamentary groups in consultation and cooperation of experts and women's rights activists in the Region in 2008. This Bill and the parallel Bill on FGM have yet to be approved.

Another research finding from our interviews demonstrates that most of the killings of women in recent years have been treated under the Iraqi Penal Code, Article 405 and 406, which are about 'premeditated murder'. This can be considered an important progress, and perpetrators of women killings no longer receive reduced sentences. The researchers have examined three cases at the Duhok Court involving killing of women, and all three perpetrators were charged on the basis of Article 405 and 406-1, which carry life imprisonment or the death penalty for those found guilty.

- In the case of Suzan who was stabbed to death and her throat cut while she was asleep, her husband was sentenced to life imprisonment in 2007, reduced from the death penalty due to his youth.
- In the case of Gulizar who was shot also in September 2007 by her ex-husband, after she had asked for separation, the Duhok court issued a verdict in 2008 sentencing the perpetrator to death<sup>151</sup> according to Article 405-1 of the IPC.
- In the case of Ghazal who was strangled in 2009 by her alleged lover "*after he had sexual relations with her and broke her hymen*", the perpetrator was sentenced to death on the basis of Article 406-1-j of the IPC.

While these cases show that reference to honour is no longer a defence in the case of murder, honour codes remain inscribed within crucial aspects of criminal justice law, with regard to the articles we pointed out above. We have observed that during our visits to Courts, legal representatives do not refer to the KRG reformed laws. Almost all members of the legal community whom we interviewed verified their judgments according to the Iraqi Penal Code. Such acts can undermine the legitimacy and authority of the KRG. Hence, it is imperative that the unified Kurdistan National Assembly

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<sup>151</sup> The verdict is sent to the Supreme Court for reviewing and then will be sent to the Presidential Office for approval. According to Head of the Legal Bureau of the Presidential Office, Dr Talib Kakayee, "*no death penalty has been carried out in Kurdistan Region since June 2007.*" Quote from interview with Head of Legal Bureau of the Presidential Office, 22 April 2010.

reviews all the laws amended by the two administrations in 2000-2002, and ratifies them. Alternative legislation to the Iraqi Penal Code needs to be passed and implemented.

### **6.3. The informal law**

The informal justice system operating in Iraqi Kurdistan Region denotes a non-state administered justice process with dispute-resolution mechanisms outside the scope of the formal justice system<sup>152</sup>. In Kurdistan, this informal system is called “Solhi Ashayri, “a tribal-based procedure used to achieve reconciliation (masrati) between families and groups in dispute”<sup>153</sup>. Traditionally, “Solhi ashayri” is activated through the intervention of tribal leaders as well as religious and elderly members (“Rishspi –white beards”) of the community, who are exclusively men, to resolve disputes over property, women and land. Honour-based violence, including honour killing, is one of the serious issues discussed and planned inside this circle<sup>154</sup>.

At the level of the two Kurdish ruling political parties, the KDP and PUK, “Solhi ashayri” is achieved through a designated bureau by the leadership of the party carrying the name Komelayati. Komelayati is authorized by the party to assume responsibility for hearing disputes, passing judgement and enforcing sanctions and solutions.

Our research findings demonstrate that, in contemporary Iraqi Kurdistan, “Solhi ashayri” or mediation in relation to HBV is also used by the police, other agencies and the Directorates to follow up VAW. The former Director of the Sulaimaniya DFVAW, Mr Nariman Abdualla Qadir, stated that “*in some cases this is a more effective solution, helping to avoid deterioration of conflict and sometimes further bloodshed*”<sup>155</sup>. Mr. Qadir recognized that this process weakens the formal justice system, but that it has deep roots in the structures, traditions and politics of Kurdish society.

Our interviews show that, in some cases, victims ask for “solhi ashayri”, thinking it is the only way to guarantee their safety. A married woman accused of having a love affair with a man staying in a women’s shelter told the research team: “*I can’t trust my family and*

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<sup>152</sup> See ‘*Programming for Justice - Access for All*’. UNDP 2005.

<sup>153</sup> Begikhani, 2005: 219.

<sup>154</sup> Ibid: 219.

<sup>155</sup> Quote form a telephone discussion with Mr Nariman Abdulla Qadir dated 17 August 2010.

*relatives. Even if they give their word that they will not hurt me, I know they will kill me. My uncles are furious; one of them told my father that if you bring your daughter back, we'll kill you with her... The only solution is to involve tribal men and achieve a tribal reconciliation"* (Interview conducted at the shelter, name and location withheld, May 2010).

However, informal justice processes are incompatible with the principle of the equality of all citizens before the law, one of the foundation stones of any meaningful adherence to the ideal of universal human rights<sup>156</sup>. They often reinforce gender discrimination and inequality, and the violation of women's rights can easily result. For example, in rape cases, a raped woman can be forced into marrying her attacker, with the aim of improving ties between families and/or clans<sup>157</sup>. However, it must not be forgotten that the informal route to 'justice' can and has been known to save lives.

The existence of parallel systems of rule-setting and dispute-resolution present considerable difficulties to the authorities in Kurdistan. While the government declares support for the principle of human rights, it is forced to recognize the facts on the ground, that there are decentralized centres of power within society which carry informal processes and can have greater impact on behaviour and attitudes than formal laws. Nevertheless, it is the duty of government, which has "*judicial powers and can enact and implement criminal laws and procedure*"<sup>158</sup>, to ensure the protection of the rights of all citizens without discrimination, and to establish justice through written formal law.

The government of Kurdistan Region is working within a transitional context. However, if the rule of law is to prevail, then there must be a clear commitment to making informal structures become subordinate to the nation's laws. In strengthening the rule of law, it is necessary to recognize that the judiciary and police at times come under threat when pursuing honour crimes. Nonetheless, the aim of the transition needs to be to reform all legal provisions that embody the subjugation of women and to lead to the law being obeyed by all and at all levels of society, with implementation free from political and military intervention.

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<sup>156</sup> UNAMI, UNHR and ASUDA, 2009.

<sup>157</sup> Ewa Wojkowska, 2006.

<sup>158</sup> See the Iraqi Constitution, 2005.

## 6.4. The role of media

The media in Kurdistan, as elsewhere, are a powerful set of actors in society. Outlets, whether they are the press, TV stations, radio or internet platforms have the capacity to inform and allow for debate and deliberation, which in turn can play an important part in the processes of governance, ideological and cultural formation, along with decision-making at all levels of society.

Historically, Kurdish media outlets (until recently mainly newspapers) trace their origins from inside political parties, serving as transmission belts for party agendas. Apart from the women's press, until relatively recently little media space has been provided to examining societal and gender issues, and, until 1997, the only newspaper dedicated to women's issues in general and HBV in particular, was the monthly Yaksani paper, owned by the Independent Women's Organization<sup>159</sup>.

In 1997 and 1998, two other women's papers emerged: Ainda, owned by the Union of Kurdistan Islamic Sisters and published in Kurdish and Arabic, and Zhyanawa, owned by Zhnan Kurdistan Union. Today, there are several women's newspapers, including the monthly Khatuzeen, twice monthly Rêwan, twice-monthly Shawushka, twice monthly Warvin and the monthly Wê.

During the research, we monitored all the women's publications, as well as a number of 'independent', 'privately owned' and political party-owned newspapers, including daily *Aso* (reportedly owned by PM Berham Salih), "independent" weekly *Awêne*, the weekly *Chawder* (owned by PUK politburo member, Mala Bakhtiyar), "independent" twice-weekly *Hawlati*, the daily *Khabat* (organ of the KDP), the daily *Kurdistani Nwê* (organ of the PUK), reportedly "independent" weekly *Rudaw*, the weekly *Rozhnama* (organ of Goran movement) and weekly *Yakgirtu* (organ of the KIU)<sup>160</sup>.

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<sup>159</sup> Independent Women's Organization, a 'radical' women's group dedicated to "*defending women's rights, advocating gender equality and combating HBV*", was founded in May 1993, affiliated to the Kurdistan Communist Workers' Party. Their offices were closed down by the ruling authorities in Erbil, in 1998, and in Sulaimaniya in 2000.

<sup>160</sup> According to a report by Union of Kurdistan Journalists, there are over 300 newspapers and magazines in Iraqi Kurdistan nowadays, and the team research had to select a sample of the papers (and their respective websites) that needed to be monitored, based on their circulation and impact on public opinion.

In addition, we have observed some of the satellite TV and radio programs, in particular during the weekly campaign to combat VAW (25 November to 2 December, 2008-2009), including Kurdistan TV (KDP), KurdSat (PUK), Spêda (KIU), Zagros (reportedly owned by the KDP), independent Nawa Radio and Khatuzeen Radio. During the same period, we also monitored Kurdish websites, such as Dengekan, Kurdistannet, Peyamner, PUK Media and Sbeiy. Our aim was to look at how media represent and address honour-based violence and honour killings, including the language and tone of coverage, whether it is accepted or condemned, and to look at the freedom and constraints on the critical reception of religion, Kurdish culture and politics. The media environment in Kurdistan is a problematic and large subject requiring an extensive discourse. Unfortunately, we are only able to report on this large endeavour very briefly here, but our conclusions can be summarized in the following points.

### **Women's media**

1. Women's media outlets have challenged the monopoly exercised for years by male-dominated media channels. HBV, honour killing and self-immolation were first brought into public by women's papers, especially those independent from political parties. This has helped to break the cycle of silence around honour crimes, and has depended on the courage and bravery of women's rights groups. However, there is still much to be done.
2. It should be said that, apart from Warvin and Shawushka magazines, women's publications are all affiliated to women's organizations which are not all independent of political parties. Each of these publications is considered the organ of its affiliated group, giving priority to activities of the group and their 'ideology'. However, they make a positive contribution and do cover general issues related to women and their experiences of violence.
3. Our findings demonstrate that staff at women's publications are not always media professionals and their reporters are not specialists in gender issues and HBV.
4. The women's issues covered are very wide in scope, including women's health, family and sexual education, criticism of the legal status of women as well as of criminal and judicial practices, political issues, and damaging social practices such as gossip and

'tribal' arranged, forced and early marriages in Kurdistan.

During the parliamentary and presidential elections in July 2009, women's publications, for example, dedicated pages to election issues, such as the quota for the representation of women in parliament, women's participation in the election process and the profile of women candidates. Considerable space is given in the publications to VAW and HBV, especially on special occasions, such as the International Day to Combat VAW, and the week-long campaign. While urging women to "*form pressure groups in the face of violence*"<sup>161</sup>, some of these papers, also stress the need for awareness-raising programs among men and a more active government and parliamentary role in combating VAW.

5. Women's papers and magazines can serve as important archives, keeping records of the latest activities of their respective organizations regarding VAW as well as the latest news on VAW (according to their capacity to reach the source), reporting the press conferences/communiqués of the FVAWD and publishing international reports regarding Kurdish women's situation in the Diaspora.

6. Nevertheless, these cases, as with the mainstream media, are often reported without professionalism and when it comes to publishing international reports, references to sources are often absent<sup>162</sup>. These publications do not always challenge notions of morality and 'correct behaviour' for women. As with the mainstream media, there is a lack of analysis and professional investigation, which can end in non-factual reporting. Reports of HBV may omit key details and fail to analyse the social and cultural background.

7. This leads to the absence of depth and breadth of analysis. Warvin, Rewan and to a lesser extent, Zhyanawa, can be seen as exceptions in this regard, and try to go beyond this limitation, but not without exception (see box).

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<sup>161</sup> Ainda, No 146, year 13, 15 November 2009: 4. Ainda reflects an Islamic vision and represents faith leaders' views towards social justice and gender quality. While promoting women's role inside the religious community, the paper serves as a space through which traditional and patriarchal beliefs are circulated.

<sup>162</sup> The mutilation of a Pakistani woman with her picture is reported by Khatuzeen magazine, issue number 50, June/July 2009.

### **Examples from the research media analysis**

Three examples of reports which illustrate lack of professionalism follow. Rewan, Zhyanawa and Warvin are mainly excellent publications, but such reports present a number of problems.

#### **Report 1: the murder of Hawreen by her brothers**

##### **Rewan, 16 July 2009, p. 1**

Hawreen, who was protected by a one of the women's organizations, was killed by her brothers after her return to the parental home. Hawreen had a social problem and stayed in the Asuda centre in Sulaimaniya for several months. After she returned home on her demand, she was tortured and killed by her brothers. Hawreen was 25 years old. After torturing and killing her, her brothers ran away. An informed source said; "*Hawreen had to stay at the Asuda centre because of a social problem. She left the Centre on her demand. She was also protected by the police for a few days, but insisted to go back home and her killing occurred immediately after her return.*" The source added: "*One of Hawreen's murderers is her brother who came back from the UK to achieve this act. The murderers hung Hawreen on a fan until she died.*"

##### **Notes on the Rewan news report**

No details are given of the date of killing, or whether the police have been involved in investigating the alleged crime. The use of the words 'social problem' is unclear and unhelpful. The report should read that the brothers are 'alleged' to have carried out the killing, unless they have been tried and found guilty in the courts. And the name of the victim should not be disclosed.

There is no way, from this report of conducting independent verification of its accuracy or otherwise. This form of writing, which is sparse in the use of verifiable data, is unhelpful. Our monitoring scheme shows that there was no follow up to the case with filed complaints.

#### **Report 2: 99% of the men who committed violence against women have been arrested**

##### **Zhyanawa, Garmiyan - 18/ 10/ 2009**

According to official statistics by the Garmiyān Directorate to Follow up Violence against Women, 99 per cent of the men who committed acts of violence against women have been arrested.

Head of DFVAW in Garmyan, Lieutenant Adnan Muhammad, told Zhyānawa: “*We work for women and for reducing violence practised against them. For that purpose, a lot of women visit us and we have done a good job for them.*” He explained that: “*in our region, 99 per cent of the men who committed violence against women have been arrested and questioned/investigated.*” Lieutenant Adnan added that “*Now women are more aware, this is why they visit us and talk about their problems.*”

### **Notes on the Zhyānawa report**

The report takes the statement by the Head of the Garmyan DFVAW at face value. No investigation has been done by the paper to verify such claims, no reference is given to any judicial or police document confirming the Director’s statement, no alternative voice is presented.

There is no doubt that such reports do not enhance the papers concerned which have, in many ways, a redoubtable history of raising awareness about women’s rights in general and HBV in particular. It is important and necessary to produce evidence-based, nuanced and subtle reports on such sensitive issues.

### **Report 3: A man kills his wife and daughter because of a fried egg**

#### **Written by Warvin, Wednesday 15 September 2010-09-19**

US police announced that an American citizen killed his daughter, his wife and three of his neighbours because of the way his egg was fried.

Following statements by witnesses, the American man was not satisfied with the fried egg his wife prepared. This is why he started shooting his wife and daughter with his hunting gun.

Police confirmed the news report of the killing of the man’s wife, his daughter and three of his neighbours, adding that the man killed himself later. The incident took place near Jackson town in the state of Kentucky in the USA and the man was 47 years old

**Notes on Warvin's news report:** (Note: this report is of an incident that did not occur in Kurdistan). It does not give the name of the source or refer to a specific source. Warvin attributes the news report to itself by saying, at the top, below the headline, that it is "written by Warvin". However, reading the report, one can assume that it is taken from a foreign source. Readers are not told whether it is translated or reported from a longer news report. In a healthy media environment, misattribution can be open to legal challenge and, in any case, raises questions about professionalism and reliability. The headline of the news report could be viewed as an attempt to trivialize a murder case. Through this report, Warvin might intend to tell Kurdish readers that VAW and killing of women are universal phenomena and operating under different pretexts, but the reporting style lacks professionalism and weakens the message.

8. The best media channels that can reach women and make an impact on public opinion, especially among illiterate women, are women's radio stations. The two women's radio stations that we mentioned earlier air direct and live programs addressing the issue of HBV, including honour killing and self-immolation, and draw the audience into discussion through live telephone conversations broadcast from the studio. However, the coverage of these radio channels is limited to particular areas and does not include all parts of Kurdistan Region.

