

# Country Report Germany

## Daphne Project: A Flying Team against Violence

Corinna Ter-Nedden, Sara Kinsky, Papatya, June 2011

*Note: The given scheme for this Country Report differentiates between Forced Marriage and HRV. For Papatya Forced Marriage is one form of HRV, so the categorization is not really logical. Nevertheless we have kept to the scheme most of the time, especially because politics in Germany tend to focus on FM a lot.*

### 1. Political climate towards migrants and refugees

It is of course not possible to give a coherent picture which shows all the different currents and voices in Germany, so this report will only be able to stress some aspects of the general climate towards migrants and refugees which is present in 2011.

Papatya took part in one of the first European projects against honour-related violence in 2004<sup>1</sup>. At that time HRV was part of the work of most women's shelters, was present at counselling centers, in police work and at schools. But until 2004 there was no word in German to name a certain category of violence, summing up all the different social acts from forced marriage to more subtle forms of limitations laid upon an individual by a family/group. Nobody counted anything concerning HRV, because nobody knew the category. So translating the term HRV and promoting its use was a first, but very important basis to be able to get an overview of the occurrence.

Forced marriage already had some attention since 2002, due to the activities of NGOs bundled by the women's rights organisation Terre des Femmes, who raised public awareness through information campaigns and distribution of information material.

Since 2004 some progress has been achieved. Women's issues got part of a vital debate about immigration and integration and therefore prominent attention. Especially forced marriage got into the focus, laws were changed. A lot of the federal states developed some activities against forced marriage, new specialised helplines and shelters were opened and research was intensified.

#### 1.1. History, facts and figures

Germany took a long time to realize it might be an immigration country. Unlike in other European countries immigration does not result from a colonial past. For a long time immigration was not officially recognized and not regulated systematically but steered by ad-hoc-regulations.

Migrants came mainly as so called guest workers (Gastarbeiter) starting with the 1960s. While a lot of workers from Spain, Greece, Italy and Ex-Yugoslavia came to Southern Germany, a lot of Turkish Migrants started to work in the North (Ruhr district and West Berlin). Since they came and were welcomed as 'guests' this migration process was planned as a limited period by both sides: Workers would return to their home countries after some years, new ones would replace them in a constant rotation. In 1973, when Germany faced an economic crisis, this kind of labour migration was stopped by the government. As one effect of this stop, workers started to settle and bring their families in.

Nevertheless the term guest worker, as well as the idea behind it remained dominant. It took a lot more years until the facts were acknowledged by both sides – Germany and the migrants themselves: They had not returned and instead raised their children in Germany and established themselves here.

Parallel to the labour migration there was a growing number of refugees who sought shelter in Germany. In the eighties a vehement discussions took place whether “the boat was full” or not.

After a record breaking 438.191 asylum applications were filed in 1992 (partly due to the war in former Yugoslavia), the number of asylum seekers in Germany has decreased steadily and reached

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1 See: Ressourcebook Honour-Related Violence Kvinnoforum 2004

18.332 in 2007<sup>2</sup>. This is due to the “asylum compromise” of 1993 and to restrictive European laws, which make the first EU country the refugees were registered in responsible for their fate.

In the last years, immigration of refugees is on the rise again<sup>3</sup> – mostly of people with little education who would have difficulties to find a job even if they were allowed to look for one (which they are not as long as they do not have a residence permit).

According to the German NGO “Pro Asyl” around 84% of the applications for asylum are rejected every year. The rejected asylum seeker has to leave Germany immediately. In cases where a deportation is not possible for humanitarian or other reasons the refugee gets a status of “toleration” (Duldung). The same status is imposed on refugees if the asylum procedures take a lot of years.

In 2010 about 130.000 refugees live in Germany. Since 1993 the conditions for them were aggravated. Depending on the federal state they live in they can get less than the German minimum of social welfare benefits, additionally this “less than minimum” can also be paid in form of vouchers or in kind. Some federal states try to place refugees in normal flats, others place them in asylum centers where refugees often have to face very bad conditions concerning privacy or hygienic standards. Very often these asylum centers are placed outside of towns in rural areas so that asylum seekers live separated from the every-day-live in Germany.

The legal status of “toleration” binds them to a certain, often very small region (“duty of residence”). The toleration status is not a right of residence, but a temporary suspension of deportation of a foreigner, who cannot leave the country on a voluntary basis. The ‘tolerated’ are often stuck with this status for years - around 55% have had the toleration status for longer than 6 years, 38% for over 8. The ‘tolerated’ have no right to family reunification (only in exceptional cases) and no right to integration or language courses. Just recently there has been a study which states that if asylum is denied after a yearlong legal process a lot of refugees go into hiding and stay in the country.

In 2005 the annual Mikrozensus, a sample to get statistics about the population in Germany, asked for nationality and ethnic background for the very first time. According to these numbers 16 million people in Germany (out of a population of 82 million in total) have a “background of migration”. The term “Migrationshintergrund” was agreed upon to characterize migrants and their descendants. 6,75 million people have a foreign passport, about 1/5 of them were borne in Germany.

The largest ethnic group is Turkish (about 2,8 million, half of them was borne in Germany), followed by Poles and Italians.

Besides the descendants of migrant workers and refugees a lot of immigrants are so-called (Spät-) Aussiedler (Repatriates) – descendants of Germans who lived mainly in Poland, Romania, Ukraine, Hungary, Czechoslovakia, Ex-Yugoslavia and Russia as minorities. Between 1950 and 2005 about 4,5 millions of them immigrated to Germany. They get the German citizenship immediately and were distributed by the authorities over the whole territory of Germany.

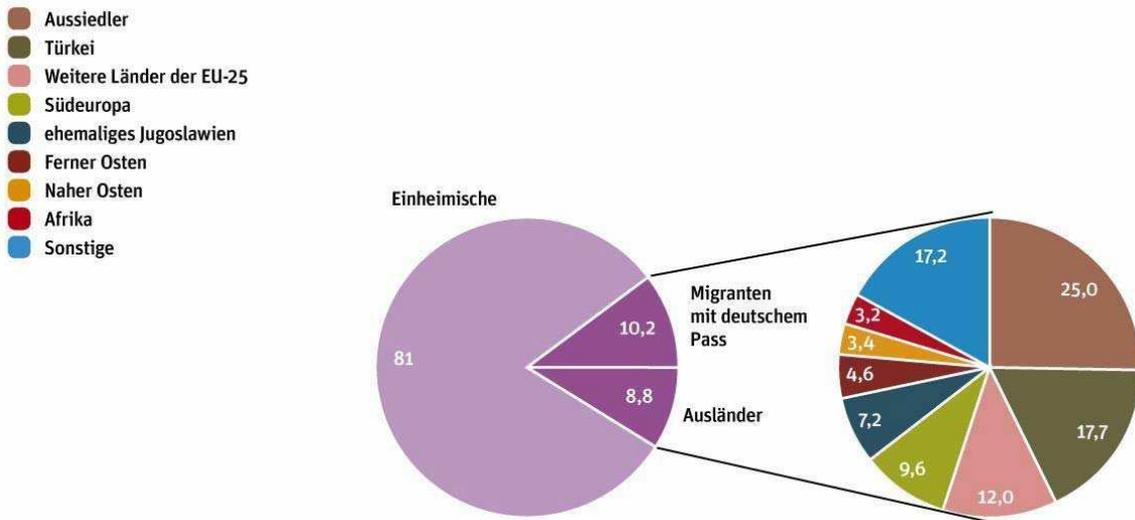
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2 Bundesamt für Migration und Flüchtlinge

3 First half of 2011: 20.609 applications, + 32 % in comparison with first half of 2010, mostly from Afghans and Iraqis

## Anteil der Migranten nach Staatsbürgerschaft und Herkunft in Prozent

(Datengrundlage: Mikrozensus 2005, SUF, eigene Berechnung)



### “Proportion of Immigrants by Nationality or Ethnic Origin, in percent”

Source: Berlin Institut für Bevölkerung und Entwicklung, Ungenutzte Potentiale

The Kurdish population is not counted officially as such but enclosed in other categories. The Centre for Kurdish studies NAVEND estimates that there are 700-800.000 people with a Kurdish background in Germany.

After the fall of the wall in 1989 a complicated integration process between East and West Germany started. Despite a proclaimed anti-fascism which included anti-racism, the GDR had been a mostly mono cultural society with almost no everyday contact with people from other origin. The soldiers of the GUS army had been interned in barracks, communication with Germans had not been stimulated and often been forbidden. When the GDR had needed foreign workers in the 1970s they had fetched contract workers from Vietnam, Mozambique, Angola, Cuba and Poland. They were kept apart in residential homes. After working hours contacts were made difficult through strict rules of these homes. They were not allowed to bring family members. If women got pregnant they had to leave the country. When the contracts ended after at most five years the workers had to return. The biggest group were Vietnamese workers (60.000 in 1989). After the German reintegration most of the contract workers returned to their home countries, but some of them stayed.

Today about 125.000 Vietnamese form a relevant group, recruited as well from these contract workers as from refugees/boat people, who had lived in West Germany.

German regions vary a lot concerning numbers and ethnic groups of migrants.

There is still a big difference between the “old” and “new” federal states: Only 4 % of all migrants live in the “new” countries, this already include Berlin, which has a high number in its western parts, but a rate of 22 % in total.

Except for Berlin and Hamburg the repatriates form the biggest group in all other regions.<sup>4</sup>

People from Turkey are the dominant group in ten of the twenty biggest cities. Frankfurt (Main) and Stuttgart have the highest population rate of people with a background of migration (38 and 36 %). Frankfurt (Main) also has the highest rate of people with African background (4%), this may be due to the international airport.

<sup>4</sup> Berlin- Institut für Bevölkerung und Entwicklung: Ungenutzte Potentiale, Zur Lage der Integration in Deutschland, 2009

Especially in Berlin, but not only there, the former migrant workers paid a price for the reunion of Germany. In Berlin about 200.000 jobs for people with no or low education were eliminated, when the payment of government subventions for the former flagship of the West was cut down. The unemployment rate of the migrant workers rose extremely. Parallel to that a new phenomenon under migrant families grew that was known so far only from German families: Whole families lived on and stayed dependent on social welfare money and passed this lifestyle on to the next generation.

### **1.2. Marriage migration/Family reunion**

Since the recruiting of labourers stopped in 1973, family reunion is the most important way of immigration – accounting for 44 %.<sup>5</sup> But official statistics are not able to give sufficient data, since marriages abroad are not registered – only marriages at civil registry offices in Germany or at a German consulate abroad are counted.

The Commissioner of the German Government for Migration, Refugees and Integration states that in 2003 the Foreign Office issued about 76.000 visas for marriage migration and family reunion. The biggest group came from Turkey - about 22.000 visas were handed out:

- 21 % of these to wives and 16 % to husbands migrating from Turkey to spouses in Germany who had a foreign passport,
- 13 % wives and 19 % husbands marrying spouses with a German passport.<sup>6</sup>
- 19 % of the visas were issued to children under 18 years.

A representative survey of the Federal Institute for Population Research among Turkish nationals in Germany in 2006 shows gender-specific patterns: Migrant men marry women from Turkey, who are a lot younger. Migrant women, who marry men from Turkey are middle-aged and have more westernised ideas about family. The level of education does not have a big influence on these patterns.<sup>7</sup>

The 6<sup>th</sup> Family Report of the Government states that parents with a Turkish background are more negative about an interethnic marriage of their daughter than of their son.<sup>8</sup>

### **1.3. Integration Summits**

In 2006 chancellor Angela Merkel of the Christian Democratic Party initiated the first Integration Summit (Integrationsgipfel) and through this gave the subject of integration a prominent position which got intense coverage by the public and the media. Federal, state and municipal officials met with immigrant associations. This was greeted by the organisations which felt heard and recognized by the government for the first time.

In 2010 the second Integration Summit took place, this time concentrating on job qualifications. While the first Integration Summit had a sub-workgroup discussing the situation of women, women's issues are addressed as a “cross cutting issue” (“Querschnittsaufgabe”) now. The result is that honour related violence and forced marriage vanished from the agenda.

The integration summits launched National Action Plans on Integration: A whole bundle of self-commitments (Selbstverpflichtungen) of authorities and NGOs were declared, their progress is to be reported continuously.

The Summits were definitely a step forward but unfortunately have a quite dispositional structure –

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5 Sachverständigenrat deutscher Stiftungen für Migration und Integration: Migrationsland 2011, page 97 f.

6 Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration 2004

7 Bundesinstitut für Bevölkerungsforschung beim Statistischen Bundesamt: Generations and Gender Survey. Dokumentation der Befragung von türkischen Migranten in Deutschland 2007

8 BMFSFJ: 6. Familienbericht: Familien ausländischer Herkunft in Deutschland: Leistungen-Belastungen-Herausforderungen. 2000

they depend on the initiative of the current government and its acting politicians and their fate after the next elections is not clear.

In autumn 2010 Chancellor Merkel stated that multiculturalism had failed and that, although diversity made Germany stronger, integration needed efforts of politics and society to make it happen. The attitude of the conservative government towards immigrants is thereby characterized by the slogan “fordern und fördern” (support and demand). There is a political controversy whether there exists something like “German” or “European” values newcomers have to agree to.

Parallel to the rise of the topic Integration, the “Islam Summit” (Islamgipfel) was initiated and established by the Minister of the Intern Wolfgang Schäuble (CDU) in 2006. In this meeting Islamic organisations, prominent critics of Islam and representatives of the actual government and authorities were supposed to work together on diverse topics. Big controversies about who should take part and whether the invited organisations could speak for “the” Muslims took place. When one of the umbrella organisations of Muslims was banned from the summit because the Federal Office for the Protection of the Constitution (Verfassungsschutz) observes one of its member organisations, other organisations withdrew their cooperation with the Islamic Summit in solidarity. The new minister of intern Hans-Peter Friedrich stresses the cooperation with Islamic organisations under security aspects and wants them to cooperate against Islamic fundamentalism. This also sparked a vehement debate about the function of the Islamic Summit.

In spring 2011 Bundespräsident Christian Wulff (CDU) said in a speech: “The Islam belongs to Germany.” This raised a lot of objections, also in his own political party. The Minister of the Intern Friedrich for example made headlines when he said “That Islam is part of Germany is a fact that cannot be proved by history”.

#### **1.4. Recent topics of discussion**

In general there seems to be an agreement that a lot has gone wrong in integration politics – starting with the point that for a very long time integration politics did not exist.

Indicators for this which are often cited are:

- Higher rates of unemployment of migrants
- Lower education level and higher numbers of young people of migrant background dropping out of school without any exam
- Higher rate of criminality
- And, last but not least, forced marriage and other forms of violence against women

In 2009 the Berlin Institute for Population and Development did a differentiated study on integration. They compared 20 indicators for integration of different migrant groups in different regions of Germany. With these indicators an index to measure integration was created. Successful integration is defined as similarity of social situation, participation and chances between “natives” and persons with a background of migration. Some of the conclusions are:

While foreigners from EU countries (without Southern Europe) and Repatriates are well educated (even more than native Germans) and integrated, people from Ex-Yugoslavia, Africa and Turkey are not. 30 % of the Turkish migrants do not have any educational attainment– in contrast to 3 % coming from EU countries (without Southern Europe) and 3 % of the Repatriates.<sup>9</sup> The Institute concludes that there should be differentiated programs for different migrant groups referring to their specific needs.

The government is keen to get better data. In reaction to the study illustrated above the 5<sup>th</sup>

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9 Berlin- Institut für Bevölkerung und Entwicklung: Ungenutzte Potentiale, Zur Lage der Integration in Deutschland, 2009

conference on integration of the ministries of the federal states decided to monitor key figures and indicators for integration in the areas early childhood education and language training, school and education, work and income, health, housing, criminality, violence and discrimination with uniform standards in every federal state.

One line in academic research on migration and integration denies the extent of problems and states that in general the public is much further in the acceptance of immigrants and the immigrants feel less discriminated than politicians think. A group led by the emeritus professor Klaus Bade tries to establish itself with the support of big sponsors from the economy as prominent advisors for the government and politics as “German Council of Integration Experts “(following the model of the “German Council of Economic Experts” which already exists and gets a lot of recognition for its recommendations). Founded in 2008, they published their second report in June 2011, based on telephone interviews with 5600 people - 80,5 % of migrant background.<sup>10</sup> The council’s conclusion is that migrants as well as Germans have a similar, pragmatic understanding of integration: Migrants should be treated equally, should have fair chances at the job market, should strive for a good professional qualification, should strive for a job and should respect German laws. Neither ideas of cultural assimilation nor ideas of “Multi-Kulti” are relevant to both groups.<sup>11</sup> Half of the migrants saw progress in integration politics in the last 5 years, only about 5 % do not feel well in Germany.

Most currents in politics name Germany an immigration country now – this is a reaction to the facts and numbers which cannot be denied any longer.

When the German magazine “Der Spiegel” researched the election programs of the German parties in 2010, they couldn't detect a lot of substantial plans concerning the issue of Immigration and Integration, but a lot of vague phrases.

The different agendas of the political parties mostly depend on the status they attribute to a German mainstream culture (“Leitkultur”) and whether they identify such a dominating culture at all. Even the conservative parties (CDU/CSU) do not aim assimilation, but demand a profound knowledge of the German language, which shall be reached through integration courses and all-day schools. But they want to steer and limit immigration and fight local government elections by foreigners and the dual citizenship.

The social democrats (SPD) define integration as a social issue concerning the whole society and not of migrants alone. The Green Party emphasizes the importance of women as actors of integration. They advocate local government elections by foreigners and the dual citizenship. The liberal party (FDP) wants a system of migration points to steer immigration and to attract educated immigrants. It wants better German language education already in the kindergarten, but also for adults. The leftist party (Linkspartei) denies the existence of a German “Leitkultur” and promises to fight wage dumping which they state affects migrants especially.

The last integration program of the Federal Office for Migration and Refugees which was constructed by a lot of experts from different areas stresses the measures which are seen as the most important and promising for integration<sup>12</sup>:

- increase of German language skills starting at the kindergarten, also: Programs which include the parents and stimulate them to learn German together with their children
- integration courses: In the future they also should be used to qualify participants for the job market, job-specific German language should be taught
- more teachers with a background of migration should work at German schools, young

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10 Sachverständigenrat deutscher Stiftungen für Migration und Integration: Migrationsland 2011

Auch: Sachverständigenrat: Integrationsbarometer 2010

11 Fokus Migration: Deutschland: Integration weitgehend erfolgreich, Newsletter 5/2010

12 Federal Office for Migration and Refugees: Bundesweites Integrationsprogramm: Angebote der Integrationsförderung in Deutschland- Empfehlungen zu ihrer Weiterentwicklung

- migrants should be stimulated by scholarships to study to become a teacher
- Migrant organisations as actors of integration should be strengthened and professionalized and work together with schools and youth associations. Leagues should open themselves for young migrant people.

In front of a background of demographical changes (an age pyramid with a lot of pensioners and less young people) there is a debate about steered immigration: Leaders of the economy urge the government that they need educated staff which they soon will not be able to find in Germany anymore in the numbers they need. They want the premises on which someone from outside the EU can settle herself in Germany to be lowered. For example: The barrier of income that someone has to guarantee to be allowed to immigrate at once should be lowered from 66.000 €/year at the moment to 40.000 €/year. In addition to that there is also a discussion taking place whether students from outside the EU which study at German universities in big numbers could be invited to stay after they finished their study. Some ministries (for Integration and for Education) plan to ease the recognition of foreign exams and professional degrees – up to now this is very complicated and unstructured. Calculable, dependable regulations do not exist.

In general we can state that Germany wants those migrants from which economy and social security systems might profit and wants to keep out others. Migrants oscillate between being a problem and being a solution depending on their educational status.

Despite of this there is a discussion going on about so called “parallel societies” which live separate from the mainstream society and have their own law and order system. Whether something like that exists or not and whether people do this deliberately or because they are marginalized is of course controversial. In the media discourse it is often combined with discussions about ghettoisation and migrant criminality or so called “problem-areas” (Problemkiese) as well as the special situation of schools in these areas, which often have pupils only from families with migrant background.

There is also a controversial discussion about the concepts in which the discussions should be led: Are these mainly social problems which are only labelled “cultural” or “religious” because discriminating attitudes want to separate immigrants from the mainstream society and scapegoat them? Or is there more to cultural or religious identities which might influence the world beyond the private personal sphere?

### **1.5. Racism and Xenophobic attacks**

The German fascist past is present in all debates about racism at least latently. This may explain a tendency to avoid the topic for a long time on the political level.

In 2010 the UN Special Rapporteur about Racism stated that the German government should widen its understanding of racism and not limit it to right extremist violence.

