



## **A-Z to Safety**

### **Report on Standards and recommendations:**

#### ***1. General remarks***

Standards concerning “harmful practices” do not exist. The term “harmful practices” is translated into German as “traditionsbedingte Gewalt” – re-translated this means “violence based on/caused by tradition”. It is not used a lot. The phenomenon which gains the most attention is forced marriage. Here standards in form of “recommendations, how to act” do exist. They are distributed by some federal states or institutions of the central government. They do not differ a lot and mostly are based on first publications by the Berlin Workgroup Against Forced Marriage (which gathers NGOs and authorities) and the Womens Rights Organisation Terre des Femmes.

Sometimes federal states put forced marriage in the proximity of trafficking and have asked advice centres which work against trafficking to cover forced marriage too.

Germany works a lot less than the UK with volunteers. Most counselling agencies or shelters work with paid social professionals, probably the need for standardization therefore is less urgent than in UK.

#### **1. Standards/ Recommendations concerning Forced Marriage**

- **Definition:**

##### **Forced vs. arranged**

Theoretically forced and arranged marriages are differentiated. For practical case work the existing recommendations explain that only the victim can say from her subjective perspective, whether a marriage was forced upon her. This should be accepted by the authorities.

(Bavaria,

The main focus should be on the violence, not on the reasons behind the forced marriage (HH

The phenomenon should not be seen as based on a crucial social status alone – it exists also in wealthy or educated families.

All recommendations emphasize that forced marriage is not a speciality of muslim communities and is not based on the Islamic religion.

A big dark field is assumed.

Often victims turn up and need help at once – support and safe accommodation have to be provided quickly.

Victims who have to flee from their families have specific needs because they often have to leave their region/city to be safe. This can be difficult if their residency permit limits them to a certain district. The foreigners` registration office (Ausländerbehörde) has the duty to allow a change of district if otherwise it would mean an undue hardness. The “receiving” city/district

has to agree to that. Impending danger by the family is an undue hardship within the meaning of the law.

- **Protection**

Should be target group specific and take the special needs of victims who were limited in their social contacts to the family into account.

Women shelters are indispensable, but should be followed by projects which should try to compensate the total loss of former social contacts (HH)

- *Minors*

Forced marriage is an issue of child protection. The authorities have a responsibility as guardians of child welfare. They should act not only when approached by a potential victim but also if they get knowledge of a planned forced marriage.

Not only danger for life and limb should trigger their action but also a situation of conflict and distress. Potential danger should be taken very serious, even if the young person plays it down and the family is not already known to the authorities. Protection is first priority, often quick actions are necessary.

Young people have a right to be counseled by youth social services without knowledge of their family. Authorities have to assess the risk and take measures accordingly. If a minor flees from the family because of forced marriage intervention of the authorities is justified. The legislator (Gesetzgeber) assumes that no young person turns to the authorities without cause in these cases.

Parents should not be included without consultation with the potential victim. Minors who have fled should be protected at a shelter before the parents are informed. If they insist their daughter/son has to return home, youth authorities should call in a family court. Every case should be treated individually and the suitable steps should be looked for. (BMFSFJ)

- *Young Adults (18-21 years)*

Their right to support within the system of youth care has to be assessed individually and quickly and cannot be denied without examination. Forced marriage is often an indicator for specific needs which have to be met. (BMFSFJ)

Standards for shelters for young people (BMFSFJ)

- Competent in risk assessment
- Cooperating with youth authorities
- Intercultural competence
- Ensuring anonymity and a secret address
- Intensive care, possibly around the clock

They should offer also

- Reliable advice concerning long term risks
- Individual counselling and accompaniment
- Education towards independence
- Search for school or other education
- Accompaniment to appointments with authorities

- **Standards for Advice and Counselling Agencies**

They should be easy to reach, have a low threshold approach (Bavaria)

Youth social services should be flexible concerning place and time of appointments due to potential risks of the victim. Long waiting times in areas available to the public have to be avoided. (BMFSFJ)

They should be target group specific (HH)

They should take the side of the victim and work to get her/his trust (Bavaria)

They should take an intercultural and culture sensitive approach (Bavaria)

They should offer support in different languages

They should be able to receive at their agency as well as reach out and meet someone outside (Bavaria)

- **Target groups/potential victims**

Girls and young women

Boys and young men (to a less extent)

Non-Heterosexuals

Handicapped people (all: Bavaria)

- **Contacts with the family**

Protection of potential victims has the highest priority (Bavaria)

The contact to parents and relatives can be contra-indicated. They should only be approached if that does not jeopardize safety. The potential risk should be assessed in close cooperation with the victim, who knows best.

The advice center can only counsel parents/relatives to a very small extent, they should be referred to other agencies, eventually with counsellors who speak their native language.

(Bavaria)

Families cannot be counselled by shelters where the victims stay.