9. Finally, the intervention of women's publications against 'public dishonouring' of women through the internet and through other modern communication means can be seen as an important advocacy and campaigning for women's protection. This can be observed in the coverage of Azeema's case by Rewan paper<sup>163</sup> and Warvin magazine's following of the case of the 'successful' female TV presenter Aveen Aso<sup>164</sup>. There no doubt that this new form of solidarity and campaigning reinforces women's voice and position in society. This is all the more important given the recent and dangerous trend towards "salafism – traditionalism", a tendency which is expressed, or at least fuelled, by

<sup>163</sup> Rewan, 1 October 2010: 1.

<sup>164</sup> Source: [www.warvin.org](http://www.warvin.org), retrieved 16 September 2010. The campaign consists of a petition signed by a number of women's and human rights activists and journalists calling on official authorities as well public opinion in Kurdistan to stand against such a trend which "*kills women in a different way.*"

the anonymous cyber-campaigns to 'dishonour' women who stand up in society and can serve as role models for other women.

### **Mainstream media**

1. In the last few years, media outlets in Iraqi Kurdistan have been generally involved in reporting news reports on violence against women inside Kurdish society and have integrated women's issues in general and VAW in particular into their coverage. 'Independent' and 'privately-owned' newspapers have been particularly active. However, the dominant media representation of HBV and honour killings has been limited to brief news reporting, without analysis and details of killings, self immolation or other incidents.

2. Media channels affiliated to political parties often demonstrate hesitancy in terms of referring to established bases of power, in particular with regard to government, party leadership and faith leaders. Independent and privately-owned media have been more critical of the political and religious authorities, but do not openly challenge the prevailing understanding of honour as embodied in women's bodies and sexuality.

3. Almost all media outlets are run by men and they seldom question and criticize the prevailing notion of honour. They address their criticism without adequate analysis, taking the KDP and PUK as well as government as solely responsible for such violence. At the interviews with media representatives, our respondents seem to distance themselves from the dominant understanding of honour as embodied in women's bodies, but their understandings remain private, abstract and hidden from view. The media in this respect are unlikely to openly challenge patriarchal values and practices, but may rather reproduce traditional norms and gender patterns.

4. When a woman is killed, and her killing is confirmed to have been 'provoked' by "infidelity" or "wrong-doing" of women, media reports play around the problematic of honour motivation. Here media reporting/coverage seem to indirectly justify murder. Two illustrations are drawn from Hawlati and Rudaw. They covered the case of Begard Hussein (Hawlati, April 2008) and Rezan (Rudaw, July 2010). Hawlati coverage consisted of an interview with Begard Hussein's ex-husband and alleged perpetrator of her murder, two days after her killing. In the interview, he was given space to justify his act

through reference to Begard's relationship with another man.

Although Hawlati is regarded as a leading paper, which has a record of addressing gender issues, notably initiating a campaign against FGM in April 2009, it would appear also to have reproduced traditional gender norms and to carry elements of the dominant public understanding of HBV<sup>165</sup>.

Rudaw reported the murder of Rezan on 17<sup>th</sup> July 2010, a week after the crime. The report highlights, in its subheading, a statement by Rezan's alleged killer, the husband, saying "*When I killed Rezan, she was conducting an illegitimate act [making love] with a man...*"<sup>166</sup> The report quotes statements by senior police officers who stress the "*sexual*", "*illegitimate act*" of the wife, that "*the husband saw with his proper eyes*". Again, Rudaw is perceived as a leading paper which gives much space to VAW, with a specialized reporter whose reports are based on fact-finding research, but through such coverage it would appear to reproduce traditional gender norms and carry the prevailing perception of HBV.

In the two cases, both Hawlati and Rudaw did not call into question the dynamics behind the crime, its roots in cultural and male-controlled norms and customs, but rather took the cases as if they were normal petty crimes. Such coverage can be perceived as legitimizing the act of murder and send a negative message to the public.

While the emphasis of independent media upon the importance of human rights is to be welcomed and encouraged, there tend to be gendered differences. For example, the murder of Begard Hussein, a journalist and poet, did not cause any outcry among public and 'independent' journalists, while the murder of young male journalist, Sardasht Othman, in May 2010, created strong mobilization in the defence of freedom of speech and human rights.

Gender-based approaches towards HBV has been addressed by female writers and

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<sup>165</sup> In April 12-22, 2009 under the leadership of Hawlati Newspaper, some of the most influential private and independent media agencies in Kurdistan started a petition signing campaign to combat FGM. Those media agencies included Hawlati newspaper, Rozhanam newspaper, Levin Magazine, Awenakan Magazine, Nawa Radio, and Women Legal Assistance Organization. In cooperation with Wadi, those media agencies and organizations implemented a successful 10 days campaign that involved distributing 1000 buttons, 7000 calendars, 500 brochures, 17 sound clips and presented and aired many radio programs. See <http://www.stopfgmkurdistan.org>

<sup>166</sup> Bahadin, S., 19 July 2010, Rudaw: 12.

activists, who criticize those men who assume that any issues related to women, including HBV, should be left to women to resolve. These writers and activists advocate that violence and crimes, whether political or in the name of 'culture/tradition', require condemnation by all. Female writer and women's rights activist, Kner Abdullah, calls on men to mobilize against the violation of women's rights, as, she adds, "*freedom of women is integral to the freedom of all society and requires the work of all*"<sup>167</sup>.

5. Media outlets do not develop an informed and rational discussion or analysis of male dominated society but, like many women's publications, usually stress the 'moral and correct' behaviour for women.

6. The coverage is mostly news reporting without details and follow-up writing. Reporters rarely probe the cause of honour crimes and fail to conduct their own investigations, relying instead on police statements or, for example, comments from heads of burning units when reporting on such cases.

7. In comparison to other mainstream media, Rudaw has been an exception with a dedicated and specialist reporter, Mr. Soran Bahadin investigating cases widely. The paper is published both in Kurdistan and in Europe with a website in Sorani and Kirmanci dialects (main Kurdish dialects), as well as in Dutch and English.

#### **An example from the research media analysis**

##### **Disappeared 16 years old Kurdish women allegedly shot in honour killing, Rudaw, by Soran Bahadin - 22 August 2010**

Erbil, Iraqi Kurdistan: After she was accused of sleeping with a man, the 16-year old Payman Khalil was threatened to death by her father and other family members about three months ago. Since then the woman has controversially become 'disappeared'.

Her father Khalil Jalal says that Payman escaped the house as soon as she had received the threats. The police of the Dibaga, a town disputed between the

<sup>167</sup> Abdullah. K., 11 October 2010, Awene website: <http://www.awene.com/awene.aspx>

Kurdistan Regional Government (KRG) and the Central Government of Baghdad, has yet to make any investigation into the case. Some people including Erbil's police have said that Payman was killed by her father and thrown into a ditch in a nearby village near the volatile city of Mosul.

*“ Payman’s father-in-law and I agreed to kill Payman. But she escaped and we did not kill her”* said Jalal.

Two years ago, when she was just 14 years old, Payman became married to one of her cousins. She had no children living with her husband in a nearby village, Shmamik.

Dibaga is about 38 kilometres away from Erbil. It belongs to the Makhmour District and is populated by about 8000 people under the control of the Iraqi Central government. The region is highly conservative where violence against women is relatively high.

The Makhmour police stated that they were not even aware about the case. They said they would not investigate anything if someone does not file a complaint. But after a few days from the disappearance of Payman, KRG's Erbil-based Centre to Combat Violence against Women (CCVAW) asked the Erbil's Police Station to make its own investigation.

*“ Payman was shot dead by her father in a village nearby Dibaga and then thrown into a ditch. Payman was killed over alleged marriage betrayal. The families of both sides have reconciled”* said a report by the police of Erbil. Nabaz Omar, the mayor of Dibaga, said that he had heard the news of Payman's death about three weeks ago and informed the police. *“ Investigations are ongoing. The police have not reached a conclusion yet. The dossier has been sent to the court. The lady's family has kept the incident secret. We do not have adequate evidence about her possible death”* said Omar. *“ But we will continue the investigations until we will find adequate evidences. Then the lady's close relatives will be arrested for ‘not reporting her missing to the police.’”*

Jalal, Payman's father, said that his brother who is Payman's father-in-law as well

had told him that he had seen a guy with Payman in her house. *“My brother said he had seen them together with his own eyes. That is why he and I decided to kill her. He was insisting on the killing and I agreed”* said Jalal. *“But Payman’s husband told me that he knows his wife that she never cheats on him. He was defending his wife. I told him I would kill you both.”*

Payman’s father says his daughter must be alive. He said he had made unsuccessful attempts to find her. *“If Payman come back, I will investigate the subject comprehensively. If she had betrayed, then I will turn her to the government. If not, then I will not forgive my brother”*. Payman’s father says the incident has damaged his personality. *“We are looked down by the people. People do not respect us as they used to”* said Jalal. *“Before I was happy to be among others and visit those whom I know. But I do not go out now.”*

8. However, throughout the media, the strict control of family and community over women or the reasons for the violence experienced are rarely questioned, and there is little discussion beyond brief descriptions, as can be seen in the two following examples. Facts are not verified or presented fully and there is no supporting evidence or discussion of the underlying issues for women and HBV.

#### **Examples from the research media analysis**

##### **From Peyamner website, 21 July 2009- Bahoz-Erbil**

In the Bakhtiyari quarter of Erbil and following a fire incident, a female student was burnt.

Yesterday, after arrived at the Emergency Hospital, (B. Q. H, aged 20), student at the secondary level, told the police that she put the gas cooker on to make tea, but the gas blew causing scorch to a large part of her body...The woman rejected the idea that she burnt herself and did not file a complaint against anyone. According to the doctor dealing with her case, the woman was burnt with 86% and her life is in danger. Police have opened a file to investigate the case.

##### **Awene, December 2nd 2008**

A 16-year- old girl from Majeedawa district in Soran area set herself on fire on

17th November and died on 1st December. The family denied any reason behind the self-immolation of their daughter.

9. TV channels through soap operas and programs can play an effective role in combating HBV but this has not happened to date in Iraqi Kurdistan. From time to time, TV channels broadcast round-table discussion, interviews and documentaries on social and gender issues, such as FGM, early, forced and arranged marriages, the hymen, and women's status and participation in social and political life, but these programs are not addressed with any deep analysis, from the critical point of view, challenging the notion of male domination and the strict control of women. HBV is often addressed from the perpetrator's point of view more than from victim's points of view, which reinforces silence imposed upon the survivors and victims of HBV. One example is related to the case in the UK of Banaz Mahmod. After the verdict was issued in London in June 2007, Kurdistan TV produced and carried a documentary film on honour killing focusing on her case. The documentary interviewed Banaz Mahmod's family members justifying the murder and challenging the court verdict, sending a dangerous message to women to abide by patriarchal rules.

10. Media outlets do not have long-term programs and strategies to raise awareness about and challenge HBV. According to journalist and writer Rebin Rasul: "*they raise it on occasions, such as International Women's Day or Weekly Campaign to Combat VAW, and then forget about it*"<sup>168</sup>. 'Private-owned' and 'independent' media do occasionally publish radical articles criticizing the prevailing understanding of honour and political and cultural attitudes towards HBV; however, the groups behind such outlets rarely have a gendered-based strategy and their agenda is dominated by localized political issues.

11. We have also observed that political party affiliated papers are more inclined to cover news of honour killing and other forms of HBV when it happens outside the territories under the direct control of their respective parties.

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<sup>168</sup> Quote from interview with Rebin Rasul, Erbil, April 20 2010. Mr Rasul has accorded us with an in-depth interview and generously contributed to the research through his continued meetings/discussions.

### **Further examples**

#### **Khabat, November 6th 2008**

A woman of 17 years old from Zargata quarter in Sulaimaniya hanged herself at her family home and died. The Bakhtyari Police said: "The woman is 17 years old and hanged herself with her scarf in one of the rooms at her house. According to the initial investigation, the woman did not have any problems with her family.

Investigations are being carried out on the incident." Based on information provided by the source, "after collecting information about the incident, the girl's body was sent to the Department of Forensic Medicine and her file is being kept at Bakhtyari Police for investigation."

#### **Sbeiy website, November 6th 2008**

##### **Duhok: Problems occurred in Duhok in the last two days:**

- An 18-year-old girl has been kidnapped in Duhok and another woman is being harassed.

- A girl, of 22 years, in Duhok burned herself. She suffered 92% burns.

[...]

12. Generally speaking, the media in Iraqi Kurdistan has not been able to engender a culture of rational debate, or to assist in forming public opinion that challenges traditional gender norms. The emphasis upon gossip and 'the sensational' serves to mask the serious task of uncovering the true nature of HBV, and often misses the opportunity to address the human rights of women.

13. Finally, we must return to the recent tendency extending gossip through the internet, which has seen anonymous campaigns to 'dishonour' women who stand up in society and can serve as role models for other women. This sends an alarming message, a message aiming to further control women, and reinforce the traditional notion of honour as embodied in women's body and sexuality. As media specialist Hiwa Othman states: "*this unwholesome atmosphere in which the Kurdish media operates makes it easy for people to just defame, insult or praise others with complete disregard to any code of ethics or professional standards*"<sup>169</sup>.

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<sup>169</sup> Othman, 2010.

## 6.5. The role of faith leaders

*Women in our society are subjected to a great deal of violence and cruelty. What bothers us is that ... Islam is accused of being behind this violence. This is wrong; it is the misinterpretation of Islam which leads to that kind of belief.*

*Amongst faith leaders inside Union of Kurdistan Islamic Scholars, there are people who may think differently' this is true also amongst women's groups. But Islam is against FGM, against child marriage (shirbayee), against exchange of women (jn ba jn), against forced marriage, against honour killing. No murder is honourable. There is no such thing in Islam; in Islam individuals (fathers) do not have the right to kill... To combat such violence against women, we, as Union of Kurdistan Islamic Scholars, are ready to cooperate with women's NGOs and intervene anywhere in Kurdistan to resolve disputes and save lives."<sup>170</sup>*

The above quote is from the Head of the media office at the Union of Kurdistan Islamic Scholars, who was joined during part of the interview by the President of the Union who signalled approval of his statement. Faith leaders in Iraqi Kurdistan have a considerable influence on public opinion. Their discourse is perceived as an expression of a true Islam, different from the Islam often misinterpreted and misunderstood by the public.

During our field research we interviewed a number of faith leaders, visited the headquarters of the UKIS, attended some of their seminars and observed Friday preaches and public speeches. We have noticed deep concerns about the misinterpretation of Islam and the tendency to rectify this impression by saying that true Islam is against the violation of women's rights and is "the religion of peace". We also note that faith leaders admit that extremist religious belief paves the way towards violation of women's rights and can generate violence. However, according to our fieldwork interviews, the mobilization of faith leaders against honour crimes has neither been extensive nor strong enough to make a difference in society.

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<sup>170</sup> Quote from an interview with faith leader and Head of Media Section at the Union of Kurdistan Islamic Scholars, Mamosta Ja'far Gwani, Erbil, July 19<sup>th</sup>, 2010. The interview was conducted at the headquarter of the Union, during the visit of a member of the research team, and President of the Union of Kurdistan Islamic Scholars, Mamosta Abdulla Sa'eed also participated in answering some of the questions.

According to some media reports, the majority of people are unsatisfied with the role played by clerics, saying that “*there is a lack of religious support to combat violence against women in Kurdistan Region*”<sup>171</sup>. Faith leaders can play a reforming role in the society; they are represented in the parliament<sup>172</sup>, and present ideas within the mosques but also through media channels. According to recent statistics, one million people in Kurdistan Region attend mosques on Fridays and listen to Friday prayers<sup>173</sup>, so that the influence of faith leaders cannot be underestimated.

Following the creation of the High Commission on VAW, the then PM, Nechirvan Barzani, called on faith leaders to mobilize their power to speak out against the practice of domestic and honour-based violence. After the first meeting of the High Commission on Monitoring VAW, the then Minister of Endowment and Religious Affairs convened several weekly meetings and also urged preachers of Friday prayers to address VAW in their speeches. They urged men to respect their wives, “*treat them kindly and protect them from violence*”.

