TITLE: Humanists International submission to the draft report on “*Strengthening the fight against so-called ‘honour crimes’”*

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**Introduction**

1. Founded in Amsterdam in 1952, Humanists International is the global representative body of the humanist movement, uniting a diversity of non-religious organizations individuals around the world.[[1]](#footnote-0) Humanists International has a total of 114 member organizations, including around 30 members in Europe. It holds participatory status at the Council of Europe.
2. Humanists International defends universal human rights through its advocacy programme. One key area of focus for the organization is fighting forms of gender-based violence and discrimination, particularly when such violence or discrimination is enabled by a cultural, traditional or religious framework.
3. Humanists International’s submission to the draft report on “*Strengthening the fight against so-called ‘honour crimes’”* focuses on policy recommendations and good practices for reducing the risk of women and girls being exposed to honour-based violence (HBV) within Europe. It argues for an approach that mainstreams HBV within broader strategies to combat gender-based violence while centering the needs and perspectives of victims of HBV and grassroots organizations that work closely with victims. In particular, it argues that long-term strategies to address HBV must involve direct investment in education in schools and public institutions, and in support services that assist victims of domestic violence, inclusive of HBV. It emphasizes that State policies on immigration have repercussions for the reporting and prevalence of HBV, and argues for adjustments to immigration laws to be made where the risk of deportation acts as a deterrent to victims reporting HBV, or where victims are unable to access services because of their immigration status.

**Defining “honour-based violence”**

1. Honour-based violence (HBV) is understood to derive from a desire to control the behaviour of women and girls, most often with an emphasis on their chastity and passivity. There are many forms of behaviour that have the potential to bring ‘dishonour’, including a woman’s dress, communication with men and sexual relationships. Victims of HBV are targeted because their behaviour is seen to violate cultural or religious norms; where their assailant feels the only way to prevent such behaviour or restore family ‘honour’ is to harm or kill the victim.
2. Ultimately, the concept of male ‘honour’ is grounded in the objectification of women. It upholds the notion that women are the property of their male relatives, passing from the control of their father to that of their husband via the social institution of marriage. As the Special Rapporteur on violence against women has pointed out, preserving honour turns on the idea that a woman has to be sexually controlled until marriage; it is a means of controlling her choices, particularly in terms of sexuality and freedom of movement.[[2]](#footnote-1)
3. The prevalence of HBV differs from country to country. Within Europe, HBV is known to occur in countries including Sweden, Norway, Belgium, Germany, the United Kingdom, Finland, Bulgaria, Cyprus, and the Netherlands, amongst others.
4. Belgium and Sweden in particular have taken a proactive approach to combatting HBV through their national action plans to combat violence against women.[[3]](#footnote-2)

**Adopting a gender-based framework for understanding HBV**

1. The dominant discourse in Europe has tended to define HBV as a culturally-specific type of violence that only occurs in migrant communities, in particular those of the South Asian or Kurdish diaspora. The treatment of HBV within an entirely cultural framework is problematic and over-simplistic, often leading to inadequate and discriminatory policies.
2. ‘Honour crimes’ are not a new phenomenon. Misogyny implicitly derived from notions of preserving male ‘honour’ has, over time, expressed itself differently across cultures, including those without known ‘honour traditions’. For example, the common law defence of “provocation” – covering cases where a man is ‘provoked’ to commit femicide after discovering his wife’s infidelity – was only abolished in the U.K. in 2010 (and replaced by a not-altogether different defence of ‘loss of control’).[[4]](#footnote-3) An Italian court in 2019 reduced the sentence of a man convicted of femicide after sympathizing with the “disappointment” and “humiliation” the perpetrator felt when his wife failed to keep a promise to leave her lover.[[5]](#footnote-4)
3. When government initiatives view HBV as a problem only experienced in foreign/ migrant communities, this approach lends itself to instrumentalization by anti-immigration groups and polarizes public debate by reducing it to one about the ‘failure’ of immigrant communities to integrate. Reductionist and sensationalist accounts of HBV in the media reinforce the view that these crimes are unique to ‘backward’ societies, while positioning the views of Christian Europe as ‘enlightened’ and ‘civilized’.
4. Viewing HBV as a purely cultural phenomena can also result in it being ignored by public authorities, who may mistakenly view it as an ‘internal’ matter for the community to resolve with reference to their own cultural or religious traditions.
5. Without denying that there is a strong cultural dimension to HBV, we argue that policy approaches to combatting HBV should be mainstreamed under the broader category of violence against women. Tackling HBV within the continuum of violence against women reframes it as a human rights violation that both countries and individuals can be held accountable for. It places HBV within the remit of an international human rights framework, including the obligation of States to eliminate all forms of violence and discrimination against women.[[6]](#footnote-5)
6. A human rights approach to HBV entails that the practice can never be justified by reference to the culture, custom, religion, tradition of a particular community.

