

# Honour crimes: a European Problem



Should there be European legislation regarding honour crimes?

Based on a comparison of the Netherlands, the United Kingdom and France

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Cover photo: (Couple in Bihar killed: Stop calling it 'Honour killing', it's murder, (Dwivedi, 2015)).

### **Executive summary**

This dissertation was written in order to examine whether or not there should be European legislation regarding honour crimes. This question has been answered via a comparison of the Netherlands, the United Kingdom and France.

Before it became possible to answer the main research question several aspects needed to be become clear first. For one it was important to know the background of honour crimes and honour-based violence, the statistics, the current legislation in regard to honour crimes and honour-based violence in the three sample countries and the associations that deal with honour crimes in the three sample countries. This information has been found via secondary and primary research and has been put in the Literature Review chapter and in the Results chapter.

After having done all the secondary research, it became clear that the three research countries and the European Union all have honour crimes on their radar, meaning that they all have associations that try to prevent and combat honour crimes and several legislations that criminalize aspects of honour crimes such as forced marriage, intimidation and harassment. There is no European Union law that explicitly condemns honour crimes, or honour-related violence. In May of 2011, the Council of Europe adopted the 'Convention on Preventing and Combating Violence Against Women and Domestic Violence'. This treaty, which also concerns men and children, obliges participants to criminalize honour crimes.

It became evident that there is a lack of data in the sample countries and then especially in France, since there is no data in that country. The three countries are in need of a better system to register the amount of honour crimes and honour-based violence cases.

The main goal of this dissertation is to investigate whether or not there should be European legislation. Due to the secondary and primary research, it became clear that European legislation would not be beneficial. This has several reasons. For one, the European Union already has a treaty that criminalizes honour crimes, and according to the experts this is enough. Murder, coercion and forced marriages (different aspects of honour-based violence) are also already criminalized. The experts do not believe more severe punishment is the solution to honour crimes and honour-based violence. Instead the solution lies in collecting data, punishing the collective, looking at the source of honour crimes and better cooperation between support agencies, schools, police and medical staff.

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### **Abbreviations**

**CII** Comité Interministériel à l'Intégration

**EU** European Union

**FM** Forced marriage

**HCI** Haut Conseil à l'Intergration

**HBV** Honour-based violence

**MP** Minister of Parliament

**MS** Member States

**NGO** Non- Governmental Organization

**UK** United Kingdom

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## 1. Introduction

### 1.1 Context

The world is changing. It is not the same world one lived in 20 years ago. Due to technology and globalisation the world is becoming much smaller. This has brought along many benefits. For example, it has become easier for people to travel, work and live in other parts of the world. However, there are also disadvantages that come along with this so-called new world. Illegal trade, conflicts and diseases are now also spreading more easily around the world. Another example of one of these disadvantages are honour crimes, or honour-based violence.

Honour crimes or honour-based violence (HBV) are a well-known phenomenon in especially Islamic communities. The United Nations have defined honour-based violence as the desire to control the behaviour of women and girls within a community, with the emphasis on controlling their sexuality, how they dress, how they communicate with men and their sexual relationships. If a girl or woman becomes a target and victim of HBV it is because their behaviour is seen to violate the cultural or religious norms of the community. This is where the perpetrator feels that the only way to prevent such behaviour and restore the family honour is to harm or kill the victim. In these communities, the honour of the family is grounded in the body of the girl or woman (United Nations General Assembly, 2014).

According to the Dutch organisation Stichting Opvoeden, there are many different forms of honour-based violence in which girls and women are abused, abandoned or forced to have an abortion. It can also occur that girls and women are held hostage, get house arrest, are sent to the country of origin, are forced into a marriage or are forced to commit suicide. In many cases, the community does not notice what is going on or condones this behaviour. The perpetrators often feel compelled to commit such violence, because in their eyes, it is their duty (Stichting Opvoeden).

The most severe expression of honour-based violence is killing in the name of honour. Victims are buried alive, burned, shot, smothered, stabbed, stoned, and strangled to death. The reasons behind these murders vary from talking to an unmarried man, using social media such as Twitter or Facebook or filing for a divorce (United Nations General Assembly, 2014).

According to the Metropolitan police in the United Kingdom: "Honour crimes are any criminal offence that is driven by a mistaken desire to protect the cultural or traditional beliefs of a family or community" (Metropolitan Police, 2016).

As already mentioned before, honour-based violence and honour killings are a common phenomenon in Islamic communities but they are also common in the groups of Sikhs and Hindus. Nevertheless, honour-based violence and honour killings can be considered a "Muslim crime". This was said by Phyllis Chesler, an Emerita Professor of Psychology at City University of New York, a feminist leader and a retired psychotherapist (The Phyllis Chesler Organization, 2015). According to a study that was carried out by her, 91% of the perpetrators of honour crimes worldwide are Muslim (Chesler, 2010). However, it needs to be emphasized that this does not mean that honour-based violence solely happen within Muslim communities. Honour based-violence is also very common within Indian and Pakistani communities (Broom, Sibbritt, Nilan, Doron, & Nayar, 2012).

## **1.2 Problem analysis**

A lot of people live with the misconception that honour-based violence and honour killings are happening in countries far away from Western society, but due to migration this could not be any further from the truth. Honour crimes are also happening within the borders of the European Union (Esman, 2015).

Honour crimes have become more and more common in Europe due to the increase of immigrants from honour-based communities (Honor Diaries, N/A). Due to migration, European countries have a multicultural society. Immigrants mostly migrate from countries around the Mediterranean Sea, the Middle East and Asia and countries like the Netherlands, France and the United Kingdom must find ways to battle this problem and protect girls and women (Honor Diaries, N/A).

