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Honour Crimes against Men in Kurdistan Region of Iraq (KRI) and the Availability of Protection

Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah and Dahuk, KRI

6 to 20 January 2010

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Overview of fact-finding reports published in 2008, 2009 and 2010

Protection of victims of trafficking in **Nigeria**, Report from Danish Immigration Service's fact-finding mission to Lagos, Benin City and Abuja, Nigeria, 9 – 26 September 2007

2008: 1

Protection of victims of trafficking in **Ghana**, Report from Danish Immigration Service's fact-finding mission to Accra, Ghana. February 25 to March 6 2008

2008: 2

Recruitment of IT specialists from **India**, An investigation of the market, experiences of Danish companies, the attitude of the Indian authorities towards overseas recruitment along with the practices of other countries in this field. Report from the fact finding mission to New Delhi and Bangalore, India

4th to 14th May 2008

2008: 3

Report of Joint British-Danish Fact-Finding Mission to Lagos and Abuja, **Nigeria**. 9 - 27 September 2007 and 5 - 12 January 2008

2008: 4

Cooperation with the National Agency for the Prohibition of Traffic in Persons and other related matters (NAPTIP). Report from Danish Immigration Service's fact-finding mission to Abuja, **Nigeria**. 14 to 24 February 2009

2009: 1

Security and Human Rights Issues in Kurdistan Region of **Iraq (KRI)**, and South/Central Iraq (S/C Iraq), Report from the Danish Immigration Service's (DIS), the Danish Refugee Council's (DRC) and Landinfo's joint fact finding mission to Erbil and Sulaymaniyah, KRI; and Amman, Jordan, 6 to 23 March 2009

2009: 2

Honour Crimes against Men in Kurdistan Region of **Iraq (KRI)** and the Availability of Protection, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah and Dahuk, KRI, 6 to 20 January 2010

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Introduction and disclaimer

In March 2009 the Danish Immigration Service (DIS), Documentation and Research Division, undertook a joint fact-finding mission to Kurdistan Region of Iraq (KRI) with the Danish Refugee Council and Landinfo (Norwegian Country of Origin Information Unit). Among other issues, this mission was partly devoted to the issue of honour crimes against women in KRI and protection and assistance provided to women under threat from honour crimes.¹ However, since March 2009 a number of Iraqi (Kurdish) male asylum seekers in Denmark have claimed to be at risk of becoming victims of honour crimes in KRI.

The DIS undertook a fact-finding mission to Erbil, Sulaymaniyah and Dahuk in KRI from January 6 to 20, 2010. Among other issues the aim of the mission was to gather updated information on the protection and assistance provided to male victims of honour-related crimes in KRI. In addition, the delegation gathered information on the situation of internally displaced persons, entry procedures and residence, and the availability of an internal flight alternative for Iraqis originating from South/Central Iraq.

The delegation to KRI consulted representatives of Non-Governmental Organizations (NGOs), International Non-Governmental Organizations (INGOs), Kurdistan Regional Government (KRG) authorities, a university lecturer/researcher, and an independent newspaper. A complete list of all interlocutors is included at the end of this report.

All interlocutors consulted were informed that the delegation's report would be a public document.

All interlocutors were also informed that they would have their statements forwarded to them for corrections, comments and approval. The approved notes have been included in the report at hand. In very few cases it was found necessary to adjust certain phrases of the approved notes for clarification purposes. Such phrases have been modified slightly in order to avoid otherwise unclear statements. In addition few minor supplementary or explanatory clarifications are marked with a closed bracket [...].

All interlocutors agreed to have their final statements included into the report at hand.

One interlocutor, Edrees Salih, Deputy Country Director, QANDIL, Erbil, explained that QANDIL is not involved in activities addressing honour crimes. However, as a Kurd with substantial knowledge about Kurdish society and traditional Kurdish values, Edrees Salih agreed that he would have his statements regarding honour crimes in KRI included in the delegation's report, but only as a private person.

The delegation to KRI comprised Jens Weise Olesen, Chief Adviser and Vanessa Worsøe Ostenfeld, Regional Adviser, both Documentation and Research Division, DIS.

The report at hand is available on DIS's website: www.newtodenmark.dk

¹ Danish Immigration Service, *Security and Human Rights Issues in Kurdistan Region of Iraq (KRI), and South/Central Iraq (S/C Iraq), Report from the Danish Immigration Service's (DIS), The Danish Refugee Council's and Landinfo's joint fact finding mission to Erbil and Sulaymaniyah, KRI; and Amman, Jordan. 6 to 23 March 2009.* Copenhagen, July 2009, pp. 42-57.

1. Honour crimes against men in the Kurdistan Region of Iraq (KRI)

Khanim R. Latif, Director, Asuda for Combating Violence against Women (Asuda), Sulemaniyah, stated that the perception of honour is firmly entrenched in traditional Kurdish society.