A widened understanding should also look out for stereotyping and discrimination in education or at the job or housing market. The UN-report demands differentiated strategies which answer the specific needs of groups like Jews, Roma, Sinti, people of Arabic origin, Muslims or Black people.<sup>13</sup>

There is an ongoing debate whether racism is mainly a problem of the „new“ = Ex-GDR federal states or a general problem. The Institute for Interdisciplinary Research on Conflict and Violence stated that the less people are confronted with migrants the more negative their attitude towards them is.<sup>14</sup> This debate was fuelled when with the football World Cup 2006 some organisations

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13 Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai - Mission to Germany (PDF, 151 KB, nicht barrierefrei)  
<http://www.institut-fuer-menschenrechte.de/de/themen/schutz-vor-rassismus/schwerpunkte/un-sonderberichterstatter.html>

14 Institut für interdisziplinäre Konflikt- und Gewaltforschung der Universität Bielefeld, Deutsche Zustände, 3, 2004

warned foreigners to visit certain districts of the “new” federal states.

Some newspapers<sup>15</sup> keep a record of extremist right violence/murders and doubt the official statistics of the authorities<sup>16</sup>. They state that especially those cases where the attacks are not directed against migrants but against homeless people or leftist youth are not recognised.

The last very prominent case of a xenophobic murder was that of Marwa El-Sherbini. She had been insulted because of her headscarf in an argument about the use of wings at a playground. When she took her insulter to court he stabbed her in the courtroom.

### **1.6. Vehement Controversies - Sarrazin**

A lot of media coverage and public discussion was triggered when the book of Thilo Sarrazin, member of the SPD and at that time member of the executive board of the Deutsche Bundesbank, was published in August 2010: “Germany abolishes itself”. It has sparked vehement debates about integration. Wikipedia sums up: *“Sarrazin advocates a restrictive immigration policy (with the exception of the highly skilled) and the reduction of state welfare benefits. [...] claiming that Germany's immigrant Muslim population is reluctant to integrate and tends to rely more on social services than to be productive. Furthermore, he calculates that their population growth may well overwhelm the German population within a couple of generations at the current rate, and that their intelligence is lower as well. He proposes stringent reforms for the welfare system to rectify the problems.”*

The debate around Sarrazin and his theses showed a big gap between parts of the public and official statements of politicians and in the media. While he was expelled by the politic establishment, had to resign from his post as board member of the Bundesbank and was criticised strongly by most journalists and scientists, he got a lot of applause in readers forums in newspapers and the internet, following the motto: “Finally someone dares to say it”.

His book sparked a climate change. Especially a lot of well integrated Muslim immigrants felt insulted, misjudged and rejected. They fear that long hidden racism at last had surfaced and found a voice and that whatever efforts they made they would never be accepted.

After vehement struggles about his exclusion he stayed in the SPD. His book was on the bestseller-list for weeks and probably made him a millionaire.

### **1.7. “Deutschenfeindlichkeit”**

In the End of 2010 a new aspect was added to the spectrum of debates on integration. At a workshop of the (traditionally more left-wing) teachers union GEW in Berlin teachers discussed assaults against German pupils at schools and in districts dominated by a Turkish or Arabic population. Under the term “Deutschenfeindlichkeit” (Hostility against Germans) this was reflected in the media and also by the politicians as a problem, which had not been recognised before.

## **2. Political climate towards the combat of HRV, FM and Abandoning**

HRV and FM can not be separated from the ongoing debates about integration, gender equality, anti-discrimination and violence prevention.

In the controversial discussions about integration or its failure the position of women gets prominent attention. Cases of honour-related violence, forced marriage and abandoning are connoted as indicators and principal witnesses for failed integration on one hand – and on the other hand trivialized as marginal single events which could take place in almost any dysfunctional family – depending on which status of integration a speaker wants to prove.

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15 Tagesspiegel, Frankfurter Rundschau, Zeit

16 Both statistics can be found here:

[wikipedia.org/wiki/Liste\\_von\\_Todesopfern\\_rechtsextremer\\_Gewalt\\_in\\_Deutschland](http://wikipedia.org/wiki/Liste_von_Todesopfern_rechtsextremer_Gewalt_in_Deutschland)

The status of Turkish women was discussed a long time already, starting probably with the movie “40 square metres Germany” from 1986 which showed the isolation of a woman migrating as a bride and being imprisoned in the flat of her husband in Germany.

## **2.1. Prominent Cases**

Honour crimes were reported by the media prominently in the last years. Some of the especially and transregionally recognised ones were the murders of Hatun Sürücü by her brothers in Berlin 2005 (Turkish/Kurdish background), of Ulerika Gashi by her father in 2003 (Kosovo-Albanian background) and by Morsal Obeidi by her brother in Hamburg 2008 (Afghani background). Also the trials in court got a lot of public attention and the circumstances and motives of the murders were discussed intensely, most times in connection with reflections about integration in Germany. The public seemed to be stunned and incredulous that the kind of thinking the murderers represented could have survived among them. In Hatun Sürücü's case this was stressed even more, when some approval of the killing was stated by young men of the migrant community. Morsal Obeidi's case got special interest because she had tried to escape from her family and had had contacts with Youth Social Services as well as with the Police and timely been taken into care. Possible lacks in the support system were discussed vehemently.

Hanife Gashi, mother of the murdered Ulerika, wrote a book, went to public and campaigned with the Women's Rights Organisation Terre des Femmes.

Aylin Korkmaz, who was nearly stabbed to death by her ex-husband, did the same.

Fatma Bläser and Serap Cileli, both former victims of forced marriage, had written books about their fate already in 1999, which got more attention with each murder case. They did book tours and went in schools before they both started NGOs, which support potential victims (Hennamond e.V. and Peri e.V.). Also Sabatina James first wrote a book about her struggle for a life of her own and then founded the NGO Sabatina e.V.

Seyran Ates, prominent lawyer, had written a book about her life as a teenager, who had run away from home already in 1983. When she worked for victims of domestic violence she got nearly shot by a member of a fascist Turkish organisation in 1984. She has written a lot of books on issues of integration and Islam from then on. In 2006 she stopped working as advocate after the ex-husband of a client had threatened and beaten her in the streets. In 2009 her publisher announced that she would withdraw from the public completely, after she had received death threats due to her last book “Islam needs a Sexual Revolution”.

Prominent publications come from the journalist and film maker Güner Balci, who has worked as a social worker with migrant girls at Berlin-Neukölln. She wrote the books “Arabboy” and “Arabqueen”, picturing the miserable life of young people living in secluded migrant Arab families. “Arabqueen” was adapted as theatre play in 2010.

The combination of books, book tours, films about the authors and a lot of media coverage at the side seems to be a typical way to deal with the topics of HRV in the public sphere.

The above named courageous migrant women were invited into talk shows in television constantly and interviewed a lot. They gave the battle against honour related violence faces and credibility, no matter what risks that meant for them and their families. Without their engagement the debates probably would not have been so fervent and influential.

They were key witnesses for the existence of HRV and under their coverage Germans, who showed solidarity, feared less to be called nationalistic or xenophobic.

## 2.2. Tip of the iceberg or molehill to mountain?

The sociologist Necla Kelek also started her engagement against HRV with her personal experiences but integrated them in a broader perspective as a professional. In her statements and books she criticizes the mixture of Turkish and Islamic traditions, which cooperate in suppressing women and pressing men into a role of helpless dominance. She attacks both a parallel society moulded by Islam and a misunderstood form of tolerance of the political and public mainstream.

In 2006 she was affronted by a petition of 60 academic researchers who accused her of discrimination, exaggeration and generalization and questioned her scientific reputation. One of the leading actors was the Turkologist Yasemin Karakasoglu, who also accused Seyran Ates. Karakasoglu had done an interview study with a questionnaire answered by 955 girls with a migrant background from 2001-2004 for the Ministry of Family, Senior Citizens, Women and Youth<sup>17</sup>. The study referred to girls with Italian, Yugoslavian, Greek, Turkish background (mainly foreign workers' daughters) and to repatriates, asking them about their whole life. Parts of the study touch issues of HRV: A big majority of the girls says that they would not accept an arranged marriage, although 11 % of the Turkish group would welcome their parents to find a partner for them. Virginity until marriage is important for a majority of 59 % of the Turkish group, quite less in the other groups.

Karakasoglu's conclusion is that forms of honour related violence might exist, but play a very marginal role only. She concludes that the general pluralization of life styles is present in every group, that restrictive ways of education are absent in every group and that girls do not feel treated different from their brothers.

She criticizes the German debates around forced marriage and honour murders as "alarmistic" and populist, with a "tremolo of consternation" and accuses them to focus on Islam.<sup>18</sup> Forced marriage to her provides a mendacious surrogate discussion, which distracts attention from the real needs of young migrants, which mainly lie in their educational integration.<sup>19</sup>

In opposite to her own social-scientific research she marks the analysis of Necla Kelek and others as resulting from "every day interpretation" and warns politicians and the government to listen to them.

The qualification of the researchers who had signed the petition against Necla Kelek's work was also questioned publicly, especially by feminists. Necla Kelek accused Klaus Bade, Yasemin Karakasoglu and others to form an influential cartel, a "Politbüro", which dominates and controls research about migration at universities and blacklists scientists, whose findings do not fit into the harmonious picture they paint of integration. A picture, which ignores conflicts around HRV, readiness for violence under migrant youth, the meaning of religion and the connection to migration, poverty and education. She states that important impulses for the debate about integration always had to come from outside this cartel.<sup>20</sup>

Researchers from the Kriminologisches Institut Niedersachsen estimate that girls with a Turkish, Arabic, North African, Southwest or South Asian background are victims of severe family violence 3-5 times more often than girls from the same age group without a background of migration.<sup>21</sup>

Today nobody denies the existence of forced marriages anymore. Still controversial are their numbers and whether or how they can be differentiated from arranged marriages.

Despite the murders "honour related violence" is not a very prominent term in discussions or in politics. Although Terre des Femmes, the specialised shelter Papatya and others worked a lot to

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17 Together with Ursula Boos-Nünning: „Viele Welten leben“, Münster, 2005

18 Yasemin Karakasoglu: Tremolo der Betroffenheit, taz, 19.1.2006

19 Mord im Namen der Familienehre, wdr.de, 8.3.2005

20 Necla Kelek: Professor Bade gibt den Anti-Sarrazin, faz 11.5.2011

21 Baier et al.2009, nach Mitteilung von Heinz Kindler, Deutsches Jugendinstitut

spread the issue among professionals since 2004, public debates concentrate more on honour murders (“Ehrenmorde”) on one hand and forced marriage (“Zwangsverheiratung”) on the other. Perhaps these phenomena seem to be more easily pinpointed than the more abstract term “honour-related violence” which refers to a concept which seems to be more complicated and diffuse. But the reluctance may also be due to the discussion which escorts the term from the beginning (and which was led especially in academic circles): Whether the term is politically correct or whether it might fuel racist stereotypes by establishing an extra-category of violence, which is connoted with ethnic, religious or cultural issues.

### **2.3. Violence legitimizing norms of Masculinity**

There has been a lot of research about youth delinquency in Germany – headed by a big representative study of the Kriminologisches Institut Niedersachsen, which questioned about 44.000 15-year-old pupils (9<sup>th</sup> grade) in 2007 and 2008. They were asked about their position as victim as well as offender. This was meant to enlighten the dark field to some extent.

As in official statistics of the police also the self-report data showed a significantly higher rate of offending in certain juvenile migrant groups. This can not be explained sufficiently by factors of socio-economic disadvantage, which were controlled statistically. So a scale was constructed which measured “‘violence legitimizing norms of masculinity’ (VLNM)”, a theoretical concept which was first used by Nisbett and Cohen to explain the “culture of honour” they identified in the Southern US States among white men.

Whether violence legitimizing norms of masculinity root in cultural/traditional gender roles or are a result of social disadvantage and marginal living conditions is of course controversial.<sup>22</sup>

In any case the study confirmed the connection between parental violence and youth delinquency/violence and stated that children from Turkish or Arab families were maltreated three times more often than German children.

A new study concentrates especially on violence of young Muslim migrant men.<sup>23</sup> Ahmet Toprak, professor for pedagogy, who started his career with anti-violence-trainings for young migrant men and who published books about education and gender roles in Turkish families before, and his colleague Katja Nowacki wrote an expertise for the Ministry of Family (BMFSFJ). They conclude that there is a multitude of factors which lead to delinquency of the researched group: Socio-economic factors, which in comparison to German youth are aggravated by cultural and migration-specific aspects and experiences of discrimination.

But also the educational goals of the parents often differ from German parents.

Even the second and third generation of migrants value as central goals: “to show respect for authorities”, “respectability”, “cohesion/togetherness” and “striving for achievement”, while individuality, self-realization and independence (which most German parents think important) are not cherished very much. The experts see the performance in school education of migrants of the third generation as very problematic: Most times those who got delinquent have no school-leaving qualification at all and live from transfer money or precarious elementary occupations. Often their verbal and communicative abilities are very limited and they developed no other strategy than to solve conflicts with violence. A traditional male gender role and the unconditional readiness to defend the honour of the family are central values for them. A lot of them are ready to stand by a friend no matter what the circumstances are and even if this means to get liable to prosecution. Loyalty and solidarity with a friend are their supreme principles.

The connection between youth delinquency and HRV is of course questionable. There is no direct

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22 Enzmann, Dirk; Brettfeld, Katrin; Wetzels, Peter **Titel:** Männlichkeitsnormen und die Kultur der Ehre. In: Kölner Zeitschrift für Soziologie und Sozialpsychologie. Sonderhefte, (2003) 43, S. 264-287

23 Ahmet Toprak, Katja Nowacki: Gewaltphänomene bei männlichen muslimischen Jugendlichen mit Migrationshintergrund und Präventionsstrategien, Dortmund 2010

line between young offenders and honour murders. But maybe there is an indirect connection. Honour codes are transformed and transported by these young men and play a role in their subculture. To control their female family members is part of their image of masculinity and often they are ready to sanction what they see as trespasses of their sisters.

Kemal Bozay, political and social scientist, states that discrimination by German society leads to self-ethnification by some young Turkish migrants, which includes authoritarian and patriarchal attitudes with effects for gender relations.<sup>24</sup>

**2.4. Measures against HRV which focus on boys and men** get a lot of political and media attention. Since 2007 the project “Heroes” at Berlin works with a concept imported from Sweden. Financed by the Swedish World Childhood Foundation Heroes trains young men with migrant background as multipliers who discuss gender roles, marriage patterns and HRV in workshops at schools and youth clubs. “Heroes” has received a lot of awards and has recently been copied by other German cities (Hamburg, Duisburg).

A different age group of men is reached by the psychologist Kazim Erdogan at Berlin, who started the first German father’s group for Turkish men in 2009. This group discusses partner conflicts, gender roles and issues of honour. The news about its start made it into the big over-regional newspapers. Kazim Erdogan was asked for interviews that often that he could have spent his whole working life with answering questions of journalists.<sup>25</sup>

Men as victims of HRV and FM get attention increasingly. Their numbers at organisations against FM and HRV range from rare cases up to 30 %. Often they do not seek help themselves but their girlfriends ask for support. There are no specialised shelters for them and the discussion about what they need is still lasting. Recently a case file study of honour murders the Federal Criminal Police Office had listed stated that 1/3 of the victims were men. (See page 41)

### **2.5. The Scandal about “Hatun and Can”**

In 2006 the grass root organisation “Hatun and Can”, named after the prominent honour murder victim Hatun Sürücü and her son, gained a lot of media attention. Its director, a German man, who claimed, he had been a close friend of Hatun, promised quick and unbureaucratic support for victims of HRV. Soon he alarmed the public with big numbers of victims who sought help and who were underserved by authorities and existing NGOs. He asked for donations urgently and argued he could not produce detailed information about his work because of the needed secrecy and anonymity. All work of the NGO would be done by unpaid volunteers. When the journalist and feminist Alice Schwarzer won one million Euros in a television game show, she decided to pass the money to Hatun and Can. Only when she got very vague information about the use of the money, she got suspicious. At last she reported the organisation to the police. After a short investigation the director was taken in custody. Seemingly his NGO had mainly been a front to gain money for his private consumers expenditures – a big car with driver, expensive holidays. He was convicted for fraud to five years imprisonment finally.

## **3. Definitions**

### **3.1. HRV**

“Honour related violence” was first addressed at a conference that Terre des Femmes and Papatya held in 2004 with participation of about 50 stakeholders, NGOs and politicians in an EU project. The definition agreed upon by this conference is:

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24 Leitfaden Ehrensachen, Düsseldorf 2010

25 Ein Ehrenmann schlägt seine Frau nicht, Spiegel, 28.4.2009

*“Honour related violence covers psychical or physical trespasses in the context of patriarchal family structures/communities/societies which are carried out mainly against women and girls. The concept of honour is a social construction and is interpreted dependant on the context. “Honour” subordinates freedom and dignity of the individual under collective claims. Violence is seen as legitimate preservation or reconstruction of (family) honour in order to perpetuate and maintain traditional norms and value systems.”*

As already explained the term HRV is not very common in Germany and beyond this controversial (see above page11).

### **3.2. Honour murder**

There is no special definition in the law. After some lobbying NGOs like Terre des Femmes and Papatya were successful in their quest for special recognition for honour murders.

Papatya publishes a booklet which lists honour crime cases since 2004 and updates it regularly.

The Federal Criminal Police Office (Bundeskriminalamt) published a study in 2005 on honour murders which counted 55 cases between 1996 and 2005 with 70 victims in total.

The report stated that numbers probably would change with a change of definition of honour murders. This is the definition which was used:

*“Honour murders are homicides, which are carried out in the context of the own extended family motivated by supposed cultural obligations in order to serve the honour of the family.”*

### **3.3. Forced Marriage**

Given the limited time for this report it is not possible to compare the definitions the different federal states give for forced marriage. In substance they probably do not differ a lot.

A most recent definition can be found in a guide for schools published by the Federal Government Commissioner for Migration, Refugees and Integration<sup>26</sup>. It is the result of a workgroup of government and federal states authorities and NGOs and therefore reflects a broad consensus.

In its definition of forced marriage the guide states, that the border between arranged and forced marriages is fluent and that there is no need for intervention if both spouses agree to have an arranged marriage. It also states that there is no possibility to objectively define or operationalize forced marriage. Instead of this, the definition should follow the subjectively felt exigency of the victim.<sup>27</sup>

In that way, the focus lies on the victim and its situation. It emphasizes the responsibility of schools (and other authorities) witnessing offences against the law to intervene.

## **4. National policy and legislation towards immigration, migrants and refugees**

### **4.1. Immigration Law**

In 2000 the laws of citizenship were reformed. Citizenship depended not anymore only on the parentage/bloodline but also on the place of birth. Children who are borne in Germany get the German citizenship and at the same time the citizenship of their parents. At the age of 23 years at last they have to choose for one of them. Adults can get the citizenship after 8 years (before: 15 years).

Dual citizenship was discussed for a long time and rejected after the CDU of Hessen successfully collected 5 million signatures against it in a short time. It is only allowed for EU country members.

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26 Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration: Leitfaden für Schulen zum Umgang mit Zwangsverheiratungen, Berlin 2010

27 “Da das Vorliegen einer Zwangsverheiratung sich kaum objektiv feststellen lässt, ist die subjektiv empfundene Zwangslage der Betroffenen ausschlaggebend.“

A new Immigration Law in 2005 reformed former foreigner laws and responded to immigration systematically. It had been prepared by a “Independent Commission Immigration” since 2000. The issuing of resident permits was restructured. The emphasis of the law shifted from the maintenance of public order to the support of integration.

In 2007 a first reform of the Immigration Law took place. People who come to Germany from outside the EU through marriage now have to prove basic knowledge of the German language. Both spouses have to be 18 years or older. This is justified as prevention of forced marriages and a preparation for a smoother integration. But unofficially it also was meant to prevent the migration of people without education/qualification, which was marked as “Einwanderung in das Sozialsystem” (Immigration into the Social Welfare System). People from countries “with close economic relations to Germany” as for example America, Canada or Japan do not have to fulfil these conditions. In this way kind of a class system for migrants from different countries was created.

All newcomers have to attend integration courses if they do not work or go into education immediately. They must do so within a certain time or face penalties, up to and including deportation. These courses are mainly financed by the Federal Office for Migration and Refugees. 600 hours focus on the German language, 45 hours on knowledge about Germany. This last part is called “orientation course”. In the end the participants should pass an exam. Only if they successfully complete a course they can get an unlimited residence permit.

The Federal Office for Migration and Refugees is also responsible for individual migration advice (Migrationsberatung) which can be used by newcomers up to three years after immigration. For young people up to 27 years, youth migration services (Jugendmigrationsdienste) do individual case management and advice especially on school and education and the planning of a career.

The reform of 2007 also made it easier for young people between 15 and 21, who have lived in Germany and attended the school for 6 years and who fall into the category of immigrants who are “tolerated” by the government until it reviews their status. They have got the right to their own independent residence permit now, provided that they are “well-integrated”.

#### **4.2. Refugees**

The recognition rate (Anerkennungsquote) of refugees lies at 21,6 % in 2010.<sup>28</sup>

As already described (see page 2) they have a “tolerated” status. They can attend school, professional preparation courses (Berufsvorbereitungskurse) and apprenticeships (schulische Ausbildungen) without permits, but need to fulfil certain conditions for a real professional training. Whereas in Berlin schooling is compulsory for children up to 16, this is not the case in all Federal States, as each state has autonomy on education matters.