Globally, the majority of 'honour' crimes are committed in the Middle East and southern Asia and, although the occurrence of 'honour' crimes is higher outside the EU, the previously mentioned aspect of migration and subsequent problems with integration of immigrants into host communities have contributed to these types of crimes becoming a serious issue for EU countries as well (European Parliament, 2015).

Since honour crimes occur in the Member States of the European Union, they automatically become a European problem. According to the BBC, there are approximately 3000 honour attacks every year in the United Kingdom alone, and almost no one realizes this (Honor Diaries, N/A).

The documentary Honor Diaries, which focusses on honour crimes in Europe, shows that the problem is substantial and has been existing for a long period of time, although the majority of the European citizens do not realize the impact and size of this problem (Honor Diaries, N/A).

According to the European Parliament, awareness regarding honour crimes has increased in the European Union in the last decade. Even though the majority of these crimes still go unreported, even when made known to the police, this type of crime has often been miscategorised as "regular" domestic violence (European Parliament, 2015).

For a long time there has been a discussion on whether legislation should be created on the European level or on the national level (Rijksoverheid, 2013). For this dissertation one should ask the question: should honour crimes be regulated on the European level, or should it be left in the hands of the national governments? This question will further be elaborated on in the Literature Review.

### **1.3 Central question**

The central research question of this dissertation is: *should there be European legislation regarding honour crimes?* While answering this question, what the Member States The Netherlands, the United Kingdom and France, are doing to prevent and combat honour crimes will be highlighted and what the current legislation is in these European countries. A look will also be taken at the background of honour crimes and the current situation in these countries and what kind of associations are present that deal with honour crimes. The three research countries have been chosen carefully. This dissertation has been written in the Netherlands. That means that one can visit organisations and persons for interviews and one can consult different sources written in the Dutch language.

But this has not been the main reason to choose the Netherlands. In 2012, the two largest non-western immigrant groups in the Netherlands came from Turkey and Morocco. These two countries are Muslim countries. Since Phyllis Chesler suggested that: Honour crimes are Muslim crimes, it would be interesting to see whether or not honour crimes are a problem here in the Netherlands. France and the United Kingdom have also been chosen carefully. France is the country in Western-Europe with the most Muslim immigrants. 7,5% of the total population are Muslims. The United Kingdom has less Muslims but there is a high number of Indian immigrants. Namely: 9,2% of all foreign born immigrants are from India and as mentioned before, India is also a country where honour crimes are common. Additionally, the United Kingdom is the country in the European Union with the most honour attacks (European Parliament , 2015).

Furthermore, France and the United Kingdom are both two large countries in the European Union. These countries are the number two and three on the list of European Union countries with the most inhabitants (Germany is number one) (Europa Nu, 2016). In France there are 66 million inhabitants (13% of the whole population of the EU) and the United Kingdom has 53 million inhabitants (10% of the whole population of the EU) (Europa Nu, 2016). Besides that, the political influence of these two countries within the European Union is large. France and the United Kingdom are (after Germany) on the second and third place in the list of countries with the most seats in the European Parliament (Europa Nu , 2016).

The European Union does not have a law that condemns honour crimes (European Parliament , 2015). However it does have equality between men and women as one of its primary goals (Kvinnoforum, 2005). Since the European Union does not have legislation that condemns honour crimes, the main question that will be answered in this dissertation is *whether or not there should be European legislation that condemns honour crimes*. Would a European law that condemns honour crimes be beneficial in order to combat this problem or would it be better to leave this problem in the hands of the Member States, meaning on the national level.

## **1.4 Sub questions**

In order to answer the main question, several sub-questions have to be answered first. Firstly, knowledge must be obtained about the history of honour crimes and the different forms that exist. After that, it must become clear what the current legislation is in the three research countries and in the European Union regarding honour crimes. To see how big of a problem honour crimes are in the research countries, data of the amount of honour crime cases must be obtained as well. Lastly, different views of experts must be acquired, in this way it will become more clear on why there should or should not be legislation regarding honour crimes on the European level.

## **1.5 Structure dissertation**

This dissertation is divided into multiple chapters. First, the Literature Review will demonstrate the theoretical basis of this dissertation. All the known information regarding this topic has been put into this chapter. After that one can find the Methodology chapter. This chapter will discuss all the different research methods that have been used to answer the main research question. This chapter is followed by the Results chapter. In this chapter all the information that has been found via primary research will be presented. After this chapter one can find the Discussion chapter. This chapter will analyse and compare all the information that has been found via primary and secondary research in order to come closer to answering the main research question. Finally there will be a conclusion where the main research question will be answered. This chapter will also summarize the different steps that have been taken in order to finalize this dissertation and multiple recommendations can also be found in this chapter.

As mentioned before, this dissertation researches three sample countries, namely: The Netherlands, the United Kingdom and France. The European Union has 28 Member States but it is impossible to compare all 28. The number of three countries is needed to identify the different aspects of this topic and in order to create a good comparison between these three countries. Thereby the most relevant aspects have been considered. These aspects are: background information, data, associations and legislation. These aspects have also been used to research honour crimes and honour-based violence in regard to the European Union. All the before mentioned aspects are needed and essential to answer the final research question.

## 2. Literature Review

Before it will become possible to answer the main research question: *should there be European legislation that condemns honour crimes?* it first must become clear what the theoretical basis is. In this chapter, the existing academic literature will be presented. This chapter will define honour crimes, honour-based violence and honour killings, take an in-depth look at the background of honour crimes and the different forms that exist. After that, one will take a look into the current legal provisions and measures that have been taken in The Netherlands, the United Kingdom and France in regard to honour crimes. The existing data regarding honour crimes in the three sample countries and the European Union will also be presented.