In March 2009, members of the research team observed several Friday prayers and preaching and noted that much of the focus was upon the “*unjust*” violence against women, the “*important*” role of women inside the family and in the modern Kurdish world, the increasing level of divorce and “*improper behaviour*”, which have left the door open to violence, separation and disintegration of “*family and Islamic values*”. Kurdish satellite TV channels were criticized for their “*unwelcome coverage*”, diverting members of the community from their ‘*religious duty*’. Nevertheless, according to the ordinary people leaving the mosque that we talked to, faith leaders’ words made them more aware of women’s vulnerability to abuse in modern Kurdish society, adding that it was “*women’s responsibility to protect herself*” and not give up to “*passion and desire*”. It was clear that the discourse of clerics, while of great impact on popular consciousness can be interpreted in a way to restrict women’s freedom within a religious set of ideas, “*making her the centre point of a backward male ideology*”<sup>174</sup>.

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<sup>171</sup> Bahadin, S., 4 October 2010, Rudaw: 12.

<sup>172</sup> In the parliament, they represent the two Kurdistan Islamic parties, the Kurdistan Islamic Union and Kurdistan Islamic Group, but also as the Kurdistan List, such as Dr Mulla Bashir Haddad.

<sup>173</sup> Based on the interview with Mulla Abdull Sa’eed and Mulla Ja’far Gwani, Erbil, 19<sup>th</sup> July 2010.

<sup>174</sup> Ibid.

The limited intervention of clerics in the field of VAW covered also the issue of FGM, and we include some information here due to the inter-relationship between forms of FGM and honour-based violence issues. In September/October 2009, Friday preachers in the Garmiyan district, focused for several weeks on FGM, disassociating it from Islam<sup>175</sup>. Separating FGM from Islam was the main concern of clerics. Following the publication of the Human Rights Watch report on FGM, in June 2010, faith leaders intervened and made a statement in the form of a *Fatwa*. The *Fatwa* explains the stand of Islam towards FGM, referring to the historical roots of the practice, saying that it has no roots in Islam. The *Fatwa* was met with criticism by women's rights activists, who created pressure on the clerics, and following the pressure, Union of Kurdistan Islamic Scholars issued a clarification saying: "*no clear text in Qur'an stipulates (khatanakrdn) (FGM) as a duty*". However, according to women's rights activists, the *Fatwa* does not proscribe FGM.<sup>176</sup> HRW researcher, Nadia Khalifa, who conducted the research on FGM in Iraqi Kurdistan, said in an article on September 18<sup>th</sup>, that the *Fatwa* by the Union of Kurdistan Islamic Scholars, "*did not add anything new*"<sup>177</sup>.

In relation to the intervention of faith leaders in regard to VAW, Rebin Rasul suggests that "*if the role of Mullas have to be recognized in any domain, it has to be in the area of combating VAW*". According to Mr Rasul: "*the discourse that influences Kurdish society is a socio-religious discourse, and not a rational and academic one. This is why the intervention of Mullas in this area is very important. I think the best arm that has been used by the government to combat VAW has been the Mullas*"<sup>178</sup>. With regard to their influence, Mullas and religious leaders have also been mobilized to mediate and resolve disputes between families. In this regard, they all reiterate that their role is to resolve problems and achieve peaceful solutions, and that they "*never get involved when a case is related to murder*". Here, they have said that, when situations become complicated and reaches bloodshed, "*we leave it to the Komelayati bureau*". It is worth noting that faith leaders generally try to argue that the responsibility for the practice of HBV is to be found in Kurdish tribal structures as well as customs "*urf u adat*" and have nothing to do with Islam. "*Honour killing is as an "urif" - a habit/norm, a wicked tradition and a cultural issue. It is not religious*"<sup>179</sup>.

<sup>175</sup> See Zhyanawa, No 388, year 12, 4 October 2009: 1.

<sup>176</sup> See 'Female Genital Mutilation must be outlawed', 13 July 2010, in <http://www.asuda.org/>

<sup>177</sup> Khalifa, 2010a., source: <http://www.awene.com/awene.aspx>, retrieved on 18 September 2010.

<sup>178</sup> Ibid.

<sup>179</sup> Quote from interview with MP and Dr Bashir Haddad, Erbil, 25 March 2009.

According to women rights' activists, the intervention of faith leaders may be perceived as controversial and contradictory, for they are more loyal to "God's word" and Shar'ia than to human rights and "*they give space for discrimination and gender inequality, such as the limitation on property inheritance rights that are approved of by Mullas*"<sup>180</sup>. However, Dr of Shar'ia at the University of Salahaddin, Mulla Bashir Haddad states: "*HBV concerns us as a human right issue and as a religious issue. It is against principles of human rights and is also against Islamic principles. This is my belief as a religious man. I consider myself responsible in spreading awareness of human rights, but within the boundaries of Islamic religion. If I do not perform this duty, this means that I am betraying my religion*"<sup>181</sup>. There is no doubt that religious leaders can have an important role in changing people's attitude and perception on HBV. However, when it comes to their intervention, their main role, the research study suggests, should be in awareness-raising inside the community, with interventions monitored by women's rights groups and government to produce a positive impact on people's attitudes. Government reliance of faith leaders needs to be tempered in terms of women's rights and in the face of other progressive sectors of society. Above all, religion should not be left to become a primary means of communication and liaison between the political authority and citizens. In the context of the transitional status of contemporary Kurdistan, as we discussed above with traditional mediation structures, there need to be explicit commitments to free faith leaders from responsibility for social affairs and to broaden and deepen the respect for formal secular law.

## 6.6. Moving forward

*A father brought his daughter to our centre and told us, here is my daughter. She is at risk of murder from my family. They want to kill her. I have heard about your work and brought her to you so that you can protect her. I love my daughter and I don't want her killed.*<sup>182</sup>

This statement tells us about a father, whose daughter was the victim of sexual abuse. He stood against his family and relatives, and refused to participate in, or to stand by while others executed, a killing. The expectation to perform was rejected in favour of

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<sup>180</sup> Quote from interview with an activist, November 2009, name and location withheld on request.

<sup>181</sup> Quote from interview with Iraqi Dr of Shari'a Mulla Sirwan Ahmad Qadir, Sulaimaniya, 17 April 2010.

<sup>182</sup> Quote by Runak Rauf from Women's Information and Media Centre, Rewan. March 8<sup>th</sup>, 2009. Ms Runak Raouf has kindly and generously allowed us an in-depth interview and several informal meetings with herself and her staff at the Rewan centre, which enriched our research.

life and love. Here, we have both hope and the indication that different futures might beckon.

### **Deconstructing honour and conclusions**

Iraqi Kurdistan is in many ways undergoing rapid transformation. In our research, we have recorded that attitudes towards honour and its representation are also in the process of transformation and contestation.

The prevailing understanding of honour in Kurdistan is that it is situated in women's bodies. While research respondents confirmed this understanding, the majority of the also displayed a strong desire to distance themselves from such a belief system. In the statements below, we provide space to some of the many voices of dissent:

#### **a. Honour is virtue, honesty and truthfulness, knowledge and wisdom**

*Honour is a shared value between men and women. It is about being true and honest.*

(Young female TV presenter)

*Honour is knowledge/wisdom*

(Faith leader and MP)

*Honour is the most precious thing for people and it indicates many meanings such as loyalty, faithfulness and commitment to his or her words; it is not always linked to women.*

(Senior KDP official)

#### **b. Honour is patriotism, loyalty to homeland and nation**

*Honour is my homeland, my flag, Kurdish national sovereignty.*

(Former PUK Peshmerga)

*Honour is not a piece of meat inside women's legs. It is truthfulness and loyalty to the nation. Betraying the homeland is dishonour not love.*

(Head of a women's centre)

Honour is no longer a publicly shared notion. There is no doubt that change is underway with the increasing awareness of violence against women and human rights in Iraqi Kurdistan Region. As an interviewee indicated:

*“Despite wars and internal confrontation since 1991, despite shortcomings, changes can be witnessed.”*

(Health professional)

The process of continuing to confront HBV at the level of ideas is crucial, as is its removal from the 'private sphere' (family, clan, tribe where it often still resides) and its addressing by the authorities. The views expressed above give us a different idea of honour. To articulate publicly such alternative understandings could well play a vital role in eroding the foundations of the dominant understanding of honour which are used to justify HBV.

Kurdistan is undergoing a period of rapid and dramatic transformation. In many ways the spectre of HBV is a product of 'pre-modern' social formations and symptomatic of the tensions and anxieties arising as society is confronted by the consequences of engagement with the modern world. HBV is arguably one expression of pre-modern performance principles, visible public acts in the service of convention. To break free from such conventions, it might be well worth, in general, exploring the contours of intimacy, personal and community relations and morality. In the immediate term, however, action and leadership is needed. Leaders not only govern society, they provide direction and should seek to lead society towards a better future, and to make a difference.

The research team present the following Action Plan to assist in this process.

# **Chapter 7: Action Plan for Iraqi Kurdistan Region and the Kurdistan Regional Government**

**Note: this Action Plan can also be used as a stand-alone document**

## **7.1. Introduction**

This Action Plan has been developed from the research evidence of the international Honour-Based Violence Study conducted in Iraqi Kurdistan and the UK from 2008 to 2010. It aims to provide policy and practice assistance to the Kurdistan Regional Government, and both to agencies, NGOs, professionals and activists working on the issue, and also to victims, survivors and the families of those affected.

The study found that the Kurdistan Regional Government and the various agencies in Iraqi Kurdistan Region are to be congratulated on what they have achieved so far to combat honour-based violence in the Region. For example, the government and the Kurdish law-makers have made several notable legal amendments to reduce violence against women and crimes in the name of honour, amending several articles in the IPC between 2000-2002, in attempts to remove undue leniency in the treatment of offenders. These actions have set a positive precedent although, unfortunately, there is evidence from this study and from the recent United Nations report that these improvements have not always been reliably implemented<sup>183</sup>.

Overall, however, there is a political will to address issues of honour-based violence in Iraqi Kurdistan, as part both of the modernization and democratization project locally, and of the wider global effort on the issue.

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<sup>183</sup> UNAMI, UNHR and ASUDA, 2009

The Action Plan will assist in strengthening this political will and in putting into place multi-stranded, co-ordinated action which will place Iraqi Kurdistan at the forefront in the global region in challenging honour crimes.

Action plans are designed to be achievable within realistic time limits. However, cultural change is lengthy and complex. This Action Plan is therefore designed as a beginning and a pointer towards future development.

## **7.2. The Action Plan: Overall issues**

- **7.2.1.** This Action Plan is centred on the:
  - Prevention of honour-based violence
  - Provision of relevant services, and
  - Protection of families/victims.

These categories have been successfully used in some other countries including the UK.

- **7.2.2.** The primary recommendation of the research, reinforcing the few other reports on the issue so far<sup>184</sup>, is that there is a need for:
  - A multi-pronged approach to tackling honour-based violence.

Co-ordinated work on multiple levels would be expected to include, in general, more effective protection systems and mechanisms, an improvement in how cases are dealt with and investigated in the criminal justice system and the courts, improved training for agencies and professionals, and programmes of awareness-raising and education in communities.

- **7.2.3.** The first requirement is for the further building and strengthening of:
  - Political commitment by the Kurdistan Regional Government, by relevant agencies and by communities to working against honour-based violence.

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<sup>184</sup> Mojab and Hassanpour, 2002; Begikhani, 2005; UNAMI, UNHR and ASUDA, 2009

- Such political commitment needs to be embedded in the work of the relevant ministries and agencies and to be adequately resourced, if social development and change on honour violence are to be achieved.
- **7.2.4.** This will require the leadership in Iraqi Kurdistan to move forward, using this commissioned research and to further act on its stated commitment to address gender, honour and violence issues, in order to build on the good work already conducted, on which the Kurdistan Regional Government is to be congratulated.
- **7.2.5.** An important underlying issue is the need for a wide-ranging addressing of gender equality, and the development of a gender equality scheme, as a strong government modernizing commitment. On a general government level, this includes the promotion of women to senior posts (based on their qualification and skills and not only on their allegiance to political parties), the re-establishment of the Ministry of Women, and the integration of gender equality issues within the work of relevant departments and agencies.

It also means reforming laws relating to women, both in the Iraqi Penal Code and the Iraqi Personal Status Code to remove provisions which may disadvantage women, to promote gender equality and to combat honour crimes.

### **7.3. The Action Plan: The Kurdistan Regional Government**

- **7.3.1. Re-endorsement of legal remedies.** The helpful legal reforms noted above (including, for example, the amendments of Articles 128, 130, 132, 377 of the IPC, which were adopted at different times under different administrations) now need to be reviewed and re-endorsed in the unified Kurdistan National Assembly.
- **7.3.2. Enforcing legal implementation.** An essential step to improve the policing and treatment of honour-based violence is to enforce and standardize the (currently inconsistent) implementation of these and other relevant pieces of legislation on violence against women (including the proposed law on domestic violence).

In order to be effective, laws, of course, need to have ‘teeth’, to be properly enforced and to be operated with commitment and will. Until now, this has not always been the case

for honour crimes, and this Action Plan provides an opportunity to address this difficulty.

- **7.3.3. Monitoring and advocacy.** To achieve more consistent legal implementation in the courts in this way, monitoring mechanisms need to be urgently established. Independent advocacy for victims and independent monitoring of improvements would be of assistance in this process.

- **7.3.4. Specialized training and support of the criminal justice and legal professionals involved.** Further measures need to be put into place to improve the functioning and implementation of these laws. Importantly, this needs to entail training for the criminal justice system, lawyers and the judiciary to enable them to deal with crimes on the grounds of honour more consistently and effectively than at present. (See also sections 7.3.10 and 7.3.13.)

- **7.3.5. Improved systems of investigation.** The police and prosecutors need improved systems of investigation and evidence collection. This would entail training, the development of more expertise and improvements in attitudes of officers to women's issues and to gender and honour violence, and a modernizing the methods used for investigation (e.g. the introduction of modern techniques such as DNA analysis etc.).

- **7.3.6. Arms regulation.** The widespread presence of firearms, prevailing in many homes, makes a key tool of violence readily available to use against women. The regulation of the use and circulation of firearms needs to be considered. For example, some forms of registration and safe centralized deposit of guns is necessary to expel the gun from domestic space.

- **7.3.7. Witness protection programmes.** It is essential that witnesses are better protected, if prosecution of honour crime is to be improved, with the introduction of sympathetic witness protection programmes and wider protections and welfare measures for victims and their families.

- **7.3.8. New legislation and a national strategy** (see Section 6.4.1. below). Further, the development of new legislation and a national strategy on honour-based violence in the future would assist in the building of a coordinated response across Iraqi Kurdistan.

- **7.3.9. Customary law versus formal law.** The issue of customary law versus formal law is an important one in the context of honour crime. There is a pressing need for clear commitments that customary and traditional mechanisms and parallel legal systems are subordinate and secondary to the official legislature and formal law of Iraqi Kurdistan Region.
- **7.3.10. Training and awareness-raising for those involved in customary law and justice.** Those who deal with informal customary law, cultural systems and tribal justice need to be trained on women's rights, honour-based violence and gender equality. The idea of such training would be to:
  - Enable the gradual erosion over time of harmful cultural views and behaviour (e.g. in terms of upholding family honour) which damage and disadvantage women and other family members.
  - Ensure that women victims are provided with appropriate and sustainable remedies, while according respect to traditional non-harmful cultural practices.
  - Have in place systematic and rigorous recording and monitoring procedures and processes to ensure that 'informal justice' conforms with human rights principles and formal law.
- **7.3.11. Kurdistan Women's Council.** The current government is encouraged to concretize the establishment of a Women's National Council with a monitoring capacity which would be able to develop a gender equality scheme and work on HBV as one of its tasks.
- **7.3.12. Specialist courts.** Building on the positive experience of the court in Sulaimaniya, the government is encouraged to consider working towards the wider establishment of specialist 'Violence Against Women Courts' (as in many other countries including the UK and Canada), with specialized training of judges and prosecutors and the monitoring of these courts as a longer term goal.
- **7.3.13. Training and professional education more widely.** In order to combat honour-based violence, wider training of relevant professionals is essential. Such training needs to:

- Take place at all levels of government and the education, health, criminal justice judicial systems
  - Be culturally sensitive and to be conducted with care and sensitivity
  - Be secular in approach
  - Include contextual understandings that honour-based violence is usually a form of gender-based violence and is deeply damaging to women and girls
  - Avoid blaming women and children for honour crime or condoning their 'punishment' on ground of honour
  - Lead to better understandings of HBV within the judicial system, the police and the wider society.
- **7.3.14. Women's support services, shelters and NGOs.** Victims and survivors of HBV and their families need support and services and to know that the government takes their needs seriously. As well as general welfare and health facilities, this will include facilitating women's support services, shelters and NGOs so that such services are reliably available for victims. This would need to include providing better security and support for shelters.
  - **7.3.15. Programme of public awareness and education.** To achieve new understandings and to challenge traditional views of honour violence requires a sensitive programme of public awareness and education. Such a programme could be rolled out across communities, towns and rural areas. It would need to:
    - Be culturally sensitive at all levels
    - Be based on a community sensitization model in which the local population is involved. (Precedents exist for this model around the world)
    - Include men in all stages
    - Be conducted with care, knowledge and sensitivity
    - Be aware of safety issues in some situations

Such an awareness-raising programme would be expected to take place in villages and to use popular culture in the form of songs and drama (learning from similar programmes developed in other countries).