Mahdi M. Qadr, Manager, and Fakhir Ibrahim, Coordinator, Public Aid Organization (PAO), Erbil, concurred that the conflicts related to honour [that exist in KRI], are rooted in the tribal mentality of society.

Edrees Salih, Erbil (see Introduction and disclaimer), informed that illegitimate sexual relationships are offenses that are dealt with according to Kurdish tradition and “Islam principles”. An offense against a family’s honour is serious, and conflicts can mainly arise between the two families directly involved and in some cases, other families could be involved depending on the linkage of those families to the clans.

Dr. Jwan Ihsan Fawzi, Researcher/Lecturer, University of Sulemaniyah, explained that it is the norm in Kurdish society that men embark on illicit sexual relationships. Society in KRI is male-dominated and many men are ready to take on the risk that is associated with illicit sexual relationships.

Hassan Berwari, Country Representative, Diakonia, Dahuk, stated that women, as well as men, are victims of honour crimes, and both are being killed for honour offenses. It was emphasized that men are equally at risk of becoming victims of honour crimes as women.

Honour crimes against men are common in KRI. It was added that conflicts arising from sexual relationships between young men and women are not as numerous [as earlier].

Edrees Salih, Erbil, stated that honour crimes have been significantly reduced in KRI during the recent years. However, still, in some cases, the threat posed to such men involved in offenses, exists up until a reconciliation being reached.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, informed that she had heard of men being victims of honour crimes.

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, stated that the concern of a wrong-doing against a family’s honour does not diminish over the years. Wrong-doing against honour is considered unforgivable.

Sardasht Abdulrahman Majid, Director, and Aree Jaza Mahmoud, Lawyer, Democracy and Human Rights Development Center (DHRD), Sulemaniyah, emphasized that honour is not a short-term matter. Honour is eternal in the sense that the offended family may seek retribution for years to come, or even for generations.

Ari Rafiq, Director, and Huda S. Zangan, Member of Advisory Committee, Directorate to Follow-up Violence against Women (DVW), Erbil, informed that the risk of falling victim to revenge because of an honour-related offense is real and can be long-term. Reference was made to an incident in Sulemaniyah where a man still fears for his life 18 years after he wronged a family’s honour. It was added that the offended father or husband would often prefer imprisonment for having committed an honour crime rather than face society and the shame associated with not having re-established the honour of his family.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, emphasized similarly that an affronted honour can be an on-going issue, and it may even survive generations.

According to Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, violence committed against men in KRI is a sensitive issue, and therefore accurate information on this question is hard to find.

Kajaw Jamal Jalal, Deputy Chief Editor, *Hawlati* newspaper, Sulemaniyah, explained that *Hawlati* newspaper has reported on honour crimes against men on a few occasions. However, it is very difficult to get someone to speak out on honour-related matters. Kajaw Jamal Jalal referred to a recently published article in the newspaper *Rudaw* concerning an honour crime committed against a young couple that had eloped. The article, as well as an unofficial English translation, is included as Annex 1.

1.1. Honour crimes in urban and rural settings

Sardasht Abdulrahman Majid, Director, and Aree Jaza Mahmoud, DHRD, Sulemaniyah, explained that there is some degree of variation as to how the concept of honour is being dealt with in rural areas and urban areas.

The Directorate of Follow-up on Violence against Women (DVW), Sulemaniyah, underlined correspondingly that there are differences as to how the notion of honour is perceived by people in urban settings as opposed to those in rural settings.

Kajaw Jamal Jalal, *Hawlati* newspaper, Sulemaniyah, informed that the phenomenon of honour crimes is common in rural areas, and to a lesser extent in the larger cities of KRI.

Hassan Berwari, Diakonia, Dahuk, stated that an increasing number of families living in the cities do not have the same attitude [as earlier] regarding illicit relations between men and women, as they are generally more liberal than rural families. Such families [in the cities] accept the relationships, all the while pretending not to know about them, unless these are sexual.

Khanim R. Latif, Asuda, Sulemaniyah, confirmed correspondingly that honour crimes are more common in rural settings than in the major cities.

Ari Rafiq and Huda S. Zangana, DVW, Erbil, informed that the phenomenon of honour-related crimes against men occurs in the larger cities, as well as in rural settings.

Edrees Salih, Erbil, informed that the majority of Iraqis, including Kurds, to some extent are associated with their tribal community, irrespective of whether they live in the cities or in the countryside.

2. Resolving honour-related conflicts

Hassan Berwari, Diakonia, Dahuk, stated that although there are laws² addressing the issue of honour crimes in KRI, ordinary people are looking to tribal leaders rather than the authorities (police and courts) in settling any disputes. The strength of tribal links is prevailing among Kurds in KRI. Family ties are very strong, and the tribal leaders represent the whole tribe, also when it comes to addressing honour.