### 2.1 Definition of honour crimes

Honour crimes is a collective name for any form of violence against women and girls, carried out in the name of honour. Where the “honour” of the family is at stake, according to the family, and the woman suffers the consequences, it is proper to speak of a so-called “honour crime” (UN Women , 2012). There are many forms of honour crimes. Harassment, intimidation, confinement or imprisonment, being forced into a marriage, control over a women’s sexuality and murder are several examples (UN Women , 2012). One can speak of an honour crime if the reason behind the harassment, intimidation or imprisonment is related to violating the honour of the family or a community. If a woman does not obey the codes of conduct of the family or community, she is violating the honour of her family and with that the honour of the male members of her family (Paulusson , 2013). Murder is the most extreme form of an honour crime. A frequently asked question is what the exact difference is between an honour killing and honour-based violence. This question has been answered by the Honour-based Violence Awareness Network as follows: “Honour’-based violence is a larger category which includes ‘honour’ killings to acknowledge that there are many forms of violence and oppression against women which are motivated by ‘honour’ but which may fall short of actual murder” (Honour Based Violence Awareness Network , 2016).

## **2.2 Background honour crimes and the different forms that exist**

Studies on honour crimes and honour-based violence are limited according to the Honour Based Violence Network (HBV Network). The reason behind this according to the HBV Network is: “ The slaying of women and men with the justification of family honour is a collective and communal enterprise, and the acts of the dead are considered to have brought shame to the family, there is therefore a huge motivation for the family and the whole community to cover up murders and other crimes” (Honour Based Violence Network , 2016). The result is that victims are erased from the family history and therefore, the existence and prevalence of honour-based violence is very difficult to assess. According to a historical survey, violence against women, which would be considered as honour-based violence these days have occurred in many societies and in many historical periods (Honour Based Violence Network , 2016).

Laws that promote violence against women for the expression of sexual autonomy were prominent in Assyrian law codes. These codes are dated back to 6000 BCE (Honour Based Violence Network , 2016).

Honour-based violence and honour killings have also existed in Roman times. The senior male of a household had the right to kill his daughter when she became sexually active. He was also allowed to kill his wife if she committed adultery. Honour-based violence also occurred in medieval Europe. According to an early Jewish law, an adulterous wife could be sent to death together with her new partner (Government of Canada, 2015).

In medieval Albania, the Legal Code known as Kanun of Leke Dukagjini accepted the killing of women accused of having committed adultery and also during John Calvin's control over Geneva adulterous women were drowned in the river Rhone. In China, during the Ching dynasty, fathers and husbands were allowed to kill their daughters or wives if they had dishonoured them. In Europe, honour killings have been recorded in the Southern Mediterranean (including Greece, Spain and Italy). In Italy, there was a law up to 1980 that allowed a penalty reduction if a murder had been committed due to a violation of honour (Honour Based Violence Network , 2016). Today, the terms honour crimes and honour killings are most commonly associated with Islamic communities (Esman , 2015).

As mentioned before, in the previous sub-chapter, honour killings refer to the murder of people (mostly women) who have (in the eyes of their family members) committed some act considered to be a violation of the honour of his or her family (Perlmutter, 2011).

There are many acts that could be considered a violation of the honour of the family. Down below a list can be found with several examples:

- 1) When a woman is in love with someone that does not meet the requirements of her family.
- 2) When a woman has sex before marriage (voluntarily or rape).
- 3) When a woman or man wants a divorce.
- 4) Homosexuality.

Girls and women are often intimidated and victims of violence. The reason behind this intimidation is to 'prevent' girls and women to make the wrong choices regarding their own life. This so-called prevention, restricts the girls and women to have a normal life. According to Malin Paulusson, a researcher of honour crimes, this is an act of serious discrimination and a violation against human rights. She also argued that more research is needed in this field (Paulusson, 2013). According to a research that Malin Paulusson conducted, men are more likely to condone an honour crime than women. Also, girls and women associate honour crimes with a male dominated society (Paulusson, 2013). Honour-based violence occurs most of the time in patriarchal communities where male and family status are prioritised. Often, honour crimes have a collective dimension, which means that they have been planned by several family members (United Nations General Assembly, 2014).

Here there is a clear relationship with the - still existing inequality- between men and women. Preventing and combating honour crimes has a basis in the fundamental human rights. In this case, equality between men and women. The International community must do more to ensure this equality, while focussing on cultures where this fundamental right is not yet fully penetrated in the society.

Honour crimes are often confused with domestic violence, while this is not necessarily the same (Turkije Instituut). Domestic violence usually stems from relationship problems and it does not concern the honour of the entire family. Contrary to honour-based violence, domestic violence does not occur due to a "violation" of honour, but it has other reasons e.g. alcohol abuse, relationship or mental problems. Alcohol abuse or mental problems can create aggression towards family members.



A lot of organizations are not able to register the number of honour crime cases (Turkije Instituut). A majority of the time honour-based violence happens, but no one knows about it. This is because honour crimes happen mostly within a family. It is likely that family members will provide an alibi for each other. Also, honour crimes are often not being reported to the police. This makes it really hard to make a good estimate of how many of these crimes occur (Honour Based Violence Awareness Network ). According to Jaqueline Thibault, who works at the association Surgir (a Suisse organisation that helps women subjugated to criminal tradition, martyrs of heart and body and in the name of their children, that protects potential victims of honour killings), says that murders could also be reported as suicides (Recknagel, 2014). And sometimes the victim does not want to continue living and does indeed commit suicide herself (Recknagel, 2014).

## **2.3 Background information including data, current situation, associations and legal provisions per sample country**

The following sub-chapter will take a deeper look into the three sample countries. Background information of honour crimes, current data, current legislation and different associations that deal with honour crimes in the three sample countries will be presented.