**Policy recommendations and good practices**

1. We encourage States to follow the example of Sweden and Belgium in implementing a national, multi-year and multi-stakeholder action plan for combatting all forms of gender-based violence, including specific strategies to tackle HBV. Below, we outline what we believe some of the key features of such a strategy should entail.

*Mandatory HBV-sensitivity training implemented across public institutions*

1. The ‘hidden’ nature of HBV entails that, in most countries, it is an underreported and poorly understood offense. In Cyprus, for example, the support offered to victims of HBV is extremely limited due to the fact that service providers do not clearly distinguish between HBV and other forms of gender-based violence.[[7]](#footnote-6) For those States that experience HBV, but where such crimes are poorly understood, it is essential at the outset for a clear definition of HBV, and training on how to identify and cater to victims, is adopted and disseminated widely.
2. Building the trust of minority women in reporting HBV crimes to the police, social workers and healthcare officials should be an essential pillar of any national action plan to combat HBV. A 2018 study conducted in the U.K. identified numerous barriers to minority women reporting instances of HBV to the police.[[8]](#footnote-7) The study highlights how the lack of sensitivity from first-responders and police can be devastating to the victim: for example, public police presence at a family home “may be seen as bringing ‘trouble’ to the family in a very public way, potentially invoking shame within the community”.
3. The attitudes of practitioners are of vital importance. Victims of HBV often put themselves most in danger when they break strict codes of family honour and confidentiality to seek help from external agencies. Professionals should be extra sensitive to the risk of reprisals being taken against women who ‘break the silence’ on the practices of their communities.
4. Institutions and organizations that work with victims of gender-based violence should routinely consider how issues of forced marriage and HBV are thought about within their organisations. Women and girls are likely to experience HBV within a broader pattern of abuse. For service providers, including police, social services, healthcare, and those operating domestic violence hotlines, it is critical to recognise and understand the links between the mechanisms of power, control, and coercion that may precede HBV, and the forms of abuse that can follow it. This will enable professionals to be sensitive to their multiple and intersecting vulnerabilities and provide better support to meet their needs.[[9]](#footnote-8)

*Programmes to challenge the validity of HBV-related beliefs*

1. Intervention in schools in an important arena for preventative work. Schools are community hubs with unique outreach capability amongst children and young people. Intervention in schools has the potential to help children to develop early awareness of recognizing abuse in their own homes, and amongst their peers.
2. In the United Kingdom, Southall Black Sisters, a black and minority ethnic women’s organization, has recommended the incorporation of forced marriage and HBV into the national curriculum.[[10]](#footnote-9)
3. In Sweden, since 2008 the National Agency for Education has been responsible for training teachers, school leaders and principals on honour‐related problems. The course is called ‘*Honour‐related problems – the school’s responsibilities and opportunities*’and consists of four full days of training.[[11]](#footnote-10)
4. In Norway, as a result of a 2008 national action plan against forced marriage, specially trained minority counsellors were installed in schools to support young people living in honour-related contexts. These counsellors help and provide guidance to students who are being controlled or at risk of violence from their families.[[12]](#footnote-11)
5. We recommend that States make space for lessons around sexual equality and violence against women, as well as HBV and the impact it has on the rights of women and girls, within schools. This could be achieved by incorporating discussions within the school curriculum, and could be enhanced further by appointing a specially-trained guidance counsellor who is able to act as a go-to individual in cases where students need immediate support. Importantly, education and training programmes should be developed and led by, or in consultation with, grassroots minority organizations.