According to Hassan Berwari, Diakonia, Dahuk, due to lack of awareness and lack of confidence in the authorities, many turn to tribal solutions.

There are major dissimilarities between tribes as to how honour issues are being addressed. It was stressed that most families would prefer to settle disputes related to honour through family or tribe rather than through the authorities as the honour and the reputation of the family when related to females is “better protected” [through the family or the tribe].

Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, explained that anyone violating traditional values and rules, by having an illicit sexual relationship, will be at high risk of being punished [by their family or tribe].

Ari Rafiq and Huda S. Zangana, DVW, Erbil stated that disputes and crimes related to honour differ from case to case, and that there is no straightforward solution as to how to settle such matters.

2.1. Settlements involving non-violent solutions

Edrees Salih, Erbil, stated that in many honour cases, reconciliation could take place.

Edrees Salih, Erbil, pointed to the so-called social committees which are sometimes established locally by the political parties. The social committees have succeeded in resolving honour-related disputes between families or tribes. It was added that the social committees are actively engaged in conflict resolution in many types of conflicts on a local level.

These committees are “very efficient [in] conflict resolution” between families, according to Edrees Salih, Erbil. The social committees are entrenched in the local community, and they enjoy the support from the locals.

Regarding social committees, Hoshyar S. Malo, Director, Kurdish Human Rights Watch (KHRW), Erbil, stated that they do not exist [as such]. A social committee could refer to instances when e.g. two tribes make an agreement on how to solve a tribal dispute. It was added that if two families cannot reach a settlement, tribal leaders or elders would often get involved.

As an example of how a dispute could be solved Hassan Berwari, Diakonia, Dahuk, referred to a particular case: A young man ran away with his girlfriend, however, as the situation escalated, he sought the protection of the police as he feared becoming a victim of an honour crime. All the

² Kurdistan Democratic Party (KDP) passed Law 14 of 2002 which states: “The perpetration of a crime with respect to women under the pretext of honourable motives shall not be considered an extenuating legal excuse for the purposes of applying the rules of articles 128, 130 and 131 of the Penal Code no. 111, 1969, amended”, from Amnesty International, *Hope and Fear, Human Rights in the Kurdistan Region of Iraq*, MDO 14/006/2009, April 2009, p. 31.

while, 18 armed members of the girl's family were after him, and the police decided to contact the tribe to settle the matter which was finally solved through the tribal leaders.

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, informed that as part of PAO's social work, the organization has been involved in some cases of mediation [in honour disputes] between families. They added that occasionally mediation efforts have failed.

Even in situations where the conflict of honour has been settled within or between families or tribes, there may be family members who are dissatisfied with the settlement and still feel their family honour tainted. Such a dissatisfied person poses a real threat to the offender of honour.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, explained that reconciliation attempts might take place in some [honour-related] cases, but this is not always a lasting solution.

2.2. Settlements involving marriage

Hassan Berwari, Diakonia, Dahuk, stated that in some cases a [tribal] settlement involves reconciliation. Such a settlement could involve an acceptance of marriage between the couple.

Hoshyar S. Malo, KHRW, Erbil, asserted concerning offenses against a family's honour due to a relationship between a young man and a woman, that a settlement would often involve marriage. However if not completely settled, "blood between two tribes will never end", according to Hoshyar S. Malo.

Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, explained that in urban areas it is not uncommon that reconciliation and compensation would take place. The end result of reconciliation could be that the couple marries either voluntarily or by force. Even if the couple marries, the girl could risk that her father decides never to see her again.

The solution however, depends on the individual family's position in society and the perceived degree of damage done to the family's honour. It was emphasized that any solution reached depends exclusively on the families concerned.

It was added that in some cases, the solution could involve compensation to the family whose honour has been affronted, i.e. the family of the girl or woman. Compensation could involve money or that the family of the male offender accepts that a woman of the family is married off to a member of the offended family.

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, informed that PAO is also aware of cases concerning married women with children who have had illicit relations with young men. In some cases, the husband has attempted to seek revenge on the young man's family. In these cases, the heads of the tribes involved, or a mediator, might also find a solution which could involve the young man marrying the woman. However, it was added, mostly young men will not wish to marry the woman with whom they have had an affair as young men are concerned with their reputation.

Regarding settlements between families, it was stated that the heads of the tribes involved, or a mediator, might also find a solution which could imply forced marriage. The latter is more likely to take place if the two families involved are of similar social status.

