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Iraq: Honour-based violence in the Kurdistan region; state protection and support services available to victims

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1. Overview

According to sources, honour-based violence is "common" (The Economist 18 Mar. 2014) or "prevalent" in Iraqi Kurdistan (GCHR 31 Dec. 2014). According to a report based on a fact-finding mission by the Danish Immigration Service (DIS) on honour crimes against men in Kurdistan, multiple Kurdish sources gave the opinion that

there is some degree of variation as to how the concept of honour is being dealt with in rural areas and urban areas. ...honour crimes [are] common in rural areas, and to a lesser extent in the larger cities of KRI [Kurdistan Region of Iraq]. ...honour crimes are more common in rural settings than in the major cities. ...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. (Denmark 2010, 4)

In correspondence with the Research Directorate, a representative at the WADI NGO, a German NGO with operations in Iraqi Kurdistan that works "to combat violence against women" and improve their "social and economic status in Iraqi society" (WADI 22 Jan. 2016), stated that the "prevalence and social attitudes do not differ between rural and urban areas because only a short time ago, all city dwellers used to live in the countryside" (ibid. 25 Jan. 2016).

Sources state that honour-based violence is related to the belief that a family's honour is dependent upon the sexual conduct and behaviour of female members (Huffington Post 17 July 2014; The Guardian 17 Mar. 2013; PassBlue 6 May 2014). Citing the coordinator of Zhyan, a group that lobbies the Iraqi Kurdistan government "to end honor killing," the Huffington Post reports that women in Kurdish society are "seen as the property of [their] family and then [their] husband," and male family members are able to exert control over the woman's movement, conduct, and who she marries (Huffington Post 17 July 2014). An article by Dr. Aisha K. Gill, a "Reader [Professor] in Criminology at the University of Roehampton," with research specializing in "honour'-based violence in the South Asian/Kurdish diaspora and femicide in Iraqi Kurdistan" (Gill 14 Mar. 2014), similarly states that in Iraqi Kurdistan, "'honour' codes...are embedded in broad and pervasive ways of thinking that revolve around gendered values and traditions that legitimise men's control of women's bodies and behaviour" (ibid. 4 June 2014). According to sources, offences against a family's honour can include:

sex outside of marriage (PassBlue 6 May 2014; WADI 11 Jan. 2016b; Huffington Post 17 July 2014);

inappropriate dress (ibid.; The Atlantic 30 Apr. 2015);

Being a victim of rape (WADI 11 Jan. 2016b; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 26);

Contact with a man outside of the family (Huffington Post 17 July 2014; PassBlue 6 May 2014; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 26);

Marrying without permission from family (WADI 11 Jan. 2016b; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 26).

Sources state that the offending woman or girl may be killed to restore the family's honour (ibid.; ICSSI 7 Mar. 2013; Gill 4 June 2014). The article by Dr. Gill states that honour-based violence can include

physical violence (including assault, maiming and killing), coerced suicide (including by enforced self-immolation), starvation, forced marriage of women (often to a man who has already raped her), forced abortion, removal of children, female genital mutilation, forced virginity, forced hymen repair, and the curtailment of liberty, basic rights and/or education. (ibid.)

The Atlantic similarly reports that attempts to control a woman or girl's sexuality may begin non-violently with "restrictions on her social life, access to education, health care, employment opportunities and civic participation" (The Atlantic 30 Apr. 2015). Should these methods be unsuccessful, she "may be subjected to threats, harassment, assault, rape, kidnapping, torture, and even murder" (ibid.).

According to the Huffington Post, the perpetrators can be husbands, fathers, brothers, uncles or sons (17 July 2014). The Guardian reports that "[d]eviations from gender roles are often punished by the victims' own inner circles" (17 Mar. 2013). The Atlantic similarly reports that honour-based violence is "communally sanctioned," potentially involving "multiple perpetrators within the household or members of the community" (30 Apr. 2015). According to the article by Dr. Gill, the "majority of murders committed in the name of 'honour' are ... by men ... against female family members" (Gill 4 June 2014).

The WADI representative stated that the "official number of honour killing cases is 50-60 per year" for the Kurdistan region of Iraq, but that this is likely an underestimation, as cases "are not registered in a professional fashion," with only those cases involving a visit to the police station or

hospital counted (WADI 25 Jan. 2016). Other sources similarly state that acts of honour-based violence often go unreported (The Guardian 17 Mar. 2013; PassBlue 6 May 2014; Gill 14 Mar. 2014).

