



Australian Government
Refugee Review Tribunal

Country Advice

Netherlands

Netherlands – NLD40000 – Domestic
Violence – Honour violence – Migrant
victims

23 March 2012

1. Please provide information on the size and distribution of the Tigrinyan community in the Netherlands.
2. Please provide any available information on the prevalence of domestic violence in the Tigrinyan community.
3. Please provide information on attitudes towards single mothers in the Tigrinyan community.

No information was found in relation to the size or distribution of the Tigrinyan community in the Netherlands. Similarly no information was found regarding the prevalence of domestic violence or attitudes towards single mothers within the Tigrinyan community in the Netherlands. Please note that the Tigrigna language is primarily spoken in Ethiopia and Eritrea.¹

Only one reference was located in relation to the Tigrinyan community in the Netherlands. A 2011 publication on female genital mutilation (FGM) by *Vluchtelingen Organisaties Nederland* (Refugee Organisations in the Netherlands) states that “most of the Eritreans in the Netherlands are Tigrigna, Orthodox Christians.” The report also states that “little is known about Eritreans in the Netherlands”. The report provides the following information on FGM practises by Eritreans:

Little is known about Eritreans in the Netherlands. They are not only relatively invisible as a group, but the FGM risks to their baby girls have never been investigated. **Most of the Eritreans in the Netherlands are Tigrigna, Orthodox Christians.** The Tigrigna in Eritrea mainly perform clitoridectomy and this is done while the child is still a baby. As there has never been information of the use of clitoridectomy within this group, the question is whether Eritreans in The Netherlands still use this practice. (Dam 1994) For Eritreans in Dutch society it seems that female genital mutilation does not play essential part in their lives. Eritreans in the Netherlands were mainly politically-oriented and focused on the fight for freedom, and the war with neighboring Ethiopia. Eritreans stress, that as a group they no longer practice female circumcision. This distinguishes them from other ethnic groups and refugees from the Horn of Africa. Never the less the Eritrean in the Netherlands have been campaigning since the late 80th for the prevention for FGM. At that time their campaign was not good structured. But since 2004 till now has taken a very constructive step to prevent this harmful tradition. A total of 12 men and women are trained to conduct a prevention campaign against FGM with the Eritrean communities. Workshops to monitor the ongoing anti FGM campaign were also organized. Pamphlets and documentations in Tigrigna (Eritrean language) about the FGM harmful consequences have been published and distributed. These documents were used for information and sensitisation on FGM problems.²

¹ Ethnologue 2009, „Tigrigna’ http://www.ethnologue.com/show_language.asp?code=tir - Accessed 23 March 2012

² Refugee Organisations in the Netherlands 2011, *Change: We Make It Together Breaking the Silence*, p.57
<http://www.vluchtelingenorganisaties.nl/attachment/793> - Accessed 19 March 2012

4. What protection do the Dutch authorities provide to women who face domestic violence?

Domestic violence is a serious problem in the Netherlands. The government has programs and policies in place to combat this problem and provide protection to victims. Reports indicate that measures in place to assist domestic violence victims include: restraining orders, stronger penalties for domestic violence offenders, government subsidised shelters, free legal assistance for victims with temporary restraining orders and a GPS alarm system to protect victims of domestic violence and stalking.

The US Department of State's country report for the Netherlands, released on 8 April 2011, provides information on the prevalence of domestic violence in the country and the low arrest rate. The report indicates that authorities have taken measures to against domestic violence including temporary restraining orders, a 2008 to 2011 national action plan, public information campaigns and strong penalties. The government also subsidised shelters for victims of domestic abuse and provided support to Movisie, a NGO assisting victims of domestic abuse. The report provides the following information:

Domestic violence was the most prevalent form of violence in society. A factsheet issued by the Ministry of Justice in May 2009 indicated that there were approximately 500,000 incidents of household violence annually. Approximately 40 percent of the population experienced some form of domestic violence during their lives; 10 percent of these reported experiencing some form of physical, sexual, or mental abuse at least weekly, and 4 percent had been raped. According to police records, approximately 85 percent of victims were women. Police estimated that victims reported approximately 12 percent of all cases. **The government continued to implement a 2008-11 national action plan to intensify the fight against household violence that included a national survey on its scope.** In June the College of Prosecutors-General, which supervises the operation of the national and regional prosecutors' offices, issued new instructions for investigating and prosecuting cases of domestic violence and so-called honor violence.