Ari Rafiq and Huda S. Zangana, DVW, Erbil, referred to a recent incident in which a man had a sexual relationship with a 15 year-old girl. The girl's father discovered the affair, and he identified the offender. The girl and the offender were at risk of being killed by the girl's father, but in this particular case, a preliminary agreement was reached. The couple has now married and so far, no revenge or killing has taken place. However, the case is still not completely settled and therefore delicate.

When asked if a 15 year-old girl can legally marry, Ari Rafiq and Huda S. Zangana, DVW, Erbil, explained that if both families agree to the marriage and the young girl consents to marrying the man, the marriage is legal. The DVW is involved in this case and is doing its utmost to secure that the girl is not hurt or killed by members of her own family.

2.3. Settlements involving killing

Ari Rafiq and Huda S. Zangana, DVW, Erbil, stated the risk of retribution for an honour-related offense is always there. The matter of a tarnished honour of a family not yet rectified is eternal, and if a lasting reconciliation is not accomplished, the offender of that family honour will be at risk at all times. Even if a man responsible for threats against a man who has offended his family's honour is imprisoned, there is a serious risk that another member of the offended family will undertake the revenge, including the killing of the offender.

Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, stated that in rural areas, the offenders of a family's honour would be at a very high risk of being killed. The girl's father or the woman's husband would most likely kill his daughter or his wife for having an illicit sexual relation with another man. It was added that the killing could also be committed by other family members. After this, the male offender would then be at high risk of being killed.

Hassan Berwari, Diakonia, Dahuk, confirmed that women, as well as men, may be killed for having committed an honour-related offense when there is a tribal settlement to the issue.

It was underlined that reconciliation is more common when disputes are among families within the same tribe. When the dispute is between families from different tribes, killing of the offender/offenders is often the ultimate solution.

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, stated that occasionally a settlement between the families involved, could include an agreement to kill the daughter and the son of the respective families.

Hoshyar S. Malo, KHRW, Erbil, explained that two heads of tribes may decide that the two families involved in an incident where a family's honour has been tainted, should kill their son and daughter respectively. The solution involving a family agreeing to kill their own son themselves is not unusual, as this prevents more "blood" between the tribes.

By killing their own son, the family "cuts the blood" and prevents more blood from flowing between the tribes. Settling honour issues often involves marriage, however, it is not always the case that this can be accepted which subsequently can lead to more serious settlements involving killing.

Hassan Berwari, Diakonia, Dahuk, referred to a case involving a married woman who had been adulterous with a young man. Upon finding out the husband of the woman killed his wife and the

young man who she had had an affair with. He also killed his daughter as he had discovered that she had sent text messages on her mobile phone to a boy. The man went into hiding and was wanted by the police. While he was in hiding, the two families were warring each other which also was affecting the tribes of the families. The tribal leaders were called together to settle the issue. The settlement [reached] involved that the young man's tribe has lost one person and the other had lost two women, which was acceptable to the tribes. The man committing the honour crimes was never punished.

3. Availability of protection and assistance to men against honour crimes

Concerning honour crimes and assistance to victims of honour crimes, Hassan Berwari, Diakonia, Dahuk, explained that all focus is on women. However, men are also victims of honour crimes. It was added that KRI is a tribal society, and defending a family's honour is the concern of men.

Khanim R. Latif, Asuda, Sulemaniyah, stated that male victims of honour disputes are much less likely than women to find assistance and protection from the police and/or from other authorities as well as NGOs. Basically, men who are under threat of an honour crime, such as killing, only have the option to flee the country.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, confirmed Khanim R. Latif's observation that male victims of honour threats are much less likely than women to find assistance and protection from the police and/or other authorities and NGOs. There are only shelters for accommodating women, and there are no NGOs or governmental institutions that address the issue of men as victims of honour threats.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, did not consider that assistance to men who may be victims of honour revenges would never take place in KRI. Honour crimes are punishable according to the law. The courts will take on cases related to honour crimes, but there is no guarantee that the victim would be safe for that reason. There are examples of court trials in which an accused person has been freed of all charges only because he belonged to a prominent and influential family.

Ari Rafiq and Huda S. Zangana, DVW Erbil, informed that honour crimes against men also exist outside of KRI and that even in the US or Europe, there have instances where authorities have been unable to protect against retaliation in cases of honour disputes. It was added that KRI has a law in place by which perpetrators of honour crimes can be punished. Persons fearing honour crimes should approach the authorities and make use of the law.

DVW Sulemaniyah, stated that there are currently a number of ongoing court cases related to honour crimes that have involved men as victims.

Khanim R. Latif, Asuda, Sulemaniyah, stated that a man who commits an honour crime is generally better protected from being prosecuted if he belongs to an influential family. It was emphasized that even if trial proceedings do take place against the alleged perpetrator, there is no guarantee that the person under threat of an honour crime would be safe. Trials concerning honour crimes in which the victim is a man are very recent, and it is not yet possible to state whether a person under threat from an honour crime would be safe or not.