According to a report by the UN Office of the High Commissioner for Human Rights on the situation in Iraq between July and December 2013, the Iraqi Kurdistan Directorate of Combating Violence Against Women (DCVAW) reported 2,353 allegations of violence against women between July and November 2013, including 2,141 cases of physical abuse, 132 cases of self-immolation, 46 cases of sexual abuse, and 23 murders (UN June 2014, 16). According to the US Department of State's Country Reports on Human Rights Practices for 2014, between January and May 2014, there were 58 cases of sexual assault, 100 cases of "women burned by others," 42 incidences of "women burning themselves," 10 cases of women committing suicide, and 18 women were reportedly murdered in Iraqi Kurdistan (US 25 June 2015, 58). According to a 2015 joint report by the Ceasefire Centre for Civilian Rights and Minority Rights Group International (MRG), The Lost Women of Iraq: Family-based Violence During Armed Conflict, between January 2014 and June 2015, DCVAW received reports on 66 murders, 85 suicides, 314 cases of "burning," and 160 cases of "self-burning" (Nov. 2015, 18). Further and corroborating information on statistics concerning honour-based violence could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.1 Self-Immolation

Sources state that self-immolation is related to honour-based violence as the woman may choose to self-immolate as a means of escaping the situation with her family (Huffington Post 17 July 2014; The Economist 18 Mar. 2014; WADI 11 Jan. 2016a). According to PassBlue, an "independent digital publication" that focuses on "women's rights and gender equality, human rights, development, international justice and peacekeeping through the lens of the United Nations" (PassBlue n.d.), self-immolation may also be considered a "sacrifice for wrongdoing" (ibid. 6 May 2014). Other sources state that victims of self-immolation may be "coerced" into doing so by family members (Gill 4 June 2014; Open Democracy 12 May 2015; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 16). According to sources, the majority of self-immolation cases are reported as "accidents" (Huffington Post 17 July 2014; Open Democracy 12 May 2015). Country Reports 2014 states that

[s]ome families arranged honour killings to appear as suicides. Since in the IKR [Iraqi Kurdistan Region] some suicidal women resorted to self-immolation as a method of killing themselves, authorities at times refused to investigate certain cases. (US 25 June 2015, 59)

1.2 Male Victims of Honour-based Violence

Information on male victims of honour-based violence was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. Citing the country representative for Diakonia, an international development organization (Diakonia 27 Sept. 2013) in the city of Dahuk, the Danish fact-finding mission report states that "men are equally at risk of becoming victims of honour crimes as women" (Denmark 2010, 3). In contrast, in the opinion of the WADI representative, boys and men are "not very likely" to become victims of honour-based violence in Iraqi Kurdistan, and when they are affected, "most" of the time it is due to "supposed homosexuality" (WADI 25 Jan. 2016). A March 2014 article by Dr. Gill similarly states that

men are most likely to cause dishonour as a result of their behaviour towards women, including through (i) their choice of romantic and/or sexual partners, (ii) refusing an arranged marriage, (iii) coming out as gay, bi-sexual or transgender, and/or (iv) refusing to commit an act of HBV [honour-based violence]. Nevertheless, the fact remains that the majority of victims are female and the majority of perpetrators male. (Gill 14 Mar. 2014)

The 2015 Ceasefire Centre for Civilian Rights and MRG joint report states that men are "occasionally" the victims of honour-based violence and they are "sometimes" killed to restore the offended family's honour (Nov. 2015, 26). According to the DIS report, the father of a girl or the husband of a woman "would most likely kill his daughter or his wife," respectively, for having an "illicit sexual relationship with another man. ... After this, the male offender would then be at high risk of being killed" (Denmark 2010, 7).

According to sources, there is no assistance for male victims of honour-based violence (Denmark 2010, 9; WADI 25 Jan. 2016). According to the Danish fact-finding mission report, if a man who had sexual relations outside of marriage feared honour-based violence and approached 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," which is not viable in the long-term as staying in prison is "not a durable solution" (Denmark 2010, 10). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Further information on the situation of male victims of honour-based violence, including protection, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Specific Instances of Honour-Based Violence: 2014-2016