In the Netherlands, spousal abuse carries a penalty that is one-third more severe than ordinary battery. Police records indicated that approximately 3 percent of spousal abuse cases reported to police resulted in arrests. The government provided support to the national organization Movisie (formerly TransAct), which assisted victims of domestic and sexual violence and trained police and prosecutors in investigating and prosecuting related crimes. **The government subsidized shelters for battered women. Mayors may impose temporary restraining orders on perpetrators of household violence; police figures indicated that 2,150 restraining orders were issued nationwide in 2009. In October the government repeated a public information campaign against domestic violence.**

...According to a report published in August, the National Expertise Center on Honor-Related Violence (LEC-EGG) received of 445 reports of possible honor violence in 2009, compared to 553 in 2008 and 493 in 2007. Of the 445 reports received in 2009, 54 percent involved threats, 31 percent physical violence, 3 percent allegations of murder, 3 percent attempted murder, and 2 percent rape. **The government has addressed the problem vigorously and continued a five-year program started in 2006 to combat honor violence that focused on prevention, protection, and criminal prosecution.** In 2008 the government set up LEC-EGG within the regional police department in The Hague. The center, accessible seven days a week and 24 hours a day, developed a checklist to help the police and other professionals identify honor violence cases.³

On 14 January 2011, the Netherlands Government reported on the outcomes of a national investigation into domestic violence. According to the press release "more than 200,000 persons in the Netherlands fall victim to domestic violence each year" and approximately 20% of domestic violence is reported to the police. This is an increase from 12% in 1997. The report states that

³ US Department of State 2011, *Country Reports on Human Rights Practices 2010 – Netherlands*, 8 April, Section 5

In a response to the report, the Ministers write that a great deal of progress has been made with the approach to domestic violence. In addition, they consider a further tightening necessary on the basis of this report.

First and foremost, the Dutch government wishes to strengthen the position of victims of domestic violence. This mainly concerns the reception and support of the various groups of victims of domestic violence, including increasing awareness of Support Offices for Domestic Violence.

In addition, the Dutch government attaches great importance to a strong approach to offenders. Additional measures are necessary, in particular as regards those who commit the most serious forms of domestic violence and repeat offenders.

The Ministers of Security and Justice, Health, Welfare and Sports, and Education, Culture and Science will present proposals for a stricter approach to domestic violence in the first half of 2011.⁴

A report published by Radio Netherlands Worldwide, dated 30 August 2011, states the Netherlands has approximately 30 women's shelters which house an estimated 16,000 women and children.⁵

On 14 February 2011, the Government of the Netherlands published a press release stating that since the introduction of the Act on Temporary Restraining Orders in early 2009, more than 5000 Temporary Restraining Orders had been used on perpetrators of domestic violence. The report provides the following overview on temporary restraining orders:

The Act on Temporary Restraining Orders (which entered into effect on 1 January 2009) authorises mayors to remove perpetrators from the home for a period of ten days in the event of an acute threat of domestic violence. In 2010, mayors imposed 2935 Temporary Restraining Orders; 2107 persons were removed from their home during the previous year. Opstelten speaks of a rapid and successful implementation of the act. An interim evaluation performed by Regioplan shows that the Temporary Restraining Order has an added value in the approach to domestic violence.