Furthermore, it was considered likely that, if the perpetrator of an honour crime is imprisoned, his determination to seek revenge upon release will have grown even stronger. Besides, his family might commit the revenge killing on his behalf while he is imprisoned.

Ari Rafiq and Huda S. Zangana, DVW, Erbil, informed that some families do not believe that punishment according to the law is adequate for punishing persons who have shamed the family.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, explained that she had undertaken research related to honour crimes against women in 2007 in Sulemaniyah. As part of her research, she undertook interviews of imprisoned men convicted of honour crimes. All convicts interviewed stated that they were proud of their deeds. It was added that none of the convicted men had committed their crime against men, only against women.

Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, stated that it is rare that a male offender of honour would seek the protection of the authorities against threats of retribution.

Hassan Berwari, Diakonia, Dahuk, added that honour-related threats have led some offenders to join terrorist groups upon realizing that no one can protect them.

3.1. Protection and assistance from the police

Kajaw Jamal Jalal, *Hawlati* newspaper, Sulemaniyah, considered that when men are at risk of being victims of honour crimes, they are in real danger. Honour is a genuine issue and it would often be shameful for a male under threat of an honour crime to approach the police for protection. Should a man request assistance and protection from the police, it is by no means certain that the police would be able to address the threat against him permanently.

In some cases, the police might attempt to reconcile the parties involved in the conflict. However, one cannot be confident that a police officer would consider the alleged threat against the claimant as a genuine issue. On the other hand, the police would allow the claimant to file a case against his alleged perpetrator.

Hassan Berwari, Diakonia, Dahuk, stated that sexual relations between an unmarried couple is considered a crime according to tribal tradition. Should a male offender fear revenge from relatives of the woman with whom he has had a relationship approach the police, he would most likely be offered protection. However, the only possible way for him to be protected would be to be kept in police custody. At the same time, the police would most likely try to solve the issue by requesting the tribal leaders to settle the dispute. It was emphasized that if a married woman has a sexual relationship with another man, she would definitely be killed by her husband's family or tribe due to their perception of honour.

DVW Sulemaniyah, informed that those men whose lives are threatened due to an honour offense can be protected by the police temporarily. Protection can be given by permitting them [men at risk] to stay in police detention.

Hassan Berwari, Diakonia, Dahuk, stressed that the authorities will not be able to protect a man at risk of an honour crime in the long run. It is not a durable solution to stay in prison.

Dr. Jwan Ihsan Fawzi, University of Sulemaniyah, stated that to approach the police in an attempt to avoid becoming a victim of an honour crime, is not a feasible solution. The influence and power of the offended family may well be stronger than the authority of the police. The vast majority of persons under threat from honour crimes would never seek the protection of the police. Many police officers are influenced by tribal authority and tradition. It was added that the local community is likely to support tribal solutions with regard to offenders of honour, even when this involves the killing of the offender/offenders.

Kajaw Jamal Jalal, *Hawlati* newspaper, Sulemaniyah, emphasized that the course of action of police in KRI is not comparable to action taken by police in Europe or Canada for example. The only option in KRI is that the police may offer a man at risk of an honour crime protection in detention.

Kajaw Jamal Jalal, *Hawlati* newspaper, Sulemaniyah, stated that he had personally experienced honour-related threats. The father of his wife does not accept their marriage, and the only reason that Kajaw Jamal Jalal dares to stay in Sulemaniyah is the fact that the father of his wife is unaware of his presence in KRI. Kajaw Jamal Jalal stated that should the father of his wife attempt to trace him in order to restore his family's honour, the police would not be able to do much to protect him against threats related to honour. The police is unlikely to act before a crime of honour has been committed.

Ari Rafiq and Huda S. Zangana, DVW, Erbil, emphasized that protection of men by the police can never be 100 %, but the police can attempt to reconcile the parties involved in the matter.

There is no guarantee that such a settlement will be a lasting solution and there may be circumstances where the police do not have the power or influence to reconcile the parties. It was added that the KRG authorities are unable to protect a male offender of honour for the rest of his life.

Sardast Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, had never heard of a man involved in a conflict concerning honour seeking the assistance of the authorities. Theoretically a male offender, who has been threatened as a result of a sexual affair, can approach the police, but Sardast Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, had never heard of this being the case.

A man might seek protection from the police or the DVW, however, this is not a durable solution. If the offender has had a sexual relationship with an underage girl, i.e. a girl under 18, he would be detained by the police. On the other hand, if the girl is not underage the police might accept that he file a complaint at the station.

It was stressed that it is not illegal by law for a girl over 18 years of age to have consensual sex, however, it was emphasized that according to traditional values of society, she would risk being punished by her family or tribe for having such relations. It was added that whether or not the police would be willing to address his complaint, depends on the societal status of the man's family.