- **7.3.16. Reforming the education system.** Reforming the education curriculum is essential. Such reform should start from the schooling of children onwards and contribute to a co-ordinated effort taking on issues of HBV and gender-based violence. Such reforms would be expected to include the development of gender equality education, sex education and citizenship education, but in a culturally and socially sensitive context. Again, precedents exist in some other countries on which to draw.
- **7.3.17. Multi-stranded strategies.** More widely, the government should encourage multi-agency strategies on HBV and an improved system of cooperation and forum- building between women's community projects and the government, the police, and other agencies to enable more effective joint working.
- **7.3.18. Faith leaders.** While this Action Plan is designed as a multi-faceted strategy at government and agency level, it is essential that religious, faith and cultural leaders are also involved in building an integrated response. Their response should be coordinated by the Ministry of Endowment and Religious Affairs, which needs to provide training to clerics and the religious community in consultation with experts and women's rights groups. The idea of such training would be to:
  - Address the misinterpretation and misuse of Islam/Qur'an in relation to HBV.
  - Raise public awareness about gender equality and social justice inside the religious community.
  - Enable the gradual erosion over time of harmful religious views and behaviour, which damage and disadvantage women.

#### **7.4. The Action Plan: The Kurdistan National Assembly**

- **7.4.1. Improving the legal context.** New legislation will be needed as modernization proceeds in Iraqi Kurdistan region to enable gender equality and to

address more fully gender-based violence, honour-based violence and female genital mutilation, as also noted above. The project laws of VAW and FGM need to be brought to discussion and ratified as a matter of urgency. Also, controversial Articles in the Iraqi Penal Status Law and the IPC need to be amended, including Article 409 related to “adultery” (*zina*) Article 41 related to ‘disciplining’ (*ta’dib*) a wife or children, and Article 393 in relation to rape.

- **7.4.2. Regulation of mobile phones/cyber-abuse.** A particular issue of concern, highlighted by this research, is the widespread abuse and violence conducted using mobile phones and cyber-space and aiming to damage the reputation and, therefore, the honour of women. Women are also being targeted by anonymous actors, who use images of women, real or fabricated, to undermine individual reputation and publicly question the victim’s honour. This new problem will need to be addressed in terms of legislation and policy control.

- **7.4.3. Regulation of arms.** There is a need for the Kurdistan National Assembly to ratify Law number 16 in relation to arms’ regulation in Iraqi Kurdistan, which was introduced and discussed in the parliament in October 1993. This law need to be reviewed and ratified.

- **7.4.4. Regulation of the courts.** As noted above, the prosecution of honour-based violence needs to be regulated and monitored for effectiveness. The Kurdistan National Assembly will need to put in place mechanisms to achieve these outcomes.

- **7.4.5. Communication mechanisms with courts.** All new and amended laws and articles of laws ratified by the KNA should reach the courts. In addition to their publication in the Waqa’y’i Kurdistan journal, there is a need for the KNA to communicate them to professionals and the public alike, throughout Kurdistan Region.

## **7.5. The Action Plan: Women’s support projects, NGOs and human rights groups**

- **7.5.1. Resourced services.** The women’s NGOs and human rights organizations in Iraqi Kurdistan provide an essential and humane service supporting victims, but are critically over-stretched and under-resourced. This sector needs to be strengthened with

additional resourcing to enable it to respond more adequately. Such resourcing would lead to more embedded sustainable provision and to increased services.

- **7.5.2. Specialist training, and the further development of expertise and professionalization.** Specialist training, expertise and professionalization of these services is required and would be facilitated by increased resourcing and support.
- **7.5.3. Solidarity and support mechanism.** Women's organizations and activists' work will be more effective if liaison mechanisms and support programs are available and put into practice.
- **7.5.4. Awareness-raising programmes.** Women's and human rights projects will be able to assist in putting in place awareness-raising programmes and new programmes of support put in place as a result of the Action Plan. These would need to:
  - Be proactive in involving and supporting victims and families, rather than adopting a more passive role.
  - Reach out, in particular, to marginalized, isolated and rural women and families.
  - Target both women and men victims and also male perpetrators in terms of services and projects to address HBV.

## **7.6. The Action Plan: The media and social attitudes**

- **7.6.1. The media in awareness-raising.** The research found evidence that the media play a crucial role in raising public awareness about HBV and in changing people's attitude.

Also, media outlets play a role in perpetrating traditional attitudes about women and family honour. This Action Plan recommends that the media take a more careful and consistent role in raising public awareness more actively about HBV and its consequences for Kurdish society.

- **7.6.2. Media ethics.** Media outlets should observe international media ethics and avoid stigmatizing women and playing around honour/dishonour equation.

- **7.6.3. Gender strategy.** There is a need for setting up a gender strategy inside media groups, integrating more women into media circles, as well as a special need for trained and specialist reporters on gender violence issues and HBV, in terms of reporting atrocities, following cases, attending court and so on.
- **7.6.4. Avoiding sensational reporting.** In general, media reporting needs to avoid sensational or patriarchal approaches, and rather to promote gender equality and social justice in cases of honour based violence.
- **7.6.5. A progressive role.** There is an avant-garde and progressive role for the progressive media in Iraqi Kurdistan Region in terms of facilitating changing attitudes and social development. This requires a broad understanding of gender and honour-based violence, dialogue, and a non-prejudicial communications approach with government institutions and NGO's dealing with HBV, as well as careful analysis and rational debate.

## ***Section 3: The UK***

### **Chapter 8: ‘Honour’-based violence and UK policy and practice**

The UK section of the research is based on analysis of four high profile so-called honour killings and empirical evidence from thirty-four interviews, including interviews with eight police officers, two Independent Police Complaints Commissioners, six Crown Prosecution Service lawyers and senior judges and barristers, and 10 with women's organizations e.g. Iranian and Kurdish Women's Rights Organization, Southall Black Sisters, Kurdish Women's Rights Watch, and Middle East Centre for Women's Rights, as well as with several independent NGO activists and others. Interviews were carried out with participants from various parts of Kurdistan who were all part of the Kurdish Diaspora in the UK.

#### **8.1. Understanding ‘honour’ killings and HBV in the UK**

As discussed above, attempts to attribute so-called honour killings and HBV to particular geographical regions, cultural factors, faiths or societies have failed, because honour killings transcend simplistic understandings. In the Kurdish community, honour is a multi-dimensional concept that encompasses familial respect and social prestige, which may be seen to be under threat after migration to a country like the UK.

However, an examination of agency practice and various government initiatives on HBV in the UK indicates that HBV has predominately been viewed, in the past at least, as a problem for immigrant or ‘othered’ women and men, seen as outside the moral (and, by extension, liberal) culture of the nation<sup>185</sup>.

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<sup>185</sup> Gill & Anitha, 2011.

HBV is often not conceptualized as related to male domination and control in families, but viewed as an expression of the different nature of minority cultures (i.e. Kurdish/South Asian and/or Hindu, Sikh and Muslim cultures). Causality has frequently been attributed (in the past, almost universally) to supposedly immutable and intrinsic traditions, customs and religious beliefs.

Since 9/11, previous multi-cultural agendas in the UK have been rolled back in favour of a new community cohesion agenda. The latter tends to (re-)conceptualize HBV as an expression of the 'backward' cultural attitudes of minority communities, and these cultural attitudes have, in turn, been conceptualized as standing in sharp contrast to those of liberal (white) British society.

These rather unfortunate and stigmatizing attitudes have been combated by women's organizations, and by groups and organizations from within the minority communities concerned, including the Kurdish community. Many women's NGOs that are focused on women's issues in the UK now use the term 'violence against women', rather than differentiating domestic violence or HBV. They see HBV as one part of gendered violence, because it encompasses the range of violence that women from both majority and minority UK communities' experience<sup>186</sup>.

*The underlying purpose of 'honour crimes' is to maintain men's power in families and communities by denying women basic – and internationally recognized – rights to make autonomous decisions about issues such as marriage, divorce, and whether and with whom to have sex, in order to control female sexuality and reproductive function. The 'crime' does not need to have occurred in reality; community gossip and the loss of reputation is enough of a rationale for murder if it implies a loss of virginity or an act of fidelity.*

(Iranian and Kurdish Women's Rights Organization)

*It is all about sex. It is all about a woman's body and sexual purity and particularly virginity is the most important thing in Kurdish mentality.*

(NGO independent Iraqi activist, UK)

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<sup>186</sup> Dustin, 2006.

*There certainly is gendered context, the association of honour in what we found in our research and what we have heard, and continued to hear from the different groups we work with is that, it is family honour based on the honour of the female members of the family and so it is much more difficult for something to happen to the man or for a man to act in the way that he would dishonour his family because he is not seen as the symbol of honour for the family.*

(Kurdish Human Rights Project, UK)

In terms of Kurdish communities in particular, the patriarchal or male-dominated values that underpin these communities often conflict with the values, and even laws, of mainstream UK society. This makes it particularly hard for second or third generation women to define their own values. For example, Berruti's (2002) study of young Kurdish women in France demonstrated that traditional customs such as early or child marriage were still being practised in immigrant communities. Instances of HBV often result from conflicting attitudes towards life and family codes. The killings<sup>187</sup> of Fadime Shahindal in Sweden, Hatice Sürücü in Germany, and Heshu Yones, Banaz Mahmud and Tulay Goren in the UK have raised the media profile of so-called honour killings in Kurdish communities. Unfortunately, these media discourses have tended to ignore the efforts of Kurdish women's rights activists and organizations to address VAW from within their own communities.

## **8.2. UK initiatives on HBV**

Until recently, the main government initiative on HBV in the UK focused specifically on forced marriage, rather than attempting to develop a better understanding of the range of forms of HBV and VAW and their interconnections. One of the key exceptions was the 1999 Project on Strategies to Address Crimes of Honour, set up in coordination with the Centre for Islamic and Middle Eastern Laws at the School of Oriental and African Studies (University of London) and the International Centre for the Legal Protection of Rights. At a grassroots and casework level, a number of community and women's groups, including the Iranian and Kurdish Women's Rights Organization and Kurdish Women Action Against Honour Killings, campaigned for many years to bring the true incidence of HBV to light.

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<sup>187</sup> Berruti, 2002.

More recently, the Metropolitan Police Service (MPS) has taken the lead in efforts to prevent HBV, with some initiatives from the Foreign and Commonwealth Office of the government. The immediate catalyst for this work was the extensive media coverage, in 2002, of the murder of a sixteen year-old Iraqi Kurdish young woman, Heshu Yones, who was killed by her father after he learnt of her affair with a Lebanese Christian man (see later discussion). In line with the general belief that honour crimes are a matter of cultural difference, the judge, on sentencing Heshu's father to life imprisonment, described the case as a tragic story arising out of irreconcilable cultural differences between traditional Kurdish values and the values of Western society.

In January 2003, the MPS set up the Strategic Homicide Prevention Working Group on Honour Killings to cover the London area. A second national group was developed to deliver a training package for all police forces in the country. In June 2004, Scotland Yard announced that it was re-examining 109 possible honour killings from the period 1993 to 2003. As many of the cases had already been closed, the primary purpose of the initiative was to look at the motivation behind these crimes with a view to developing risk assessment indicators and a national police database to monitor and record such cases more effectively. This was an important development because serious shortcomings had been identified in relation to the recording of police data on such killings.

A simple but careful definition of HBV was developed by the police, subsequently. One of the senior police officers who contributed to this research provided the following background information:

*We developed, in March 2007, a frontline working definition to what we thought honour-based violence was and that is ... a crime or incident which has or may have been perpetrated to defend the honour of the family and all of the wider community. We looked at the issues around the fact that honour-based violence was a national and international problem, given that it transcends national and international boundaries and borders. And it transcends a number of, and was not isolated to, one particular religious and faith group.*

(Police Officer 7)

In June 2007, the Crown Prosecution Service (CPS) began piloting a scheme to track HBV cases as part of a wider HBV project that also involved training 25 specialist

prosecutors to work in HBV hot-spots and the development of a system for flagging forced marriage and HBV cases<sup>188</sup>.

Building on the previous MPS guidance, the Association of Chief Police Officers (ACPO) has now developed, with extensive consultation, the ACPO Strategies on Honour-Based Violence and Forced Marriage<sup>189</sup>, together with a two year implementation Action Plan. This Strategy contains comprehensive guidance and provision for training of police officers around the country, and is currently being rolled out. Police risk assessment is conducted through the Domestic Abuse, Stalking and Honour-Based Violence (DASH) Risk Identification, Assessment and Management Model<sup>190</sup>. This model means that, for the first time, all police services and a large number of partner agencies across the UK are using a common checklist for identifying and assessing risk. The ACPO Council accredited the DASH Model to be implemented across all police services in the UK from March 2009.

Thus, a holistic response, and good practice guidance and strategies, are being attempted. The trainings, guidelines and risk assessments which have been developed as part of the ACPO Honour-based Violence Strategy are very encouraging. The pioneering and dedicated officers concerned have begun to transform the response of the MPS, and now, through the Association of Chief Police Officers, the police response more widely. Some of these officers who were interviewed for the study have spoken internationally about the new Strategy and the training and practice initiatives - which have been suggested to be world-leading - and have indicated their willingness to also work with their counterparts in Iraqi Kurdistan, should this be helpful.

However, this forward-looking work at the strategic level has yet to be fully embedded and implemented, and only represents a start. Thus, although there have been serious, focused and determined efforts in recent years, those working on the ground to combat the problem agree that much remains to be done to improve the quality of policing and criminal justice responses to honour crime.

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<sup>188</sup> CPS, 2007.  
<sup>189</sup> ACPO, 2008.  
<sup>190</sup> DASH, 2009.

### **8.3. Kurdish women's support organizations and NGOs in the UK**

Paralleling the activities of the women's movement in Kurdistan, Kurdish women in the Diaspora have created an autonomous network of cultural, social and political women's associations in various European cities. These organizations are dedicated to supporting and promoting women's rights in the Kurdish community, whether in Kurdistan or in the Diaspora. Through the efforts of these organizations, and also of individual activists, many taboos associated with VAW, and especially HBV, have been unveiled over the past decade. Crimes like honour killings, domestic violence, forced marriage, female genital mutilation; sexual torture and rape as a war crime have become subjects of public discussions and international campaigns.

Since its foundation in 2002, for example, the Iranian and Kurdish Women's Rights Organization (IKWRO) has observed increasing levels of HBV and forced marriage in the UK's Middle Eastern communities and has provided advocacy services for thousands of clients. "*Honour killings are committed within the family*" explains the current Director of the International Campaign Against Honour Killings. "*They are a collective and organized crime.*"

Although specialist UK women's organizations more generally have long provided advice and support services for domestic violence victims, it is only in recent years that they have extended the remit of their work to include honour killings and HBV. These issues, and the connections between them and VAW and other forms of discrimination, need to be better understood by generalist women's and other concerned agencies, across the board, if they are to be combated effectively.

Many of the UK women's groups are now focused on establishing expertise around honour crimes to attract the attention of funding organizations and to improve mainstream responses. By increasing media focus on honour killings, these groups have also made a vital contribution to addressing the silence that has traditionally surrounded these forms of violence. The consequent increase in awareness and understanding of the problem has enabled victims to seek support but also dramatically increased the workload of these organizations.