*Interaction between immigration policies and HBV*

1. States must recognize that their policies on immigration have repercussions for the reporting and prevalence of HBV. Insecure immigration status and the fear of being deported and/or separated from one’s children deters women from reporting systemic abuse. The ‘hostile environment’ policy implemented by the UK government in 2012, which had the explicit aim of making the UK an unwelcoming place for undocumented people, led to increased discrimination in policing and racial profiling.[[13]](#footnote-12) As a result, many migrant communities in the U.K. have reported a lack of trust in the police. This is not helped by the finding that police have a practice of referring victims of domestic abuse to immigration enforcement.[[14]](#footnote-13) As Akpinar comments: “*so long as ethnic communities feel discriminated against in host societies, there is a risk that members of ethnic communities who hold conservative patriarchal values will turn inwards and continue exerting pressure on females by holding onto patriarchal values which are remnants of a rural/feudal culture*.”[[15]](#footnote-14)
2. In the UK, and in Sweden, undocumented migrants who are not legally resident do not have access to basic services to enable them to leave violent relationships. Most shelters, for instance, will not house undocumented survivors of abuse.
3. Spousal visas which have a probationary period attached to them are another issue, as they place victims of HBV in a position of legal dependency. Women who break off a relationship before the end of the probationary period attached to their spousal visa – which amounts 5 years in the UK, 2 years in Sweden – are at risk of deportation.[[16]](#footnote-15)
4. We recommend that States conduct a comprehensive analysis of their immigration laws to determine if any laws or practices in force act as a deterrent to victims of HBV reporting their abusers, or accessing support services.
5. Reform of immigration laws is urgently needed where victims of HBV are prevented from reporting abuse due to fear of deportation. Access to safe accommodation and other forms of support should not require proof of residency or immigration status. Shelters and organizations should instead provide women with a guarantee of non-disclosure to immigration authorities. States which require a spousal visa probationary period should reform these rules to enable victims of HBV to leave violent relationships without suffering any consequences to their residency status.

*More funding for resources, legal aid, services and shelters to protect and support victims/survivors.*

1. Wherever possible, support services for victims of HBV should be catered to their specific needs. The lack of special housing for victims of actual or potential HBV is a common issue. Traditional shelters may not always be appropriate for victims of HBV, whose complex needs may require particular forms of psychological support in order for them to feel safe and heard. In Norway, ‘*bokollektivet’* is a special safe house service run by the Oslo crisis center, which is intended for minority women fleeing their family due to threats or violence, including forced marriage.[[17]](#footnote-16)
2. Women are particularly vulnerable to abuse and victimisation in harsh economic times. The COVID-19 pandemic has led to an unprecedented increase in domestic violence, including HBV – though statistics on the latter are not readily available, anecdotally we know that lockdowns, and children being out of schools, has increased the likelihood of HBV occurring in closed-off environments.[[18]](#footnote-17)
3. The safety of women and girls must not be further compromised by austerity measures implemented in the wake of COVID-19. Funding for domestic violence resources, legal aid services, shelters, and services designed to support victims of HBV, should be increased and extended in the coming months, as an urgent means of addressing the ‘shadow pandemic’ of domestic violence that has proliferated as a result of COVID-19.