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, stated that it is unlikely that a person involved in adultery would seek protection with the police, as this is considered a criminal act. The man could seek temporary protection in police custody, however, upon release he would still be at risk from the family of the woman.

3.2. Protection and assistance from the Directorate to Follow-up on Violence against Women (DVW)

Ari Rafiq and Huda S. Zangana, DVW, Erbil, informed that in cases of honour disputes where DVW gets involved, there is no one way to address the issue at hand. Most importantly DVW attempts in these cases to find a solution that does not involve killing the parties involved. DVW has an "optimistic" point of departure, and it was stated, "we believe there is a solution to every problem [and we] just need patience and thoughtfulness. There is change in society, although it is

slow, but [it is] a good start”. It was added that “there is much work [to be done] to change this belief and thinking [concerning honour]”, and Ari Rafiq and Huda S. Zangana, DVW, Erbil, pointed to the fact that “DVW is working to change this belief.” [The perception of honour] is based on a “false belief,” and it was stressed that time is needed to work with this.

It was stated by Ari Rafiq and Huda S. Zangana, DVW, Erbil, that the DVW has no mandate to address the issue of men as victims of honour crimes. When men become victims, it is the police that takes care of such cases. However, as already stated, there are no other protection facilities for men than detention or prison.

In its effort to combat honour crimes, the DVW has published photos of persons who are suspected of honour crimes. During 2009, the photos of eight perpetrators had been published by DVW and as a result, four of these have now been arrested. Among those arrested are some prominent persons.

DVW Sulemaniyah, explained that DVW always takes cases involving violence against women seriously. It is [however] not assisting men who risk becoming victims of an honour crime.

Hassan Berwari, Diakonia, Dahuk, considered that DVW might be in a position to assist men that are victims of honour crimes. The DVW is doing a lot to combat honour crimes, but mostly it will be the tribal leaders that settle honour disputes.

Ari Rafiq and Huda S. Zangana, DVW, Erbil, explained that the DVW [in general] does not provide assistance and protection to men who fear becoming victims of honour crimes. The male who has offended the honour of a family can only seek protection in police custody, i.e. in detention or prison. It was confirmed that there are no shelter facilities to protect men in KRI. However, it was emphasized that protection of men in detention or prison is not a punishment but solely a protective precaution.

However, DVW can assist men who fear becoming victims of an honour crime until an appropriate solution is found for both parties. On the other hand, DVW does not have a shelter to protect them from reprisals from the families they have insulted. As a result, men [in need of protection] can only be kept in detention until the issue is resolved.

Should a man in need of protection leave detention, he could be in immediate danger of acts of revenge from the offended family.

DVW Sulemaniyah, stated that DVW cannot protect men in the same way it can protect women. However it will attempt to help them [men] solve conflicts related to honour.

3.3. Protection and assistance from Non-Governmental Organizations (NGOs)

When asked if there are governmental bodies or NGOs that could assist a male who has offended a family’s honour, Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, stated that this is not the case. However, it was mentioned that an organization called the “Union of Kurdish Men” deals with issues related to men.

Concerning the “Union of Kurdish Men”, Khanim R. Latif, Asuda, Sulemaniyah, stated that the NGO is about a year old and that it is mainly occupied with men’s right to polygamy. It was added the organisation does not address issues such as honour crimes against men who have had a sexual relation with a girl or a married woman, and that it does not have a shelter to accommodate men.

Hassan Berwari, Diakonia, Dahuk, stated that he had never heard of men being assisted by any NGO in a situation where they fear becoming victims of an honour crime. The only option for such men is either to turn to the authorities or to a tribal leader, or to leave the country. It was emphasized that turning to the authorities for protection would not be a durable solution.

Khanim R. Latif, Asuda, Sulemaniyah, explained that if a man and a woman under threat of an honour crime approached Asuda, it would not be possible for Asuda to accommodate both in Asuda's shelter. Such a case has occurred, and Asuda had to advise the man to go into hiding by leaving Iraq.

3.4. Protection and assistance in shelters

DVW Sulemaniyah, stated that there are no shelters, or other facilities, to protect men.

Khanim R. Latif, Asuda, Sulemaniyah, stated that the situation for a man under honour-related threat is considerably more difficult than for a woman under threat. It was confirmed that there are no shelters for men, only detention facilities, and this is no solution, according to Khanim R. Latif.

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, also informed that there are no shelters for men who may be in need of protection, and their only option is to find safety in police detention.

Hassan Berwari, Diakonia, Dahuk, correspondingly stated that there are no shelter facilities in KRI for men at risk of an honour crime.

Finally, Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, informed that NGOs cannot provide protection, and there are no shelters in KRI that can accommodate males.