*Definitely it [HBV] has increased, and I think this year it is over 100 still we are working on them... But the important thing is that the people, the women who seek help from the organizations during these few years have definitely increased dramatically and in some years, last year and the year before it was doubled or trebled.*

(Iranian and Kurdish Women's Rights Organization)

Kurdish Women's Rights Watch (KWRW), the Middle East Centre for Women's Rights and other Kurdish women's groups have also explored patriarchal relations and how the constructions of female sexuality, and its links with masculinity and honour, determine the subordinate position of women in Kurdish communities. The interviews with women's organizations conducted during this study demonstrated that the meanings of honour and shame are not static but, instead, are contested and constantly shifting. Thus, change is occurring, not only in the statutory and women's sectors, but also within communities.

### **The views of specialist women's organizations on state responses**

As outlined above, the UK State, and the statutory agencies associated with it, have been attempting to improve responses to HBV, but this is not without its contradictions. Opinion among the women's NGOs regarding the efficacy of state intervention in HBV issues remains mixed. As a representative of Southall Black Sisters argued when interviewed during this study:

*The [government's] contradictory approach is ... very ironic because post 9/11 and 07/07, the government's priorities have been around preventing extremism, [resulting in] the government putting a lot of money in, millions of pounds, into funding faith-based organizations.*

This, in turn,

*has created a situation where the more conservative elements within (minority) communities have been ... boosted with more funding from the state ... [while] groups who are secular, like ourselves - women's organizations – have actually faced [a] funding crisis and, as a result ... closure [of] or reduced services.*

(Southall Black Sisters)

Lack of funding, together with sometimes unenlightened views expressed by the police and other statutory bodies and a concentration on providing criminal justice responses without wider support services, have meant that women's organizations are struggling to meet the needs of violated women coming to them and many are in crisis. While the new strategies within the police, the CPS and multi-agency partnerships addressing HBV have been welcomed by Kurdish and other specialist women's organizations, they point out the necessity for the development of a more holistic response. In particular, they highlight the urgent need for properly resourced women's support projects, refuges and outreach services, together with awareness-raising programs and welfare measures, which could then work alongside the improved criminal justice initiatives.

Women's organizations and survivors of honour- and gender-based violence also point out other failings or inconsistencies in State responses. We highlight here the following case studies, describing high-profile honour killing cases including how these crimes have been investigated and dealt with in the UK criminal justice system.

#### **8.4. Case studies: The case of Heshu Yones**

##### **The case of Heshu Yones**

One of the most publicized cases of honour killings was that of sixteen year old Heshu Yones. On 12 October 2002, Heshu's father, Abdalla Yones, killed her. Her crime was that she had become 'Westernized'. The family had migrated to Britain to escape persecution by Saddam Hussein's regime in Kurdish Iraq. Heshu had developed a relationship with a Lebanese Christian man.

##### **Case summary**

The murder took place in the bathroom in the family home in London. Abdalla had first chased Heshu from room to room before cornering her and attacking her with a kitchen knife. He stabbed her eleven times. The last blow was wielded with such ferocity that the tip of the blade broke off when it hit a bone in her neck. Before Abdalla struck the final blow, he held his daughter down over the bath and slit her throat. She bled to death on the bathroom floor, wedged between the bath and the toilet. When her body was discovered, the white-handled knife was still sticking out of her throat.

Although Yones attempted suicide after the murder, he stood trial in 2003 (*R v. Abdulla M. Yones*, 2003). At the trial, he stated that he felt provoked by Heshu's Western-style dress and Christian boyfriend. Other statements made in his defence suggested that he was "*forced to kill*" because Heshu had put him in an "*untenable position*" by making a "*stain*" on the family's honour. In sentencing Yones to life imprisonment, Judge Denison's QC stated that "*The killing and the manner of it was an appalling act. This is in any view a tragic story arising out of irreconcilable cultural difficulties between traditional Kurdish values and the values of Western society. It's plain that you strongly and genuinely disapproved of the lifestyle in this country of your daughter but it must not be an excuse to kill.*"

This case resulted in a conviction for murder. However, anxieties about cultural sensitivity have sometimes encouraged the judiciary and the police to proceed over-cautiously in investigating killings involving cultural practices. Home Office Minister, Mike O'Brien following the case commented that "*a murder is a murder*" and that, in the matter of honour killings, multiculturalism too often becomes an excuse for 'moral blindness'. This is a view that is clearly shared by Commander Andy Baker, then Head of the Metropolitan Police's Serious Crime Directorate, who stated in 2003 that: "*There were certainly people who had tried to protect Abdalla Yones, who could be investigated on suspicion of perverting the course of justice ... We are completely satisfied that some members of the community, or his friends, tried to assist him in that cover-up... Anyone who committed this, or commits any other murder, will be thoroughly investigated and brought before the courts. We will not tolerate it. Nor should any community. It is murder. There is no excuse. Full stop.*"

Detective Inspector Brent Hyatt of the Metropolitan Police's Serious Crime Directorate was interviewed during this project. In relation to this case, he suggested that: "*Abdalla Yones killed her [Heshu] to shield his so-called honour. A few months before her death, she had been taken to Kurdistan to be married off. But the marriage didn't take place because the groom's family discovered she was not a virgin. Abdalla brought Heshu back and decided to eliminate her. The family approved of the crime.*"

## 8.5. Case studies: The case of Banaz Mahmood

### **The case of Banaz Mahmood**

Banaz Mahmood Babakir Agha's family migrated to Britain from Kurdish Iraq in 1998. Banaz was aged 21 years and was living in Mitcham, South London, when she was strangled with a shoelace, in 2006.

### **Case summary**

Banaz's body was stuffed into a suitcase and buried in a garden in Handsworth, Birmingham. Her decomposing body was found in April 2006, three months after she disappeared.

In June 2007, her father and her uncle were found guilty of her murder. Banaz's father was found to have ordered the killing, but his brother had it carried it out. Another member of the Iraqi Kurdish community, Pshtewan Hama, pleaded guilty to perverting the course of justice. In March 2007, a further man, Mohammed Marif Hama, who was not a relative but belonged to the Iraqi Kurdish community, pleaded guilty to murdering Banaz. He was recruited by Banaz's father to assist with the murder.

Hama was secretly recorded talking to a friend in prison, and transcripts of the recording were read out at his pre-sentence hearing. Hama admitted "*slapping*" and "*f\*\*\*ing*" Banaz. On the recording, Hama and his friend can be heard laughing as he describes how she was killed with her uncle, Ari Mahmood, "*supervising*". Two further suspects in the murder who fled to Iraq have since been extradited after an extended campaign for justice. Describing the murder, Hama said, "*I swear to God it took him more than two hours. Her soul and her life would not leave.*" Banaz was garrotted for five minutes, said Hama, but it took another half an hour for her to die: "*I was kicking and stamping on her neck to get the soul out.*".

Banaz's crime was to fall in love with a Kurdish Muslim man, twenty-eight year old Rahmat Suleimani, who was not from the same clan group but, instead, was a Kurdish man from Iran. They met at a family gathering, fell in love and decided to elope. This behaviour was perceived as scandalous by the family, and her actions became known throughout the tight-knit Kurdish community in South West London.

Her family had recently arranged for her to marry a cousin in the family clan group. Shortly after the marriage, Banaz sought a divorce on the grounds that her husband was

abusing her. Her desire to dissolve the marriage was regarded by the senior male members of the family as a betrayal of the family's honour. When the family became aware of her intention to elope, Banaz's father held a family meeting. At the insistence of Banaz's uncle, it was decided that her punishment would be death. All the perpetrators in this case believed that their acts of violence were a justified response to Banaz's dishonourable behaviour.

Banaz's case was horrific, partly because of the extended nature of her ordeal and the fact that there had been previous attempts on her life. During one of these, she called the police, after escaping through a window. However, despite the fact that her hands were bleeding, the police treated her as though she were making a play for attention in the aftermath of a private family argument, and dismissed her claims as dramatic and calculating. The policewoman concerned later admitted that she had made a terrible mistake. In fact, the police even considered charging Banaz with criminal damage because she had broken the window in getting away. Banaz later recorded a telephone video message on her boyfriend's mobile phone about the police's refusal to help her which was used during the murder trial. Banaz and her boyfriend were repeatedly threatened, and there were attempts at abduction.

Even though the police did not take Banaz's appeals seriously while she was alive, her death spurred a massive police inquiry. There were 47 house searches and 22 arrests, and 779 statements were taken. Sixteen people were bailed to re-appear before police, including several who fled to Iraqi Kurdistan.

Women's and other organizations internationally lobbied the governments in both the UK and Iraqi Kurdistan to extradite the two remaining suspects in the murder. The extradition was finally ordered by the Iraqi Kurdish authorities in Spring 2010. Omar Hussein and Mohammed Saleh Ali stood trial at the Old Bailey in October 2010. Both men were found guilty of the murder of Banaz Mahmud and guilty of threats to kill Rahmat Sulemani 10<sup>th</sup> November 2010. Ali was sentenced to a minimum term of imprisonment of 22 years and Hussain to 21 years. The third man Sardar Mahmood was found not guilty of all counts - conspiracy to kidnap, threats to kill Rahmat Sulemani and

perverting the course of public justice.<sup>191</sup> Following the guilty verdicts on 10 November 2010, Judge Brian Barker, the Common Serjeant of London, told them:

*This was a barbaric and callous crime... You are hard and callous men who were quite prepared to assist others in killing in the so-called name of honour and who placed respect from the community above life, tolerance and understanding.*<sup>192</sup>

This case exemplifies both the patriarchal underpinnings of HBV and the inadequacy, at least initially, of the State's response. HBV is perpetrated not only by husbands and sexual intimates, but also by other family members and members of the wider community, but the police were slow to act on this. The murder of Banaz exposed how the police service can fail to protect young women in minority communities in the UK<sup>193</sup>. Her case highlights that such crimes are often under-investigated, at least until the victim has been murdered.

Thus, there were systemic failures in the Banaz case. Newham Asian Women's Project, a women's organization with more than twenty years of experience working with minority and other communities in East London have pointed out that lax policing practices often allow perpetrators of HBV to reoffend<sup>194</sup>, as was the case in this tragic case. For instance, despite the fact that the case was reported to them on four separate occasions, the police either ignored the evidence or failed to institute follow-up investigations into the threats by Banaz's uncle and father to kill her.

However, it is not surprising that inexperienced officers fail to address these issues effectively<sup>195</sup>. To date, the government itself has made little wider investment in resources to help and protect minority women subject to gender- and honour-based violence. During the widespread coverage of Banaz's murder, not a single prominent politician spoke out to condemn VAW, call for a public inquiry or propose a parliamentary debate. It was left entirely to the black and minority ethnic (BME) violence against women movement to step forward and demand an inquiry. At the same

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<sup>191</sup> See: <http://www.roehampton.ac.uk/news/aishabanaz.html>

<sup>192</sup> See: <http://www.bbc.co.uk/news/uk-england-london-11716272>

<sup>193</sup> IPCC Inquiry, 2008; Britten, 2008.

<sup>194</sup> Gill, 2008.

<sup>195</sup> Middle East Centre for Women's Rights, 2007; Gill, 2008.

time, many of these BME organizations are currently facing major cut-backs and closure (especially since the institution of huge cuts in UK public expenditure in October 2010).

## **8.6. Criminal justice failings in the recent past**

From the above UK cases, it can be seen that, when they occurred, the process of investigating honour killings needed to be streamlined and organized at all stages of investigation.

These cases have become well-known examples of VAW in Kurdish communities in the UK, and demonstrate a series of failures in criminal justice responses to HBV, both in terms of protecting potential victims and in bringing perpetrators to trial, according to our research respondents across the board.

Although specialist knowledge may be needed in the investigation of honour killings, the cases discussed above illustrate basic errors in policing. Southall Black Sisters argue that the police need to do much more to obtain justice for victims, and to ensure the safety of both survivors and potential victims. Simply undertaking training is not enough to transform practice.

*They are not saving women's lives ... we are being told that [the police] need more and better training, but frankly I'm not sure that is enough anymore. There has been a decade of this response, and still women are dying and still children are dying.*

(Southall Black Sisters)

Officers had little information about HBV at the time of the cases discussed above. They needed to raise their knowledge level about honour killings, and often still need to do so. They may still not grasp the seriousness of cases involving persons who are suspected of being victims of HBV or who have disappeared abroad.

The following case does not involve a Kurdish woman. However, is included here in some detail to illustrate both the latter point above, and other systemic failings in the recent past. It was also a key case in leading to limited improvements in criminal justice responses in the UK. Surjit Athwal, of Punjabi Sikh descent, went to India with her mother-in-law for a wedding in 1998. She has never been seen again. In 2007, her

husband and mother-in-law were convicted of her murder, demonstrating that women, too, can sometimes be involved in honour killings. The research team was able to interview a key female witness in the final case who came forward to offer vital evidence, and this interview informs our discussions here.

After the case, Surjit's brother, Jagdeesh Singh, praised the efforts of the police team that finally brought the case to trial in 2007, but said there had been many failings in both the UK and India until then, and called for a public inquiry into the killing of his sister and that of Banaz Mahmud. Over the course of Surjit's case (December 1998-July 2007), her blood family in England had conducted a campaign on her behalf. They engaged with police, MPs, the Foreign Office, the Foreign Secretary, the Punjabi police, and the national media in a bid to secure a comprehensive investigation in the UK, and robust government representations for an equally comprehensive investigation to be conducted in India by the Indian authorities. Southall Black Sisters provided vital support and advice, including during the trial. The family later stated that the specialist advisory and advocacy work of such groups was essential for BME victims and their families (including Kurdish communities).

The failings in the case were many. For example, front-desk police officers at two police stations rejected attempts to register Surjit as a missing person suspected of having been murdered. Officers at both stations said they did not handle disappearances abroad, even if they involved UK citizens. This highlights the lack of a coherent and consistent approach by the network of systems and agencies that might claim jurisdiction in cases involving persons who have disappeared or been murdered overseas. The initial lead officer unilaterally declared to the media that, whilst Surjit's whereabouts were unknown, there was nothing to be worried about. Subsequently, officers focused on the fact that Surjit had left the UK of her own volition. Only after the family made direct contact with the Serious Crime Squad at Scotland Yard, through an informal contact, was the case officially taken up by the police.

In written communications and meetings, Foreign and Commonwealth Office (FCO) officials gave no indications of whether they would liaise with the UK police. According to research interviews and our coverage of the case, the FCO failed to assist in the police investigation. The FCO's representation to the Indian Government for investigations to

be carried out in India was characterized by prolonged inactivity, incomplete information, and unfulfilled promises by the Foreign Secretary. Time-consuming bureaucracy, refusal of visas to UK police officers on the part of the Indian authorities, delays and inactivity by Interpol, and the lack of responses from Indian government departments, all complicated the situation.

Surjit's family describe efforts in the UK and India as characterized by inconsistency and fragmentation, including little sharing of evidence and information, and poor handling of extradition applications. A lack of 'joined up' investigative action is often fatal to the successful resolution of such cases. For this reason, Surjit's family continues to press for an inquiry to explore how to prevent future failures of this type.

The investigation failed to extract key evidence and the case was closed. These failures were finally reversed when a new set of officers, re-opened the case in 2004. The commitment and determination of this team resulted in a successful criminal prosecution being brought in the UK in 2007, in which the two perpetrators were sentenced to life imprisonment. In handing down these sentences, the Judge said: "*the pair of you decided that the so-called honour of your family members was worth more than the life of this young woman.*"

Partly as a result of both this case and the Banaz Mahmud case, the improvements noted above within the police and the criminal justice system are in process, after a large amount of consultation and work by particular dedicated officers. Many of the police officers and lawyers interviewed during this study argued, however, that, though there have been positive developments since the Banaz and Surjit's cases, there is still more to be done. Some of these issues were addressed towards the end of the Tulay Goren case.

## **8.7. Case studies: The case of Tulay Goren**

### **The case of Tulay Goren**

In January 1999, Tulay Goren, a 16 year old Turkish Kurdish woman disappeared. In 2009, her father, Mehmet Goren, was prosecuted for and convicted of her murder (Regina v Mehmet Goren, Ali Goren and Cuma Goren, October-December 2009).

### **Case summary**

Tulay Goren was born in Turkey and came to the UK with her family in 1995. When she was 15 years old in 1998, she began a relationship with an older boyfriend, Halil Unal, also of Turkish Kurdish heritage, but of whom her family disapproved as he was from a different branch of Islam. Her family were devastated and made various attempts to intervene. The police were involved on several occasions when arguments and minor assaults of Tulay took place.