### **2.3.1 The Netherlands: Background information including data**

In the Netherlands, honour crimes and honour-based violence mostly occur within the south-east Anatolian (geographical region in Turkey), Moroccan and Hindu communities. Honour crimes have become known in the Netherlands in the 60s and 70s from the previous century due to the arrival of immigrants (Ten Voorde, 2008). According to Hilde Bakker, she works at an organisation called Kennisplatform Integratie en Samenleving (KIS), men's honour and women's virginity were two values that were very important for "European" families not that long ago. There were changes in attitudes because of improvement in socio-economic conditions: the emancipation of women improved drastically and religion became less important. Bakker found that many immigrant communities in the Netherlands strongly obey to their traditions. When there was a lot of immigration in the 60s and 70s, the government thought that the new residents would only stay temporarily in the Netherlands. As a result, the Netherlands did not make any law in regard to problems within immigrant communities, and as a result the communities would make its own laws; e.g. if an immigrant would return to their home country, that person must still be honourable (Report European Conference, 2007).

According to professor Jeroen ten Voorde, professor Criminal Law, the first honour crime case in the Netherlands occurred in 1976 in Leiden (Ten Voorde, 2008). A younger Turkish man had murdered the rapist of his little sister. A couple of years later, in 1979, a minor boy had been arrested for murdering his little sister. The reason behind this murder had never been revealed (Ten Voorde, 2008). Ten Voorde said that it is safe to assume that there were multiple cases of honour crimes happening at that time that never made the news. Proof for this statement are stories of police officers who worked in the 70s and 80s (Ten Voorde, 2008).

In response to the publicity around a number of honour crimes cases, the attention to honour-based violence had increased in the Netherlands since 2003. Before that, honour-based violence did not “live” in the minds of the Dutch society. The attention, created by the publicity, had the result that the awareness increased within the Dutch government, organizations, the police and state politics (Turkije Instituut). As a result, the Interdepartmental program Honour-based violence was created in 2006, where ministers from three Ministries, including the Ministry of Justice, cooperated (Turkije Instituut).

In 2014, the National Expertise Centre on Honour Related Violence had received 460 cases of honour based violence. However, this number is not the total of honour-based violence cases. This is because it is difficult for the police to recognize honour-based violence and pass it on to the National Expertise Centre on Honour Related Violence. More information in regard to the National Expertise Centre on Honour Related Violence can be found in the sub-chapter: *Netherlands Associations*. In 2013, the Dutch police had received a total of 2869 calls, while only 506 calls made it to the National Expertise Centre on Honour Related Violence (Landelijk Expertise Centrum Eer Gerelateerd Geweld, 2015).

Down below a table is presented with the number of honour killings in the Netherlands between the years 2010 and 2014.

Year	2010	2011	2012	2013	2014
Number of honour killings in the Netherlands	11	7	13	17	14

Down below, a table is showed with the number of honour-based violence offences that were passed on to the National Expertise Centre on Honour Related Violence since 2011. As can be seen, the number of cases in 2014 have declined a bit in comparison to the number that is presented for the year 2013. The reason for this decline is unfortunately unknown according to the National Expertise Centre on Honour Related Violence (Landelijk Expertise Centrum Eer Gerelateerd Geweld, 2015). However, it could have something to do with the increase of awareness within the Netherlands.

Year	2011	2012	2013	2014
Number of cases HBV	504	492	506	460

*Landelijk Expertise Centrum voor Eergerelateerd Geweld*

### 2.3.2 The Netherlands: current situation

Honour crimes and honour-based violence have received more attention in the last few years. Different campaigns have been set up that tackle these problems: YourRight2Choose and TrouwenTegenJeWil (Marriage against your will) are two examples of campaigns against forced marriages (a form of honour-based violence) (Rijksoverheid, 2015).

The National Expertise Centre has not yet released its 2015 annual report on honour crimes in the Netherlands. Therefore, it is difficult to know the exact situation in regard to honour crimes in the Netherlands. Nevertheless, there are several new developments that show that the awareness has increased. In 2015, the Dutch Parliament said that it wanted a more stronger approach in regard to forced marriages, honour-based violence and homophobia. The Dutch government is investing 1 million euro's per year until 2017 to combat these problems (ZorgWelzijn, 2015).

With this money, 150 special trained volunteers are supported to increase awareness in their own communities and to make forced marriages, honour-based violence and homophobia topics that are talked about. A social media campaign will also be launched and high school teachers will be trained to recognise signals of forced marriages and other types of honour-based violence. These measures were presented by the Minister of Social Affairs Lodewijk Asscher. In 2015, forced marriages were made a criminal offence in the Netherlands (ZorgWelzijn, 2015).

In March of 2016, Dutch Minister Jet Bussemaker of Education, Culture and Science went to the United Nations where she represented the European Union. She wants to create more awareness in regard to violence against women and she wants men to cooperate. According to Bussemaker, one must admit that the Arabic culture deals differently with women's rights than "we" do in the West (Partij van de Arbeid , 2016).

### **2.3.3 The Netherlands: Associations**

In the Netherlands, there are multiple associations that are trying to prevent and combat honour crimes and help (potential) victims. One of those associations is the Landelijk Expertise Centrum Eergerelateerd Geweld (National Expertise Centre on Honour Related Violence). The National Expertise Centre on Honour Related Violence is an association that deals with the scientific side of honour crimes. They investigate the nature of the crimes, why someone has committed the crime and how it can be stopped. They also work close together with the Dutch police. The police receives calls from victims and tries to pass it on to the National Expertise Centre. In this way, the Centre tries to keep track of the amount of cases that occur (Landelijk Expertise Centrum Eer Gerelateerd Geweld, 2015).

There is also a Blijf van mijn lijf huis (Keep your hands off my body house) . This association is located in Leeuwarden and provides shelter for women and girls who have been abused (mentally, physically or sexually). The women and girls can stay here under protection for as long as it is necessary.