- **Prevention**

Should be done for children, young people, professionals, families and ethnic communities. It should sensitize for and question traditional role models. There should be programs for boys.

(HH)

Since parents often are the initiators of forced marriage cultural sensitive work with parents should be established, (Bavaria)

Work with parents should not be done by the staff of shelters (HH)

Girls should be empowered.

Prevention for Girls should be done at girls centres and should cover subjects like questioning the traditional hierarchies, rising self esteem, consciousness of the body and sex education, information about rights as well as about education and professions.

Girls should be encouraged to say no at an early stage of the planned marriage.

Concepts of self determination have to be internalized at an early age.

School is one of the main actors because there all young people can be reached.

Teachers should be trained and forced marriage should be a topic at lessons, pupils can support their classmates. (BW)

Measures against forced marriage should not focus on integration alone, although education and integration in the work market are central for a self determined life. Massive patriarchal motives can be present also in socially well integrated families – so measures should focus on gender and equality also. (HH)

Awareness campaigns for a wider public should be developed in cooperation with migrants organisations and avoid stigmatization (HH)

- **Professionals**

School, police, social workers, doctors and other should be able to see warning signs, identify dangers and give effective support. Recommendations should be developed for each professional group in close cooperation with NGOs and be distributed widely. (HH Daphne Youth authorities should know adequate shelters.

- **Professional Networking**

Binding structures should be established which reflect the complexity and diversity of the problems and can act especially in cases of abduction (HH)

## **Sources: Forced Marriage**

### **Bundesregierung**

#### **Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration**

Leitfaden für Schulen zum Umgang mit Zwangsverheiratung: Das Recht auf freie Entscheidung bei der Partnerwahl

[www.bundesregierung.de/Content/DE/Publikation/IB/leitfaden-fuer-schulen-zum-umgang-mit-zwangsverheiratungen.pdf?\\_\\_blob=publicationFile](http://www.bundesregierung.de/Content/DE/Publikation/IB/leitfaden-fuer-schulen-zum-umgang-mit-zwangsverheiratungen.pdf?__blob=publicationFile)

### **Bundesministerium für Familie, Senioren, Frauen und Jugend**

Zwangsverheiratung bekämpfen – Betroffene wirksam schützen

Eine Handreichung für die Kinder- und Jugendhilfe

### **Bayern:**

- [www.giesinger-maedchen-treff.de/sites/default/files/dateianhang/druck\\_pdf\\_zh\\_broschuere\\_2014\\_low.pdf](http://www.giesinger-maedchen-treff.de/sites/default/files/dateianhang/druck_pdf_zh_broschuere_2014_low.pdf)
- Bayern hat ein Konzept zur Bekämpfung von Zwangsverheiratung entwickelt. <http://www.ris-muenchen.de/RII/RII/DOK/SITZUNGSVORLAGE/2746374.pdf>

### **Hamburg**

- [www.hamburg.de/contentblob/2671278/data/aktionsplan-opferschutz.pdf](http://www.hamburg.de/contentblob/2671278/data/aktionsplan-opferschutz.pdf) S. 23 ff.
- **Broschüre „Aktiv gegen Zwangsverheiratung“<sup>1</sup>** (Daphneprojekt) [www.hamburg.de/contentblob/1469050/data/dokumentation-de.pdf](http://www.hamburg.de/contentblob/1469050/data/dokumentation-de.pdf),
- Freie und Hansestadt Hamburg / Behörde für Soziales, Familie, Gesundheit und Verbraucherschutz (BSG) / Leitstelle Integration und Zivilgesellschaft / Referat Opferschutz (Hg.) (2009): Aktiv gegen Zwangsheirat. Empfehlungen. Hamburg

### **Niedersachsen**

- Eine multiprofessionelle Arbeitsgruppe des Ministeriums unter Mitarbeit des Ministeriums für Justiz, der Jugendbehörden und Familiengerichte hat einen **Leitfaden für Professionelle „Prävention von Zwangsverheiratung“** erstellt

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1 [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).

- Niedersächsischer Landtag (Hg.) (2007): Handlungskonzept: Zwangsheirat ächten – Zwangsehen verhindern. Drucksache 15/3537. Hannover

#### **Nordrhein-Westfalen**

- 2007 veröffentlichte das Ministerium für Generationen, Familie, Frauen und Integration ein **Handlungskonzept gegen Zwangsheirat**<sup>2</sup>

#### **Rheinland-Pfalz**

- Das Ministerium für Arbeit, Soziales, Gesundheit, Familie und Frauen veröffentlichte 2010 eine **Handlungsempfehlung: „Mädchen in Konfliktsituationen – Mädchen und junge Frauen mit Migrationshintergrund – ein Ratgeber für Fachkräfte der sozialen Arbeit“**.<sup>3</sup>

Zwangsverheiratung wird behandelt, einige Fallstudien erwähnen auch die „Familienehre“, der Begriff Gewalt im Namen der Ehre wird nicht gebraucht.