Mehmet who was extremely concerned that his daughter might be having a sexual relationship was warned about his behaviour. Halil then sent his community elders to give him a character reference to marry Tulay, but she was not yet of marriageable age. Tulay finally left home to live with Halil, a further humiliation for the Goren family. A family meeting was held at the family home to try to persuade Tulay to reject Halil, and she was prevented from leaving again and given sleeping pills by her mother. A meeting was then arranged by Tulay's father and her uncles, Cuma and Ali Goren, to which Halil was invited but Tulay warned him not to attend, fearing a trap. Tulay was never seen again and her remains have never been recovered. In the following days, family members noticed that Tulay's belongings were absent and that there was considerable disturbance to the soil in the back garden. Unknowingly, Halil later attended a meeting hoping to see Tulay and was attacked with a meat cleaver. Mehmet was convicted of wounding with intent to cause grievous bodily harm in August 2000 and sentenced to seven years' imprisonment (reduced to five on appeal).

### **The Investigation**

The initial 1998/9 police investigation began as a result of Mehmet Goren's arrest for the above assault, but was inconclusive. The case was re-opened in 2008/9. It can be argued that the re-investigation illustrates a shift in Metropolitan Police policy. The police in 1998 missed several warning signs that could perhaps have prevented Tulay's murder. They spoke to the Goren family at least six times about violence in the household, including when Tulay told officers she had been assaulted by her father over the relationship, but no-one envisaged that she would be murdered. However, the officers were operating in an environment and at a time when the codes and customs of honour-killing were little-known in the UK. Tulay's mother, Hanim maintained the same position

as her husband. She was at that stage too frightened to speak out. Further, no body had been recovered.

In 2008/9, with the tenth anniversary of Tulay's disappearance approaching, and possessed of a better understanding of HBV, the police returned to the case. The disappearance of Tulay had been the subject of concern amongst wider family members over the years and Tulay's mother, Hanim, was now prepared to give evidence for the prosecution, a key development. Expert evidence provided in this case highlighted that Tulay's defiance of her family, and particularly of her father, would have brought shame upon the Gorens in their family and the community.

The prosecution argued that she was murdered by her father, with the knowledge of her mother, and that Mehmet's brothers, Ali and Cuma, helped in the murder after a 'family council' decided that she and her forbidden lover must die. The prosecution also alleged that it is likely that Tulay's body was temporarily buried in the garden. Hanim, whose testimony against her husband was crucial to the prosecution, was too afraid to attend court for the rest of the trial.

In December 2009, at the end of a dramatic and emotional 11-week trial observed by the one of the research team, Mehmet Goren was given a life sentence, with a minimum of 22 years, for killing his daughter after kidnapping her. However, the jury was not convinced of Ali and Cuma Goren's involvement and they were cleared.

Honour is an important value in Kurdish society; as discussed throughout this report, and a norm codified into customary law, as demonstrated in all the case studies discussed above. The family must ensure that the code of honour is observed by its members as transgressions (or mere rumours of such) are seen as 'stains' on the entire family, as part of the collective identity. During the research observation of the Goren trial, an expert witness suggested that male immigrants often experience a loss of status due to immigration while women may gain new opportunities, such as employment and new social networks. This in turn may threaten male control in the family where the women may have previously held more submissive roles. Of principal concern to men of Mehmet Goren's generation who follow the honour code would be a girl's virginity on marriage. It is also very much a father's role to protect his daughter from all matters involving the opposite sex, and to discipline her accordingly. The expert strongly

suggested that the Tulay Goren case had all the ingredients of honour-related violence which include the involvement of several family members who collude to enforce social norms shared by the group.

It is evident from the Goren case that the police and prosecutors had attempted to introduce new measures to protect victims and punish perpetrators in the wake of public criticism of failings in the Banaz Mahmud case. A senior officer from the Metropolitan Police Violent Crime Directorate said the lessons learned had '*galvanized the police to know and understand honour-based violence*' - or at least to attempt to begin the process'.

## **8.8. Further analysis of policing and criminal justice interventions**

In our study, all of the NGOs interviewed (10) have argued that there has been a sea-change in the police response in the last few years.

*I think if I compare it with at least 2002, when Heshu Yones died, and at that time the knowledge and the information from government or from the justice system was actually very low and not only that but the issue of cultural sensitivity when, even in the court, it was kind of justification for perpetrators to receive very lenient charges. I believe the situation has very much changed now. Police and many other organizations are much quicker in responding to the needs of women.*

(Iranian and Kurdish Women's Rights Organization)

The police officers interviewed (8) involved in tackling HBV, and members of other agencies (e.g. Crown Prosecution Service/Forced Marriage Unit), agree that there have been substantial, positive changes.

*We really are quite good at the investigation now: now we are trying to use a more holistic approach, as in our investigations. I am not worried about the investigations anymore: I think they [the police] know what they are doing now.*

(Police Officer 1)

*I'd say police now have a holistic response they are now playing positive role in investigations, more are being victim-centred and recognize victim safety is a priority.*

(Forced Marriage Unit, Foreign and Commonwealth Office)

Despite these improvements though, they do not spread across the entire police service and criminal justice system. The way in which victims and offenders of VAW in BME communities are characterized within these services often complicates their responses to such crimes. In explorations of the failures in the Banaz Mahmud case, further errors were identified in that Banaz was told to find a translator before filing a police report, and was constantly seen as exaggerating her situation. While all women who choose to remain in violent relationships tend to be viewed as lacking credibility, this problem appears to be especially acute with regard to BME women, including Kurdish women.

The prosecutor in the Banaz Mahmud case offered the following insights into the need to flag HBV cases as soon as the police are informed and follow through in the interests of victims.

*I do think the police need to take allegations of HBV seriously. That requires police officers having the imagination to think 'What could this be part of? Am I looking at the entire picture here, or should I really be asking different questions? Should I really be a bit more cautious before I say that a caution will do?'*

(Prosecutor 2)

Police protection, though, is often conditional and discretionary and varies across the country: the nature and extent of the protection offered depends on individual police officers' perception of incidents. This is meant to provide the police with considerable room for manoeuvre, so that they can choose the most appropriate response for specific situations. However, one of the longstanding criticisms of the police, levied by prosecutors, women's groups and victims of HBV alike, relates to police attitudes, due to which, officers on the ground may dismiss this form of violence as part of the culture of BME communities, stereotyping both victims and abusers.

Beliefs about the causes of HBV influence police officers' responses and remain inconsistent especially at the ground level. For example, the most common causal factors mentioned in our interviews were culture, religion, the role of extended families, patriarchy, and pressure to marry. As one officer put it, "*it is completely culturally rooted*". ... *they don't feel as though they doing anything wrong*'.

*This is something that is just accepted, whether it is first-generation, or second-generation, and it is from what my understanding is I give birth to that person and therefore I have the right to take away the life too if they bring shame upon the family.*

(Police Officer 2)

*It's the religious aspect where some religions take it upon themselves to maybe promote attacks on people if they don't agree with... if they feel that person has offended their teachings.*

(Police Officer 3)

While culture clearly plays a part as discussed throughout this report, erroneous or ill-informed understandings of religion and of cultural customs were clear in some of our interviews with respondents from the criminal justice system. However, specialist officers often used an analysis which at least partially took on issues of male power over women and patriarchal power relationships, as well as culture.

*I look to it as a fundamental issue around power and control and that's power and control over men, over women around controlling them because they can, because that is always what they have done and that's how men, or boys and youths have been brought up to do. It's to place and control girls and women because that is their role in life. And we have seen that in some cases here, in London, around where we have got boys and young men lining up, queuing up to be involved in the perpetration of these crimes because it is what is expected of them. It is because they get the kudos; they get the honour attached to them and their families for what they have done.*

(Police Officer 4)

Thus, practice and understandings still vary widely. The accounts from the police officers and NGOs interviewed in London demonstrate that the effectiveness of police responses to HBV is a postcode lottery, with uneven implementation of the new strategies so far. However, the hope is that good practice is spreading with the roll-out of the new training and guidelines.

The initiatives by the CPS have also contributed to establishing a new approach to policing HBV, combining a clear criminal justice policy with improved inter-agency

services designed both to support victims and to change the way in which perpetrators are dealt with. How much real change has yet occurred, however, is hard to judge.

*I'm not really sure too much has changed since Heshu. I'm not really sure if another Heshu walked into a police station or a Banaz or a Surjit whether they would really be identified because some of the things I hear on the ground right now is that things haven't changed so much.*

(Police Officer 2)

The officers interviewed in this study all had experience of handling high-risk HBV cases, and all agreed that HBV is more widespread than might be imagined and that the police see only the tip of the iceberg.

Some police officers, notably those who regularly deal with HBV cases, displayed considerable sensitivity in their responses to HBV and other forms of VAW in BME communities.

*What we have had in the past, I think, is some of those inexperienced front-line service providers not actually believing the victim.' So we have gone through that long, difficult journey of actually educating ourselves, raising awareness, using strategic and professional NGOs.*

(Police Officer 4)

*This is a real journey we're on, and one that each stage is constantly being informed by survivors and work with the NGOs.*

(Police Officer 5)

## **8.9. A way forward**

Four of the eight senior officers interviewed during this project had a clear understanding of prevailing policies on VAW and the actions that police officers should take in HBV cases. Several pointed to the improved CPS policies, the new Strategy and the fact that practice had developed significantly in response to the shortcomings that characterized the police response in Banaz's case.

*The ACPO strategy on honour-based violence and forced marriage is the first of its kind in any police force anywhere in the world.*

(CPS Lawyer 3)

When these interviewees were asked whether dealing with HBV was important police work, and what they felt the police could do in HBV situations, they showed none of the attitudes that the police have been criticized for in the past when responding to gender-based violence in BME communities<sup>196</sup>. All the officers felt that attitudes had changed significantly since the murder of Heshu Yones.

Knowledge about HBV is improving and there is now considerable support for London-based victims. CPS officers have also noticed a change in police responses to HBV.

*The police seem to be changing their ideas and talk positively about the Goren case. It is a shame, though, that some of these cases have had to happen before the police have had to wake up call.*

(Prosecutor 2)

However, many of the senior officers interviewed raised continued concerns about the need for more training and a greater understanding of HBV amongst front-line officers to enable them to employ the new policies, as the ACPO Strategy is rolled out. The need remains to improve overall attitudes which were demonstrated in our interviews to be mixed.

*I think the criminal justice system needs to have training at every level, from first-line responders through to judges, because it's no good us presenting a case before the CPS [if they] don't have the properly trained people that don't understand what you are putting to them.*

(Police Officer 6)

The interviewees also spoke about the importance of building on present DASH procedures to develop further robust risk assessments to identify the seriousness of individual cases when they first come to the notice of the police so that lives can be saved.

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<sup>196</sup> Thiara and Gill, 2010

In sum then, as discussed above, there have been welcome criminal justice improvements in practice and pioneering initiatives, but the majority of the NGOs interviewed felt that many police officers still demonstrated a lamentable ignorance about the causes and consequences of HBV in minoritized communities, and there remains worryingly sparse attention to the issue in terms of health, social, welfare and support provision, with lack of resources for women's services identified across the board.

# **Chapter 9: Issues that need to be addressed: Recommendations for action in the UK**

## **9.1. General recommendations and the gaps**

The overall recommendations identified in the UK section of this research are:

1. **The continued need for pro-active policies on HBV** in the UK (including ones that require the arrest of perpetrators of violence regardless of the wishes of victims), improved investigations and risk assessment, and the spreading of existing good practice more consistently through the criminal justice system.
2. **The provision and resourcing of specialist support agencies**, especially those based within relevant communities, safe havens (refuges) and the referral of victims to these services.
3. **The need for a holistic coordinated approach** which recognizes the complexity of the issue and the need for a broad social, community and justice response.

In summary, according to the majority of interviewees who participated in this study (n=31), addressing the following issues will be the key to improving the policing of HBV in the UK, and to providing services to those affected:

- The lack of focussed services, safe shelter for victims and resourcing for HBV support provision and BME services more generally.
- The lack of awareness about the issue among both agencies and the public.
- The lack of knowledge about HBV across all the lower ranks of the police force.
- The gap between policy and practice in the criminal justice system as a whole, despite recent leaps forward.
- The lack of efficient information systems and failures to record sufficient data accurately, and in the right places.

- The need for better working relationships between the police and specialist violence against women services in Kurdish and other BME communities.
- The need to improve the training of all police officers to counteract postcode lottery effects.

In relation to these issues, for example, in London, it is clear that, despite both a major shift in policy since the murder of Heshu Yones and the sterling work done by the HBV working group led by senior police commanders, the police response to HBV remains variable.

*The main gripe I have, with all of this awareness that is there, is that it is only there amongst a certain level and it is not filtering down. Even in the police force, ACPO can come out with what is a great strategy – it has and so can the Met police – but the front-line officer often hasn't got a clue.*

(Southall Black Sisters)

*I don't think the British system still understands the depth of these, and we have seen like, for example in Banaz's case, where the police were not very active in pursuing her calls where she claimed that her dad was threatening her and they did not take her word seriously. I think it needs a great understanding how the deep rooted these cultures.*

(Kurdish Women's Rights Watch, UK)

A senior police interviewee explained that:

*Nationally I think we have got gaps...When we look at how many police officers are there in England, Wales and Northern Ireland – I think there something in the regional of 170,000 – when we look at the ACPO guidelines, when we look at the 43 forces and their separate policies and guidelines, we will all have very good policies around the subject area. The challenge is for those policies to manifest themselves in the action at the frontline. Fine words are all well and good but they have to manifest themselves into action at the frontline.*

(Police Officer 4)

## 9.2. Wider issues that need to be addressed

To tackle these areas of concern, it will first be necessary, as discussed above, to address:

- *Attitudes of the police and other criminal justice system professionals about HBV in BME communities.* All professionals bring their own values and beliefs to their work. However, in working with other agencies, these beliefs may be challenged and, thus, undergo modification.
- *Continuing inconsistencies in the police response to HBV.* NGOs are concerned that although the MPS and ACPO have taken important strides in improving responses to HBV, this is not the case nationwide and, thus, many developments and improvements have been limited to the London area.
- *The need for better exchange and sharing of information.* This is important in terms of both the management of HBV cases within the police force and in relation to multi-agency responses. Although developing systems and processes for sharing information requires time and effort, without such systems co-ordinated responses are difficult to sustain.
- *The need for better inter-professional dialogue and training.* Inter-agency training provision on HBV is sparse and generally uncoordinated, despite recent national and local efforts e.g. local road-shows around the country on HBV. Multi-agency training offers opportunities to promote cross-disciplinary dialogue and, thus, to develop trust and cooperation between a variety of actors working to combat HBV and other forms of VAW.

## 9.3. No need for any new legislation, but rather for an integrated approach

Our findings were that there is no need for further legislation in the UK. The senior police officers and barristers whom we interviewed argued that the UK now has a satisfactory range of legal remedies to address HBV.

*We have enough laws ... and, to my mind and to my knowledge, no honour killing case has failed because .... there is not a particular offence.*

(Prosecutor 1)

*Honour-based violence is a wider umbrella subject. I think we have got sufficient legislation in the UK to take on and to deal with individuals who perpetrate crime in the name of so called honour.*

(Police Officer 4)

The critical issue remains the challenge of drawing together diverse legal and social approaches in order to better flag, detect and prosecute HBV and support victims. This means looking beyond criminal justice solutions in order to more fully engage with social justice approaches, as the most promising avenue for effectively combating and preventing gendered and honour-based violence in the long term<sup>197</sup>. All the key lawyers and prosecutors interviewed (n=6) during this study spoke in very positive terms about the improving role of the UK police and criminal justice system in tackling HBV, but were critical of the lack of State investment in dedicated units to increase awareness of these types of crimes in the UK, both within the criminal justice system and in terms of the provision of women's support services. There is, thus, an urgent need for legal and criminal justice efforts to move beyond policy-making (although this is an essential beginning), and to look towards bringing about broader social change and developing integrated approaches to HBV and violence against women overall.