The Netherlands also has a platform called Eer en Vrijheid (honour and freedom). This is a national platform that unites all parties dealing with different aspects regarding honour crimes such as forced marriages, abandonment, marital captivity and more. Within this platform professionals and volunteers, who work within this field, share their knowledge and network with each other. Each year several meetings are organized (Ministerie van Sociale Zaken en Werkgelegenheid , 2016).

Femmes for Freedom is a Dutch organization that was founded four years ago. This association helps Dutch girls and women who are forced to get married or are at risk of being abandoned in the country of origin (Femmes for Freedom, 2016). They seek marital equality between women and men (Femmes for Freedom , 2016).

The Home Empowerment Foundation is specialized in fighting and curbing domestic violence. The association is in direct contact with the police, Youth Protection and Public Health for counselling and support. Although this association is specialized in domestic violence, it also helps people who are victims of honour-based violence (Home Empowerment, 2016).

All the associations mentioned above deal with different matters in regard to honour-based violence. The National Expertise Centre on Honour-Based violence deals with the scientific side of the problem. The Keep your hands off my body house, is an association that directly deals with the victims. This association comes in the picture once a women or girl is in direct danger in the Netherlands. Femmes for Freedom helps girls and women who are at risk of being forced into a marriage or at risk of being abandoned in the country of origin. The Platform Honour and Freedom is the place where all kinds of professionals can come together to share their knowledge. All associations deal with different sides of honour-based violence. Nevertheless, all have the same goals: to prevent, combat and help victims of honour-based violence. Without these associations it would become harder to combat these crimes. The fact that there are multiple associations in the Netherlands show that there is awareness in the country and this is a very important conclusion.

#### **2.3.4 The Netherlands: Legal provisions**

Gender equality is rooted in the Dutch law. The Dutch constitution specifically forbids discrimination. The Netherlands has various laws to reinforce this (Holland Alumni Network, 2016). In the Netherlands, there is a law that criminalizes rape (Art. 242 Sr Richtlijn voor strafvordering verkrachting, Criminal Law). Since 1984, the "Termination of Pregnancy Act" is into force in the Netherlands. This law implies that abortion is permitted if it is done in a clinic or hospital by a doctor in possession of a special permit (Abortus.nl, 2014).

The Netherlands does not have a specific law that convicts honour crimes (The Surgir Foundation , 2011-2012). However, it has a complete prevention and repression policy.

Honour-based violence and honour killings are seen as a deprivation of liberty, as an aggravated assault and as homicides. If a daughter or a sister is the victim, this is considered an aggravating circumstance and the maximum sentence of the perpetrator can be increased (Bakker & Aydogan , 2005) (Overheid, 2014).

According to article 284 of the Criminal Law, pressuring someone into doing something is punishable. Someone who forces another person to do something with the use of threats, intimidation, harassment or other means is committing a crime (Landelijk knooppunt Huwelijksdwang en achterlaching, 2015), Article 284, Criminal Law).

Someone who has been found guilty of a “pressure crime” can be sent to jail for a maximum of two years (Overheid, 2016). The Dutch government also wants to combat and prevent forced marriages. Therefore, in 2014, the Dutch Parliament approved a law against forced marriages (Eerste Kamer der Staten-Generaal ). On the 6<sup>th</sup> of October of 2015, the Dutch Senate had accepted this law. With the law against forced marriages it now becomes more difficult to force someone into a marriage:

- Both partners now have to be 18 years of age to get married in the Netherlands;
- When a marriage has been closed abroad between two minors, the marriage will be accepted when both partners have reached the legal age of 18;
- If a Dutch person or a person living in the Netherlands has engaged in a polygamist marriage abroad then the marriage will not be acknowledged in the Netherlands;
- Marriages between two cousins is not acceptable, except if two adults choose this marriage with free will.

As mentioned before, in a former sub-chapter, forcing someone into a marriage is a form of honour-based violence and in the Netherlands this is now punishable. If someone is found guilty of such a crime the perpetrator receives a maximum sentence of two years (Rijksoverheid ).

### **2.3.5 United Kingdom: Background information including data**

The United Kingdom is the European country with the most estimated honour attacks (European Parliament, 2015). The United Kingdom has 4,2 million people of South-Asian origin, primarily coming from India, Bangladesh and Pakistan. In London, an estimate has been made that 55% of the population is 'non-white', and from that 55%, 35% is from South-Asian origin. A large portion of the honour crimes that are being committed in the United Kingdom include families from South-Asian origin (Conseil du statut de la Femme, 2013). Here there is a big difference in comparison to the Netherlands where the majority of honour crimes occur within Turkish and Moroccan families. The researcher wanted to find more information regarding the historical and cultural background of honour crimes in the United Kingdom, but was not able to do so via secondary research. Therefore, primary research will be used to find more information in regard to the background of honour crimes in the UK.

Until recent years, the United Kingdom did not know the term honour-based violence. However, more recent the country has made an incredible progress in raising awareness (Dyer, 2015). In the 1990's, whenever someone was being prosecuted for an honour crime and used his or her culture as a defence, judges would give them a reduced sentence. A murder was turned into manslaughter (Gill, 2009).

The first known case of an honour crime, that was talked about in the media, occurred in 2003. This is a big difference in comparison to the Netherlands, where the first known honour crime occurred in 1976, 27 years prior. Abdullah Jones had confessed and pleaded guilty to murdering his daughter Heshu. Before being murdered, Heshu already told her school that she was afraid of being forced to marry someone. Unfortunately, her school ignored these fears. Heshu was dating a white Lebanese boy and had ran away from home. The school was worried that this might have an effect on Heshu's school work and they called her parents. Heshu was taken to Pakistan to marry her cousin and she had to undergo a virginity test. Back home in England, she was locked up in her room and eventually stabbed to death by her own father (Jaqueline Rose, 2008).