...The Act on Temporary Restraining Orders is part of the broad approach to domestic violence and child abuse. The Ministry of Security and Justice, and the Ministry of Health, Welfare and Sport jointly focus on the prevention, identification and stopping of domestic violence and child abuse and on limiting their harmful consequences.⁶

According to information on the Movisie website temporary restraining orders apply for ten days but can be extended for maximum of 28 days.⁷

A government press release dated 1 March 2011 states that free legal assistance is now available to domestic violence victims who have taken out temporary restraining orders. The press release states that:

From 1 March onwards, Victims Support Netherlands will offer free legal assistance to victims of domestic violence, whose assailants have been placed under a temporary restraining order. In this way Minister of Security and Justice Opstelten is responding to the need for legal assistance of victims of domestic violence, which is not offered by the regular government-funded services.

⁴ Government of the Netherlands 2011, „Domestic violence: more than 200,000 victims each year’, 14 January <http://www.government.nl/documents-and-publications/press-releases/2011/01/14/domestic-violence-more-than-200-000-victims-each-year.html> - Accessed 23 March 2012

⁵ Thiébaud, R. 2011, „Women's shelters – no more secret addresses?’, Radio Netherlands Worldwide, 30 August <http://www.rnw.nl/english/article/women%E2%80%99s-shelters-%E2%80%93-no-more-secret-addresses> - Accessed 23 March 2012

⁶ Government of the Netherlands 2011 „Over 5000 Temporary Restraining Orders imposed since the introduction of the act’, 14 February <http://www.government.nl/documents-and-publications/press-releases/2011/02/14/over-5000-temporary-restraining-orders-imposed-since-the-introduction-of-the-act.html> - Accessed 23 March 2012

⁷ Movisie (undated), *Domestic and Sexual Violence* <http://www.movisie.nl/onderwerpen/internationaal/docs/Factsheet%20Domestic%20and%20sexual%20violence.pdf> - Accessed 23 March 2012

When the mayor imposes a temporary restraining order on an offender, he or she may start proceedings against the mayor by submitting the case to the court in interlocutory proceedings. The offender receives legal assistance to start such proceedings.

Although the victim is not a party to the proceedings, he or she may still require legal aid. Until now this was not provided for. For that reason, Minister Opstelten requested Victims Support Netherlands to offer victims this legal assistance. Victims Support Netherlands has complied with this request and has made working arrangements with the Support Offices for Domestic Violence. These working arrangements will become effective on 1 March 2011.

The support offered by Victims Support Netherlands concerns legal assistance, such as providing information about court proceedings and assisting the victim in court, if necessary, or putting the victim's opinion of the restraining order into writing.⁸

In 2010 the European Commission published a comprehensive report outlining the national legislation and programs of various member states in relation to violence against women, children. The report states that the Netherlands have a GPS alarm system to protect victims of Intimate Partner Violence (IPV) and stalking. The report provides the following information on measures undertaken in the Netherlands for domestic violence:

In the Netherlands, Veiligheidshuizen („Safe Houses’) create a structure that facilitates multiagency cooperation (police, prosecutors, municipality, support workers and child protection). The idea is that much violent crime, including IPV or child abuse, is complex and multifaceted, needing to be combated in a multidisciplinary fashion. All the actors meet, sometimes on a daily basis, and discuss cases that have been reported during the past 24 hours, each party bringing in his/her own expertise. During these meetings they try to come up with a bespoke approach for each case.

...Spain and the Netherlands have introduced GPSbased alarm systems to protect victims in cases of IPV/stalking. Victims of IPV with a protection order receive an electronic monitoring device which allows them to identify when perpetrator is approaching, enabling them to call the police in time for protection. It is innovative in the sense that, in contrast to general tendencies, it aims to keep the offenders outside the criminal justice system, while ensuring protection of victims. There are positive reports of its effectiveness.⁹

5. Are there any programs providing protection and support to women from ethnic minority groups such as the Tigrinyan community in the Netherlands?