*Minority women must be consulted on and involved in developing policy on HBV*

1. Finally, it is imperative that government’s consult with and involve minority women, including those that have experienced HBV personally, when designing policy solutions to combatting HBV. This will help to establish victim-centered approach to policy and will minimize the risk of inappropriate or harmful policies being implemented.
2. In particular, minority women should be given the opportunity to feedback and critique draft anti-HBV legislation. As an example of legislative consultation, in 2014 the U.K. Home Office conducted a consultation on criminalising forced marriage. Organizations working with the victims of forced marriage, and victims themselves, expressed concern that the criminalization of forced marriage would drive the problem underground. They argued that many individuals, while wanting protection from the criminal justice system, would not want to prosecute and get their parents and families ‘into trouble’.[[19]](#footnote-18)
1. <https://humanists.international/about/> [↑](#footnote-ref-0)
2. A/HRC/20/16. [↑](#footnote-ref-1)
3. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/573877/EPRS\_BRI(2015)573877\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/573877/EPRS_BRI%282015%29573877_EN.pdf) [↑](#footnote-ref-2)
4. <https://tcf.org/content/report/kuwait-america-gender-based-killings-considered-less-murder/?session=1&session=1> [↑](#footnote-ref-3)
5. <https://www.theguardian.com/world/2019/mar/18/italy-jail-terms-reduced-men-killed-wives-femicide> [↑](#footnote-ref-4)
6. Article 4(c) of the Declaration on the Elimination of Violence against Women (2008) insists that states must “Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons.” The failure of states to exercise due diligence constitutes a violation of the human rights of women. Under the [Convention on the Elimination of All Forms of Discrimination against Women](http://www2.ohchr.org/english/law/cedaw.htm) (CEDAW), States are obligated to take appropriate measures to modify social and cultural patterns that discriminate against women, including customary and other practices “which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women” (Art. 5(a)). [↑](#footnote-ref-5)
7. <https://www.un.org/womenwatch/daw/vaw/ngocontribute/Mediterranean%20Institute%20of%20Gender%20Studies.pdf> [↑](#footnote-ref-6)
8. <https://www.tandfonline.com/doi/full/10.1080/10439463.2018.1427745> [↑](#footnote-ref-7)
9. <https://safelives.org.uk/practice_blog/thinking-intersectionality-forced-marriage-and-honour-based-violence-forms-violence> [↑](#footnote-ref-8)
10. <https://southallblacksisters.org.uk/news/forced-marriage-in-the-uk-an-abuse-of-human-rights/> [↑](#footnote-ref-9)
11. [https://www.diva-portal.org/smash/get/diva2:738392/FULLTEXT01.pdf](https://www.diva-portal.org/smash/get/diva2%3A738392/FULLTEXT01.pdf) [↑](#footnote-ref-10)
12. <https://www.jamstalldhetsmyndigheten.se/files/2019/05/discussions-in-progress-on-honour-related-violence-and-opression-2019-05-24.pdf> [↑](#footnote-ref-11)
13. <https://www.jcwi.org.uk/the-hostile-environment-explained> [↑](#footnote-ref-12)
14. <https://www.whiteribbon.org.uk/news/2020/2/11/preventing-so-called-honour-based-violence> [↑](#footnote-ref-13)
15. A. Akpinar, ‘The honour/shame complex revisited: violence against women in the migration context’ (2003), Women’s Studies International Forum, accessed via: <http://www.libris.bahcesehir.edu.tr/dosyalar/A.Erisim/AE0030.pdf> [↑](#footnote-ref-14)
16. <https://www.wegoproject.eu/sites/default/files/media/UN_Love%20is%20not%20a%20passport%20to%20Sweden_2018.pdf> [↑](#footnote-ref-15)
17. <https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/NOR/INT_CERD_NGO_NOR_32995_E.docx> [↑](#footnote-ref-16)
18. <https://karmanirvana.org.uk/living-with-honour-based-abuse-during-lockdown/> [↑](#footnote-ref-17)
19. https://howardleague.org/wp-content/uploads/2016/09/Should-forced-marriage-be-criminalised.pdf [↑](#footnote-ref-18)