#### **4.3. Gender based persecution**

Gender based persecution was not recognized in Germany for a long time since it often is not executed by national governments. Since 2005 this changed: Also non-governmental and gender based persecution trigger a right to be protected. Honour-related violence can be a reason to get asylum. But women’s organisations criticize that this is not implemented very well up to now. So the NGO “Pro Asylum” states, that women who seem to be “westernized” make better chances than women who do not demonstrate a western lifestyle.<sup>29</sup>

A survey of positive decisions in 2005/2006 sees them based on domestic violence by the husband, forced marriage, expected honour murders and expected genital mutilation. One quarter of all positive issues of asylum were based on gender based prosecution, 90 % of them suffered from

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28 Taz, 25.5.2011

29 Bundeszentrale für politische Bildung, Interview mit Marei Peltzer, 12.10.2009

persecution of non-government persecutors.<sup>30</sup> An example of a woman who fled from forced marriage from Iran can be found under: [www.rechtslupe.de/verwaltungsrecht/fluechtlingsanerkennung-durch-zwangsheirat-327713](http://www.rechtslupe.de/verwaltungsrecht/fluechtlingsanerkennung-durch-zwangsheirat-327713)

#### **4.4. Law on Integration (Integrationsgesetz)**

Some federal states plan to establish Laws on Integration which aim to encourage participation and recruitment of migrants in authorities and administration. Advisory boards for integration and migration shall get mandatory. Berlin was the first state where this kind of law has already passed legislation. Its implementation shall be reported about every two years.

Critics attack it as symbolic because it does not name concrete numbers.

#### **4.5. Other examples**

Local government elections by foreigners were declared unconstitutional by the Federal Constitutional Court (Bundesverfassungsgericht) in 1990.

In some areas of public service headscarfs are forbidden – for example for judges and in some federal states (Hessen and Berlin) also for teachers of public schools.

### **5. National policy on honour related violence, forced marriage and abandonment**

In 2004 a big representative study researched violence against women in Germany for the first time. It was financed by the Federal Ministry for Family, Senior Citizens, Women and Youth.

According to the study one in four women between 16 and 85 in Germany that live or had lived in a relationship, has been violated at least once in her life by her partner sexually or physically.<sup>31</sup> Two not representative side studies researched violence Turkish and East European/Ex-GUS women have to face. According to these studies the two interviewed immigrant groups experienced physical and sexual violence more frequently and suffered from more severe forms of violence than the average German women. In comparison to other women with a background of migration, Turkish women have to face a higher rate of severe physical and/ or sexual violence. They were also a lot more endangered than women with other backgrounds when they wanted a separation from their partner or a divorce.

Concerning their marriages women with Turkish backgrounds stated that half of their marriages were arranged by relatives. In 25 % of the arranged cases the women were not asked for their opinion. One quarter of the married Turkish women did not know their husband before marriage. 75 % agreed with the choice of their relatives, 23 % would have preferred to choose their husband themselves and about 2 % gave no comment. 17 % said they felt forced into marriage. A connection between forced marriage and violence in the partnership was not proven.

The reasons for the higher quantity of violence the Turkish/migrant women faced were disputed, because some groups of migrant women differ also concerning socio-economic factors: They depend on their husbands income more often and their educational status (especially of Turkish women) is a lot lower than that of German women.

The study also pointed out that migrant women are especially dependent on easily accessible forms of support. The accompanying study (WiBIG Study) found that more migrant women can be reached through what is called proactive or outreach help and that language barriers have to be taken into consideration and to be broken.

In the years since 2004 more secondary data analysis was done, one of them with a focus on migration.<sup>32</sup>

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30 UNHCR Zweigstelle Nürnberg, Anna Büllesbach, in: Magazin „Flüchtlingsräte“ online 2007/2008

31 BMFSFJ: „Lebenssituation, Sicherheit und Gesundheit von Frauen in Deutschland“, 2004

32 „Gesundheit - Gewalt - Migration: Eine vergleichende Sekundäranalyse zur gesundheitlichen und Gewaltsituation

The results of all these studies are very influential: The 8<sup>th</sup> Report of Integration by the Integration Commissioner of the Federal Government as well as the Second Action Plan of the Federal Government to Combat Violence against Women<sup>33</sup> refers to them.

The Second Action Plan names forced marriages explicitly as an “additional form of violence” and “a severe violation of human rights. It states that although “there are no reliable data about the extent and characteristics [...] in Germany at this point” mainly girls and young women “from families with migrant background” are affected. It mentions that also men are victims and states that there is “a lack of clarity and some controversy in public debate concerning the boundaries between arranged marriages, on the one hand, and forced marriages, on the other.”

Other forms of violence against migrant women the Action Plan refers to are trafficking for sexual and labour exploitation and genital mutilation.

There is a broad governmental consensus to avoid any short circuit of forced marriage/HRV and Islam, so the Action Plan points out: “the problem is not only limited to Islamic cultural circles”.

The implementation of the concepts of the Second Action Plan has to involve federal states and communal authorities and needs their cooperation. This is provided by the working groups consisting of federal and state representatives (Bund-Länder-Arbeitsgruppen) “Domestic Violence” and “Trafficking of Women”, which are the steering committees.

### **5.1. Policy Against Forced Marriage and Violence Against Migrant Women as described by the Government in the Second Action Plan of the Federal Government to Combat Violence Against Women**

The Second Action Plan aims at “greater protection for migrant women affected by violence (p. 8, p.27 ff.)

Measures the Action Plan names:

- Financing of the model project SIBEL to expand online counselling for young female migrants threatened by forced marriage or other forms of domestic violence but also for their supporters and professionals
- Measures to enlighten and inform in the communities and countries of origin about forced marriage (this is formulated quite vaguely)
- Measures to empower migrant women and to increase their participation in society which is meant to contribute to the prevention of violence.

As examples for the last are cited

- A “Forum of dialogue with representatives of Muslim women’s organisations and female speakers representing Islamic umbrella organisations and Muslim associations operating beyond the regional level in Germany” with the aim “to promote understanding with regard to issues of equality”
- A “Transcultural and Interreligious Learning Centre for Women” as a programme to qualify women with and without migrant backgrounds as cultural mediators;
- The Project “network.21” “a mentoring programme for young women (girls in the higher school classes and female students) as a network of support in finding orientation in the labour market and their careers.”

There is a strong consensus and expectation by the government that all measures to increase education and participation will also have the effect to prevent violence.

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von Frauen mit und ohne Migrationshintergrund in Deutschland“

33 [www.bmfsfj.de/bmfsfj/generator/RedaktionBMFSFJ/Broschuerenstelle/Pdf-Anlagen/aktionsplan-II-gewalt-gegen-frauen-englisch](http://www.bmfsfj.de/bmfsfj/generator/RedaktionBMFSFJ/Broschuerenstelle/Pdf-Anlagen/aktionsplan-II-gewalt-gegen-frauen-englisch), 3. Auflage 2011

Accordingly less specific measures which are done in cooperation with the Federal Office for Migration and Refugees are mentioned:

- Integration courses, low-threshold language courses and “counselling on individual issues related to the women’s living situations ... The concept also intends to address questions of honour and morality, forced marriage, and violence against women. In addition, attempts will be made to raise the awareness of the women who run the courses with regard to these topics, so that they will be able to refer women seeking advice to qualified counselling agencies”.

Further the Action Plan refers to “integration projects for foreign women and men” of the Federal Ministry of the interior “which focus on highly relevant topics regarding integration and thereby send out a political message. These include for example participation in political life, activation of migrant organisations, integration of mosque associations, dialogue with Muslim men and women, conveying democratic values, and the prevention of violence. For the most part, these projects are conducted by migrant organisations which present their activities in the field of integration as a model for others.”

Especially named are here:

- the Project “Overcoming Barriers, Standing Up for Values Together” (*Barrieren überwinden, für gemeinsame Werte eintreten*) operated by the NGO NAVEND– Centre for Kurdish Studies, which is establishing special counselling and support services for migrant Kurdish women who are affected or threatened by domestic violence (this sounds different on the Navend Website which announces conferences and workshops, not counselling)<sup>34</sup>
- The “Kitchen Boxer” Project(*Küchenboxer*), operated by the city of Cloppenburg, which is specifically designed to lift the taboo on discussing the topic of domestic violence in repatriate families, in order to shed some light on the issue.
- The “Pinocchio” Project, operated in Detmold by the Service Agency of the Protestant Church in Germany (*Diakonisches Werk*), which addresses the issue of prevention in its work with girls and young women in a familycontext<sup>35</sup>.

The Federal Office for Migration and Refugees will increase its support for violence prevention projects, particularly projects geared towards the target group of girls and young women with migrant backgrounds.

The Federal Government’s Commissioner for Integration publishes a flyer for migrant women entitled “Scene of the Crime: the Family” (*Tatort Familie*).The brochure provides women who are subject to domestic violence with information concerning their rights. It is available in German, English, Turkish, Russian, Serbo-Croatian and Arabic.

The Federal Ministry for Economic Cooperation and Development supports measures to prevent violence against women and girls, which are intended to have an effect on the partner countries, for example a project against early child marriage and forced marriage in Turkey by the organisation “Flying Broom/Ucan Süpürge” and initiatives against genital mutilation in 8 African countries.

In July 2011 the installation of a central telephone helpline for women facing violence was decided, which will be approachable around the clock, free of charge and anonymous.

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34 <http://www.navend.de/html/projekte/brrieren.htm>

35 [www.integration-in-deutschland.de/SharedDocs/Anlagen/DE/Integration/Publikationen/Integrationsprojekte/projektjahrbuch-2009,templateId=raw,property=publicationFile.pdf/projektjahrbuch-2009.pdf](http://www.integration-in-deutschland.de/SharedDocs/Anlagen/DE/Integration/Publikationen/Integrationsprojekte/projektjahrbuch-2009,templateId=raw,property=publicationFile.pdf/projektjahrbuch-2009.pdf) S.88

## **5.2. Ministerial responsibility on HRV, FM and abandonment**

The Federal Ministry for Family, Senior Citizens, Women and Youth financed and stimulated some basic activities and research on the topics- one of the first was a pilot study about forms of forced marriage, for which 300 cases of the specialised shelter Papatya were evaluated by sociologists.

The German Institute for Human Rights (“Deutsches Institut für Menschenrechte”) was asked to publish a book about forced marriage with essays of different professionals, scientists as well as practitioners.<sup>36</sup> Heiner Bielefeldt, director of the Institute, wrote a basic essay about the conflict between the rights of a (minority) cultural or religious group and the rights of an individual. He came to the conclusion that no group can claim special rights which harm the rights on an individual and that all group right derive from individual rights.<sup>37</sup>

After Papatya had pointed out the vulnerable situation of young women off age at the first Integration Summit, the Federal Ministry chaired an interprofessional work group with participation of different ministries and communal leagues, which published guidelines for youth social services and other authorities.<sup>38</sup>

The Ministry financed a pilot project of Papatya (SIBEL) about online counselling for young migrant women, which was evaluated, and published the report about it.<sup>39</sup>

In 2009 it asked the Lawaetz-Stiftung/Hamburg and Terre des Femmes to develop a nationwide survey on forced marriage. Counselling centers, shelters and other institutions were questioned about their cases and collected data about them. The result of the study should already have been published. Rumours say that some of the data might give results which politics do not want to become known.

As already explained above, the successful implementation of the governmental concepts has to involve federal states and communal authorities and depend on their cooperation. This is provided by the working groups consisting of federal and state representatives, which are the steering committees. Which ministries are responsible depends on the existing structure in each federal state, can differ a lot and can change over the time.

According to the National Action Plan the 16<sup>th</sup> conference of federal ministries for equality and women decided in 2006 the following measures to fight forced marriage:

- The escape from a forced marriage equates a special hardship with consequences for the residence permit (§§ 31,37 Aufenthaltsgesetz): it should be prolonged even if the 2 (or 3) year rule is not fulfilled and if someone was brought abroad there should be a right to return
- Information material for victims and different groups of professionals shall be developed
- The necessity of a special paragraph in the law should be proved – later this resulted in the new law against forced marriage.

More detailed information about the policies of the federal states is to be found in chapter 7.

## **5.3. Special Legislation on HRV, FM and abandonment**

### **5.3.1. Forced Marriage**

After a year long debate with rivalling proposed laws by several federal states, forced marriage finally became an especially defined offence in march 2011 (§ 237 StGB). Before this, forced marriage had been ruled illegal as aggravated coercion, but the new legislation points out more clearly that it is a specific offence. The government wanted on one hand to emphasize its graveness

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36 Deutsches Institut für Menschenrechte, Sammelband “Zwangsverheiratung in Deutschland”, 2007

37 Heiner Bielefeldt: Zwangsheirat und multikulturelle Gesellschaft, 2005

38 BMFSFJ: Zwangsverheiratung bekämpfen- Betroffene wirksam schützen, 2009

39 Interkulturelle Onlineberatung bei Zwangsverheiratung und familiärer Gewalt, 2010

while giving, on the other hand, consideration to its specifics.

The attempt to bring someone to another country for a forced marriage is for example punishable. This is directed at the so-called vacation-marriages (Ferienverheiratungen) which could remain unpunished abroad. Normally German law can only punish offences in Germany. The new law bypasses this by defining the offence already in an early stadium. A formal wedding is not necessary, the attempt alone is enough. If a family pretends to take the daughter for a holiday and meanwhile plans a wedding, the offence as well as the protection of the law starts in the moment in which the daughter leaves Germany.<sup>40</sup> Unfortunately this part of the law can only sanction the vacation-marriages of German citizens – for others it offers no protection.

Forced marriage is punished with 6 months up to five years imprisonment. The term of application for an annulment of a forced marriage has been prolonged from one year to three years.

### **5.3.2. Abandoning**

The new legislation also makes it possible for victims of forced marriage who have been abducted to another country to return to Germany. Up to now they lost their residency status when they stayed abroad longer than half a year. Now they have 10 years to seek legal recourse and can turn to German authorities for help. Those who have lived in Germany for at least 8 years and attended school for 6 years receive an unlimited right to return – which means that mainly (only?) minors are protected.

Those who do not fulfil these conditions can return, if they can prove they were well integrated in Germany – even if they will depend on social welfare money after their return.

### **5.3.3. Residence permit after separation/divorce**

While the new law eases the situation of girls who grew up in Germany, it aggravates the situation of those, who came to Germany through marriage. Foreigners who marry German citizens have to be married three years now before they get their own independent residence permit after a divorce. The prior law required two years of marriage. The change is justified as prevention of marriages of convenience and strongly opposed by women's organisations and shelters. Women who are confronted with domestic violence can apply go-orders or seek protection in shelters even if their residence permit depends on the marriage. But if they want to leave permanently or want a divorce they jeopardize their right to stay in Germany. Often their husbands and their family-in-law misinform and intimidate them to make them obedient and stifle their opposition. Depending on the federal state there are provisions for cases of hardship but these are not very predictable. A lot of migrant women hesitate to look for help because they fear to be deported.

### **5.3.4. Honour Crimes/Murders**

Offences connected to HRV are prosecuted mainly under: bodily injury, murder, manslaughter and duress/constraint. Jurisdiction on lower court levels can not be overseen. Concerning ethnic background/ honour-related motives as mitigating circumstances in a murder trial the German Supreme court (Bundesgerichtshof) stated in a complicated reasoning that different moral standards resulting from a non-German ethnic background cannot be considered as mitigating. Persons, who know about a planned killing and do not intervene, can also be punished.

Papatya has collected cases and judgements in a booklet which complemented from time to time<sup>41</sup>, a collection of cases by the Federal Criminal Office can be found at page 13.

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40 [www.kok-buero.de/data/Medien/Studien/ExpertiseZwangsverheiratung](http://www.kok-buero.de/data/Medien/Studien/ExpertiseZwangsverheiratung) 05.05.11.

41 Papatya: Verbrechen im Namen der Ehre in Deutschland 1996-2011, [www.papatya.org](http://www.papatya.org)

## 5.4. General Legislation

### 5.4.1. Legislation on Domestic Violence

Since 2001 Germany has introduced a “Protection Against Violence Act” (Gewaltschutzgesetz)<sup>42</sup> which follows the slogan: ”Hit out and you clear out”. Based on the legal mandate to avert danger police can take the offender into custody and can prohibit him to approach the victim and its house for some time, even if he is the tenant or owner of the house.

Violence as defined by the “Protection Against Violence Act” includes all intentional and unlawful injuries to the physical well-being, health or freedom of another person, whether these acts are committed in or outside the joint household. The Court (Local Court/Family Court) may grant restraining orders against the perpetrator to protect the victim. Such protection orders may include, for example the ban to:

- enter the apartment of the injured person;
- approach the apartment of the victim up to a distance defined by the Court;
- frequent places which are regularly frequented by the victim (these include the victim’s workplace, the kindergarten or the school of the victim’s children as well as leisure facilities used by the victim);
- attempt to establish contacts with the injured person (this applies to all types of contacts by telephone, fax, letter or e-mail);
- arrange encounters with the victim (if such encounters occur unplanned, the perpetrator has to leave immediately).

A central problem is that these protection orders are not controlled by the police. If the offender disrespects them, the victim has to call the police again.

Minors cannot apply for these measures. They have to turn to the Youth Social Service (Jugendamt) for protection (see below).

For battered women with children the positive effects of the “Protection Against Violence Act” are counteracted by the laws on parental custody. Before 2001, it was usual that in case of a divorce and separation, the parental custody stayed with the mother. Now the “right of the child to both parents” is guaranteed. In cases of domestic violence – and HRV- the father’s right to see the child can mean a great danger for both, mother and child. Women’s groups fight against the worst consequences and lobby for a priority of the “Protection Against Violence Act” over the Act about Shared Parental Custody.

For victims of HRV the go-orders are often not sufficient: They are not safe, when the offender is forced away, but his brother or uncles stand on the doorstep the minute after he had to leave. Also in general trespasses against issued injunctions are not easy to sanction.

Concerning domestic violence it is in general problematic that the public prosecution services still see victims primarily as witnesses and rarely impose sanctions. Public interest in prosecution is very often denied and dismissal rates are high. (This changes in some federal states at present).

The Alternative Report of German Women’s Organisations in response to the 6<sup>th</sup> CEDAW Report

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42 Act on Civil-Law Protection against Acts of Violence and Stalking vom 11. Dezember 2001

from 2009 states that <sup>43</sup>

*“The Protection Against Violence Act contains a central problem, namely the inadequate effect it has on persistent and extremely violent perpetrators. Enforcement of judgments takes effect after a second legal action which requires a full burden of proof to demonstrate a violation has taken place. At this stage the limitations of sanctions in civil law proceedings are exposed. Perpetrators often lack financial resources, so that the fine imposed is then paid out of the family income – which is also the woman’s income. Arrest is unusual. The threat of a penalty in the Protection Against Violence Act is not severe, as in the case of a first offence there is no expectation of serious repercussions and in the event of repeat offences or very serious violence the first offence is seen as insignificant compared to grave offences committed later. On the whole, pre-trial detention or other immediate repercussions are deemed inappropriate. When weighing up the rights of the perpetrator and those of the injured person it tends to be the perpetrator’s rights which carry more weight. There is a definite need for a change in the law and at the same time for a coordinated support system for the women.*

*Migrant women who have been married for less than two years and live with their husband, whether German or not, have a further problem. Depending on their residence status, intervention under the Protection Against Violence Act can be counterproductive. Lack of explicit hardship criteria in residence law in relation can result in an order to bar the husband from the marital home being interpreted as a break-up of the marriage. This in turn can lead to the woman’s residence status being restricted temporally or terminated altogether. A further problem in implementing the Protection Against Violence Act for migrant women is that there is no mandatory requirement for interpreters.”*

#### **5.4.2. New law against Stalking in March 2007 (§ 238 StGB)**

Before the new law against Stalking was established in 2007, continuous pursuit, harassment and threatening behaviour could not be punished if not combined with other offences like violence, insulting or coercion.

Stalking can now be punished with a fine or imprisonment up to three years - in severe cases up to ten years.

The Alternative CEDAW Report states that this law still is not implemented in the police force, so that sometimes women get sent away when no bodily harm has been done. There are also difficulties when several offences are not summarized as one case, so that potential risks are not recognised. Stalking cases should be dealt with by trained specialists in the police and judiciary.

Since a lot of different criminal offences can be involved in domestic violence and stalking the Alternative Report recommends “to establish domestic violence as a single cumulative criminal offence which reflects the complexity of the circumstances” (p.42).

Concerning domestic violence a lot of cases are not pursued in court. The Alternative Report pleads for a better search for proof: immediate medical examinations by specialists, improved securing of the scene of the crime, look for independent witnesses.

#### **5.4.3. Regulations for Minors**

The right of children and young people to non-violent education is granted by the law. But the legislation of the “Children and Youth Support Act” (Kinder- und Jugendhilfe-Gesetz) puts the right of the parents to decide about the forms of education of their children very high. The only support minors can apply for on their own is to be taken into care in case of their threatened well-being (§ 42 SGB VIII). Social Services have to inform the parents as soon as possible but do not have to name the place where they are sheltered. If the conflicts cannot be mitigated, a family court has to decide.