References were found to immigrant organisations in the Netherlands which assist migrant women who are victims of domestic and gender related violence. Reports also indicate that authorities in the Netherlands have provided programs for honour based violence as a specific form of domestic violence occurring in immigrant communities. This has involved the development and implementation of programs by national immigrant organisations in order to provide services to victims and to educate service providers.

A government of Netherlands website called *Huiselijkgeweld* provides information on „dealing with domestic violence’. The website includes a brochure called „Protect Yourself Against Violence’. The brochure states that it is “for women, in particular for black, migrant and refugee women” and includes the details of two organisations who assist migrant women. The brochure provides the following information regarding services available to domestic violence victims:

⁸ Netherlands Government 2011, „Victims of Domestic Violence Also Entitled to Legal Assistance’, 1 March <http://www.government.nl/documents-and-publications/press-releases/2011/03/01/victims-of-domestic-violence-also-entitled-to-legal-assistance.html> - Accessed 23 March 2012

⁹ European Commission 2010, *Feasibility study to assess the possibilities, opportunities and needs to standardise national legislation on violence against women, violence against children and sexual orientation violence*, p.102 & 105 http://www.huiselijkgeweld.nl/doc/english/standardise_national_legislation_VAW_EU_2010.pdf - Accessed 23 March 2012

Every local authority in the country has a social services department where people will listen to your problems and offer advice. The number is in the telephone book. You can go to a women's shelter if you need a safe place to hide for a while. In some districts, there is a special phone number for victims of domestic violence. You can find the addresses and numbers you need on the website www.huiselijkgeweld.nl.

If you want to talk to someone about domestic violence on the telephone, you can contact:

- Allochtone vrouwentelefoon (women's helpline):

... • Stichting Korrelatie (Correlation Foundation)

There are also organisations of migrant women that you can turn to:

- Stichting Kezban, (Kezban Foundation) can inform you about domestic violence:
- Stichting Shakti (Shakti Foundation) for support and guidance

...Addresses of therapy and self-help groups are available at local refugee organisations from your contact person at the Refugee Council or from social services.

...Use the law and the regulations designed to protect you. If necessary, seek a restraining order or report the violence to the police. If the case goes to court, request a lawyer to support you at all the hearings.

... If you do not speak Dutch, or not well enough, seek help from an organisation that speaks your language or where the services of an interpreter are available free of charge. Or carry the telephone number of an interpreting centre in the area, or take someone with you who you trust completely and who can interpret for you.

...If you need immediate help call the police: dial 112. The police are there to promote safety in all situations, and that includes cases of domestic violence. If they come to your home because you or your neighbours have called them, they will approach the offender about his behaviour and discuss what happens next. In cases of serious violence the police may prosecute, in which case the offender will probably be taken to court. If you have suffered violence, you can also go to the police afterwards. They will listen to you and explain what they can do. You can bring charges if you want to, or you can just tell them your story. If you do decide to bring charges, they will ask for proof; they will ask to see any wounds, and take statements from your doctor or anyone else who saw or heard what happened. As a woman, you are entitled to an individual residence permit if you divorce because your husband mistreated you. You will not have to leave the Netherlands.¹⁰

In 2010 the government initiated an awareness program for young migrants regarding the threat of forced marriages. The program called „stop coercion’ is reported to be part of wider framework to combat honour based violence.¹¹ The US Department of State’s most recent country report for the Netherlands provides further information on forced marriage and honour related violence in the country. According to the report “the government has addressed the problem vigorously and continued a five-year program started in 2006 to combat honor violence that focused on prevention, protection, and criminal prosecution.” The report states that:

In May the Justice Ministry, together with several NGOs, repeated the annual national information campaign to combat forced marriages and the abandonment by immigrants of their spouses in their country of origin. The campaign was intended to generate awareness among certain groups of young immigrants regarding the risks which they might be running in this regard and inform them about precautionary measures they could take to prevent forced marriage or being left behind during vacations in their parents' country of origin