However, implementing such changes would require that all those working in public support systems understand the larger picture in all its complexity. Criminal justice, health, education, and social-care agencies must operate together, if there is to be an integrated approach, both in terms of supporting victims and attempting to prevent future crimes. More resources need to be directed towards supporting preventative measures and securing the financial status of specialist services, many of which are currently under threat in the UK, as noted, as a result of a lack of funding.

The following more detailed recommendations concerning how best to promote effective policing of HBV have been abstracted from the NGO, police and government unit interviews conducted during this project. They are followed by more general recommendations.

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<sup>197</sup>

EVAW, 2009.

#### **9.4. Recommendations for the police and the criminal justice services**

The findings of this study demonstrate that the UK already has strong legislation and policies for tackling so-called honour killings.

The key obstacles to tackling this and other forms of HBV effectively centre on the lack of effective implementation and enforcement of these laws and policies. The principal recommendations for the criminal justice system include:

- **Implementing the ACPO Strategy, CPS initiatives and other good practice.** Overall, the first priority is to implement, improve, embed and monitor the Strategy, training, risk assessments and good practice guidelines.
- **Improved police training for front-line officers dealing with HBV**, across the country, which focuses both on how to investigate such cases and also on improving officers' understanding of honour crime.
- **Better recording of HBV**, including via information systems using new technologies.
- **Better information collection.** The information currently flagged by the CPS and the police is often insufficient to represent the complex nature of HBV and police responses it.
- **Further improved risk assessment** through the operation of the ACPO policy and the DASH model.
- **The provision of improved and culturally sensitive witness protection programmes**, in cases of honour killings and HBV.
- **A more reliable and consistent classification of HBV by all agencies** which would improve the efficiency of current police responses.
- **Better systems for establishing dialogue** between senior police officers, junior officers on the front-line of policing, the voluntary sector and the CPS need to be developed.

In summary, translating new policies into practice is problematic and takes time. All the recent policies, guidelines and strategies across agencies need further development and implementation throughout the various police and other relevant services across the country.

## **9.5. Recommendations for support provision and coordinated approaches**

- **Safe refuge, outreach and support projects for women and girls subject to HBV.** The provision of support services is of key importance; the safety of victims and potential victims must be the first priority.

*First of all, they need to have immediate safe shelter and safe places for victims/survivors, especially for those who are in danger of an honour killing. Finding safe shelters for these women is a nightmare. I would like to see the British Government supporting organizations like ours that are helping women, financially and in any way that they can support, to be able to work even better to support women.*

(Iranian and Kurdish Women's Rights Organisation)

*Provision, provision, provision! More resources... Nobody is putting money in these resources and, if anything, money is coming out and we are all left competing with each other and it is all pretty nasty out here at the moment.*

(Southall Black Sisters)

- **Joint approaches.** The police and women's agencies alone cannot address HBV. There needs to be round-the-clock contact between police, specialist NGOs and multi-agency networks and partnerships working on individual cases.
- **Networks.** Continued stress should be placed on building networks, both nationally and internationally, with a view to promoting exchange of information on efforts to prevent and eradicate honour killings and other forms of HBV.
- **Consistency.** All public responses should be consistent within this multi-systems approach: all actors must recognize that HBV is a crime requiring robust legal action and other kinds of intervention and support provision for victims.

*I think the number one key is that we have got to have a workforce that is aware of the problem so that they recognize it when they see it and we have to have a workforce that, once they see it, they know how to deal with it, because, clearly, if they don't recognize it, they don't know how to deal with it, then the individual that's reporting to police is not going to get justice.*

(Police Officer 2)

## **9.6. Recommendations for information provision, education and awareness-raising activities**

- **Information for possible victims.** It is vital to provide girls and women (particularly those who are perceived as facing a high risk of violence in their homes) with information on their rights and the help and remedies that are available to them.
- **Personal safety strategies.** These can be very helpful for individuals. However there needs to be a recognition that placing an emphasis on personal safety strategies, in isolation from discussion of police protection or intervention (as is sometimes still the case), can place the burden of responsibility for the prevention of HBV solely with victims.
- **Information packs, translation and availability.** It is essential that information is both accessible (i.e. available in a variety of languages) and available to all girls and women. It is also important that information is coordinated. The development of a standard information package, which also includes information on the work and functioning of public authorities, NGOs and religious institutions, would be of use.
- **Education and awareness-raising.** Such initiatives are clearly needed within communities in the UK. Awareness-raising activities need to encompass human rights education, input on understandings of HBV, and information on the functioning of the criminal justice system, the availability of victim support services, legal assistance, refuge places and other forms of help. All awareness-raising campaigns would be expected to stress the fact that VAW occurs in all countries and that it is not specific to any religion, class, caste, or other category of person.

- **Public education campaigns.** These would be expected to extend to the general public and to include the above information in appropriate form, plus information about what honour killings are, common motives for these crimes, illustrations of how to identify girls and women who may be at risk and discussions of the concept of culture and the role it plays in HBV.
- **Input in schools.** The role of schools in the campaign to prevent and eradicate honour crimes and killings needs to be emphasized when developing actions plans and initiatives. Schools are important channels for distributing information and educating all young people about gender equality and related issues.
- **Professional education on the issue.** Education and information campaigns must also be directed towards public officials and professionals who are likely to be confronted with cases of HBV, including teachers, school counsellors and nurses, people working for the social services, police officers and members of the judiciary.

*I like to see amongst those at other agencies, first of all, education. I think teacher training should cover the issue of honour-based violence. And, so far as I'm aware, it does not. I think social services: they need to be made aware of this issue. I've heard some very influential people say that honour killings are no different to domestic murders, but I don't think that stands up to scrutiny. Health authorities: there is another key agency that is likely to come across girls that are at real risk so, if I had to pick four agencies, I would say police, social services, health and education. There should be a programme of awareness training amongst those agencies.*

(Police Officer 5)

- **Education programmes for parents and family members in relevant communities.** Such programmes are essential to raise awareness and discuss relevant issues. These may take the form of discussion groups where parents/ family members can meet to talk about issues relating to parenthood, adolescence and so forth, and to discuss gender equality and societal values. These kinds of education and awareness-raising projects for families and communities can be conceptualised as a type of dialogue.

Thus, the one-way form of communication that usually characterizes such programmes would be replaced by a focus on interactive discussion. Specialist community radio and media can be of assistance in this endeavour.

- **The role of religion.** Religious leaders in all religions have a responsibility to speak out against HBV and do what they can to prevent it

*Religious leaders including Imams, priests and others need to speak out on the issue of honor killings and to condemn such crimes as something to which all religions are opposed.*

(NGO Activist, UK)

- **Training for journalists.** Human rights and cultural awareness training for journalists would help to ensure that they are aware of the complexities and contexts of the human rights issues they are reporting.

- **Best practice in working methods** (including, for example, in relation to working with families and risk assessment tools) must continue to be identified and implemented consistently, as discussed above, and must therefore be part of all professional training.

*I do think the key stuff is around the training part across agencies: the risk... getting this risk tools safely embedded, and getting the risk management stuff in there – witness protection - and I still think it is a big area that needs proper, considered assessment.*

(Police Officer 2)

Overall, a long-term perspective needs to be developed to further efforts to build and maintain infrastructures, good practice and support systems, including via educational programmes and training for the variety of professionals working on HBV issues.

## **Chapter 10: Drawing the issues together and Conclusions**

In this short concluding chapter, we briefly draw together general issues and comparisons from the Iraqi Kurdistan and UK segments of the study, and discuss overall conclusions.

### **10.1. Comparing issues across Iraqi Kurdistan and the UK**

- This international study of honour-based violence and so-called honour killings was carried out in Iraqi Kurdistan Region and among Kurdish communities in the UK.
- In Kurdistan, awareness of the issue is now emerging, and the commissioning and carrying out of this research study is part of a welcome trajectory towards improving responses. In this work, Iraqi Kurdistan is taking a lead across the wider global region of the Middle East.
- However, HBV and so-called honour killings remain endemic in areas and localities in Kurdistan Region, as part of a wider spectrum of continued male control of family and community life and of violence against women.
- The genocides that the Kurdish people have experienced in recent years, together with the Iraq wars and the militarization of the zone, have contributed to the continued practice of both honour-and gender-based violence.
- Thus, while there have been some helpful recent changes and developments, honour-based crime, and gender-based violence more generally, remain important and embedded problems. The Kurdistan Regional Government and agencies in the Region have demonstrated, during this research, strong commitments to modernization, including gender equality. As part of these commitments, it is urgent that they continue to address honour-based violence in a committed way.

- Honour-based violence remains prevalent in Kurdish communities in different locations (as well as among other peoples in different countries across the world). The conclusions of the study were that honour-based violence manifested in broadly similar ways for Kurdish communities in both Kurdistan Region and the UK.
- In both countries/regions, the cases investigated for the study exhibited similar parameters and outcomes in terms of victims, perpetrators, cultural and patriarchal beliefs, deaths and family tragedy.
- However, there were some differences between the countries due to the impact of immigration in the UK, with communities sometimes holding on to old values in the face of a difficult new country (Van Bruinessen, 2000).
- Kurdish immigrants often faced discrimination and racism in the UK which complicated both individual and community responses to HBV.
- Some differences were also noted during the research in terms of the impact of migration to the UK, where British-raised Kurdish young people might subscribe to different value systems in terms of sexual and family relationships, bringing them into conflict with their more traditional elders. New types of honour crimes might then result. Similar changes and conflicts can be seen in terms of the impacts of modernization in Iraqi Kurdistan.
- There were also intersecting issues in both countries in terms of the impacts of education levels, degrees of literacy, class and professional backgrounds, and connections to traditional ways of life.

## **10.2. Over-arching issues that emerged in the study**

- In both Iraqi Kurdistan and the UK, there was a clear need for the respective governments of each to take further action, along with the police and the criminal justice systems, to respond more appropriately to cases of HBV. A firm message continues to

be needed from both governments that HBV and killings in the name of honour will not be tolerated in the modern world of the 21st Century.

- However, the UK has progressed considerably in putting in place a criminal justice-focussed national strategy on HBV with risk assessments, guidance on identification, evidence-gathering and prosecution, and rolled-out training for police officer and others.

Not surprisingly, given the state of development and the recent formation of the Kurdistan Region, the progress in Iraqi Kurdistan has been slower. It may be that the KRG and agencies in the Region could benefit from the UK experience and from looking into these developments, to assist in addressing perceived shortcomings.

- These moves in the UK (within ACPO, for example) have been suggested to be world-leading within policing of HBV, at the present time. Some of the pioneering UK officers involved have expressed willingness to engage in joint work with their colleagues in Iraqi Kurdistan, should this be of help.

### **The UK**

- Nevertheless, there is still a long way to go in the UK. Both HBV survivors and women's NGOs working with them continue to encounter inadequate responses and poor practice which needs to be addressed, as well as potentially racist, judgmental and stigmatizing attitudes.

- In terms of support structures, and the provision of safety and protection for victims, the lack of focussed services fails to complement the beginnings of improved practice in police investigation and in the prosecution of cases. The UK needs to further develop services, with adequate resources provided, to enable those experiencing HBV to be safe and protected.

- This includes improved witness protection services, resources for women's support organizations and the provision of further safe refuges and outreach services. However, at the time of writing, these provisions appear to be being cut back.

*It's a funding issue: if the cake is getting smaller, and your very survival depends upon getting a piece of that cake, you will do everything in your power to get that piece of cake.*

(NGO independent activist, UK)

- *The Recommendations for the UK* have been developed by the research team to address these difficulties, and our hope is that this study will stimulate the development of further good practice by ACPO, the Metropolitan Police Service, the wider police and criminal justice services across the country, and the government Foreign and Commonwealth Office, together with the women's support organizations and specialist provision. (For example, there may be scope for further action on honour-based violence under the current UK Government National Delivery Plan on Domestic Violence, see Home Office, 2005).

### **Iraqi Kurdistan Region**

- In Iraqi Kurdistan, there is an urgent need for a consolidation of the legal provisions as discussed earlier, and for robust legal, policing and prosecution procedures to be put in place. Such dedicated service and policy development would demonstrate that the issue is taken seriously and that honour-based violence and killings are no longer acceptable in the way that they may have been in the past.
- Legal and government measures required from the Kurdistan Regional Government and the Kurdistan National Assembly need to be part of a coordinated and integrated response to be developed across agencies and services.
- Simultaneously, both resources and services for victims and their families in terms of protection (including safe refuge, witness protection, and wider safety and support measures) need further development and attention, building on the dedicated work of the women's NGOs in Kurdistan Region.
- There is a need for comprehensive work on cultural attitudes, public education and awareness-raising to enable development both in the cities, but also in the more remote rural areas where traditional attitudes endure. Public awareness-raising of this

type, perhaps using drama and involving local people in the programs offered, needs to be complemented by training for all relevant professionals who might be dealing with the issue.

- *The Iraqi Kurdistan Action Plan* has been developed by the research team for Iraqi Kurdistan Region to provide a platform for the next stage of addressing HBV. This Action Plan now needs to be implemented with political will and commitment, both by the KRG and by relevant agencies, including the police and judiciary, religious and cultural leaders, and women's organizations. There will be a need for systematic monitoring to ensure such implementation happens.

- As with the UK Recommendations, our hope is that the Action Plan will lead to social development and change for women, men, communities and agencies in Iraqi Kurdistan.

- In summary, for both Iraqi Kurdistan and the UK, the measures which are needed to be put in place in a coordinated, holistic way include both:

*National initiatives* including legal changes and the development of national strategies, criminal justice and policing policies, training for professionals, good practice guidelines and national resourcing for refuges and support projects.

*Local initiatives* in terms of local training, improved prosecution of individual perpetrators and support projects for victims, together with comprehensive awareness-raising and public education in culturally sensitive ways.

### **10.3. A final word: internationally**

In conclusion, it is important to always remember that HBV is not only a manifestation of gender inequality. It actively works to reinforce it. States across the world have duties under international law to respect, protect and support women's rights, including by taking steps to tackle violence against women. Although abuses that occur in the private sphere, such as honour killings, are crimes under the domestic laws of most countries,

many States around the world continue to fail to demonstrate due diligence in this regard. Even now in the 21<sup>st</sup> Century, they still fail to prevent or investigate all such crimes, and fail to hold perpetrators to account. Thus, although legislation exists to protect women in theory, social tolerance of violence, cultural norms and a lack of political will often combine to nullify the law in practice. Further, cultural practices that have the effect of rendering women 'invisible' create the conditions in which they suffer 'invisible violence', and may allow violators to act with impunity.

It is vital, then, that so-called honour killings remain on the international human rights agenda.

*There are political considerations that get put in place where... often I think the discussion of women's rights and violence against women is used to please the international community and to save itself from embarrassment and we don't want to be seen as savages, but whether or not there is a real commitment to women's rights is a different question. There is a religious element in some parts of it and there is also an historical element in other parts of it. If there is a real commitment – a real commitment would mean resources – it wouldn't mean just naming it.*

(Kurdish Human Rights Project, UK)

This interviewee states that '*it wouldn't mean just naming it*'. Rather, addressing HBV meaningfully and effectively means, as we have discussed in the previous chapters, having the political will and commitment to move on beyond basic awareness of the issue, to engaging in concrete action, providing resources and nurturing social change in a principled way. This is what this research was commissioned to do, and what the Action Plan and Recommendations seek to achieve.

However, there is often a lack of accountability at the State, community and individual level. Only by opening each level up to scrutiny and development will it be possible to hold those responsible accountable and, through this, work to eliminate HBV and all forms of violence against women in the name of honour.

In sum, then, we have addressed these various levels in terms of local, national and international attention to honour-based violence. In particular, the Action Plan has been

developed to assist the Kurdistan Regional Government, Kurdistan agencies, criminal justice systems, women's organizations and communities to work together to address the issue effectively. Similarly, the UK recommendations have been developed to assist the UK government and agencies to take the next step.

On a general level, all these policies and initiatives need to be grounded in the reality of victims' experiences, and policy-makers need also to recognize that acts of HBV occur within a general framework of the abuse of women, and so need to be conceptualized as part of a broader effort to end gender-based violence. This is what frontline Kurdish women's groups have been campaigning for over the past decade in both Iraqi Kurdistan and the UK.