The exact numbers of honour killings and honour-based violence cases in the United Kingdom are unknown. A research that was conducted by the Iranian and Kurdish Women's Rights Organisation (IKRWO) showed that more than 1 in 5 police forces in the United Kingdom did not provide data on honour-based violence incidents in the year 2012. This is also the reason why ,in the table down below, a zero is placed for the year 2012 (European Parliament , 2015).

Year	2010	2011	2012	2013	2014
Number of honour killings in the UK	11	5	0*	9	4

*The Henry Jackson Society*

In last five years, the United Kingdom has seen a release of more concrete information in regard to numerous aspects of honour-based violence, due to numerous efforts of UK-based charities. In 2010, the UK police reported a minimum of 2,800 cases of honour-based violence. This included: abduction, mutilation, acid attacks, beatings and murders. It is currently not known as to whether or not the amount of honour-based violence cases are increasing or decreasing, due to a severe lack of reporting (Dyer, 2015). Karma Nirvana, a UK charity that fights against honour crimes, has created a helpline that receives over 850 calls per month. The number of calls that Karma Nirvana received increased between 2010 and 2013 with 47%. This can be seen as a success since an increasing number of people are able and willing to access support. However ,the Karma Nirvana staff believes it just represents the tip of the iceberg, due to the fact that honour-based violence is still a underreported problem (Dyer, 2015).



### **2.3.6 United Kingdom: Current situation**

The authorities have recognized that honour killings are just one component of honour-based violence. A system has been designed that allows the authorities to track all forms of honour-based violence. These efforts have been a success so far. It enabled the police to record nearly 3000 incidents of honour based violence per year (Conseil du statut de la Femme , 2013).

On the 14<sup>th</sup> of July of 2015, the first memorial day ,especially for victims of honour killings, took place in the United Kingdom. The National Day of Memory for Victims of Honour Killings was created by charity Karma Nirvana. Jasvinder Sanghera, CEO of the charity, said: "We are going to be honouring the memories of the most honourable human beings where the perpetrators tried to erase them completely" (Northants Police , 2015). A memorial day is not something that has been seen in the Netherlands. Nevertheless, this could be something to think about. A memorial day is a good opportunity to raise awareness.

The date for this memorial day was chosen for a reason. The 14<sup>th</sup> of July marks the birthday of Shafiea Ahmed's. She would have turned 30 this year but was murdered in 2003 by her parents after years of suffering honour-based violence. This memorial day will hopefully increase more awareness in regard to this problem (Northants Police , 2015).

In 2014, forced marriage also became a criminal offence in the United Kingdom. Furthermore, the Office for the Children's Commissioner has set up a research into forced marriages and the Forced Marriage Commission is currently looking at the scale of the problem and what the real problems are for professionals and victims (Dyer, 2015).

All the prior mentioned aspects: the memorial day, forced marriage becoming a criminal offence and creating a system that allows the authorities to track all forms of honour-based violence. All these aspects show that honour crimes are being tackled in the United Kingdom. There is some level of awareness and there is a will to combat this problem.

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### **2.3.7 United Kingdom: Associations**

Just like the Netherlands, the United Kingdom also has several associations that are part of the prevention and fight against honour crimes and try to help the victims. One of those associations is Karma Nirvana. Karma Nirvana (founded in 1993) is a registered charity that has one goal: to stop forced marriages and honour-based violence. Karma Nirvana provides a listening ear for victims. They also do not contact the family members of the victims since this action might make the situation worse (Karma Nirvana , 2016). Karma Nirvana does not only provide guidance for victims but also for professionals. Through education and training, Karma Nirvana tries to broaden the knowledge of people in regard to honour crimes (Karma Nirvana ).

The Metropolitan Police in the United Kingdom, is also very involved in cases regarding honour crimes. If victims are going to the Metropolitan Police, they can be assured that all the information they give will be treated confidentially. The Metropolitan Police have made it a high priority to help communities fight back (Metropolitan Police, 2016). This is done with help by the specialist Community Safety Units. These units tackle both honour-based violence and hate crime. They operate in each of the Metropolitan Police Service's 32 London boroughs. The Metropolitan Police has said that more people than ever are reporting honour-based violence. They take every incident serious and try to protect victims (Metropolitan Police, 2016).

The Metropolitan Police helps victims within London. The Association of Chief Police Officers (ACPO) is an association that exists out of 43 independent police services that cover all the regions of Britain. The purpose of this association is to harmonize the strategies of different services to increase the efficiency. The association wants to end violence against women and girls, including honour-based violence. One measure that was adopted by the association, in 2008, was to offer police officers a training. This training included assessing the risks of honour-based violence and how to recognize it. In 2013, 130.000 officers had taken this course (Conseil du statut de la Femme , 2013).

The IKWRO (Iranian and Kurdish Women's Rights Organisation) is an association that was founded in 2002 by Diana Nammi. The mission of this association is to protect Middle Eastern and Afghan women and girls who are at risk of honour-based violence, forced marriage, child marriage, female genital mutilation and domestic violence (IKWRO , 2016).

The organisation provides direct services for these girls and women such as advocacy, training and counselling. They also provide direct advice and support to professionals from stakeholders such as the police, social services and schools (IKWRO , 2016).

The United Kingdom has, just like the Netherlands, different associations that deal with honour crimes. This is a good thing. As mentioned before, associations play a crucial part in preventing and combatting honour crimes. In the United Kingdom the police is very much involved in the fight against honour crimes. The Metropolitan Police plays an important role in London and The Association of Chief Police Officers is present in all the regions of the Britain.