3.5. Protection and assistance from relatives or tribes

Hassan Berwari, Diakonia, Dahuk, informed that there are examples of men being protected by close relatives, for instance an uncle that is more influential and respected than the man's own father. However, an offender will never be able to be protected against the revenge of the girl's family. Honour is eternal and even after time has passed, the honour of the offended family will still have to be protected. Even after many years, the offender can still be at serious risk of becoming a victim of an honour crime.

Hoshyar S. Malo, KHRW, Erbil, added that some may turn to a larger more powerful tribe for assistance, e.g. the Barzani tribe.³ Should a person turn to the Barzani tribe, he would [most] likely be safe for the time being, and the Barzanis may try to mediate between the tribes involved. It was added that many disputes of honour have been solved through the Barzani tribe.

3.6. Protection by going into hiding or fleeing the country

DVW Sulemaniyah, stated that the only solution for a man in need of protection is to disappear, i.e. to escape abroad. There are examples of men who have left for Iran, Syria and Turkey or even to Europe in order to seek protection against honour killing. If a man from a poor family marries a

³ The President of KRG and leader of KDP is Massoud Barzani, son of Mustafa Barzani who founded KDP in 1946 and led the party up until his death in 1979.

woman of a more influential or rich family without the consent of the woman's parents, he could risk being killed if he stays in Iraq. However, it could also be the case that the family of the woman simply chooses never to see her again and that she is outcast by her own father.

DVW Sulemaniyah, explained that a man will find it easier than a woman to travel abroad on his own. On the other hand a woman would more easily be able to access protection and assistance from the police, the DVW and NGOs in KRI.

Sardasht Abdulrahman Majid and Aree Jaza Mahmoud, DHRD, Sulemaniyah, stressed that if the couple is unable to marry for whatever reason, then the only durable solution available to the male offender would be to "run away".

Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, were aware of cases where compensation has been demanded from a young man's family and where this has not been feasible for the family. It was explained that even the family of the boy [the offender] will not defend the young man and could even agree to kill him. A young man is likely to flee in order to find protection.

Concerning crimes of honour committed against men, Mahdi M. Qadr and Fakhir Ibrahim, PAO, Erbil, confirmed that such cases existed [in KRI], and that persons are likely to flee to avoid persecution.

When asked which options a man at risk of an honour crime has to seek protection, DVW Sulemaniyah, stated that the only option would be to seek protection abroad. Reference was made to a recent incident in a part of the city of Sulemaniyah called Rizgari where a couple in love had married. They were married for three months, however without the consent of the girl's brother or uncle. As a result the woman's uncle and her brother came to Sulemaniyah and killed the husband and seriously wounded the wife who was pregnant. The police are now investigating the case and they consider it to be a murder case. If caught and tried in court, the uncle and the brother would risk being charged with murder according to the law. See Annex 1 for further details.

According to DVW Sulemaniyah, the truth is, that if they [couples marrying against the will of their families] stay in Iraq, they are at risk of being killed by the family.

Jwan Ihsan Fawzi, University of Sulemaniyah, explained that when reconciliation is not durable the man at risk can do nothing but try to flee the country. He might even attempt to relocate within Iraq all the while changing his name to avoid being found.

Kajaw Jamal Jalal, *Hawlati* newspaper, Sulemaniyah, informed that it is not safe for a man under threat from an honour crime to remain in Iraq. It might not even be safe for him to leave Iraq for e.g. Iran, Turkey or Syria. Even if the person under threat stays abroad for a number of years and eventually returns to KRI, it is not certain that he would be out of danger before the honour of the family involved is restored.

Hassan Berwari, Diakonia, Dahuk, stated that relocation to another part of KRI was [is] not an option as the family seeking him is likely to pursue him.

Edrees Salih, Erbil, informed that it would not be an option for a man at risk of an honour crime to go into hiding for an extended period of time.

Regarding runaways, Khanim R. Latif, Asuda, Sulemaniyah, explained that a man who has offended a family's honour could always be victim to an honour crime. Khanim R. Latif, Asuda, Sulemaniyah, referred to the above-mentioned case from Rizgari, Sulemaniyah. In this case the man of a runaway couple was killed by members of the woman's family and the woman was seriously wounded. The woman was subsequently abandoned by her own family. However, the father of the male victim offered to adopt the woman and her daughter. Investigation of the case is still on-going, and the woman remains under threat from her own family as the issue has not yet been settled. See Annex 1 for further details.

However, it was added that even when a man at risk of honour killing escapes abroad, there is no guarantee that he will be safe, not even in Europe. It is the obligation of the father, or other male members, of the offended family to re-establish the family's honour, and that may often involve killing of the offender.

4. Verification of asylum claims

Edrees Salih, Erbil, considered that it would be difficult for immigration authorities abroad to verify asylum claims related to honour crimes. The best way to try to verify such cases would be through the police offices.