Finally, we recommend that there is an improved international response. Globally, all States must ensure that victims of attempted honour killings, and those who have been threatened with or experienced HBV, receive immediate, confidential and comprehensive assistance, including legal help, and psychological and social support. It is important to create structures for prevention and damage control across the global organizations. The most urgent requirement is to establish specialist refuges for girls and women who are at risk of HBV and other forms of VAW in the countries of the world most concerned.

*We really need international standards – not just Iraqi Kurdistan, but I would like to see other countries sign up set of minimum standards. I think one way of doing that would be... it would be a multinational collective, so saying that this is clear and placing it clearly within a human rights framework.*

(NGO Activist, UK)

If the world takes on the issue as a human rights violation in a principled way, building on the existing helpful work of the United Nations, honour-based violence could finally be made a thing of the past.

Progress may be slow but a beginning has been made in Kurdistan Region, the UK and elsewhere. Iraqi Kurdistan is taking the lead within the wider region, and across much of the Middle East, by taking concrete steps to address honour-based violence and killings in the name of honour, and demonstrating the political will to develop the work further.

Thus, the Kurdistan Regional Government and the various agencies in Iraqi Kurdistan Region are to be commended on leading the way, and hopefully building on the initiatives already in place as well as on this research and the Action Plan proposed. Similarly, those who have pioneered improvements in the UK deserve commendation.

These developments are at the forefront of world attention to the issue and of local, national and global attempts to move forward in achieving the long-term aim of eradicating violence and killings in the name of honour. There can be no turning back now.

# Chapter 11

## Appendix: Details of the research methods used

### 11.1. Methodology: General issues

This international collaborative and qualitative study was conducted in both Iraqi Kurdistan and the UK, and was multi-disciplinary and multi-method in design. The project drew on methodologies derived from cross-national studies, interpreted from an action research perspective which aimed to lead to social development and change<sup>198</sup>. Thus, the study was designed to contribute to building action- and policy-oriented research, avoiding where possible Western dominance, ethnocentrism and eurocentrism, and was based on current best practice in trans-national research<sup>199</sup>.

The methodology consisted of five main sections, as follows:

- A literature and policy review;
- A textual analysis of Kurdish media coverage of honour-based violence;
- A data-set of interviews with policy-makers, government, service providers, and the police and criminal justice system in both Kurdistan and the UK;
- A data-set of interviews with women's rights organizations in Kurdistan and the UK;
- A small number of case studies of incidents of HBV or honour-based killings.

The research subjects were mainly policy-makers and service providers, rather than service users, survivors and their families, and the families of deceased victims, due to the difficulty of researching with the latter groups, and because of the additional security, ethical and safety issues which might be involved in some cases. Thus, this mainly policy and practice study consisted of in-depth interviews with government officials, policy-makers, practitioners, legal professionals, religious leaders and women's organizations,

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<sup>198</sup> Naples, 2002.

<sup>199</sup> Naples, 2002.

supplemented by a small number of survivor interviews, case work in a number of homicide cases and a media monitoring exercise.

## **11.2. Ethical considerations**

Honour-based violence and killings relate to traditional cultural and family practices. The context is automatically one of strong feelings and potential aggression and danger. The practices are often kept hidden, with family members and others feeling unable to reveal what they know and often fearful of the authorities. The study recognized the sensitivity and extreme difficulty of broaching this issue, and proceeded with caution at all times. All data, theories and policy recommendations were produced with attention to cultural traditions and specificities. The research was governed by the ethical professional guidelines of the BSA and the BASW Code of Practice (Research), to ensure overall ethical and professional standards.

## **11.3. Safety**

Safety and security matters took priority over all other issues in this study, especially in Iraqi Kurdistan Region. While the Region is, at a general level, semi-autonomous of Iraq and at peace, with civil society functioning, the partnership of universities were particularly vigilant about the duty of care towards, protection of, and insurance for the team and the research subjects. Additional security measures were put in place where needed, and safe and secure venues were used where possible.

## **11.4. Project management**

Contracts to govern the operation of the study were agreed at the outset between the Kurdistan Regional Government and the Universities and, additionally, between the University of Bristol and both Roehampton University and Kurdish Women's Rights Watch. Systems for financial management were put in place with the finances being administered overall by the University of Bristol Finance Department. The three main investigators set up and agreed: i) a management and reporting system; ii) a work plan; iii) a protocol for joint work; and iv) an email protocol to govern their work together, all of which were operated throughout.

Security policies, risk assessments and other insurance procedures were required by the two universities, by their managements and by their Ethics Committees.

An extremely lengthy and comprehensive risk assessment and risk assessment procedure were developed, conducted and agreed, supplemented by reports to the relevant security and insurance departments. A comprehensive ethics report was simultaneously made to the Ethics Committees of the two universities. Ethical agreement was granted after a protracted negotiation, due to the pioneering nature of the project and the fact that part of the study was to take place in a region of Iraq. This necessitated the involvement of very senior managers from the two universities. The Ethics Committees of the universities then provided ongoing ethical oversight and ensured that principles of equity, safety, social justice and confidentiality applied to the research throughout, together with the security, protection and support of the research participants.

Detailed reports were made by the research leaders in Kurdistan and the UK quarterly to allow the project to be followed closely and for purposes of project transparency. A detailed Interim Project Report was made to the Kurdistan Regional Government half way through the project after one year.

### **11.5. Setting up the research**

Once all the procedures and agreements were in place, the study began. Kurdish Women's Rights Watch (KWRW) then employed a research assistant to conduct fieldwork in Iraqi Kurdistan. Achieving this employment was lengthy since the financial administration of the employment had to be established across the various institutions, relevant banks and routing banks and the two countries. The employment specifications and job descriptions were collaboratively developed and international advertising then took place in the UK, Kurdistan and other countries. An international shortlist was compiled and interviews were held in Kurdistan in October 2008. The research officer was employed from early 2009 until June 2010, and was offered induction and training. An employment, management, supervision and support agreement was developed, and support and supervision were put into place on a weekly basis due to the sensitivity and difficulty of the issue in Iraqi Kurdistan Region.

### **11.6. Building and publicizing the project**

The project team produced publicity, including information leaflets and posters in both English and Kurdish. Initial networking and a variety of meetings and consultations

were carried out to publicize the study, to involve key players and stakeholders, and to embed the project in the work of all the partners.

Team members regularly attended and, where requested, presented papers and information in national and international public forums, and participated actively in all conferences and seminars on the issue in the two countries during the research period (including, for example, the 2010 international conference of the Human Rights Office in Geneva). The team participated in monthly workshops run by the Gender-based Violence Task Force in Kurdistan, which is part of the American Regional Reconstruction Team (RRT) programme, and in a roundtable on honour crime coordinated by Amnesty International and a training course organized by the Arab Women Leaders Training Institute. These forums and debates were important for the reinforcement of trust and the exchange of ideas on HBV, and for building information about the study for our research participants.

Further, a wider consultation with women's groups and service providers was carried out in both countries to take advice about the scope of the project. To this end, the team consulted with all relevant women's groups working with the Kurdish community in London and Iraq Kurdistan who could be reached.

In both the UK and Kurdistan, a mapping exercise was carried out to map contact lists of agencies providing support to victims of violence against women and honour-based violence, with each contact annotated with information about its services.

### **11.7. Media monitoring**

Media monitoring on honour-based violence in Kurdistan was conducted, for both national and international media during the lifetime of the research. Twenty-eight media outlets and broadcasting stations were monitored. That included eight women's journals/publications, nine mainstream media outlets, and 11 websites, radio and TV stations. A brief description of the media outlets/broadcasting stations, their status and political affiliation were provided to contextualize the publication. International media coverage on HBV and its impact on local media were also included in this process. All of

these publications were searched for coverage of crimes of honour and assessed in terms of the attitudes to HBV revealed.

### **11.8. Literature and policy review**

The collection of the empirical data-sets, and the addressing of the research aims, was informed by literature and policy reviews and analysis, building on previous work by members of the research team and others<sup>200</sup>. A broad list of related literature on HBV in the Kurdish context and in terms of theory and policy development in Kurdish, Arabic, English and French was collected by the team, and a comprehensive review of all academic literature on the subject of honour-based violence and honour killings internationally was conducted. Policy and practice documentation was also collected from all relevant policy agencies.

This literature review enabled the research team to build the research study in terms of: a) theoretical and academic conceptualizing about HBV; b) policy developments already underway in the UK, led by the specialist unit on honour-based violence at the Metropolitan Police and the Forced Marriage Unit of the Foreign and Commonwealth Office; and c) policy responses in Kurdistan, with the aim of developing guidance for good practice in the future.

### **11.9. Interview research tools and processes**

Research tools for the interviews were then developed and agreed, in the form of lengthy interview schedules designed to gather data-sets of interviews with government, agencies, and professionals in both countries and with survivors of honour-based violence and their families. These schedules were piloted and then adapted as required. They were accompanied by information sheets, and, for survivors of violence, by confidentiality agreements and consent forms with consent to be given in writing or by thumb mark. It was agreed that consent could also be given orally, if necessary, with written verification by the researchers where the participant did not feel comfortable to give consent in other ways.

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<sup>200</sup> Begikhani, 2005; Gill, 2008.

All interviewees were given a full explanation of the project and the nature of their participation. In summary, interviews for agencies and NGOs covered the extent and nature of HBV and honour killings in the relevant country, the professional views and understandings of HBV of the interviewees, information about the work they had performed on the issue, the policies, practices and strategies used, and what worked and what did not in addressing the problem. The interviewee's advice on policy and practice development was then requested.

In more details, respondents were asked about: a) their experiences of working on honour crimes; b) their views of the nature and parameters of HBV in Kurdistan and the UK; c) the responses of government officials, the legislature, the courts, the police and criminal justice system and other agencies; d) policy and practice initiatives already in place and required to improve practice; e) detailed investigation of cases of honour crime in which the agency or NGO concerned had been involved; f) details of ways in which HBV and honour killings have been understood and addressed in both Kurdistan and the UK; g) the role played by women's rights agencies, activists and women's organizations in developing responses to HBV so far; and h) ideas for the future.

The research questions addressed included: a) What are the legal and policy provisions? b) How is the law implemented and cases conducted? c) How does the court interpret and apply those provisions? c) What are the roles of the police and law enforcement officers? d) What are the legal reforms which have been carried out already and which are required in the future? e) Is there disagreement with and resistance to reform within the government or within the relevant agencies? f) Is there conflict of opinion between government institutions and the judiciary? g) Who were the reforms initiated by (e.g. the government, the judiciary or civil society)? h) What reforms are needed in terms of education, training and awareness-raising? i) What are the wider cultural, historical and societal issues relating to developing policy and combating HBV? j) What are the wider changes and action required in the future to protect those experiencing HBV? k) How should the Kurdish and UK governments and other agencies develop new strategic and policy approaches to the issue? and l) What new measures need to be in place to ensure that these are implemented?

For survivors of HBV or family members, their experiences and the details of their case were carefully investigated. Survivors and family members were also asked for their views on HBV and for their advice to policy makers, government, practitioners and women's NGOs. These interviews were conducted with great care and sensitivity due to the hidden and traumatic nature of the subject matter. Safety and confidentiality were the first priorities of the interviewers, overriding other issues. Thus, these interviews were conducted in safe and sometimes secret venues and were carried out sympathetically and non-judgmentally. Attention was paid to the security, safety and emotional well being of the interviewee after interview. The researchers were not be expected to take on a therapeutic role but were able to provide support where required, as well as information on support services and helpful contacts. Survivor and family member research participants were guaranteed anonymity, and any identifying geographical, community or family details were removed. They were also be given the opportunity to remove any detail from their account which they felt might identify them in their particular communities.

All interviews were recorded by digital recorder where agreement had been given and were kept safely, along with written thematic notes that had emerged during the interviews and with summaries of the data in each case. A large number of the interviews and consultations had first to be translated from Kurdish to English, and then all interviews were transcribed fully. Storage and processing of data was carried out in accordance with the UK Data Protection Act. Data was stored in locked offices, to which there was no public access. Access to PCs was restricted. Digital recordings were transferred in a locked case, and stored in locked premises at the relevant university with all data, wherever possible, being stored in the UK.

### **11.10. Interviews and consultations in Iraqi Kurdistan Region**

One hundred and twenty in-depth semi-structured interviews were conducted in Kurdistan in the three main Kurdish governorates of Duhok, Erbil and Sulaimaniya. These included 15 interviews with decision-makers (government officers, ministers, governors and MPs), 14 with police officers, 15 with lawyers and prosecutors and 30 with women's and human rights groups and NGOs.

Nine further interviews were conducted with shelters and women’s protection centres, eight with media representatives, four with faith leaders, six with health agencies and two with perpetrators. Lengthy and comprehensive interviews were conducted with 12 HBV survivors and five family members. Eleven further informal interviews, including nine with women from burning units, were also carried out. All the participants were initially approached via telephone, followed by, in most cases, an informal meeting during which they were given the project information sheet and were informed of the research project, and its aims and objectives. In some cases multiple pre-interview meetings were held. After establishing trust, formal interviews were then scheduled and conducted.

**Table 1: HBV Iraqi Kurdistan Region Interviews**

Category	Number
Police officers, Government units dealing with VAW & HBV	14
Lawyers/Prosecutors	15
Women’s & human rights groups/local NGOs	26
International NGOs (including UNAMI)	4
Shelters/ Women’s protection centres	9
Media representatives	8
Health agencies	6
Faith leaders	4
Perpetrators	2
Decision makers, officials (including MPs, governors, ministers)	15
Victims, survivors	12
Victims’ family members	5
Sub Total	120 + 9 statements/informal interviews with injured women at the burning units, as well as 2 detainees at the Erbil detention centre.
Total	131

### **11.11. Interviews and consultations in the UK**

The research was designed from the outset to be mainly set in Iraqi Kurdistan Region with a smaller number of comparative UK interviews. A total of 34 interviews were

conducted with agencies, together with 4 detailed case studies in the UK. These included eight police officers, two Independent Police Complaints Commissioners, six lawyers/senior prosecutors, 10 national grassroots women's organizations, one teacher (involved in the Yones case), three Foreign and Commonwealth Office officers, including the Forced Marriage Unit. The four case studies, following the death of a victim, were investigated in detail. Family members, survivors and professionals involved in each case were interviewed and the court cases followed with daily observation, amounting to more than 125 hours in total. The team also had access to official transcripts.

**Table 2: HBV UK Interviews**

Category	Number
Police officers	8
Lawyers/Prosecutors	6
National Grassroots Organizations	10
Independent Police Complaints Commissioners	2
Foreign and Commonwealth Office	3
Teacher (Yones case)	1
Survivors/cases used (Banaz/Tulay Goren/Yones – Athwal – interviewed family members or have access to official transcripts from press. Several interviews for each. Plus interviews in the Surjit Athwal case	4
Total	34

### **11.12. Analysis**

All the interviews were subjected to a thematic analysis. The data was analysed using NVivo software and manual analysis, in combination with the framework approach, advanced by Ritchie, Spencer and O'Connor<sup>201</sup>. Using a subset of the transcripts, the research team developed an index of key themes, which were then sub-divided. Transcripts were coded accordingly, after they had been read and re-read and summarized to identify emerging themes. Thus, the data could be summarized in a series of thematic charts.

The researchers were then able to draw out key themes and recheck these against the data for accuracy across interviews to ensure that the resultant policy insights and recommendations for good practice were embedded in the data. This method allowed us

<sup>201</sup> Ritchie, Spencer and O'Connor, 2003.

to interpret the information in a systematic and transparent method, and to ensure the themes were grounded in the evidence.

A final framework of key issues/themes was gradually developed out of this initial analysis, directly grounded in and shaped by the narratives developed in the interviews, enabling the full range of circumstances, experiences and views to be compared, and themes and patterns to be identified and further explored.

For the media watch section of the project in Kurdistan, a simplified textual analysis was applied to extract and compare data from the publications, especially on attitudes to so-called crimes of honour and HBV. This small-scale textual/discourse analysis was conducted in terms of types of approaches, words, perceptions, concepts and cultural understandings used. Triangulating data across the different data-sets then contributed to a multi-stranded perspective in the findings of the research

### **11.13. Communication/dissemination of the findings**

The findings overall were further developed into policy evidence, recommendations for both Iraqi Kurdistan Region and the UK, and an Action Plan for Iraqi Kurdistan. Further dissemination of the research will take place in the future through national and international conferences, scholarly papers and through the production of a book and the project website.

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