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43 CEDAW Alternative Report 2009 page 40 of 51

From the age of 15 minors can apply to family courts themselves, if they wish to leave their family against its will. The jurisdiction is difficult to predict, but mainly follows the objective that in cases of violence the parental custody is withdrawn. It depends on the individual judge what proof for violence is wanted – medical certificates are best, witnesses who spoke to the Youth Social Services are good, a statement only by the girl is not always sufficient.

Girls who complain “only” about restrictions of their freedom risk to be sent back. In most of the cases their situation then has worsened a lot. This is why it’s no wonder that girls are often very afraid to go to courts and only dare, if they are accompanied and encouraged. Empathic Youth Social Services can disburden them a lot, if they apply for them or support them.

Family courts decisions can only be changed by a higher court. Girls who have been sent back normally neither have the strength and courage nor the possibility, to follow this path.

Minors of foreign nationalities have to be treated equally to German minors, if their nation has signed the “Hague Minor Protection Act” (Haager Minderjährigen-Schutzabkommen). This is not always known to officials, who might tell the daughters of asylum seekers that they can not live apart from their families.

#### **5.4.4. Young Adults**

Youth Social Services often deny their responsibility for anyone older than 18. According to the law there are possibilities for support up to the age of 21, in certain cases even longer (§ 41 SGB VIII), but actually even 17 ½ year old applicants have to fight for help and are often turned down.

Victims of HRV often wait until they are adult before they seek assistance. But the restrictions they had to face at their homes have often left them unaccustomed to independence which makes it even harder to build up a completely new life. They desperately need more than to be thrown into a vacuum with just some financial support.

## **6. Regional or local policies on HRV, FM or Abandoning**

Due to the federal structure of Germany it is quite complicated to give a summarized overview about strategies on the three topics. Even the division of different resorts of ministries can differ a lot. Measures against HRV can be found under “Youth”, “Women”, “Culture”, “Family”, “Social Affairs”, “Education”, “Migration”, “Integration”, “Justice” – to name the most common ones.

### **Parenthesis: The federal structure of Germany and the principle of subsidiarity**

Germany has a (quite complicated) structure of 16 federal states (besides the central Federal Government) which affects all policies against HRV, FM and abandoning. Although the central government is responsible for the legislation in general and the legislation of the federation stands over the legislation of the single federal states, there also exists legislation by the federal states. In some fields they are sovereign: Schooling and tertiary education, internal security, including policing, radio and television, as well as the organization of local self-governmental structures for the cities and smaller federal districts. Through the Bundesrat (Federal Council) the federal states also influence the legislation of the central government – here all federal states are represented by members of their federal governments and legislation can only pass with a majority of their votes.

The principle of subsidiarity as a basic principle of the German state structure demands that all tasks of the state are referred to decentralized local authorities until their capacity to fulfil these tasks is at its end. Wikipedia defines: “Subsidiarity is an organizing principle that matters ought to be handled by the smallest, lowest or least centralized competent authority.”

“In accordance with the principle of subsidiarity citizens, [...] deal almost exclusively with state and local authorities acting on behalf of the federal states. The reason for this is the aim of the Basic Law to combine the advantages of a unified state with those of a federal state. In everyday life the citizens of other federal states have far more frequent dealings with representatives of central

government.”<sup>44</sup>

Concerning forced marriage for example there were competing bills produced by the federal states Berlin and Baden-Württemberg (who were ruled by different party coalitions). It took a lot of discussions and meetings of different parliamentary committees from 2006 on before finally in 2011 the new act was passed.<sup>45</sup>

In the following paragraphs about each federal state the description of the policy lists the most concrete measures against HRV. Only if they are not to be found more general approaches are pictured- mostly they concern either domestic violence or integration.

When policies against HRV and FM are looked at, the difference in numbers of migrants has to be remembered – it is responsible to some part for the difference in public and political attention for HRV between the federal states. In the “new” federal states most of the migrants are refugees who were distributed by the government, there are nearly no members of the second or third generation. At a conference of the federal ministries of integration in 3/2010 which looked for indicators of integration (see page 5) the numbers of the “new” states were that small that they were all summarized statistically.

Berlin, Hamburg, Lower Saxonia and North-Rhine-Westphalia are the most active states- Berlin having been a model for strategies, which were copied by others, in the beginning.



## 6.1. Baden-Wurttemberg

The women's rights organisation Terre des Femmes which was founded in reaction to media reports about HRV in the Middle East already in 1981 is at home in Tübingen/B-W<sup>46</sup>.

When cases of HRV occurred also in Germany, TDF lobbied for measures against it and cooperated with the government of Baden-Wurttemberg.

In 2004 the ministry of justice started a **Federal Council Initiative (Bundratsinitiative) for a law of abatement of forced marriage** and appointed a **special commission**.<sup>47</sup>

It was chaired by the Ministry of Justice with participation of NGOs (for women, for victims, umbrella organisations and the specialized shelter Rosa), members of other ministries (for the intern, for work and social affairs, for youth, culture and sports) and the Turkish General Consulate. The commission invited more experts on certain topics.

It launched a **questionnaire about forced marriage**, which was spread at shelters, counselling organisations, police, advocates and local authorities, covering cases between 1-10/2005. In this 9-month period 215 cases came to the attention of the questioned organisations.

About half of them were already married by force, the other half expected a forced marriage.

40 % of the victims were minors, only 2 cases concerned men, all the others girls and women.

25 different nationalities were spotted, half of the cases had a Turkish background.

In 66 % of the cases the parents were the driving force behind the marriage.

Most of the forced marriages took place abroad (60 % in Turkey), only 11 % took place in

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44 [www.facts-about-germany.de](http://www.facts-about-germany.de)

45 For a reflection on the complicated procedure see also: KOK (Hrsg.) Expertise zum Thema Zwangsverheiratung, Berlin 2011

46 In 2011 it moved to Berlin

47 Special commission forced marriage of the provincial government of Baden-Wurttemberg: Report of the special commission forced marriage, [www.landgericht-heidelberg.de/servlet/PB/show/1209940/Report of the special commission forced marriage 2006.pdf](http://www.landgericht-heidelberg.de/servlet/PB/show/1209940/Report%20of%20the%20special%20commission%20forced%20marriage%202006.pdf)

Germany. Registry Office (Standesamt) or Immigration Office seldom got notice.

In 2006 the commission presented its **report**, which includes a description about the handling of forced marriage in Turkey.

It defined forced marriage and put it in the context of HRV, marking forced marriage as a crime of honour and explaining the honour concept as a patriarchal pattern, which is legitimated by religion and tradition.

*“A forced marriage is on hand, when at least one of the future spouses is forced to a marriage. Physical and sexual violence, coercion (threats, confinements, kidnapping, physical and social pressure as well as emotional extortions), restrictions concerning life style and other degrading and policing actions are not rare – in extreme cases even so-called “honour murders”.”*

Forced marriage is branded as human rights violation which transgresses the common consensus of an immigration country. In his introduction to the report the minister is quite outspoken: *“Democracy, constitutional state, basic and human rights, German language, and sexual equality as well as separation of state and religion are the fundament of our community, which nobody can override, not even with reference to his cultural, religious or traditional opinions. This fundament is the basics of our living together. Everybody is allowed to live his own culture and religion – within this frame of reference which is binding for all.”*

The report highlights the situations of so-called import brides (“Importbräute”) and of victims who are married only religiously or socially without legal procedures.

### **Recommendations of the commission:**

#### **Strengthen victims` rights**

##### a) immigration laws:

- raise of age limits for immigration through marriage to minimum 18 years and proof of basic German language skills ( both was adopted later in the new law)
- independent right of residence for victims of forced marriage (“imported brides”)
- no independent (from the marriage) right of residence for offenders
- persistence of residence status when someone has been forced to leave the country and to marry abroad, permission of a right to return (was also adopted by the new law)

##### b) process law:

- separate hearing and questioning of parties, no public hearing
- minimizing safety risks: The court of the region where the couple lived at last should stay responsible even if children are involved, in order to let the victim's new domicile stay secret

##### c) social law:

After detailed consultations and hearings the special commission saw no need for changes of the social law, which already directs : Minors have the right to ask a youth welfare office for support if they want to leave their family (§ 42 VIII SGB). The youth welfare office is obligated to take care of them, if their welfare is endangered. In such a case the persons having the custody of the minors have to be informed, but the address of the place where they stay can be kept secret.

The commission rated inadequate handling of cases of forced marriage more due to a lack of qualification of officials than to legal problems.

#### **Strengthen the protection of victims**

Victims have access to the general shelters for women and children, whether specialised shelters are needed, should be evaluated.

Forms of institutionalized cooperation which exist for human trafficking should be copied (The ministry later dismissed this proposal arguing that the victim’s readiness to testify is less important in cases of forced marriage. A similar proposal to create a central cooperation centre for forced

marriage was dismissed as well as too bureaucratic.)

### **Counselling of victims**

Since victims of forced marriage need extensive counselling and support and numerous safety measures specific counselling agencies should be installed. The specialized shelter ROSA should provide mobile information centers. (The ministry agreed, but only if it did not have to finance them).

Network structures should be installed like those existing for domestic violence.

### **Prevention and dialogue**

Schools are identified as the prior place where young people can be reached and informed about their rights and potential support. Teachers should be trained and prepared for lessons. Schoolmates of potential victims could build bridges to professional support for them

The server SESAM for school work with media should provide material on its online data base, which is available for all teachers and student teachers.

All schools and nurseries should be sensitized through a newsletter about forced marriage by the Ministry of Culture. Flyers and posters of Terre des Femmes should be used in information campaigns at schools.

Concepts of intercultural courses for parents should be developed and forced marriage should be discussed there – this is marked as difficult, since it needs mutual trust.

For the import brides special concepts to reach out to them should be provided.

### **Information and sensitisation of the public and of victims**

Multilingual information brochures should be created and distributed widely, also in cooperation with foreign-language media.

A multilingual website about forced marriage and HRV should provide information through the internet and be accessible internationally.

To avoid referrals from one service to the next a central, national telephone helpline with an unchanging number should be provided based on the resources of existing counselling services.

A guideline for authorities and institutions should prevent that they dismiss victims in a false tolerance of culture. It should give checklists for concrete situations. All institutions should get (re-)training. Especially the health care system/doctors should be sensitized to detect the needs of import brides and other victims who are strongly controlled by their families.

In the integration courses of the Federal Office for Migration and Refugees a chapter “Violence against women, forced marriage and honour crimes” should be included.

Boys and men should get awareness and prevention training.

### **Dialogue with religious groups, mosque organisations and imams**

The majority of cases occur in Muslim families. Therefore the religious organisations should be included in the fight against forced marriage, for example by participating at local round tables Criminal Prevention.

**A Study on Marriage Patterns** should be launched.



## **6.2. Bavaria**

The Bavarian State Ministry for Labour and Social Affairs takes the responsibility for measures against forced marriage since 2005. They are included in already existing strategies against human trafficking and forced prostitution. The counselling centers which worked as specialists in this field (Jadwiga and Solwodi e.V.) got the task to advice also victims of forced marriage. At the moment Bavaria still works on a general concept to fight forced marriage. The Munich shelter and counselling centre for girls IMMA, which already took in girls in case of need, is in discussion at the moment whether and how it should adapt its concept for victims of HRV.



### 6.3. Berlin

Berlin houses the **oldest specialised shelter Papatya** since 1986, which was initiated and financed by the Senate for Youth after violent trespasses against staff of the central Youth Emergency Centre when it had tried to protect Turkish girls from their families.

Berlin has been a pioneer in the work against HRV.

Since 2001 there exists a **specialised intercultural women's shelter and counselling centre** for women with a migrant background. In total Berlin has an infrastructure of 317 places in women's shelters and 117 in long-term sheltered shared flats for women.

Berlin reflects the particularism of Germany: Each of the 12 districts has its own agenda, also the rate and ethnic origin of migrants differs a lot from district to district. Especially prevention projects are often organized on district level, an overview is not possible here.

The **first German interdisciplinary work group against forced marriage** was founded in 2001 at Berlin. The initiative was taken by the Papatya and the Commissioner for Equal Rights (Gleichstellungsbeauftragte) of the Berlin district Kreuzberg. The Berlin Senate for Women participates.

As first activity the workgroup published a flyer for potential victims and a booklet for professionals, which described the phenomenon and gave an overview of the family/marriage legislation of some of the emigration countries. These materials were often copied by other Berlin districts, by other cities or federal states. The Berlin Senate for Education, Science and Research distributed them at schools and youth welfare offices.

With support of the Senate for Women in 2002 **cases of forced marriage**, which had reached NGOs or authorities, **were counted** for the first time. 230 cases were reported. When the survey was repeated in 2007, 378 cases were found. 12 of them concerned males.

The Work Group Forced Marriage has a sub-group "school actions" which publishes a reader for schools and develops school projects.

The Berlin Senate for Women started a Federal Council Initiative (Bundesratsinitiative) for a law of abatement of forced marriage, but the parliament preferred the competing bill of Baden-Württemberg.

In 1995 the Domestic Violence Intervention Center Berlin BIG e.V. was founded. It is funded mainly by the Senate for Economy, Technology and Women.

It provides telephone services every day from 9:00 until midnight and can bring in interpreters for about 50 languages, monitors all strategies and actions against domestic violence and analyses and mediates between institutions in problematic individual cases of domestic violence. It also publishes the Berlin guide for migrant women<sup>48</sup> in cooperation with the BIG workgroup migrant women. The guide refers to the Berlin Action Plan Against Domestic Violence from 2002<sup>49</sup>, which already considered the special situation of migrant women and saw it marked by isolation, low or no independent income, less information about support, language difficulties and residence dependency on the husband – but not by FM or HRV.

It lists all counselling services and shelters, their accessibility and their language skills.

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48 BIG Koordinierung /Beauftragte des Berliner Senats für Integration und Migration: Berliner Wegweiser für von häuslicher Gewalt betroffene Migrantinnen, 2009

49 [www.big-koordinierung.de/veroeffentlichungen/broschueren/pdfs/aktionsplan-berlin.pdf](http://www.big-koordinierung.de/veroeffentlichungen/broschueren/pdfs/aktionsplan-berlin.pdf)

BIG participated in the first German network meeting against HRV in 2004. It coordinates the Berlin interinstitutional “Fachkommission Häusliche Gewalt” (Commission of Domestic Violence) which replaces the former Round Table.

Berlin had Actionplans against Domestic Violence from 2002 to 2008. Since then the topic is included in the “Gleichstellungspolitisches Rahmenprogramm” (Framework program for Equality Politics)<sup>50</sup> where the named measures are quite poorly defined. Forced marriage is not mentioned under “Domestic Violence”, but in the chapter “Challenge Integration”, part: “Right of Self-Determination/ Participation in Society”. Listed are the aims:

- improvement of residence conditions
- ensuring that existing counselling services are known to persons concerned
- ensuring that professionals in the field are sensitized
- development of action strategies in cooperation with the communities

HRV is not mentioned.

An Action Concept Against Forced Marriage has been announced by the Berlin Senate in 2006 but up to now not been published.



#### **6.4. Brandenburg**

The report of the Commissioner for foreigners states in 2006 that forced and arranged marriages and honour murders are marginal problems at that moment in Brandenburg.

The Brandenburg Action Plan against Domestic Violence I from 2001 points out that the special legal and social situation of migrated women should be considered. An information flyer of the police was translated in Vietnamese, Russian, English and French. Network structures on communal level between police, refugee homes, women's shelters and counselling services for migration were installed at some places.

For 2011-14 the Action Plan III has been published<sup>51</sup>. It announces that staff of women's shelters shall get trainings about female migrants as victims of domestic violence.

Legislative initiatives which strengthen the victims of forced marriage and genital mutilation shall be supported by the Brandenburg government. Counselling for victims of forced marriage shall be provided. Brandenburg therefore co-finances the internet counselling site SIBEL which is run by Papatya/Berlin.

There are no specialised counselling services in Brandenburg.



#### **6.5. Bremen**

In 2009 the 4th Report of the interdepartmental workgroup domestic violence of Bremen was published. It refers to Action Plan II of the Federal Government which emphasizes better protection

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50 Senatsverwaltung für Wirtschaft, Technologie und Frauen: Das gleichstellungspolitische Rahmenprogramm 2008-2011. Strategien für ein geschlechtergerechtes Berlin

51 Ministerium für Arbeit, Soziales, Frauen und Familie Brandenburg, Landesaktionsplan „Bekämpfung von Gewalt gegen Frauen und Kinder

for migrant women from violence.<sup>52</sup> Bremen states a need for research in this field because the heterogeneous groups of migrants may need different approaches.

In the last two years in some organisations at Bremen more than half of the women who asked for counselling or shelter had a migrant background. Often their situation is complicated because of problems with a residence permit, language problems and difficulties to find a house.

The report mentions **forced marriage** as special form of violence.

It refers to a **flyer** against forced marriage<sup>53</sup>, which the Arbeiterwohlfahrt/Special service migration and integration has published against forced marriage with support of the Senator for Work, Women, Health, Youth and Social Affairs and the Commissioner for Migration and Integration. This flyer gives a list of the existing mainstream support services for young people or women in Bremen. There are no specialist provisions.

A **poster** “Marriage against your will? Forced marriage is forbidden in Germany” has been distributed to all secondary schools at Bremen.

Also **trainings** for professionals for teachers, school social workers, police, social services, staff women's shelters and migrant organisations took place and a former victim of forced marriage discussed with young people in schools.

The report warns that there is an increase of Gang Bangs, often with knock-out-drugs and often by groups of men with a background of migration.

HRV is not mentioned.

**Prevention:** Domestic and family violence are approached through 30-session training courses for parents, which discuss families in migration in general and aim at non-violent upbringing of children<sup>54</sup>. The development of this training was stimulated by the Bremen Senator for Work, Women, Health, Youth and Social Affairs. 20 migrants mostly with academic background were qualified as instructors, 30 more will get qualified.

The courses are run in Turkish, Serbo-Croatian, Russian and Arabic as well as in German, all material is provided in these languages. They are run in cooperation with schools, nurseries and institutions for families.

In 2,5 years about 400 people were trained, 80 % of them were women. The evaluation proved that participants felt a lot more self-confident and secure. They had got more patience and tolerance and their communication, especially with their children, had increased.



## 6.6. Hamburg

In the chapter “Families” the Integration Concept of the Senate of Hamburg of 2006<sup>55</sup> states that measures should be directed at those migrant families, who have little access to the society by now. Especially named are women, who are victims of domestic violence and forced marriage and who should get (better) information about possible support.

As planned in the Integration Concept, specialised intercultural counselling about domestic violence was opened by the NGOs i.bera and Lale in 2007.

2006 **data about forced marriage** at counselling centers and shelters were collected in a not representative study<sup>56</sup>, which came across 210 cases. 95 % of them were female, the majority with a

52 [www.soziales.bremen.de/sixcms/media.php/13/4. Bericht der ressortübergreifenden Arbeitsgruppe häusliche Beziehungsgewalt.pdf](http://www.soziales.bremen.de/sixcms/media.php/13/4. Bericht der ressortübergreifenden Arbeitsgruppe häusliche Beziehungsgewalt.pdf)

53 „Hinsehen, handeln, helfen“ available in 4 languages

54 Familienorientiertes Integrationsstraining FIT, FIT-Migration und FIT-Eltern, [www.soziales.bremen.de/sixcms/media.php/13/4. Bericht der ressortübergreifenden Arbeitsgruppe häusliche Beziehungsgewalt.pdf](http://www.soziales.bremen.de/sixcms/media.php/13/4. Bericht der ressortübergreifenden Arbeitsgruppe häusliche Beziehungsgewalt.pdf) page 9 f.

55 [www.hamburg.de/contentblob/128792/data/konzept.pdf](http://www.hamburg.de/contentblob/128792/data/konzept.pdf)

56 [www.ehrverbrechen.de/1/images/downloads/bund-laender/Bericht-ZH-Hamburg.pdf](http://www.ehrverbrechen.de/1/images/downloads/bund-laender/Bericht-ZH-Hamburg.pdf)

Turkish background (54 %). The age group 18-29 dominated (81 %).

Since 2007 the Hamburg Senate issues an **Action Concept against Forced Marriage**, which was updated in 2010 within the context of the Federal Action Plan Protection of Victims (Landesaktionsplan Opferschutz II, page 23 ff.)<sup>57</sup>. Hamburg decided to include all forms of violence in this Protection of Victims Plan. Violence against women is one of its main focuses – therefore a separate Action Plan against Domestic Violence does not exist.

Although the Action Concept against Forced Marriage differentiates between arranged and forced marriages, it states that it aims at the abolition of arranged marriages in the end too. Also they are seen as not really reconcilable with the German constitution.

Different authorities cooperate in an **inter-ministerial workgroup Forced Marriage** with NGOs which meets regularly.