### **2.3.8 United Kingdom: Legal provisions**

Legislation in regard to gender equality is well established in the United Kingdom. Health professionals may provide contraceptive advice and treatment to younger people under the age of 16 (Talking sense about sex, 2015), and according to the Sexual offences act of 2003 rape is criminalized (Sexual Offences Act 2003 section 1). In the United Kingdom women are also allowed to undergo an abortion due to the Abortion Act of 1967 (the Abortion Act 1967, Section 6).

In the United Kingdom, intimidation or harassment is a criminal offence. This was presented in the Protection from Harassment Act from 1997. If someone has been found guilty of harassment or intimidation the perpetrator can get a sentence of 6 months in jail or a 5000 pound fine (Find Law UK, 2015).

In 2005, the British government created the Forced Marriage Unit (FMU). This unit was launched by the Home Office and the Foreign and Commonwealth Office. The unit exists out of 7 members and provides support to people who have been forced into a marriage or are at risk of being forced (Conseil du statut de la Femme , 2013).

The Forced Marriage Unit goes to schools to inform children about forced marriages and how to get help if needed. They also train professionals all across the public sector (teachers, medical staff and social workers) (Conseil du statut de la Femme , 2013).

The British authorities have conducted a public consultation in the communities where honour crimes occur, to examine whether or not it was desirable to create a law that prohibits forced marriages. Many people feared that less victims would go to the police since they would be afraid to send their family members to jail (Conseil du statut de la Femme , 2013).

However, on the 16<sup>th</sup> of 2014, forced marriage was made criminal offence in the United Kingdom and Wales (The Crown Prosecution Service ). If someone is found guilty of this offence he or she can go to prison for a total of seven years (Dyer, 2015). Also, if someone is using any form of deception with the intention of causing another person to leave the United Kingdom, he or she is breaking the law due to this new legislation (The Crown Prosecution Service ).

Emily Dyer, a specialist in women rights, hopes that this new legislation will reduce the number of forced marriages in the UK, but it will hopefully also have a reverse effect on the number of honour-based violence cases (Dyer, 2015). In 2013, there were 1300 documented cases of forced marriages. Mak Chisty, who works at the Association of Chief Police Officers, said that the new legislation that criminalized forced marriages is a very important step: "It gives us a definition of what forced marriage is and gives us the ability to take people to court and get a criminal conviction and that is a very powerful message to deter people in the future" (Dyer, 2015).

#### **2.3.9 France: Background information including data**

For a long period of time, France did not want to be recognized as a country of immigration, but after a couple of years, when immigration increased more, France could no longer deny it and immigration became finally a topic that was talked about. Only no one talked about migrant women. They were invisible. In the year 2009, half of all foreigners in France came from Algeria (19.961) or from Morocco (19.5501), followed by Turkish nationals (6.221) (Surgir , 2012).

In the course of several years, forced marriage became the main form of violence against women with a migrant background. Only no one talked about it. This changed when several associations started to mention the term honour crimes in the news (Papatya). This fact highlights again how important associations are in the fight against honour crimes. The researcher wanted to find more information regarding the historical and cultural background of honour crimes in France, but was not able to do so via secondary research. Therefore, primary research will be used to find more information in regard to the background of honour crimes in France.

Unfortunately, there is almost no data available when it comes to honour crimes in France. Planning Familial has published a number of 7000 forced marriages cases (a form of honour-based violence) in France since the year 2000. It is not known whether this number is true (Papatya). This is a huge problem, since without any statistics, no one can know how large the problem honour-based violence is in France. The authorities can, because of this, overlook this problem. It is because of this also not possible to make a good comparison of the number of honour killings in the Netherlands, the United Kingdom and France. Since it is not possible to find any statistics in regard to honour crimes and honour-based violence via desk-research, the researcher will search for statistics via primary research.

In 2006, the French Public Prosecution Authority had been called up 18 times to examine potential cases of forced marriages, meaning it was not certain forced marriages actually occurred (Papatya).

Year	2006	2007	2008
Potential number of cases FM	18	47	15

*Association Papatya*

### **2.3.10 France: Associations**

In France, there are several associations dealing with honour crimes. An example is Genre en Action. This is an association, founded in 2003, to promote the recognition of the inequalities of women and men in development policies and programs (Genre en Action , 2015). The association is also quite busy with combatting honour-based violence in France and in France speaking regions (Genre en Action , 2015).

In France, there are often events organized in secondary schools to raise awareness. Planning Familial developed in 2009 a prevention programme. Planning Familial is an association that fights for the right to use contraception, defends the right of abortion and sex education. It also fights against all types of criminal offences and helps in the combat against AIDS (Planning Familial ).

Planning Familial is also supported by European funds. This prevention programme has been adopted in eight administrative regions (Papatya). The French government also wanted INED to do an investigation on forced marriages. INED is the French association that investigates demographics (Papatya).

Through secondary research it was not possible to find a lot of information regarding French associations that deal with honour crimes. So far, one can make the conclusion that France has less associations that fight against honour crimes. Therefore, the researcher will look for more associations via primary research.

### **2.3.11 France: Legal provisions**

In France, gender equality was recognised by the constitution of the Fourth Republic in 1970. The law that made contraception and abortion legal was a huge mile stone. It gave women the right to be in control over their own body. However, there were no laws regarding violence against women. This changed when in 1980 rape was considered as a criminal offence (Papatya). According to the Criminal Law 222-33, it is illegal to create an intimidating, hostile or offensive situation for someone (LOI n° 2012-954 du 6 août 2012 relative au harcèlement sexuel - Article 1).

The French association Femmes contre les Intégrismes (Women Against Fundamentalism), published a legal guide in 1998 called "Madame vous avez des droits" (Woman, you have rights). This guide was the first document that would ever speak of forced marriages and abandonment. After this guide, more documents were published concerning this problem.