#### **NGOS**

- Bundesfachkonferenz Zwangsverheiratung (Hg.) (2011): Positionspapier der BuKo; Aktualisierte Fassung Oktober 2011. Bielefeld
- Münchner Fachforum für Mädchenarbeit (Hg.) (2010): Standards für die interkulturelle Mädchenarbeit. 3. Auflage, München

#### **Andere**

- Czock, Heidrun Deutscher Caritasverband (Hg.) (2010): Bericht der Evaluation. Projekt „Jugend informieren über Zwangsverheiratung“. Düsseldorf

## **2. Standards/ Recommendations concerning HONOUR BASED VIOLENCE**

Honour based violence (“Gewalt im Namen der Ehre”) is less covered than forced marriage, Some federal states have issued recommendations which cover both.

#### **SOURCES Honour based violence**

##### **Hamburg**

- **Handlungsempfehlungen für Jugendämter**, die mit Fällen von Gewalt im Namen der Ehre konfrontiert werden: „Gewalt gegen Mädchen und junge Frauen in traditionell-patriarchalischen Familien“<sup>4</sup>.

##### **Hessen**

- **Broschüre “Gewalt im Namen der Ehre- Leitfaden zum Schutz junger Menschen, die von so genannten Ehrverbrechen betroffen sind”**. Grundlage ist eine Broschüre der Frauenrechtsorganisation Terre des Femmes.
- Hessisches Kultusministerium (Hg.) (2010): Gewalt im Namen der Ehre – Zwangsheirat und Ehrenmord. Informationen und Handlungsempfehlungen für Lehrkräfte. Wiesbaden
- Im Februar 2011 veröffentlichte das Kultusministerium die **Broschüre „Gewalt im Namen der Ehre- Zwangsheirat und Ehrenmord“**

##### **NRW**

- [https://www.duesseldorf.de/kpr/downloads/leitfaden\\_ehrensachen.pdf](https://www.duesseldorf.de/kpr/downloads/leitfaden_ehrensachen.pdf)  
Leitfaden Ehrensachen gegen Zwangsverheiratung und Gewalt im Namen der Ehre

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

3 [integration.rlp.de/fileadmin/integration/Downloads/RIFI-Veröffentlichungen/MädchenKonflikts.PLP.pdf](http://integration.rlp.de/fileadmin/integration/Downloads/RIFI-Veröffentlichungen/MädchenKonflikts.PLP.pdf)

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

## **NGOs**

- TERRE DES FEMMES e.V. (Hg.) (2011): Im Namen der Ehre, misshandelt, zwangsverheiratet, ermordet. Hilfsleitfaden für die Arbeit mit von Zwangsheirat/Gewalt im Namen der Ehre bedrohten und betroffenen Mädchen und Frauen

### **3. Standards/ Recommendations concerning Abduction** (BMFSFJ Zwangsverheiratung... Jugendhilfe)

- Discuss with the potential victim where she could turn for help, authorities should take notes of potential addresses at home and abroad and a copy of personal documents
- Advice to hide a mobile phone and a list of counselling agencies, NGOs, consulates which might be of help
- Information that the border police in Germany can be approached
- Written statement of the potential victim should be filed stating her fears and wishes
- Agreement with the potential victim under which circumstances the authorities should act on her behalf
- Possibility of a legal complaint should be considered

### **4. Standards/ Recommendations concerning Female Genital Mutilation**

Female genital mutilation gets special attention to some extent and is addressed directly with local recommendations. Different NGOs deal with forced marriage and FGM. Some federal states have developed concepts according to their local conditions, naming local actors and networks. The standards they proclaim are quite similar.

## **SOURCES FGM**

- Terre des Femmes und Plan International als Ergebnis eines Daphne-Projekts:  
Leitfaden: Weiblicher Genitalverstümmelung begegnen. Ein Leitfaden für Fachkräfte in sozialen, pädagogischen und medizinischen Berufen  
[www.frauenrechte.de/online/index.php/themen-und-aktionen/weibliche-genitalverstuemmung2/aktuelles/archiv/1553-change-broschuere-zu-weiblicher-genitalverstuemmung-ein-leitfaden-fuer-fachkraefte-in-sozialen-paedagogischen-und-medizinischen-berufen](http://www.frauenrechte.de/online/index.php/themen-und-aktionen/weibliche-genitalverstuemmung2/aktuelles/archiv/1553-change-broschuere-zu-weiblicher-genitalverstuemmung-ein-leitfaden-fuer-fachkraefte-in-sozialen-paedagogischen-und-medizinischen-berufen)

## **BMFSFJ**

### **Genitale Verstümmelung bei Mädchen und Frauen**

Eine Informationsschrift für Ärztinnen und Ärzte, Beraterinnen und Berater unter Verwendung von Information der WHO, 2005