Central points of the Action Concept against Forced Marriage are:

- the financing of intercultural counselling against domestic violence and forced marriage (the budget of i.bera and Lale was enlarged in 2008/2009)
- increased networking for improved intervention chains, especially with schools/teachers who will get trainings and material for lessons
- more attention for young men and homosexuals as potential victims
- collection of data about and cases of abandonment
- a housing project for young adults
- intensive training for youth welfare offices concerning the need for pedagogical support for young adults
- an integration concept for migrants, which focuses on better knowledge of the German language, which makes access to the existing support system easier
- and the participation in an EU Project which is described below.

HRV is not mentioned.

The Senate for Social Affairs, Family, Health and Consumer Protection was partner of a 2-year **EU-Daphne project against forced marriage** “Aktiv gegen Zwangsheirat” from 2007-2009. It aimed especially at awareness rising for political and administrative decision makers, because they represent the responsibility of states to protect victims of HRV. The idea was that within this responsibility they should cooperate with the civil society and open themselves towards migrant organisations.

As one result it published a **booklet** “Recommendations against Forced Marriage”<sup>58</sup> that states that within a spectrum of possible definitions the central points of the definition can be taken over from the Forced Marriage Unit of Great Britain:

*„A marriage conducted without the valid consent of one or both parties where duress (emotional pressure and / or physical abuse) is a factor“.*

This definition concentrates on the violence and not on its motives.

The booklet recommends not to focus on integration politics alone, since also families which are wealthy, socially integrated and educated can be patriarchal, but to combine it with specific (gender) equality politics. Integration especially in education and on the job market are despite of this key factors for a self-determined life.

The booklet gives a list of **29 recommendations** and assigns good practices from the partner countries of the project. At the conference at Hamburg 2009, where the results were presented, they were short-listed as follows:

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57 [www.hamburg.de/contentblob/2671278/data/aktionsplan-opferschutz.pdf](http://www.hamburg.de/contentblob/2671278/data/aktionsplan-opferschutz.pdf)

58 [www.hamburg.de/contentblob/1469050/data/dokumentation-de.pdf](http://www.hamburg.de/contentblob/1469050/data/dokumentation-de.pdf),

[www.movisie.nl/onderwerpen/huwelijksdwang/Docs/Active\\_Against\\_Forced\\_Marriage](http://www.movisie.nl/onderwerpen/huwelijksdwang/Docs/Active_Against_Forced_Marriage).

- **binding cooperation and network structures** on national, regional and international level, which react to the complexity and multi-problem dimension of the cases – especially concerning abandoning (good practice: Forced Marriage Unit/GB)
- **secure action by professionals on all levels of prevention and intervention:** Teachers, police, social workers, doctors and others should be able to read alarm signs, to recognize possible danger and to give effective support (good practice: specific action recommendations for specific professional groups/ Austria, GB) These recommendations should be developed in close cooperation with NGOs. The distribution of these action concepts should be mandatory and accompanied by trainings
- **target-group specific concepts for counselling and protection**, which are accessible also in other languages: More staff with migrant background, more intercultural knowledge. Women`s shelters should be supported also in future, but specialised shelters should be provided, which respond to the loss of the family/all social contacts. After a stay in a shelter adequate follow-up support is needed, assisted living projects are to be developed.
- **target-group specific projects for awareness-rising and sensitization** for children, young people, professionals in education, parents and migrant communities, which question traditional role models. Especially: Systematic culturally sensitive work with parents. This can and should be not provided by those who counsel or shelter victims. Culturally sensitive work with boys. Empowerment strategies for potential victims should be implemented and extended.
- **Information campaigns for a wider public**, which avoid stereotyping in cooperation with migrants organisations.

The **murder of Morsal Obeidi**, 16, in 2008 sparked a vehement debate at the Hamburg parliament and brought honour crimes and HRV into focus. She had had contacts with police and youth social services numerous times, before her brother stabbed her in the streets. She had been taken into care and lived at the Hamburger Jugendnotdienst at that time. Her brother should have gone to prison for various other offences (one of them rape) the next day. Some politicians argued that girls like her should be put in homes with custodial measures to prevent them from harming themselves with their ambivalence towards their family. This was denied by experts.

In reaction to this murder a specialised shelter “Zuflucht” (Refuge) could be opened by the NGO Basis &Woge e.V. 2010 in Hamburg, which works similarly to Papatya at Berlin.

Additionally, professionals of the central Youth Social Services Authority developed action recommendations especially for youth social services dealing with HRV: “Violence Against Girls and Young Women of traditional-patriarchal families”<sup>59</sup>. They refer to the concept of family honour and explain the ambivalence of girls who have to flee from their families and who should not be let down if they return home abruptly after they have been taken into care.

Also explained is the often conflicts trivializing reaction of the families. It is recommended to cooperate with other professionals and in doubt to assume a worst-case-scenario of potential danger. Abandonment abroad is in issue, also recommended is to examine the necessity of pedagogical support for young adults according to the regulations for minors and to grant it in case of need. The legal position of Youth Social Services in this sector is described thoroughly.

The Bildungsserver Hamburg gives a lot of information and links for teachers who want to discuss forced marriage and HRV.

In 2010 two 2-day-workshops about forced marriage at schools by the specialised counselling centre i.bera were evaluated on behalf of the Hamburg Social Authority<sup>60</sup>. They aim at 15-19-years

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59 [www.li-hamburg.de/fix/files/doc/gewalt-patriarchalische-familien.pdf](http://www.li-hamburg.de/fix/files/doc/gewalt-patriarchalische-familien.pdf)

60 [www.hamburg.de/contentblob/2417228/data/schulworkshops-evaluation.pdf](http://www.hamburg.de/contentblob/2417228/data/schulworkshops-evaluation.pdf)

old pupils. The evaluation recommends this kind of prevention work as successful way to make young people reflect upon role behaviour and its alternatives.

Hamburg recently plans to copy the project Heroes for young men as multipliers against HRV.



### 6.7. Hessen

Hessen took HRV into focus, when it started its activities.

In 2006 the government decided to take **measures to prevent HRV and** protect victims:

- Better cooperation with the local foreigner advice officers of the Hessen police
- Trainings for teachers
- Development of crisis intervention plans
- Professional symposia
- Development and distribution of information material
- Inclusion of the topics HRV and FM in regular school lessons in connection with human/women's rights

The Ministry for Culture, the Ministry of the Intern and Sports and the Ministry of Justice, Integration and Europe should cooperate.

In 2009 the Network Against Violence (Netzwerk gegen Gewalt), the inter-ministerial violence prevention unit of the Hessen government, published a booklet on HRV: “Gewalt im Namen der Ehre- Leitfaden zum Schutz junger Menschen, die von so genannten Ehrverbrechen betroffen sind”<sup>61</sup> It is based on a booklet of Terre des Femmes and gives concrete specific recommendations for youth welfare offices and other pedagogic professionals on one hand and for the police on the other. It lists the (not specialised) counselling centers and shelters in Hessen and names the local foreigner advice officers of the Hessen police

In February 2011 the Ministry for Culture published a **booklet** “Honour-related Violence, Forced Marriage and Honour Murders” especially **for schools**. It gives examples how schools should deal with cases of forced marriage and how teachers could talk about the subjects in their classes. The booklet gives data from the Hessen police which had to intervene in 24 cases of serious death threats because of HRV from July 2005 until July 2007. The Bildungsserver Hessen (Education Server) which provides information for teachers cooperates with the Bildungsserver Hamburg, which has a detailed collection of materials about HRV.

It also announces an university project of the University of Gießen, where the law faculty does a research project on mediation of “conflict regulation in families with Turkish background – solutions for culture-based conflicts and cases of violence” and trains specialised mediators.<sup>61</sup>

Hessen was one of the regions where the model project SIBEL, online counselling for young migrant women in family conflicts, was implemented.



### 6.8. Mecklenburg-Vorpommern

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<sup>61</sup> Prof. Dr. Britta Bannenberg: Konfliktregulierung in türkischstämmigen Familien- Konfliktlösungen bei kulturell bedingten Konflikten und Gewaltfällen”

The number of migrants is very small (about 30.000), most of them are from Poland, Russia or Ukraine. Integration lies in the responsibility of the Ministry for Social Affairs and Health which published a “Concept for the Promotion of Integration of Male and Female Migrants in Mecklenburg-Vorpommern” in 2010. Concerning domestic violence against migrant women and girls it states that there is a need to improve their access to women`s shelters, although they can go there whatever residence permit they have.

There is no resort “Women” in a ministry. “Women” are covered by a Secretary of State (Staatssekretärin), this is a lower status.

Probably due to the rareness of cases there are no special provisions against HRV. The women`s shelter in Rostock has some experience in counselling cases of **forced marriage**. Together with the organisation ZORA for victims of sexual exploitation and trafficked women (existing since 2009) and the Refugees Council (Flüchtlingsrat) it organizes a training course for professionals about forced marriage in 2011.



## 6.9. Lower Saxony

Lower Saxony's Federal **Action Plans I and II against Domestic Violence** against Women identify girls and women with migrant background as group with specific needs. Action Plan II states a need for intercultural training for the staff of shelters and counselling centers and recommends to include migrant women`s organisations in existing networks against domestic violence. It proposes to think about new routes to access migrant women – for example through their children at day nurseries and kindergarten.

The Action Plans have been developed as cross-ministry task (Ministry of Social Affairs, Women, Family Affairs and Health, Ministry of the Interior, Ministry of Justice, Ministry of Education and Cultural Affairs)<sup>62</sup>. Lower Saxony opts for a proactive approach in cases of domestic violence through advisory centers<sup>63</sup>, which are contacted by the police shortly after police interventions. They contact the victims and offer information and psychosocial support.

Evaluation of their work shows that women appreciate their approach and that a large number of women, who would not have contacted an advisory centre on their own, are reached.

Lower Saxony`s public prosecutor`s offices affirm the special public interest in criminal prosecution of bodily injury crimes in the family or relationship context and also intervene ex officio if the victim does not initiate a criminal complaint or later withdraws a previously initiated criminal complaint. There are also contact persons at the Public Prosecutor`s Offices who have been specifically trained in the ‘domestic violence’ issue and are not only available as experts within their authorities but also to the police and the advisory centers for victims.

Lower Saxony pays special interest to the public health system, cooperates with the General Medical Council and provides information material and training for professionals in order to raise their attention for cases of domestic violence.

Lower Saxony installed a **workgroup “Outlaw forced marriage – prevent forced marriage”** („Zwangsheirat ächten - Zwangsehen vorbeugen“) of different ministries in June 2005 in order to develop **an action concept**. This concept should provide facts about the quantity as well as about the different forms of forced marriage and also give ideas about measures of support for victims. Awareness campaigns should be started and cooperation for prevention installed between schools, youth social services, immigration offices, counselling centers against violence, family courts and women organisations. It was adopted in 2007. In charge is the Ministry for Social Affairs, Women,

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62 Andrea Buskotte: Intervention and Prevention of Domestic Violence in Lower Saxony

63 BISS: Beratungs- und Interventionsstellen für Opfer häuslicher Gewalt

Family, Health and Integration.

The results:

- Lower Saxony finances a free of charge **telephone hotline** “Niedersächsisches Krisentelefon gegen Zwangsverheiratung” which also can be reached by E-mail and is run by the NGO Kargah, who counsels refugee women since years already. The two staff members also give workshops at schools and are members of workgroups.
- From 2007-2009 Lower Saxony cooperated with the specialised shelter Papatya at Berlin and “rented” **one place for the high-risk cases** of young female migrants
- In 2008 it opened the **specialised shelter ADA** which has a secret address and room for 8 girls or young women
- A **flyer** against forced marriage was published in German, Turkish, Arabic and Kurdish which adverts to the telephone hotline.
- A state-wide **cooperation structure** of all actors, who come in contact with forced marriage is in development
- A multiprofessional workgroup of the ministry including staff of the ministry of justice, of youth social services and of family courts at the ministry has published a **guide for professionals** “Prevention of forced marriage”. It recommends that each local youth social service should provide a specialist for forced marriage, who can function as a multiplier as well as member of a network. The guide also advises that protection should be provided immediately, that the victim's view should be taken very serious and included in all future plans and that parents have not to be informed about the precise location of the placement. Young people off age should be included in provisions under the youth care system. Procedures and possibilities at family courts are illustrated. Honour related violence is not mentioned.

The State Council of Prevention (Landespräventionsrat) published a **booklet** on intercultural strategies in work against domestic violence<sup>64</sup>:

### **Intercultural Strategies**

Intercultural qualification in the work against domestic violence is an aim of the Action Plan II. The booklet stresses the high rate of migrant women in shelters - often they are the majority. It reflects the experiences of a model project of the Arbeiterwohlfahrt (AWO) Schaumburg called “Intercultural Qualification for Counselling” of staff of shelters and counselling centers for women, which was financed by the Ministry of Social Affairs, Women, Family and Health and which was accompanied by scientific evaluation.

The project report describes the necessary reflection process starting with interviews of some counsellors and the difficulties they experience. The report stresses the specific structural violence migrant women suffer from and the necessity to fight against stereotypes and look at each client as an individual. Problems should not be culturalized.

It emphasizes that questioning every-day-routines is important but that professionals also have to accept that – even if they know about different social or cultural situations - their support will always have limits as long as the women themselves do not have visions of change of their own (p.22).

The report also points out strategies to get in contact with the communities by using personal contacts and key figures, who are informed about the work against domestic violence and are asked for cooperation. It recommends not to address domestic violence frontally but to use more unspecific, low threshold approaches. A central difficulty it identifies is that in rural regions often neither migrant staff nor interpreters are available. Therefore it opts for a shared “pool” of

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64 Interkulturelle Kompetenz in Einrichtungen zur Unterstützung von Frauen. Hinweise für die Arbeit mit von häuslicher Gewalt betroffenen Migrantinnen, 2008  
[http://www.lpr.niedersachsen.de/Landespraeventionsrat/Module/Publikationen/Dokumente/Haeusliche-Gewalt-Interkulturelle-Kompetenz\\_F441.pdf](http://www.lpr.niedersachsen.de/Landespraeventionsrat/Module/Publikationen/Dokumente/Haeusliche-Gewalt-Interkulturelle-Kompetenz_F441.pdf)

appropriate personnel.

The report describes different trainings which were held and their conditions.

And it shows strategies to reach out to the public and especially to the migrant communities:

- a theatre play “Because of Honour” performed by the Freie Theaterwerkstatt Köln
- an exhibition “Invisible World – human rights violations in Germany – honour crimes” about forced marriage and genital mutilation
- a flyer which informs in simple language about counselling centers and shelters



## 6.10. North Rhine-Westphalia

After the NRW parliament had dealt with forced marriage several times the federal government of NRW summoned a **workgroup against forced marriage** in 2006.

In 2007 the Federal Ministry for Generations, Family, Women and Integration published an **Action Plan Against Forced Marriage**<sup>65</sup>. It emphasizes the human rights violation, classifies FM as result of patriarchal family structures, differentiates arranged and forced marriages and states that a debate which does not recognize this difference will stigmatize and marginalize migrants. The Action Plan has **10 key issues**:

- **dialogue with all actors** involved (federal and regional authorities, leagues of welfare, women`s shelters and counselling centers, migrants organisations)
- stimulation of cooperation and interdisciplinary **networking** (also financially). Especially **between youth welfare offices and infrastructure for women**, who should share activities concerning the support of young people and develop structures for case work. The Ministry already finances measures for network actions against domestic violence against migrant women, forced marriage should be included. The intercultural opening of family counselling centers should progress.
- a **focus on prevention**. Awareness rising should happen in a sensitive and respectful way in order to reach migrants themselves. The Action Plan concludes an inevitable tension: Although FM cannot be tolerated different customs and traditions basically should be approached with tolerance. The Ministry states that a more global perspective (for example that FM is forbidden also in Turkey) could be helpful. Forced marriage should optionally get a topic at integration courses in the unit “Basic rights and citizen`s duties”.
- **more direct intervention and support**: Named are here special trainings for the police, which already exist which will be continued and a training for judges on violence in close relationships, where forced marriage will be included. Teachers are identified as key persons to reach out to young girls. They should get training by experts and should multiply information about online-counselling by the Mädchenhaus Bielefeld, with whom they also should cooperate for information events for pupils. Staff of women`s shelters and counselling centers should focus their trainings on HRV and FM and intercultural skills. Youth welfare offices and family counselling centers should be trained with support of the Ministry. Doctors and hospitals should be reached through their organisations and informed about the online-counselling, which will be portrayed also at the Online Health Portal of the Ministry of Health. The information package “Domestic Violence” for staff of healthcare will be extended. Migrants organisations will present their actions in a campaign “Her freedom. His honour” (“Ihre Freiheit – seine Ehre”).
- **empower potential victims and include the parents**. The Ministry recognizes close family ties of the young women and their difficulties after a total break with the family and sees the necessity to approach also the parents. For the young women forced marriage should be

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65 [www.mgepa.nrw.de/pdf/frauen/Handlungskonzept\\_Zwangsheirat\\_\\_2\\_.pdf](http://www.mgepa.nrw.de/pdf/frauen/Handlungskonzept_Zwangsheirat__2_.pdf)

discussed at school at the subjects Islam studies and Social studies. At especially affected schools project weeks should take place. Girls counselling centers should be cooperation partners for that. The long term experience and trust the “Regionalen Arbeitsstellen für Kinder und Jugendliche aus Zuwandererfamilien” enjoy should be used for prevention, especially to overcome language barriers. The Ministry labels the infrastructure for women as exemplary. Additionally 4 counselling centers for girls exist. Youth Social Services do play a central role because young people can turn there without knowledge of the parents and can be taken into care. As other parents migrant parents receive “Letters for Parents” already. The Arbeitskreis für Neue Erziehung e.V. has developed a Letter about partner choice, which will be sent around in the future and which is available in different languages. The website [www.elternnetzwerk.nrw.de](http://www.elternnetzwerk.nrw.de) will inform about events and courses of migrant parents organisations. It invites parents to get in contact with each other. Multipliers of this network will be trained about Forced Marriage.

- Since 2007 the Ministry finances an **online-counselling line** against forced marriage by the Mädchenhaus Bielefeld. Included is a website [www.zwangsheirat-nrw.de](http://www.zwangsheirat-nrw.de) with a lot of information. The staff also does information events at schools to make the website widely known and distributes flyers and posters.
- The **campaign** “Her freedom-his honour” (Ihre Freiheit-seine Ehre) will be continued. The Ministry points out that migrants’ organisations are part of this initiative from its beginning in 2006. In the centre stand postcards with messages with a positive connotation of dialogue. The Turkish newspaper Hürriyet cooperates.
- The **cooperation with migrants’ community organisations** (Migrantenselbstorganisationen) is very important, since it increases the effectiveness of measures and defeats prejudices of the majority society. It makes clear that human rights are a common concern and that forced marriage is not accepted as cultural heritage. Migrants’ community organisations can be reached by potential victims more easy. A successful example is organisation “agisra” which already since 2003 is financed to run a project against FM and HRV with counselling, a self-help group and networking. The Ministry stimulated regional round tables against domestic violence to network with migrants and Muslim organisations.
- Up to now there are no **reliable data** about Forced Marriage – neither on local nor on global level. This is for some part due to the difficult definition. Although the criminal offence FM is defined, in reality there seems to be a big grey zone, where decisions about partner choice are restricted, although no definite force is used. Additionally taboos hinder the uncovering of FM and there are probably still families who do not feel the wrongness of FM. The Government tries to get better data: Women's shelters and counselling centers have to monitor cases of FM. Police statistics will also count FM starting at 2007. The online counselling line will provide data too.
- The government supports measures of the central government against FM.

The Ministry for Health, Emancipation, Care and Old Age finances a new project of agisra e.V. since July 2011 “Selbstbestimmte Zukunft- Gegen Gewalt im Namen der Ehre”. Agisra will do public relations work and trainings for multipliers about FM and HRV.

The crime prevention board (Kriminalpräventiver Rat) started its work against HRV and FM in 2006. After a meeting with experts from Rotterdam it developed a series of projects “Ehrensachen” (cases of honour) which was documented in a **booklet** 2010.<sup>66</sup> The cause was the murder of Hatun Sürücü at Berlin (see page 9).

The project series involved the cooperation of Terre des Femmes, different authorities, migrants’ organisations and existing networks with a multitude of participants.

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66 Kriminalpräventiver Rat Düsseldorf: Leitfaden „Ehrensache(n)“, Gegen Zwangsheirat und Gewalt im Namen der Ehre“, Düsseldorf 2010

The booklet uses but expounds the problems of the term “honour” – it states that a definition is nearly not possible because patriarchal honour differs a lot from an every-day understanding of honour and therefore the term might be misleading. It gives some information over national and international laws on HRV and FM, describes case studies and documents the project series “Ehrensachen”.



## 6.11. Rhineland-Palatinate

On its websites the Rhineland-Palatinate government prefers and uses the term “Unterdrückungsmorde” (**oppression murders**) above honour murders.