The 2015 Ceasefire Centre for Civilian Rights and MRG joint report states that on 28 February 2014, the bodies of two sisters, aged 16 and 18, were "found in a ditch in the town of Said Sadiq in Sulaymaniya" (Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 29). The sisters had requested police assistance in July 2013, and were "subsequently housed in a government-run shelter" and later released "after their family signed an agreement to protect them" (ibid.). According to the report, Prime Minister Mechirvan Barzani established a fact-finding commission to investigate the case (ibid.). On the same day that the sisters' bodies were found, a 16-year-old girl "was murdered by her father in Erbil" (ibid.) According to the joint report, she had also previously sought protection at a government-run shelter, but was later returned to her uncle (ibid.). Further and corroborating information, including information on the results of the fact-finding commission, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to sources, in May 2014, a 15-year-old girl, Dunya Hassan, was killed by her 45-year-old husband, Sleman Zyab Yunis (Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 29; KMEWO [May 2014]; Huffington Post 17 July 2014) who recorded a video confessing to the murder and claimed that he had done so because he suspected his wife was having an affair (ibid.; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 29). According to the 2015 Ceasefire Centre for Civilian Rights and MRG joint report, Yunis later turned himself in to the police and a "special committee in parliament" was formed to investigate the case (ibid.). Further and corroborating information on the parliamentary committee could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Nalia Radio and Television (NRT), a Kurdish independent media network (NRT n.d.), reports that in October 2015, a 21-year-old woman was shot and killed by her father in the city of Sulaimani after spending nearly a year in a shelter because she was "facing issues with her family" (NRT 8 Oct. 2015). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. State Protection

3.1 Legislation

Sources state that in 2011, the IKR enacted a law against domestic violence (UN June 2015, 16; WADI 25 Jan. 2016; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 9). According to the 2015 Ceasefire Centre for Civilian Rights and MRG joint report, acts which constitute domestic violence include, among others,

forced marriage, marriage of minors, female genital mutilation (FGM), forcing family members to leave employment, suicide due to domestic violence, battering children and family members, assaulting, cursing or insulting family members, putting psychological pressure on family members, forced sexual intercourse between a husband and wife. (ibid.)

According to the WADI representative, in 2002, the IKR amended the Iraqi penal law to classify honour killings as murder (WADI 25 Jan. 2016). The 2015 Ceasefire Centre for Civilian Rights and MRG joint report states that in 2004, "a law was passed prohibiting mitigated sentences for perpetrators of 'honour' crimes" (Nov. 2015, 9).

The Guardian reports that the government has "failed" to prosecute crimes related to violence against women (17 Mar. 2013). Open Democracy states that enforcing the laws against honour killings "remains a challenge" (12 May 2015). Other sources similarly state that the law against honour killing is not "implemented sufficiently" (GCHR 31 Dec. 2014) or at all (ibid.; WADI 25 Jan. 2016).

Citing a member of the Kurdistan High Council of Women's Affairs, NRT reports that "murderers often get away with their crimes" (NRT 8 Oct. 2015). The same source further reports, citing an MP, that political parties "often" interfere with the justice system and "prevent prosecution of killers by acting as middlemen and brokering reconciliation deals" (ibid.). Quoting a "lawyer and project coordinator" for WADI, the Huffington Post reports that "[s]ometimes customs and tribal laws are stronger than national laws" (Huffington Post 17 July 2014). The Iraq Civil Society Solidarity Initiative (ICSSI), a network of international and Iraqi civil society organizations that promotes human rights (ICSSI 29 Oct. 2011), similarly reports that the laws have been "difficult" to implement "in a society governed by tribal honor codes, where tribal leaders continue to be the most powerful and influential actors when resolving family conflicts" (ibid. 7 Mar. 2013).

3.1.1 Prosecution

According to the 2014 UN report, the DCVAW "could not provide details [on] the number of arrests and prosecutions" for honour-based violence carried out in Iraqi Kurdistan (UN June 2014, 16-17). According to the WADI representative, no person who has committed honour-based violence "has ever had to serve a prison term longer than two years - provided he is sentenced to prison at all" (WADI 25 Jan. 2016). The same source stated that in order to grant early release from prison, the judge "expects negotiations" and when they are carried out, "they are easy because both sides are family. They agree, and the perpetrator is released" (ibid.). Further and corroborating information on prosecution of honour-based violence could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.2 Police

According to the 2014 UN report, "new police investigation units working under DCVAW have been established in all six areas of the KR [Kurdistan region] at the district and sub-district levels" and "most" were operational (UN June 2014, 16). According to the same source, "reconciliation committees" have been established in Erbil, Dohuk, Garbiyan, Sulaimaniya and Rapareen (ibid.). Country Reports 2014 states that the IKR has created a special police force "to investigate cases of gender-based violence," as well as to establish a "family reconciliation committee," but that according to local NGOs, they "were not effective at combating gender-based violence" (US 25 June 2015, 58).