Khanim R. Latif, Asuda, Sulemaniyah, offered to verify asylum claims related to honour crimes against men in KRI.

Abbreviations

DHRD – Democracy and Human Rights Development Center

DIS – Danish Immigration Service

DVW – Directorate of Follow-up on Violence against Women

INGO – International Non-Governmental Organization

KDP – Kurdistan Democratic Party

KHRW – Kurdish Human Rights Watch

KRG – Kurdistan Regional Government

KRI - Kurdistan Region of Iraq

NGO – Non-Governmental Organization

PAO – Public Aid Organization

Consulted Sources

Aree Jaza Mahmoud, Lawyer, Democracy and Human Rights Development Center, Sulemaniyah.

Ari Rafiq, Director, Directorate to Follow-up Violence against Women, Erbil.

Directorate of Follow-up on Violence against Women, Sulemaniyah

Dr. Jwan Fawzi, Researcher/Lecturer, University of Sulemaniyah, Sulemaniyah.

Edrees N. Salih, Deputy Country Director, QANDIL, Erbil.

Fakhir Ibrahim, Coordinator, Public Aid Organization, Erbil.

Hassan Berwari, Country Representative, Diakonia, Dahuk.

Hoshyar S. Malo, Director, Kurdish Human Rights Watch, Erbil.

Huda Sabir Zangana, Member of Advisory Committee, Directorate to Follow-up Violence against Women, Erbil.

Kajaw Jamal Jalal, Deputy Chief Editor, *Hawlati* newspaper, Sulemaniyah.

Khanim R. Latif, Director, Asuda for Combating Violence against Women, Sulemaniyah.

Mahdi M. Qadir, Manager, Public Aid Organization, Erbil.

Sardashast Abdulrahman Majid, Director, Democracy and Human Rights Development Center, Sulemaniyah.

22-year old wounded woman, Sirwa Mohammad Amin, the wounded Sirwa stated from her hospital bed her tragic story to *Rudaw*.

Aram's father Jamal said, "Aram had lost his mind and wished that we ask for Sirwa's hand or he would kill himself, and Sirwa had told her family the same thing. But unfortunately we went three times and asked for her hand, but were rejected", while Aram's father who mourns his son's death added "Some years ago that family came and asked for my daughter's hand, and I gave them my daughter. She is this family's daughter-in-law". Aram's father says that those who attacked his son's house on January 3, 2010 were 17 persons.

Even though Aram and Sirwa came from Dukan, they were compelled to leave the town and go to Sulemaniyah to get away from Sirwa's brother's threats. Sirwa and Aram had in desperation contacted a judge and married, and afterwards contacted the police, upon which the judge called in both families and told them that the two were now wed and that they must show compassion. Aram's father said, "Sirwa's family accepted, with the exception that the couple were not to return to Dukan. However, I told to security forces that that family could not be trusted and that they would kill them, but they did not listen".

Sirwa speaking with difficulty, says of the incident, "Aram was sleeping while I was in the shower and some persons came into the house and started shooting, when I hurried out and saw that Aram had been killed, after which shots were fired at me". She added, "I saw my brother, with numerous other relatives, shooting".

Sirwa said 48 hours prior to the incident that she had been with Aram at home, and that Aram had told her many sweet things and had asked Sirwa if she feared dying. "I answered no, and he said that he then also did not fear death". Sirwa said that she promised him that she would be with him wherever that may be, and he promised her the same. Sirwa says, "So if I recover, I will commit suicide, so I can be with Aram". It is a dangerous bell that rings and one has to be aware of it.

Sirwa argued with the doctors at the hospital, as they wished to scan the fetus inside her, to ensure its health, all the while Sirwa cried, "I do not want anything to happen to the only thing that remains of Aram, I don't want you to x-ray the fetus and put its life in danger.

Asad Jamal, Aram's brother, describes his brother and says, "Aram was a very calm person, everyone liked him, despite his one leg being disabled, he was very able". Sirwa confirmed Azad's statements and with tears says, "Aram was the light of my eyes, I was - and am still - willing to do everything for him".

As Aram's father said, the perpetrators now threaten their own brother whose name is Rizgar because he is married to Aram's sister and has a good relationship with Aram's family and Aram's father. Aram and Sirwa were shot and Aram was denied his child. Sirwa says, "The child is the most beautiful and holiest memory between me and Aram".

General Najmadin Qadir, Head of police in Sulemaniyah, informed *Rudaw* that the two families had a social conflict. They lived in Dukan earlier but now live in Sulemaniyah. He added, "The perpetrators are the woman's brother and uncle, they are reported to the police, and an arrest order has been issued for their arrest. They have disappeared and have not been arrested".