In 2007 the federal parliament asked the federal government to fight forced marriage and oppression murders and commissioned it to research possible strategies, which it listed:<sup>67</sup> a stricter law, the development of a victims protection program, programs for potential perpetrators, an intensive dialogue about new measures of integration and prevention with local authorities, leagues, mosques and religious organisations. Furthermore it demands the government to permanently ensure existing support for victims of domestic/family violence and to encourage their networking, to intensify (early childhood) language education and other measures and projects for integration, especially for equal chances in education.

It proposes to commission a study about the quantity of forced marriage in Rhineland-Palatinate similar to those of other federal states which might serve as a basis for political decisions and to intensify information about domestic violence, forced marriage and oppression murders, especially in cooperation with schools.

The Ministry of Justice and Consumer Protection names the measures against forced marriage on its website. It refers mainly to the help system for victims of domestic violence with 17 women’s shelters, 12 emergency lines and 6 intervention projects (with two proactive counselling services). Counselling especially for migrant women is provided by SOLWODI, an organisation specialised in trafficking, with four local services in different cities.

Rhineland-Palatinate also co-finances the internet counselling project SIBEL.

The Ministry for Work, Social Affairs, Health, Family and Women published a manual in 2010: “Girls in Conflict- Girls and young Women with a background of Migration. Intercultural Companion for Professionals in Social Work”.<sup>68</sup> Forced Marriage is described. Some of the case studies refer to “family honour”, the term honour related violence is not used.

The Ministry of the Intern and Sports published a Guideline about consequences of forced marriage for the residential status<sup>69</sup>: The right of family reunion can be denied if one partner declares to be forced to marry. In opposition to forced marriages arranged marriages are to be accepted. If people with a tolerated status and a residence restriction are in danger, their need to be protected has to be respected and counts first. If they came through or for a forced marriage they can apply for gender based asylum, if they cannot find protection in their country of origin.

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67 Drucksache Landtag 2007

68 [integration.rlp.de/fileadmin/integration/Downloads/RIFI-Veroeffentlichungen/MaedchenKonflikts.PLP.pdf](http://integration.rlp.de/fileadmin/integration/Downloads/RIFI-Veroeffentlichungen/MaedchenKonflikts.PLP.pdf)

69 [rigg.rlp.de/fileadmin/rigg/downloads/arbeitsmaterialien/Zwangheirat\\_Info.pdf](http://rigg.rlp.de/fileadmin/rigg/downloads/arbeitsmaterialien/Zwangheirat_Info.pdf)



## 6.12. Saarland

The Ministry for Work, Family, Prevention, Social Affairs and Sport hosts a Round Table Against Trafficking and commissioned it to discuss quantity and forms of forced marriage in Saarland and to think up measures for prevention and intervention.

The Ministry started a **campaign** “No to forced marriage” in May 2010, together with the round table against trafficking, the Deutsch-Ausländischer Jugendclub DAJC and other migrant organisations. Since then it hosts a **website** against forced marriage which is directed at potential victims.<sup>70</sup> There are links to online counselling by the Mädchenhaus Bielefeld/NRW and to charge free telephone counselling.

The website is accompanied by a flyer and by postcards.

There is no specialised shelter.



## 6.13. Saxony

The Ministry for Family, Social Affairs and Health states that **forced marriage** has become a countable reality in Saxony by now – especially in the big cities. The specialist counselling centre KOBRAnet for victims of trafficking has included forced marriage in its advice.

In 2009 KOBRAnet supported 18 victims of forced marriage. In the same year KOBRAnet held a conference for professionals in cooperation with the Ministry, which was the starting point for a local network against forced marriage.

Saxony's Action Plan to Combat Domestic Violence<sup>71</sup> 2011 aims at better information for migrant women about their rights and possible support and states that interpreters are often not available. It recommends trainings in intercultural competence for staff of authorities, especially those who work with asylum seekers.



## 6.14. Saxony-Anhalt

Special activities of any ministry concerning HRV could not be found.

The Ministry for Justice and Equality mentions forced marriage in one line with trafficking and forced prostitution on its website and refers to women's shelters and counselling centers.

The NGO Kompetenzzentrum geschlechtergerechte Kinder- und Jugendhilfe Sachsen-Anhalt e.V. published a **booklet about forced marriage** in 2009.<sup>72</sup>

The booklet gives an overview and states that there is no specialised shelter with a secret address.

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70 [www.zwangsheirat-saarland.de](http://www.zwangsheirat-saarland.de)

71 Landesaktionsplan zur Bekämpfung häuslicher Gewalt 2011  
[www.soziales.sachsen.de/download/Soziales/Landesaktionsplan\\_zur\\_Bekaempfung\\_haesuslicher\\_Gewalt.pdf](http://www.soziales.sachsen.de/download/Soziales/Landesaktionsplan_zur_Bekaempfung_haesuslicher_Gewalt.pdf)

72 Kompetenzzentrum geschlechtergerechte Kinder- und Jugendhilfe Sachsen-Anhalt e.V. (KgKJH):  
Zwangsheiratung minderjähriger Mädchen, Empfehlungen zur In-Obhut-Nahme 2009,  
[www.geschlechtergerechtejugendhilfe.de/downloads/Inhalt\\_Zwangsheirat.pdf](http://www.geschlechtergerechtejugendhilfe.de/downloads/Inhalt_Zwangsheirat.pdf)

The advice center against trafficking of women **Vera** has extended its counselling and included forced marriage in 2008 ([www.awo-lsa.de/vera\\_beratungsstelle](http://www.awo-lsa.de/vera_beratungsstelle)). Although the number of victims is small the booklet claims that there is not sufficient support. Individual cases are dealt with on a municipal level, there is no structured approach. Whether expertise is available depends on the intercultural skills which are present on the spot. The booklet emphasizes that prevention and awareness rising are needed and that teachers and youth social services should be trained to recognize if someone needs help. They should also know what to do in case. Youth social services should each have a contact person/multiplier, with knowledge about forced marriage. The four intervention projects against domestic violence should be sensitized.

Since Vera has only limited capacities for intake the Kompetenzzentrum recommends to contact the specialised shelters in other federal states but also claims that, although numbers are small, a specialist shelter for girls under age who face forced marriage should be opened with intercultural staff.

The Liko, which is the roof of the four intervention projects since 2008, also refers to Vera.<sup>73</sup>



### 6.15. Schleswig-Holstein

The Ministry for Justice, Equality and Integration gives short information for teachers about **forced marriage** on its website. For more profound information it points to the Guide “Im Namen der Ehre misshandelt, zwangsverheiratet, ermordet” which was published by Terre des Femmes. For immediate support in cases of forced marriage it refers to the online counselling of the girls shelter Mädchenhaus Bielefeld of Nordrhein-Westfalen., for counselling of the teachers themselves to the women’s helpline of Schleswig-Holstein and to the girls center Mädchenhaus Lotta.

The Intervention Project KIK<sup>74</sup> Schleswig-Holstein copied a booklet by the Women’s Counselling Centre Düsseldorf /North-Rhine-Westfalia “Nur Mut!” (“Take heart!”) which gives extensive information about support against domestic violence for victims in 2010. It is published in German, Turkish and Russian and in the chapter addressing migrant women encourages them to seek help even with a weak residence status or in a case of forced marriage at women’s shelters and advice centers.



### 6.16. Thuringia

Measures against HRV or forced marriage could not be found.

The integration and migration web portal states that 48.000 migrants from 150 nations live in Thuringia. Vietnamese, Russians and Turkish form the biggest groups.

The concept “Measures of the Thuringian federal government against Domestic Violence” which was published by the Ministry of Social Affairs, Family and Health 2006/2007<sup>75</sup> states a restructuring of support from shelters to ambulant counselling centers and pro-active approaches. The number of shelters was reduced from 25 to 16. Migrant women are no subject of the report, only the

<sup>73</sup> Landesintervention und -koordination bei häuslicher Gewalt und Stalking (LIKO)

<sup>74</sup> KIK Kooperations- und Interventionskonzept bei häuslicher Gewalt des Landes Schleswig-Holstein: „Nur Mut!“, 2010

<sup>75</sup> Thüringer Ministerium für Soziales, Familie und Gesundheit: Maßnahmen der Thüringer Landesregierung gegen häusliche Gewalt 2006/2007

phenomena of trafficking and forced prostitution are named.

For victims of these crimes a specialized counselling service “Schwestern vom Guten Hirten” is mentioned, which also runs the women`s shelter in Erfurt. Their work will be supported by the victims` organisation and NGO “Weißer Ring”.

The report also mentions that the Commissioner for Foreigners (Ausländerbeauftragter) thematizes domestic violence at the regular conferences he organizes for the professionals who work with asylum seekers.

Latest news says that the “Schwestern vom Guten Hirten” probably will stop their specialized counselling service by the end of the year.

## **7. Help and prevention system on HRV, FM and Abandoning in Germany**

### **7.1. Abandonment**

Up to now there are no systematic strategies in any federal state against abandonment, although the new law against forced marriage tries to prevent also vacation marriages. NGOs and lawyers recommend that potential victims sign a form before they leave Germany for holidays. It should give their address abroad and document their fear and unwillingness to be married as well as their request to be searched for and supported. They should also leave copies of their passport.

These forms are not binding: Especially for minors, whose parents have the custody, it is very difficult to get help. The internet can be a useful alarm line for some of them to alert friends or professional help in Germany, but it certainly is no lifeline. Even if information about their situation abroad reaches Germany, support is difficult.

A court could withdraw the custody also in absence of a minor, but this only has limited consequences and does not bring her/him back.

Also for (young) adults it is often nearly impossible to push through their right to return – to do this they must at least reach a German embassy, which is often impossible.

### **7.2. Police**

Police has had a lot of information and training in the field of domestic violence since 2001 and is included in round tables with interventions projects and other forms of networking.

Domestic violence is of course part of the curricula of professional police education, especially the Protection from Violence Act.

An overview over local strategies against HRV and forced marriage is difficult to get but there are clearly a lot of regional activities. As repeatedly stated already also for policing the federal states are responsible. Cooperation between them is established through the “Ständige Innenministerkonferenz” (constant conference of the ministers of the intern).

Despite regional differences experts for certain issues at police headquarters are quite common. Staff members are specialised as victim protection officer (Opferschutzbeauftragte), crime prevention officer (Präventionsbeauftragte) and/or integration officer. They cooperate with schools, with mosques and religious organisations, women`s organisations and other NGOs.

Especially these specialised multipliers were trained by women`s organisations, shelters and specialist lawyers also concerning forced marriage and HRV – how systematic this has been done regionally is not possible to retrace by desktop research. The most common form are one-day-trainings or conferences, sometimes only for the police, sometimes multiprofessional. An example from the federal state Hessen can be found in the internet <sup>76</sup> - another from North-Rhine-Westfalia, a lecture of Aylin Korkmaz, who was nearly stabbed by the ex-husband<sup>77</sup>, at the police academy

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76 Fachtagung 22.2.2009 „Gewalt im Namen der Ehre“: Integrationsleistungen der Hessischen Polizei bei besonderen Anlässen, [www.netzwerk-gegen-gewalt.de](http://www.netzwerk-gegen-gewalt.de)

77 See page 9

Münster, also<sup>78</sup> - but there have been a lot more.

Sometimes the police even take a leading role concerning prevention of HRV. At Berlin in some districts the police cooperate with schools very closely concerning HRV and forced marriage. Officers go into classes, show a film, which picks up an old fairy tale motive, and discuss marriage patterns and human rights with the pupils afterwards. One of their aims is to encourage them to turn to the police in case of need.

In Berlin recently also a “police bureau for intercultural understanding”<sup>79</sup> has been opened, which shall mediate in all conflicts which are possibly due to different cultures.

Family violence is not seen as a private matter anymore. In the vast majority of incidents victims of HRV or FM can count on the readiness of police to help them in cases of emergency when they call them. Police has been trained not to question victims when family members are still present. They take them to the next shelter if they wish to escape from home. This applies also to minors, who are taken to a youth emergency centre. At least in the big cities this is implemented very well, it is still more problematic in rural regions.

The police provide criminal charges in cases of FM and HRV, but often the victims do not want their family members to be prosecuted. As relatives they have a right to refuse to testify which they use in most of the cases.

Since police officers are confronted with cases of HRV very directly they are less ready than other authorities to play down or underestimate the impact of the violence and the lasting danger. Also their task to prevent violence is clearer defined than that of for example youth social services, whose task is also to mediate family conflicts.

To make norms very clear and to show perpetrators alternatives in cases of domestic violence and stalking the police often approaches offenders with pre-structured talks, which are documented (“Gefährderansprache”). In cases of HRV this seems to be not very appropriate or successful up to now, since offenders are part of a community which claims to regulate their affairs outside the German laws. Whether concepts can be modified and made successful for cases of HRV is doubtful.

While there first was some reluctance to pay special attention to honour murders (“we investigate all murder cases properly and do not have to differentiate”) the BKA researched numbers of honour killings in 2005. It counted 55 honour murder cases from 1996-2005.

In August 2011 it presented a follow-up study of the Max-Planck-Institute) which researched the cases behind these killings by studying the process dossiers. Prominent result: 30 % of the victims are male. They are murdered because they are homosexuals, because the family of their female partner sees them as a threat to their honour or because they refuse to kill others in the name of honour.

The police try to raise the rate of officers with migrant background and the intercultural skills of the whole force. For example: In Hessen with a migrant population of 25 % now about 1/5 of the police recruits have a migrant background.<sup>80</sup>

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78 [www.ehrenmord-in-deutschland.de/tag/hochschule-der-polizei](http://www.ehrenmord-in-deutschland.de/tag/hochschule-der-polizei)

79 [www.tagesspiegel.de/berlin/polizeibuero...interkulturelleverstaendigung](http://www.tagesspiegel.de/berlin/polizeibuero...interkulturelleverstaendigung)

80 Fachtagung 22.2.2009 „Gewalt im Namen der Ehre“: Integrationsleistungen der Hessischen Polizei bei besonderen Anlässen, [www.netzwerk-gegen-gewalt.de](http://www.netzwerk-gegen-gewalt.de)

## 7.3. Shelters

### 7.3.1. Women's shelters

Women's Shelters are open only to adult persons, but very often victims of HRV and FM are minors. Women's Shelters constantly have to fight for their existence. Although there is no doubt in general that they are necessary and needed, there are no legal obligations about their quantity, size, staffing or equipment. This could be changed if victims would get a legal right to support and protection.<sup>81</sup> So demands for better protection of victims of HRV always include the safeguarding of the existing support system. The CEDAW Alternative Report states<sup>82</sup>:

*"...women's shelters and advice centres have to close because of huge cutbacks. The financial circumstances of the surviving facilities for protecting and assisting women mean that it is often impossible to provide women and their children in all parts of the country with the same level of protection, advice and support, regardless of their origins, income and residence status. ... Only one federal state and two city states provide the blanket financing for women's shelters that has been a demand for many years, and hence for free access to a shelter regardless of income (without personal contributions) for all women and children. ... Local authority rules prevent many shelters from accepting women from other areas. For many women, however, safety concerns urgently require them to seek protection further away. Migrants with temporary residence permits that impose mobility restrictions and who have to take refuge in a house outside the prescribed area repeatedly find that the local authority refuses to take responsibility for paying benefits. "*

The staff of women's shelters is confronted with a high rate of migrant women for a long time now. Since they have a secret address anyway and are mostly confronted with violence by (ex-)partners of the women, the difference between HRV and domestic violence may play a less important role to them than to organisations who try to protect minors.

Migration and its consequences have also been discussed since long. The focus lay on the dominance of "white" women and their perspectives on violence and on strategies to overcome this structural dominance through awareness rising and intercultural teams. The shelters have to deal with language problems and their work is especially aggravated by residence restrictions their clients underlie. For a long time they have politically fought for women, whose residence status depends on the marriage and who have to flee from domestic violence. They successfully brought back the time the residence permit depended on the marriage to two years. In the compromise of different federal states/political coalitions about a law on forced marriage this period was prolonged again. Their work has got a lot heavier by this again. The CEDAW Shadow Report names it "exploiting the issue of violence against migrant women to restrict immigration" and utters deep concern.

Despite this staff of women's shelters is often very interested in conferences and workshops about HRV.

Often victims of HRV are not safe at the next women's shelter close to their family. Women's shelters are quite well connected with each other, so they can refer the women to a safe place. This gets problematic, if she has a status of tolerance (see page 2) which often is combined with a duty of residence (Residenzpflicht) which allows her only to move within a certain area. Some federal states therefore have issued regulations that safety goes first, but on a general level this still can be a problem.

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81 Newsletter Migrantinnen und häusliche Gewalt 2/2010,  
[www.frauenhauskoordination.de/fileadmin/redakteure/pdfs/Newsletter/Newsletter\\_2-2010](http://www.frauenhauskoordination.de/fileadmin/redakteure/pdfs/Newsletter/Newsletter_2-2010)

82 CEDAW Alternative Report 2009, page 50 ff.

### **7.3.2. Specialised shelters and Young Adults**

A group which is especially affected by HRV and FM are young women between 18 and 21 years. This shows in almost all the data, which are available about FM by now. Since they are no minors anymore, youth social services often deny their responsibility for them and send them to women's shelters. Women's shelters can provide first safety for them, but state that very often they have needs different from the older clients, who already have children., which women's shelters cannot answer very well. The Workgroup Autonomous Women's Shelters of North-Rhine-Westfalia published a statement about their federal state's Action Plan against Forced Marriage which illustrates that.<sup>83</sup> Victims of HRV often wait until they are adult before they seek assistance. The restrictions they faced at home have left them unaccustomed to independence and they have to build up a completely new life. They desperately need more than to be thrown into a vacuum with just some financial support.

The option to send young adults to specialised shelters is often not existent, since most of the specialised girls shelters have regulations, which allow them only to take in young adults from their own region, if ever. Papatya at Berlin can take in some, but it is certainly not sensible to send everyone to Berlin.

Besides Berlin and Hamburg the Mädchenhaus Bielefeld, which also does specialised counselling concerning FM is able to shelter girls. But it can only take them in, if first of all a youth social services agrees to pay the day rate for a certain girl – which is often difficult to achieve for girls from other federal states and nearly impossible for young adults. At Niedersachsen the specialised shelter ADA has the same problems; additionally some girls are not safe if they stay at Niedersachsen. An overregional approach still lacks. This is why the Bundesfachkonferenz Zwangsverheiratung pleads for two places in a shelter in every federal state which are paid in total in advance without bureaucratic procedures.

### **7.3.3. Help for affected minors**

As already mentioned: some specialised shelters do exist, but their possibility to take in minors from other regions differs – although this often is necessary. Although minors have a right to be taken into care if they are in danger, they do need the support of youth social services. Empiric research about access of girls to Youth social services proves that support begins at a later age, problems have become more manifest, professional attention is lower, sheltering at crisis facilities is needed more often and that the girls often have to apply for support very actively, all in comparison to boys.

Social Services are often not easy to approach. Sometimes it takes days to find out who is responsible and responsibilities often change. Emergency lines exist only seldom.

Very often the legal demands of clients have to be emphasized and pushed through with the help of supporting professionals from shelters or counselling centers. The attitudes of staff differ a lot. In general there still is a lack of sensitization on the situation of victims of HRV – especially, if the family does not look conservative (mother wears no headscarf!) and behaves very politely against the official, who is not capable to imagine the existence of polite complaisance towards an authority and brutal disposal over a daughter in one and the same person. Sometimes girls and women are confronted with a social worker who thinks to know beforehand that their strong family ties will make them return home anyway and who does not want to spend a lot of energy on them.

In cases of HRV staff members sometimes can get in a very difficult and even dangerous situation. If they refuse the family's wish for immediate reunification and keep the address of the child secret, they can be threatened too. Since their names and offices are known they can get under strong pressure.

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83 [\[autonomefrauenhaeusernrw.de/contento/cms/upload/pdf/Stellungnahme\\\_der\\\_LAG\\\_zum\\\_Zwischenbericht.pdf\]\(http://autonomefrauenhaeusernrw.de/contento/cms/upload/pdf/Stellungnahme\_der\_LAG\_zum\_Zwischenbericht.pdf\)](http://www.lag-</a></p></div><div data-bbox=)

## 7.4. Active NGOs and Grassroots

### **Parenthesis: NGOs and grass root organisations**

It is not really possible to differentiate between NGOs and grass root organisations in Germany. For example: Terre des Femmes is a big, influential NGO with grass roots – it was founded by German women who wanted to fight against HRV in other countries already in 1981. Starting only with volunteers it professionalized, but still does get state funding only for certain projects. Shelters and counselling centers which work close with victims of HRV and FM and which get public money for that are mostly grass root organisations as well as NGOs.

Terre des Femmes and Papatya started the discussion around HRV and FM in Germany. Since the work against HRV was reflected more systematically in 2004, NGOs in cooperation with federal or local governments developed new helplines, counselling centers and specialised shelters. They provided data, gave trainings to other organisations and authorities, went to expert hearings for policy advice, wrote information material, launched websites, cooperated with researchers and gave interviews to the media. Their role changed from whistle blower to cooperation partner.