Sources state that honour-based violence is "not taken seriously" by the police (PassBlue 6 May 2014; Ceasefire Centre for Civilian Rights and MRG Nov. 2015, 29). The Kurdish and Middle Eastern Women's Organisation (KMEWO), a UK-based NGO that promotes the human rights of Kurdish and Middle Eastern women in the UK and abroad (KMEWO n.d.), similarly states that the police are "unable or unwilling to offer ... protection" (ibid. [May 2014]). According to the WADI representative, the police "will not investigate because honour crimes are regarded as family matters" (WADI 25 Jan. 2016). The Economist reports that the police are not properly trained, and as a result, "rarely direct" women to the available "safe spaces" (The Economist 18 Mar. 2014). Country Reports 2014 states that rather than using legal avenues, "authorities frequently attempted to mediate between women and their families so that the women could return to their homes" (US 25 June 2015, 58).

Referring to the murder of Dunya Hassan, KMEWO reports that,

according to Dunya's mother she reported the danger to police hours before her body was found and it was hours before the police turn up to investigate. The crime took place in the same small town and for hours no police force looked or concerned about Dunya. This is yet another ignorant act by officials in Iraqi Kurdistan. (KMEWO [May 2014])

Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Support Services

The Economist states that assistance is "minimal" for women who are affected by domestic violence and honour killings in Iraqi Kurdistan (The Economist 18 Mar. 2014). Country Reports 2014 states that shelter spaces are "limited, and service delivery was poor" (US 25 June 2015, 58). According to WADI, the number of available shelters is "not adequate" (WADI 11 Jan. 2016a). The Gulf Center for Human Rights (GCHR), an independent NGO that provides support to human rights defenders in the gulf region (GCHR Dec. 2015), states that "[s]everal" of the women's-rights organisations in Iraqi Kurdistan have armed guards to "protect them from violent attacks by the families of women to whom they had offered shelter ... or advocacy," especially for cases related to "honour killings" (GCHR 31 Dec. 2014).

WADI further states that they have helped to establish three shelters in Iraqi Kurdistan, two in Suleymaniah, and another in Erbil (ibid. 11 Jan. 2016b). "Khanzad Home", in Erbil, has space for 20 women who can stay up to one year, and the Asuda Centre, "hidden" in Suleymnaiah, can accommodate up to 12 women (ibid.). The Nawa Centre in Suleymaniah provides food, accommodation, psychological, legal and social assistance to women "until their problems are solved and their psychological condition is stabilized" (ibid.). According to the 2014 UN report, there were 60 women in MoLSA [Ministry of Labour and Social Affairs (US 25 June 2015, 58)] shelters with "29 in Erbil, 16 in Dohuk and 15 in Sulaimaniyah," and the Patriotic Union of Kurdistan (PUK) operates a "private shelter in Sulaimaniyah" (UN June 2014, 17). Country Reports 2014 states that the MoLSA operates four women's shelters, and that there are two privately run shelters (US 25 June 2015, 58). Al-Monitor reports that the Iraqi Kurdistan Region has "six shelters spread over its three regions" (Al-Monitor 9 Dec. 2013).

Without providing further details, WADI states that in cases where it is not possible to solve the problem of "death-threat[s]" through mediation between the woman and her family, "the women are sent to far away villages and places in other regions of Kurdistan, where they are not known" and as "honour-killings ... are condemned by large parts of the Iraqi-Kurdish population, the women find protection and a new home in those villages" (WADI 11 Jan. 2016b). Corroborating information and information on the effectiveness of relocation could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to Country Reports 2014, beyond marriage or returning to their families, which frequently results in "further victimisation by the family or community," there are limited options for women who reside in shelters (US 25 June 2015, 58). Niqash, a "trilingual website (Arabic, English, Kurdish) on politics, media and culture in Iraq" (Niqash n.d.), quotes the Head of the General Directorate to Combat Violence Against Women as stating that "most" women who seek shelter services return home and "a number of the women who left the shelters have been killed" (ibid. 20 Nov. 2014). The Head of the General Directorate also stated that as a result of these cases, investigators "have to prove that the woman will not be harmed if she goes home" (ibid.). According to the same source, the pledge that families make "is not enough to stop them from killing their daughters ... especially if it is a case of honour" (ibid.). The 2015 Ceasefire Centre for Civilian Rights and MRG joint report states that "many" of the women who were released from shelters were at risk of further harm from their families and this demonstrates "serious flaws in the shelter system" (Nov. 2015, 30).

Open Democracy describes the process of seeking protection as legally and psychologically "difficult," as well as "highly stigmatised" (Open Democracy 12 May 2015). According to the 2015 Ceasefire Centre for Civilian Rights and MRG joint report, the "shame associated with divorce and economic dependence on their partners may discourage women from speaking out against domestic violence" (Nov. 2015, 19).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Internet sites, including: Alliance for Kurdish Rights; Amnesty International; ecoi.net; Factiva; Human Rights Watch; The Kurdistan Tribune; Qantara; Roj Women's Association; United Nations - Refworld.

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