¹⁰ „Protect Yourself Against Violence: What You Can Do Yourself’ 2005, *Huiselijkgeweld* website http://www.huiselijkgeweld.nl/doc/bescherming_tegen_geweld-engels.pdf - Accessed 23 March 2012

¹¹ Government of the Netherlands 2010, „Start of the campaign entitled 'Forced Marriages and Being Left Behind’, 12 May <http://www.government.nl/documents-and-publications/press-releases/2010/05/12/start-of-the-campaign-entitled-forced-marriages-and-being-left-behind.html> - Accessed 23 March 2012

According to a report published in August, the National Expertise Center on Honor-Related Violence (LEC-EGG) received 445 reports of possible honor violence in 2009, compared to 553 in 2008 and 493 in 2007. Of the 445 reports received in 2009, 54 percent involved threats, 31 percent physical violence, 3 percent allegations of murder, 3 percent attempted murder, and 2 percent rape. The government has addressed the problem vigorously and continued a five-year program started in 2006 to combat honor violence that focused on prevention, protection, and criminal prosecution. In 2008 the government set up LEC-EGG within the regional police department in The Hague. The center, accessible seven days a week and 24 hours a day, developed a checklist to help the police and other professionals identify honor violence cases.¹²

A 2010 paper by the United Nations Research Institute for Social Development provides further information regarding policies in the Netherlands to combat honour violence in immigrant groups. The report indicates that the provision of services for women victims of violence by local and national immigrant organisations. According to the report “Protection is largely covered by the shelters and other professionals (including the police), and prosecution by the police and the public prosecutor.”

National and local government have become the primary sites in which honour-related violence is discussed. These governments collaborate closely with various service providers, immigrant groups and the police.

...The policy approach to honour-related violence in the Netherlands focuses on three areas: prevention, protection and prosecution. In doing so, this policy builds on already existing approaches to addressing domestic violence. The prevention pillar primarily involves immigrant organizations that fall under the umbrella of the national immigrant organizations. The IOT, VON and Samenwerkingsverband Marokaanse Nederlanders (SMN, an organization of Moroccan Dutch) jointly developed a multiyear programme entitled On the (B)right Side of Honour. Working closely with these umbrella organizations, local immigrant organizations develop and implement programmes to make services accessible to victims of honour-related violence, to educate service providers on the particular contexts within which domestic violence, violence against women and honour-related violence occurs. **In addition, immigrant organizations develop general programmes to make gender equality and gender violence a topic of discussions among a wide variety of immigrant groups. Protection is largely covered by the shelters and other professionals (including the police), and prosecution by the police and the public prosecutor.** However, these organizations do not work in isolation; rather, the governance component of the Program Against Honour-Related Violence requires that all these groups work together to exchange information and develop strategies. The programme is currently funded through 2010; after this point, the expectation is that the police and shelters will have developed the necessary expertise to deal with the issue appropriately while the prevention pillar should have been integrated at the municipal level. **Overall, the programme aims to comprehensively address honour-related violence as a specific form of domestic violence that occurs within communities of immigrant origin.**¹³

¹² US Department of State 2011, *Country Reports on Human Rights Practices 2010 – Netherlands*, 8 April, Section 4

¹³ United Nations Research Institute for Social Development 2010, *Religion, Culture and the Politicization of Honour-Related Violence: A Critical Analysis of Media and Policy Debates in Western Europe and North America: Gender and Development Programme Paper Number 12*, Huiselijkgeweld website, October, pp.7-14

[http://www.huiselijkgeweld.nl/doc/publicaties/Religion Culture and the Politicization of Honour Related Violence 2010 UN.pdf](http://www.huiselijkgeweld.nl/doc/publicaties/Religion%20Culture%20and%20the%20Politicization%20of%20Honour%20Related%20Violence%202010%20UN.pdf) - Accessed 23 March 2012

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