The government invited them in workgroups, for example at the Integration Summit, and asked for their expertise - which it followed only partly, when the law against FM was adopted. (The NGOs had advised against a rise of the necessary marriage time for an independent residence permit.) Federal governments often base their information material on material which has been worked out by NGOs.<sup>84</sup>

The staff of most NGOs in this field are professionals – social or political scientists at Women's Rights Organisation like Terre des Femmes, pedagogues, psychologists or social workers at the shelters and helplines.

The victims support organisation Weißer Ring quickly trained its members when HRV was first mentioned, it now supports cases of HRV unbureaucratically.

The big migrants' organisations do not engage against HRV and FM a lot. Women's issues are not a prominent issue to them. They cooperate sometimes on local level concerning domestic violence, but their main subjects are social equal rights and educational matters. Although they do not deny the existence of HRV and FM their statements often focus on the abuse of these topics for discrimination.<sup>85</sup>

As described above some women who had suffered from HRV or FM themselves went out into the open and made their situation public. Peri e.V. and Hennamord e.V. were founded, lately also Sabatina e.V.. Up to now they depend on the unpaid engagement of their initiators. Peri and Hennamord both cooperate at workshops and trainings with Terre des Femmes, in case work also with the specialized shelters. Fatma Bläser, Serap Cileli and Sabatina James face the risks of their work (which also affects their families) privately and their organisations depend on donations.

Also the website [www.ehrenmord.de](http://www.ehrenmord.de), which counts and documents cases of honour murders, was founded privately after a mother and her daughter were shot in front of a court house, where they were witnesses in a trial against their former husband/father. Despite a lot of evidence of his

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84 For example: Terre des Femmes/Myria Böhmecke: Im Namen der Ehre misshandelt, zwangsverheiratet, ermordet. Hilfsleitfaden für die Arbeit mit von Zwangsverheiratung/Gewalt im Namen der Ehre bedrohten oder betroffenen Mädchen und Frauen was a basis for a lot of information material

85 For example: Statement of the Federal Union of Female Migrants about FM at the Government Hearing [www.gesmat.bundesgerichtshof.de/gesetzesmaterialien/16\\_wp/zwangsheirat/wortprot.pdf](http://www.gesmat.bundesgerichtshof.de/gesetzesmaterialien/16_wp/zwangsheirat/wortprot.pdf)

dangerousness he had not been searched for weapons. An order of arrest, which should have brought him into prison immediately, had been lost in the bureaucratic wilderness. The desperate intervention of the advocate had had no effect on judge and public prosecutor. Nobody took the official responsibility.

### **7.5. Cooperation**

Since the 1990s the German government took its responsibility to fight domestic violence, to make it an issue of public interest and not to treat it as a private matter anymore. One important result was that Intervention Projects against Domestic Violence were founded: Interprofessional and interinstitutional networks. They differ regionally, but in general they are a cooperation of shelters, counselling centers, police, justice system, youth social services, child protection agencies, organisations which work with perpetrators and politicians. They are mandatory for their members, who represent their institution (and not only engaged individuals). This was an important progress especially in the cooperation with authorities. In these networks, which mostly have the form of round-table-meetings, domestic violence and occurring problems can be discussed in their complexity.

They were evaluated from 1998-2004.

If and how effective they deal with FM and HRV cannot be overseen. In any case up to now they are not used to include minors in their strategies, who seek support for themselves,– they only consider to some extent children of women, who live in the shelter.

In some German regions/cities special workgroups against FM were founded<sup>86</sup>, in others existing networks against domestic violence or for crime prevention focused their attention on HRV/FM. A lot of information material was written by networks – starting with the first booklet against FM by the Berlin Workgroup against FM, which was copied by other regions a lot. Often local networks take over contents from other regions but combine them with a address list of the regional organisations which offer support.

The specialised shelters which work against forced marriage come together once a year in a two-day-conference, the Bundesfachkonferenz Zwangsverheiratung.

Terre des Femmes hosts a website [www.zwangsheirat.de](http://www.zwangsheirat.de) which collects all relevant developments, data and events concerning forced marriage.

NGOs were asked to give their expertise at hearings of the federal states or at the integration summit.

## **8. Positive and negative effects of the policies and measures on the combat of HRV, FM and Abandoning**

A lot has been done since 2004 – a lot more has been written. Forced marriage has become an offence with an extra-paragraph, gender based prosecution can be a reason for asylum.

Some concrete support has been organized.

The chance for victims of HRV to get adequate help in Germany has risen, although central and federal governments preferred measures which did not cost extra-money and the implementation of measures differs a lot between federal states/regions.

### **8.1. Legislation**

The new law against forced marriage is a "step in two directions": On one hand it criminalizes forced marriage and eases the situation for girls and women who grew up in Germany and were

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86 For example the „Netzwerk für Selbstbestimmungsrechte junger Migrantinnen in North-Rhine-Westfalia“

abducted abroad. On the other hand it aggravates the situation of women who immigrate through marriage to Germany by denying them a residence permit of their own if the marriage lasts less than three years. In the past women's organisations and especially shelters fought a lot and succeeded to have that period reduced to two years. While the government argues that this rise is meant to fight marriages of convenience it actually concerns all women whose residence permit depends on a marriage. So also and especially the situation of the so-called "imported brides" who live in an arranged or forced marriage, is hardened a lot.

Politicians spent a lot of thinking and time on legislation, although NGOs from the beginning of the discussion on exposed the problem that the ability and readiness of victims to bring their own family to court might be small. And those victims, who do so, face a big risk to lose their anonymity. The defence lawyer can inspect the files, leaks are foreseeable.

Their personal rights have to be protected more thoroughly.

Judges often have neither training on domestic nor on HRV or forced marriage – this should be changed.

A positive effect of the discussions of the last years is that **honour killings** are considered as cases of murder in the dominant discourse (see page 20).

## 8.2. Prevention

A basic problem with the search for prevention strategies is that almost any activity for better education and integration can also be labelled as activity against HRV and FM too.

The dominating expectation is that HRV and FM will decrease with better education and integration. This ignores that there are also cases of academics, for whom virginity of their daughters is an important issue and who force them to marry a cousin.

Schools have an important role because here even the most controlled and jailed young people can be reached and get information as well as support by adults. Teachers and social workers at schools (who do not exist at every school in Germany but only in certain regions and kinds of school) are central multipliers.

Ahmet Toprak quotes research, that migrants drop out of professional education in a higher rate than Germans due to a big number of marriages. These marriages are combined with a short-perspective attitude to rather earn more money with a simple job quickly than to finish the less-paid education.<sup>87</sup>

Prevention faces the problem that it should not label specific groups on one hand but on the other has to be target-group directed. The research of the Berlin Institute for Population and Development (see page 5) claims that specific migrant groups should be approached specifically. This might be true also for FM and HRV. But if these crimes get connected to certain ethnic or religious groups this might result in their withdrawal and reluctance to discuss problems and in racism on the side of the major society.

For example: In almost every official publication on FM and HRV one is warned that they should not be mis-linked with Islam. This certainly is well-meant but probably the constant emphasis has a reverse effect.

The debate on integration which was fuelled by Thilo Sarrazin (see page 8) has certainly, as Chancellor Merkel put it, "not been helpful" to stimulate minorities to admit problems.

A lot of women's NGOs discuss how HRV and FM can be discussed in a tense climate.

Some have a tendency not to differentiate anymore and include everything under the cover of the general fight against domestic violence again. Others take the decision that the potential misuse of

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87 Ahmet Toprak, Katja Nowacki: Gewaltphänomene bei männlichen muslimischen Jugendlichen mit Migrationshintergrund und Präventionsstrategien, Dortmund 2010, S.6

the topics cannot be a reason to put them under the broad cloak of silence again – especially since the victims need different support in some aspects than the victims of domestic violence. A strategy to deal with the problem is to include migrant organisations in the measures. Their participation contributes to the anti-racist legitimisation, but sometimes the price for them is high, especially if they are small organisations. Parts of their communities see them as fouler of their own nest and can put a lot of pressure on them.

### **8.2.1. Information for victims**

The access to information is made easier with two strategies: If potential victims know German, they will come across information more often. If information material is produced in their language, it will be easier for them to understand their rights in detail.

In the last years a lot of information material has been produced. For victims there are flyers, posters, websites and booklets in a lot of languages.

It is still a question where they might come across the existence of this information.

Up to today preventions concepts and projects for children concerning domestic violence are scarce. Concerning FM and HRV for young people school is seen as central focus.

Although there is research which states that in cases of domestic violence affected children rather turn to friends of their age than to teachers, school is the only place for some girls where they cannot be controlled by their families and therefore can be reached. Logically the awareness of teachers is important. They should be approachable for potential victims. Some federal states recommend to include the topics HRV and FM in the regular school lessons on human rights or gender equality. This also gives peers the opportunity to get information with which they can support one another.

In addition there are already good experiences with professionals who come from outside and give workshops at schools – may they be the police, women's/girl's organisation or authors who suffered from FM themselves. Evaluation about this has been done for example at Hamburg.<sup>88</sup>

The internet in general opens new ways to reach out to girls and women, who are imprisoned in their homes – as long as they have computer skills and access to the internet. The evaluation of the model project SIBEL shows the positive results of this strategy.

For women who are newcomers in Germany the hopes for prevention turn to the integration courses, which are mandatory now. Women's rights could be an issue there and information material distributed. Whether this is realistic or an overload the courses can not carry is not clear.

If the now obligatory basic knowledge of the German language helps newcomers to be better informed about their rights is deeply controversial.

### **8.2.2. Information for professionals**

For professionals guidelines do exist. Hessen's two booklets are good examples for information material for specific professions which refer concretely to situations they might come across. Work groups on government level published guidelines for teachers and guidelines for youth social services too<sup>89</sup>.

In the field of domestic violence the better inclusion of the health system is one of the big topics now. This should include awareness-rising on FM and HRV.

### **8.2.3. Prevention in the community and through parents**

Other prevention strategies reach out to potential perpetrators. Trainings and courses for parents are

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88 [www.hamburg.de/contentblob/2417228/data/schulworkshops-evaluation.pdf](http://www.hamburg.de/contentblob/2417228/data/schulworkshops-evaluation.pdf)

89 BMFSFJ: Zwangsverheiratung bekämpfen- Betroffene wirksam schützen, 2009; Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration: Leitfaden für Schulen zum Umgang mit Zwangsverheiratungen, Berlin 2010

multifold and unspecific, almost never approaching FM or HRB directly.

The Berlin located NGO “Neuköllner Stadtteilmütter” trains and pays migrant women as multipliers since 2007. They can reach out to other women in their district and teach and support them about education, while they overcome their isolation in their families at the same time. The project has been copied by other districts and cities a lot. Another approach is the FIT-training of Bremen (see there, page 30). Specifically young men are reached through the project Heroes (see page 12).

These target-groups approach HRV and FM indirectly via human rights and other educational issues. But there are also strategies which put HRV in the centre. An example is a project located in Düsseldorf (Leitfaden Ehre), which tries to transport a multifactorial perspective on HRV. It includes a broad spectrum of participants, especially migrant projects and artists, who do theatre projects with schools or workshops with women who express their experiences with violence through sculpturing and painting. With a multitude of methods HRV and FM are approached.<sup>90</sup>

### **8.3. Discussion and debates**

This has already been illustrated to some extent in other chapters.

On one hand there is a tendency to use FM and HRV as proof for failed integration of ethnic minorities and at the same time proof of the advanced gender equality of the mainstream society.

On the other hand a fear to stimulate racism and self-ethnification.

As explained politics repeat in a lot of statements that Islam is not responsible for HRV. The most prominent term to explain the origin of HRV is “patriarchal” (patriarchalisch), often it is also called “traditionsbedingte Gewalt” (violence resulting from tradition).

Another prominent line of thought, which is used to make HRV less exotic, is the hint to former times in Europe, when marriage followed economical reasons. The image of high nobility (Charles and Diana) is as well conjured as the Bavarian farmers daughter in the 50s to build bridges to German normality. These images are well meant but debatable because they are likely to blur the extent of danger victims of HRV may face.

Another line of the debate is the differentiation between forced and arranged marriages. It is repeated in most of the official publications. In the beginning of the discussion of FM it was used as a sign that foreign customs are respected, if they do not breach human rights: FM was bad, arranged marriage okay. The social scientist Gaby Straßburger builds her career arguing that arranged marriages should not be demonized but accepted as just another marriage pattern. But nowadays also the pressure which can exist for arranged marriages has been made more transparent by NGOs. This reflects in the government statement that the border between forced and arranged is fluent (see page 14) and also in the critical view the federal state Hamburg takes (see page 30).

### **8.4. Professional help/Shelters**

Berlin and Hamburg have specialised shelters for immediate crisis intervention for young migrant women. In Hamburg it took the murder of Morsal Obeidi to underline its necessity. The other federal states try to deal with FM and HRV within existing structures.

One tendency is to include cases of FM and HRV at generalist girl’s shelters. But if girls who have to hide from their families and girls who can move freely live at the same shelter this can lead to problems of anonymity – for the girls as well as for the staff.

Sometimes even girl’s shelters do not exist and youth emergency centers take in boys and girls – which is counterproductive in a high extent.

Another tendency, which is found concerning counselling centers, is to include HRV and FM in advice for trafficked women and women who are forced into prostitution. Apparently the underlying idea is that they are experts on foreigners and foreigners rights connected with violence and a need

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90 Kriminalpräventiver Rat Düsseldorf: Leitfaden „Ehrensache(n)“, Gegen Zwangsheirat und Gewalt im Namen der Ehre“, Düsseldorf 2010

to hide already. But this does not take into account that a lot of victims of FM and HRV fear to become a bad girl/ a prostitute if they leave their families. If this is acknowledged by a service, which is also used by prostitutes, it might shy them off.

### **8.5. Research**

The main areas of research which was ordered by ministries or federal states have been outlined already (see f.e. page 18/19). The outcome of the last big study on FM is still pending. Also the study of the Federal Criminal Office has been described (page 43). FM and HRV have become a topic for students and PhD students of different subjects. Some measures against FM and HRV have been evaluated.

The Federal Ministry of Education and Research funded a study on suicide prevention of young female migrants with Turkish background. Their rate of suicide attempts is twice as high as for peers without a background of migration. The Berlin Charité and the Hamburg UKE, both university hospitals, collected data. In Berlin additionally a prevention campaign was started with a lot of public advertisement, a website and a telephone counselling line [www.beende-dein-schweigen.de](http://www.beende-dein-schweigen.de) (stop being silent). The practical phase has ended, after 9 months the telephone line has been stopped and the data will now be evaluated.

## **9. Suggestions and recommendations for politicians and policy makers (findings from the interviews)**

### **9.1. General political climate**

The process of integration as well as an inter-cultural dialogue needs certain conditions to be successful. Awareness and sensitivity are especially needed when the issue of gender based violence is getting mixed up with the culture, tradition and religion of certain migrant groups. This awareness is often not given within the German discourse. While migrants were presumed “guests” or “foreigners” in the discourse of the 70ies, 80ies and 90ies, they now became all “Muslims”. Discussions are often full of othering and disrespectful attitudes against Turks, Arabs or Islam in general - on the one hand.

On the other hand emancipated migrants or migrant organisations who fight for values, which are – at least in these discourses - presumed as “German” or “western” values, like the right of the individual or emancipation of women, are also not really promoted and honoured by politicians or the media. Some of them, especially women, who themselves are former victims of oppression and appear before the public with their stories, told us that they got disinvited from discussion rounds if some parts of the Islamic community objected against their participation. They have the strong feeling that a clear political attitude is missing which puts human and especially women's rights explicitly prior to religion. They argue that all forms of cultural relativism get at the expense of the victims - mostly girls and women. Social Workers at school told us that girls suffer to be taken from swim or sports class or any kind of excursions.

The following chapter collects all the requirements the interviewed NGOs named concerning the general political climate:

### **Strengthening Human, Women and Children's Rights**

- No cultural relativism! Instead of this a clear attitude that puts human, women's, children's Rights and the rights of the individual prior to religion or tradition is needed.

### **Suggestions and Experience from practice**

- Politicians have to listen to the knowledge and expertise of practitioners and take it into account in the development of legislation.

### **No political instrumentalisation of the issues HRV and FM**

- Topics like HRV or FM must not be exploited for repressive immigration laws or ethnizing debates on immigration

### **Climate towards Migrants within the Discourse of HRV and FM**

- A differentiated discourse on HRV and FM is needed in which are avoided: Discrimination, polarising, othering, labelling, ascribing, generalizations, ethnisation and prejudices.
- HRV and FM should not be dramatised and keyed up in the media but instead presented in their whole spectrum, solution orientated and embedded in a generalist human, women's and children's rights approach.
- Victims of HRV and FM should be included into the discourse with their own voices. They should be empowered to have the capability to become role models.

## **9.2. Financial Situation of Projects**

It is an old problem known to women's shelters for a long time now: Their existence is greeted and confirmed in every Action Plan, but their funding is reduced and their staff is shortened, if times get rough financially. Often their funding is unsafe from year to year and/or does not cover their costs. The same applies for the specialised shelters and other projects.

The federal system of Germany makes it even harder to build up a countrywide help and prevention system against HRV and FM. The governmental ministries finance only short-term model projects which have to be taken over by one or more federal states. Federal states are not very enthusiastic to share projects and expenditures – this got very clear when the online counselling model project SIBEL ended. Often organisations start their activities with project money. This money is given for a limited time. Even if the activities are evaluated as successful, the organisations have to stop them and think of new activities or to try and “sell” them again under a different focus. A lot of time is spent with ever-new applications, good practices can not be continued and sometimes the wheel is found out twice. One example is the model project on suicide prevention for young Turkish females: A telephone hotline was financed nine months and then stopped. It would have been wiser to support and enlarge existing telephone hotlines and to evaluate them.

### **Sustainable Funding of Projects**

- Shelters and counselling centers need long-term and constant funding. Safe shelters for endangered victims of HRV and FM need to offer their help quickly, unbureaucratically and with a low threshold level. Therefore they need to be financed with blanket sums (Pauschalkostenfinanzierung). The Bundeskonferenz Zwangsverheiratung recommends providing at least two places in each federal state. Funding concepts need to be developed through supra-regional cooperation.

- Funding concepts need to get sustainable. Existing structures should be used. Successful good-practice work should get long term and constant funding instead of financing new short-time projects. Through project-character and permanent financial insecurity a lot of energy gets lost. Especially in the field of social and human/women's rights workers face precarious working conditions and bad salaries. This has to be changed by governments. We need better salaries for highly qualified work as well as an increase of professionalism.

## **Focus**

If measures aim at FM alone they are likely to ignore all other forms of oppression which stand in close context. When Papatya started the online counselling line SIBEL there were difficult discussions with the funding ministry whether flyers and posters should announce especially support in cases of FM or for all cases of HRV.

- Measures within this problem field should not have their focus only on one form of HRV but on the whole spectrum.
- Victims of FM/HRV should not get included in generalist human trafficking approaches. The reserves against this have been formulated above already. What may be possible for counselling is not a good idea for shelters.

### **9.3. Specialised Shelters and Help system**

The special situation of victims of HRV and FM is recognized academically, but the people in authorities who have to implement them and bring them to life, often have not read the available information or are not capable to perform accordingly.

This can lead to the tendency to send young victims to normal residential groups of the youth welfare service where they are in danger, do not get along with the “normal” clientele, endanger the institution and overstrain the staff.

Suggestions:

- Victims of HRV, FM and abandoning need specialized and anonymous shelters because they are especially endangered and have specific needs. Staff of these shelters needs to have intercultural competence and team members with a migrant background. As mentioned above specialized shelters are needed nationwide and the entry procedures need to be unbureaucratic and easy accessible.

An effective help system for victims of HRV and FM has to have a transregional dimension because victims are endangered in their home town of federal state. But the federal structure makes it almost impossible to finance measures with a transregional reference.

- Support for victims of HRV has to have this transregional dimension. Strategies have to be developed to solve this problem.

## **Special needs of young adults**

Especially oppressed girls who want to leave their families because of HRV or forthcoming FM often wait until they are adult because they fear to be sent back home by the youth social service which would aggravate their situation dramatically. They are very often not at all adequately self-reliant and autonomous to make their way through the social welfare system and women's shelters. If they leave their families they mostly face a complex situation with a multitude of problems and are not able to solve this without long-term guidance from a qualified social worker. They also have a special need for attachment figures and orientation points after the loss of, mostly, their whole social network. This situation can only partly be met within the limited possibilities of the social welfare system.

The needs of young adults are recognized in general, guidelines recommend examining their individual need to get support within the youth welfare system. But in almost every single case this stays a fight with the immediate social worker and the hierarchy above him at youth social services. There is a gap between inter-authority workgroups which produce papers and guidelines and the social workers at the front, which should be closed.

- Young adult victims of HRV and FM need access to specialised shelters and support by the youth welfare system. As long as there are not enough shelters which can take them in unbureaucratically because they are funded with blanket sums, youth social services need to react quicker and ease the entry procedures.
- Staff of youth social services needs training and clear instructions as to the further handling of such cases.
- Also after acute crisis intervention support has to be given to the victims. They should be offered specialised forms of housing where they can get more independent step by step like for example at the NGO Rosa at Stuttgart. Rosa offers housing in three steps towards ever growing independency – each young woman can move forward in her own time. The Mädchenhaus Bielefeld has a similar concept.
- Easier models of financial help for victims of HRV and FM are needed. Youth welfare agencies and social welfare agencies should not carry out their fight about financial responsibility at the expense of the victims. Clear handling instructions and better cooperation between the public authorities are needed.

## **Special needs of boys, young men and couples**

Also the needs of young men and couples should be met. There is a lack of specialisation on endangered young boys. They may escape from a their own forced marriage, they are at risk because they love the wrong girl or because they are gay. Because the numbers are little generalist shelters need training to deal with FM and HRV. If young men (adults) escape they can often only find emergency accommodation in doss houses and have no access to support or counselling. Sometimes also couples who escaped together want to stay together. If the man stays with a friend or in a hotel and the woman at shelter it often jeopardizes the safety of the shelter.

- Strategies need to be developed to answer the special needs of boys, young men and couples affected by HRV and/or FM. Shelters for boys should get special trainings to deal with HRV and FM. For young men and couples support chains in every federal state should be developed, which offer a combination of short-term emergency accommodation and ambulant support through a qualified social worker.

#### **9.4. Better Cooperation and training of public authorities and first contact points of victims of HRV and FM**

- Better networks of cooperation between the public authorities have to be developed nationwide - between federal states as well as between the different authorities within a federal state. A possibility to sharpen the victim protection up could be the formation of specialised teams or task forces within the public authorities.
- Training has to be provided to: teachers at school, employees of public agencies, social workers, police and judges. (the list is to be continued)
- Trainings should sensitize to the general situation, the special needs of victims and especially their need for anonymity. Trainings should familiarize cross-cultural competence to the authorities and should sensitize to enforce the credibility and detection of victims.
- All public authorities who deal with cases of FM, HRV and abandoning need training. These trainings should be implemented and financed nationwide and have to reach all potentially affected authorities also in rural areas of Germany.
- Trainings should be given by experts with practical experience.

#### **9.5. Better victim protection**

Some points concerning the improvement of victim protection like low threshold access to shelters or training for police or judges are already mentioned above. But especially at the level of legislation there are more points to mention. As forced marriage is criminalized now women's rights organisations claim that the legislation is not practicable at all and, most important : the victim protection is not adjusted. Strategies developed in the work against violence do not work concerning the especially endangered girls or women who suffer from FM, HRV or abandoning.

- Possibilities to improve victim protection and to enforce the situation of victims of HRV and FM in Germany have to be analysed by experts and implemented legally.
- Psychological violence has to become an acknowledged form of violence in public authorities as well as in the court yards.
- Offenders in the general field of gender based violence have to be hold more into account.
- Regional competence of courts: For the safety of victims it is necessary that the new region where they live does not get known. So the court where they have lived before should stay responsible. Separated hearings should be mandatory.

#### **Victims of abandoning**

Here also concrete intervention chains should be formulated, an example of good practice is the British Forced Marriage Unit.

- Concrete Interventions plans and concepts like the Forced Marriage Unit in GB should be

established in Germany to help victims of abandoning and their children also outside of Germany.

- There should be cross-national agreements how to handle cases of girls without the German citizenship or with a dual citizenship.

### **Support for so called “imported” wives**

The new legislation on forced marriage has worsened the situation of victims of FM from abroad because their right of residency stays dependent their marriage and their husband three and not two years, as it was before.

- The government should reduce the term during which a marriage needs to exist for setting up an independent right of residence to two years again.
- The juridical situation of victims from abroad has to be strengthened. In case of a forced marriage the victim needs to have the right to get divorced and gain residency independently from the husband by asylum or hardship-regulations.

## **9.6. Prevention**

Prevention programs should enforce the general situation of girls and young women with migrant background, should include the work with families and parents as well as educational campaigns and programs to inform potential victims about their rights and the existing support system.

### **Prevention in School**

There is definitely a need for more prevention programs for pupils in schools. A lot of NGOs are doing this work in different forms at the moment. All of them describe a big need and success but at the moment the initiation of such workshops is dependent on the good will of class teachers and can sometimes not be held because of missing funding.

- Prevention-workshops in schools should be part of the curricula and implemented nationwide.
- Workshops should approach the issue of HRV, FM and abandoning in a sensitive way. A good practice is to address these issues embedded in empowerment or self confidence programs, human rights discussions or with the question: What does a self-determined life mean to me?
- Workshops should be held at a low threshold level and should include trained peers with migrant background. Workshops should be held by trainers with migrant background to use the effect role models can have.

### **Prevention work with Parents**

Prevention should also include the parents and families. Especially schools and social workers in youth centers who work with girls that face HRV or FM or related lighter versions of repression in forms of hard interdictions and limitations of their freedom have to include the parents to open up possibilities and open spaces for the girls. Very often teachers and social workers do not have the

skills to work with the parents and include them or they are not willing to consider the work with the parents as part of their pedagogical mission.

- Teachers and social workers who face HRV and FM in their work should include, increase and intensify work with the parents in their work order. They should be trained for cross-cultural competence and inter-cultural mediation. Especially affected schools should get qualified social workers at their side.
- Work with parents should be culture sensitive, low threshold, pro-active and include outreach service, if necessary. It should focus on education, mediation, communication- and conflict-trainings.

Other programs like the “Neuköllner Stadtteilmütter”, an initiative to train mothers of a district with high migrant population, directly focus on parents as cross-cultural mediators. The mothers get a training which includes different approaches in the field of children's education like children's rights, health, gender-roles, sexual development or methods of communication and conflict training. Especially in the empowerment of parents and in methods which reflect their own experience with violence and oppression lies a key to successful violence prevention. There are also some programs developing recently which address fathers in the same way.

- Programs which address parents for education, as cultural mediators or in other forms should be enforced and supported.

### **Campaigns**

- We need TV-Campaigns to reach women who are stuck at home to inform them about their rights and the possibility of getting help in case of HRV and FM. Shelters should increase the advertisement and information about their offers.
- Ways to reach potential victims for example via internet should be improved and support like online counselling should be widespread.

### **Enforce the chances of (young) migrant women**

Social workers and organisations, who work with girls in areas with a high population of certain migrant milieus where HRV and FM is very common, draw a clear connection between the possible freedom of girls and their career advancement. Enforcing the chances of education of girls and young migrant women should therefore also be part in the prevention of HRV and FM. Programs who work to empower migrant mothers can also have a positive impact on patriarchal norms in family structures.

- Children from migrant Families without educational background should get systematic tutoring. They should be encouraged to improve their skills of their mother tongue.
- The position of girls and young women with migrant background should be strengthened. Special support programs for young migrant women into qualified apprenticeship should be initiated and supported by the government. Strategies to reduce and eliminate discrimination on the education market should be implemented.
- A transparent system of authentication of foreign certificates should be implemented.

- Special programs of qualification for housewives with migrant background should be offered.

## **9.7. Participation of migrants and migrant organisations**

The need for participation of migrants and migrant organisations can be read widely in action plans and guidelines. Also all the interviewed migrant NGOs expressed a strong desire for more support from their communities and more voices of migrants and migrant organisations with emancipated approaches in the discourse on HRV and FM. But also almost all of them complained that the support from their communities is very little or even not existent. Some, especially those organisations founded by former victims of HRV and FM also told about offences. The protection the state is able to offer in such cases seems to be not sufficient, if one reflects upon the consequences Seyran Ates for example has taken after fighting against HRV for a very long time in the public.

The strategy of inclusion is very important. But it is also very important to take a straight look at the approaches the organisations have, especially when it comes to counselling and direct contact with victims. If organisations, which greet arranged marriage as the best form of partnership, want to counsel victims, authorities should think twice.

### **Participation of migrant organisations**

- On a professional level at networks and round tables migrants organisations have to be involved on the base of the collective fight against all forms of oppression and violence against women.
- All forms of counselling funded by the government have to have an empowering approach towards the victim and have to be associated with the victim's perspective and stand at the side of the victim. ("Parteilich")
- Migrants' organisations with an emancipatory and women's rights approach should get stronger support by the government.

### **Staff should get more intercultural**

There is a great need for more qualified staff with migrant background in projects and public authorities.

But a specific aspect that is known by shelters and counselling organisations in practice has to be considered and solved: Victims often fear that a family member who works for an authority, a health insurance fund or the police might have access to confidential information and be able to trace them. This fear is sometimes not without reason – the loyalty towards the family/community sometimes may overcome the professional distance. This is an extra problem adding to the general insensitivity at public authorities.

Another aspect is that girls and women who run away from home and leave the community have ambivalences to fight with – they often feel like betrayers and experience shame and guilt. In this situation it is sometimes better not to confront them with people from their communities especially if their association with the victim's perspective is unclear. But it can also go the other way round: In shelters (female) staffs with migrant background and emancipated approaches have a role-model function for the girls and women so that they see that a self-determined life without violence and oppression is possible without losing their own cultural roots.

- More staff with migrant background and a clear association with the victim's perspective is needed in public authorities and projects.
- Projects, which use peer to peer methods and by this present emancipated migrants as role models for others, should be enforced.
- Strategies have to be developed to protect victims of HRV and FM from staff in authorities, who ignore their rights of anonymity or help in case of danger. Maybe the snag of staff with migrant background could be as well overcome through the setup of specialised teams in the public authorities as mentioned above.

## 9.8. Analyses

- Strategies and academic research to enlighten the dark field of HRV and FM with representative numbers are needed.

## 9.9. Other

- Marriage should be legal only from the age of 18 years on.

## 10. Examples for Good Practices in Germany (findings from the Interviews)

### 10.1. Papatya

**Papatya** was founded 1986 as a specialized shelter for Turkish girls, run by an intercultural team of women at a secret address. In the middle of the 80ies Turkish girls seeking shelter and help appeared for the first time at the children's and youth emergency services in Berlin. As usual they were taken into care and their parents were informed. But unlike "German" parents, their families immediately went to the emergency services and tried to get their daughters back using any method possible, including violence. They did not agree at all that their daughters should stay in mixed groups with a male person in charge. Combined with language barriers the threatened staffs at the emergency services were overextended and unable to cope with the situation. Papatya was initiated and should take care of this problem with its specialized concept.

### Good practice 1: Anonymous shelter and counselling

Originally founded as a specialized shelter for Turkish girls Papatya today gives shelter to girls and young women with a migrant background aged from 13 to 21 who suffer from family violence and oppression like HRV and FM and are threatened by their families. Key factors for the successful work of Papatya are in short: the professional, stable, intercultural and experienced team of women, who run the shelter, that the shelter is specialized on the specifics and certain needs of the target group, the anonymity and hidden position of the shelter, the independence of the shelter to take girls in immediately and unbureaucratically, based on the decision of the team and with financial independency because of a lump-sum financing model and last but not least the combination of shelter and counselling that ensures high degree of expertise, experience and knowledge.

Papatya is a shelter for a transitional period. Girls can stay until, in cooperation with the responsible public authorities and together with the girl herself an individual solution of the particular problem and a future perspective is found. The work of Papatya is always successful whenever a girl leaves with a better perspective, empowered and more self confident - no matter whether she can return

home or to relatives, starts to live in a youth institution, living community or in a flat by her own, On their way towards a new perspective Papatya offers the girls a safe, non violent and respectful space, provides accommodation, food and what is further needed to meet the basic needs and besides supports them and takes their side in their conflict with the family or in confrontation with the public authorities.

### **Good practice 2: Online counselling**

Girls and young women from families with migrant background who suffer from family violence often have less access to the “usual” help-offers. First, issues like family or even sexual violence are highly taboo and the barrier to speak about such issues is very high. In addition to the violence girls often face limitations of their freedom of movement - like the interdiction to go to school or to leave their homes without parts of their family accompanying them. In extreme cases they are highly isolated, not allowed to have friends of their own, their own mobile phone or even a private call and stay under permanent control. Anonymous online counselling answers the needs of this specific target group. The counselling is given by the expert team of Papatya in German, Turkish, French and English. The counsellors use a safe internet platform to ensure the anonymity and safety of the help seeking person. To promote the offer advertisement in form of posters and postcards was placed at schools and counselling centers as well as in the local press.

The model project was funded by the German government from June 2007-2010 and had great success. Now it is financed by several federal states of Germany.

### **10.2. Heroes**

The association **Strohalm e.V** works in the prevention of sexual abuse of boys and girls since 1987. In 2007 they initiated the project “Heroes – against oppression in the name of honour” following a Swedish model-project. Through prevention work in strongly patriarchal cultures the project fights oppressing structures that often lead to (sexual) violence against women. Heroes is realized by an intercultural team of 5 part-time employees.

### **Good Practice: Project Heroes – against oppression in the name of honour; peer to peer workshops**

The project Heroes works in two steps.

In the first phase interested boys from “honour cultures” are intensively trained over more than half a year. They discuss gender equality, human rights and men's roles in the oppression of girls and women through the legitimization of “honour”. Goal of the training is to sensitize these boys and young men and to empower them to be able to overcome the boundaries that honour sets also to them. They are motivated to take a stand against oppression in the name of honour and for the equal and human rights of girls and women.

During the trainings the boys should question their position themselves. There is never a right or a wrong presented by the group leaders - only “your opinion” and “my opinion”. Through experiencing and observing and through interactive methods like role games etc. the young men start to expand their consciousness and discover new positions. Confronted with alternative concepts and positions the young men automatically start to question their known structures. Here the group leaders themselves - all have Turkish or Arab backgrounds – function as alternative models. They also include other role models with migrant background that are dedicated to this field like f.e. Fatma Bläser an active women who was herself previously affected by FM and HRV or associates from GLADT e.V., an association of gays and lesbians with Turkish background. In the end of the training the young men get heroes-certificates from prominent political personalities in an official event.

At this point the second phase of the Heroes project starts. The trained young men are now “Heroes” and able to act as peers and role models in workshops, held by the Heroes-team. A group

leader and 2-3 “Heroes” therefore go into school classes, youth centers etc. Together they hold a workshop and broach the issue of honour through role games with the participants.

The project was evaluated after one year. The effects of the trainings with the young men were very obvious and very successful. Not only the degree of sexism was getting smaller and the young men rated women more positively, they also started to consider themselves more “German”. Also the workshops held by the Heroes project had very good response. Feedback forms showed that many pupils are exited about the project. Many boys want to participate and become “Heroes” themselves. There also also many interested organizations that plan to adapt the project.

### **10.3. Terre des Femmes e.V**

**Terre de Femmes** was founded 1981 as a reaction of German women on an article about honour killings in Jordan. The association first only did volunteer work, 1990 they could hire the first full-time agent. Today TdF has 2800 members, 300 active volunteers and 20 employees. They work in groups in many different German cities and in three over-regional task forces covering the topics trafficking in women, women's rights and religion as well as female genital mutilation.

#### **Good practice 1: Workshops for agency staff in Baden-Württemberg**

TdF initiated one-day workshops on HRV and FM for max. 25 persons to rise awareness among staff of different agencies in a certain specific town/region. From every agency (registry office, police, youth agency, social welfare office, employment office, foreigners’ authority) only two members were allowed to participate to ensure networking. Local women's counselling centers were also included. The workshop was meant to initiate and/or strengthen a local network of persons who know how to act when confronted with people affected by HRV or FM.

The workshops were co-financed by higher-level authorities and officially recognized as further education, so that participants were exempt from work for the time of the workshop.

To reach their target group TdF cooperated with Fatma Bläser, an activist who was herself previously affected by FM and HRV. With her credibility and by telling her story, HRV and FM get very concrete for the participants, who sometimes did not really believe in the existence of FM or HRV. They were emotionally taken and therefore strongly sensitized.

In addition to the workshops TdF created a brochure which collects the knowledge gained in the workshops and summarizes it in recommendations for agency staff on how they can act coordinated in cases of HRV. Additionally a project report was written.

The measure was well received and the high demand by many interested people could not be satisfied.

#### **Good practice 2: Central website on information on forced marriage: [www.zwangsheirat.de](http://www.zwangsheirat.de)**

Because information on FM was unbundled in Germany and a good overview for professionals working on FM as well as persons affected by FM was missing, TdF initiated the creation on a central webpage on FM.

The web page bundles all the different local strategies on FM and link the nationwide existing shelters and counselling centers. The website is regularly updated so that actual information, conferences and publications can be called up. It includes a data bank on experts in this field, local initiatives and always names a contact person reachable.

Target group of the measure were firstly professionals as well as persons affected by FM in Germany. From the beginning the measure was not targeted at persons affected by FM that are newly residing in Germany but at those that have grown up in Germany. Therefore the webpage is only available in German and English. The web page was a big success and gets many clicks (60.000 in the first year). After a first evaluation of which offers were well received and which were not accepted very well, TdF started to modify the webpage. As reaction on the difficulty to reach professionals as well as persons affected by FM at the same time the webpage recently is under

construction. After the modification parts of the webpage will be targeted at youngsters affected by FM and give a fast overview on regional counselling offers for them.

## 11. Literature

All information, addresses and literature can be found at a website of Terre des Femmes: [www.zwangsheirat.de](http://www.zwangsheirat.de) lists regionally all counselling centers and shelters, is updated with new information regularly and has a list of information material, flyers, films, regional workgroups and literature - also on HRV.

### Annex 1: Overview on the interviewed Organisations and their good practices

Nr	Name	Work-fields concerning HRV and FM	Good Practice mentioned by the interview partner
	Shelters		
1,	PAPATYA, Berlin	Anonymous shelter for the crisis, counselling by telephone and online, PR work, training of public services, work-group against FM, Berlin	Online counselling, anonymous shelter with low threshold access for girls and young women until 21
2,	BASIS und WOGGE, Hamburg	<b>Zuflucht:</b> low threshold shelter for the clearing of the crisis <b>Kardelen:</b> anonymous residential project for girls to get independent	<b>Zuflucht:</b> Low threshold access (also for young adults) for safety reasons and clearing, analysis of endangering <b>Kardelen:</b> resource-oriented work, family-work if necessary
3,	IMMA, Bavaria	Anonymous housing, workgroup FM	Initiation of the Work-group FM to network between authorities, schools, shelters and counselling centers
4,	Mädchenhaus Bielefeld, (Interview only with the Online-Counselling-Team), North Rhine Westphalia	Online-Counselling-homepage with different offers for potential victims of FM in 6 different languages, prevention in school, information with professionals, networking in work-circles	Prevention workshops in schools with girls by an inter-cultural team, Information and training for multipliers
	Migrant-organisations		
5,	PERI e.V, Baden Württemberg	Casework, housing of victims in foster families, unbureaucratic financial help, PR work with the own history, information for Turkish women (often so called imported wives) about the German help system in form of alphabetization courses initiated by Serap Cileli	Housing adult victims in foster families
6,	SABATINA e.V, Hamburg	Casework, prevention and training for police and ministry of justice, PR	Housing adult victims in foster families, training for police and

		work with the own history and the work of the organisation (they plan a campaign on FM) political lobby work	ministry of justice, political lobby work
7,	Türkischer Frauenverein Berlin, Berlin	Counselling, information session for mothers and parents, workshops for girls and young women in schools	Workshop for female pupils “self determined life, shaping the future”
8,	Kargah e.V., Lower Saxony	Telephone counselling on FM, Prevention in schools, PR work and networking	Educational film for professionals, tool kit against FM for prevention and training, work with girls groups, “future workshop” for parents, empowerment film for victims, proactive counselling, work in the communities, low threshold participation of the communities by involving of migrant women in projects
Other NGO's			
9,	Strohalm e.V., Berlin	Prevention and education through training of young male peer groups, peer group work in schools, topic: honour and moral values, PR-work	Heroes project – training of young male peers to make workshops at schools in which they work on honour and moral values
10,	ELISI EVI, Berlin	Education and counselling for migrant girls and women, prevention and education, empowerment, work-group against FM, Berlin	Workshop “Information on FM” in schools
11,	MaDonna Mädchenkult.Ur e.V., Berlin	Youth center for girls in a so called problem-district with high rate of migrants without educational background, low threshold and outreach work with children, youth and families, PR-work, special (educational) empowerment programs for girls	Postcard-campaigns, action through girls in the district of the youth centre, low threshold and pro active outreach work with parents and families, involving of the girls in the youth centre
12,	Terre des Femmes, Berlin	Training of authorities, prevention and information through a central info webpage, promoting of materials like flyers or films, scientific research, PR-work	Workshops for authorities to train and connect them, central website on FM to bundle all information for potential victims as well as professionals (separated!), sexual education flyer on virginity (in a neutral context), film for schools, study on FM, PR-work in connection with prominent actors of the film “The Stranger” or to support former victims to go into the public, touring exhibition “Motive: Honour”
13,	Neuköllner Stadtteilmütter,	Prevention, education, information through peers, training of migrant	Empowerment of mothers through self reflection and education,

	Berlin	mothers for intercultural mediation in low threshold case work	sensitization for children's and human rights
14,	Muslimisches Seelsorge-telefon, Berlin	Spiritual guidance telephone hotline from Muslims for Muslims, marriage preparation courses for young Muslims, violence prevention from a religious perspective	No explicit good practice mentioned