The problem of honour crimes became more and more known in the minds of the French citizens. Due to the fact that the public awareness increased, the Haut Conseil à l'Intergration (HCI) ( High Council for Integration) and the Comité Interministériel à l'Intégration (CII) (Interministériel Committee on Integration) said that they wanted to prevent this practice, with the focus on young women with migrant backgrounds (Papatya).

In April of 2003, the French High Council for Integration (HCI) condemned forced marriage (a form of honour-based violence) and advocated a number of measures to prevent it from happening. The HCI did not only suggest strengthening the legal basis ,but also take prevention measures and this was the first time that public authorities had taken forced marriages into account (Papatya).

- One of the suggestions was to prevent forced marriages by introducing the same marriageable age for men and women (18 years);

This was an important step towards creating equality between men and women. However, it will not stop forced marriages immediately. Some families will postpone the wedding date until the men and women are both 18 years of age.

- Another suggestion that has been made is for public prosecutors to be authorized to file a petition of annulment of a marriage when the consent to marry was obtained by fraud, duress or force.

The threat of an potential annulment should discourage families from forcing their children into a marriage and also fulfil the desire of many young women wishing for an annulment of their marriage (Papatya).

There is a big difference between the three countries when it comes to the moment forced marriage became a criminal offence. In France, it was made a criminal offence in 2003, while in the Netherlands and the United Kingdom it became a criminal offence in 2014 and 2015.

The ministry of Social Affairs, Labour and Solidarity (Ministère des Affaires Sociales, du Travail et de la Solidarité) presented in November of 2007 its second three year plan (2008-2010) "Mettons fin au cycle de la violence" (Let's put an end to the cycle of violence). This three year plan consisted out of twelve different goals.

One of these goals was to create more awareness among the French citizens regarding honour-based violence. Another goal was to train people to work in this area. Unfortunately, there is no document that researched whether these goals were fulfilled.

The ministry for Solidarity and Social Cohesion launched a website called [www.stop-violence-femmes.gouv.fr](http://www.stop-violence-femmes.gouv.fr) for women who are victims of violence. This website provides information on all forms of violence with a special focus on domestic violence. This website also has an emergency hotline (Papatya).

## **2.4 Background information, legal provisions and the current situation within**

### **European Union**

The upcoming two sub-chapters will take an in-depth look into the background of honour crimes, the legal provisions dealing with honour crimes and the current situation within the European Union.

#### **2.4.1 Background information and legal provisions in the European Union**

In the last decades there has been an increased debate on how to tackle honour crimes in the EU. Honour crimes were seen as a problem that only happened outside of the European Union, in especially Muslim countries. However, this is not the case anymore since the late 1990s and the early 2000s (The European Parliament, 2015).

The Parliamentary Assembly of the Council of Europe wrote in its 2009 report that: "In Western countries, there used to be a tendency to believe that so called "honour crimes" occurred exclusively in certain Asian countries, such as Pakistan, Afghanistan and Bangladesh, some African countries and the Middle East. However, over the last twenty years there is no denying that so-called "honour crimes" have become increasingly common in Europe, particularly in France, Sweden, the Netherlands, Germany and the United Kingdom (The Surgir Foundation , 2011-2012).

Even though honour crimes are mostly associated with countries outside the European Union, there are also honour-based violence incidents that have happened within the European Union. These crimes have only been recently recognised as honour crimes when they were reported, and even when they were reported professionals did not gather this data systematically. This resulted in a severe lack of data. In the European Union, honour crimes occur mainly within immigrant and ethnic minority groups (The European Parliament, 2015).



The reason why honour crimes still occur among immigrant communities within the EU Member States, is because of a lack of sufficient integration of immigrants into the host country, as has happened in the Netherlands. There are several sources that state that certain immigrant communities live very isolated. These communities live as they were in their country of origin (European Parliament , 2015).

There is no European Union law that explicitly condemns honour crimes, or honour-based violence (European Parliament , 2015). However, the European Union does have equality between men and women as one of its primary goals. Unfortunately, the implementation of policies of equality has proven to be a difficult task to fulfil, especially when it comes to ethnic minority groups (Kvinnoforum, 2005). The level of awareness in regard to honour crimes vary within the European countries. The report of the Committee on Equal Opportunities for Women and Men, created by the Parliamentary Assembly of the Council of Europe adopted in April 2003, said: "So called honour crimes", gives the member states recommendations to actively work to end this violence through a number of measures (Kvinnoforum, 2005).

In May of 2011, the Council of Europe adopted the "Convention on Preventing and Combating Violence against Women and Domestic Violence". This treaty, which also concerns men and children, obliges participants to criminalise sexual, physical and psychological violence, honour crimes, forced marriages, forced sterilisation and female genital mutilation (The Surgir Foundation , 2011-2012).

This report proposed measures to protect victims and prevent honour crimes, but also asked Member States, who have not yet done so, to draw up and put into effect national action plans to combat honour crimes (The Surgir Foundation , 2011-2012).

In the framework of the European Union, the Member States fight via the "Daphne Initiative" against honour-based violence and forced marriages (Ministerie van Volksgezondheid, Welzijn en Sport ). In 1997, the Daphne Initiative, was created. This program was set up after the discovery of the bodies of a number of missing girls in Belgium. This happened in 1996. This program funds NGO projects (Non-Governmental Organisation) that support victims of violence and combat violence against women, children and young people (European Commission , 2015). The Daphne Initiative continues in the period 2014-2020, as a part of the Rights, Equality and Citizenship Programme (European Commission , 2015).

On the first of August 2014, the convention of Istanbul was introduced (Ministerie van Volksgezondheid, Welzijn en Sport , 2014). This treaty, created by the European Council, is aimed at preventing and combatting violence against women and domestic violence (Ministerie van Volksgezondheid, Welzijn en Sport , 2014).

#### **2.4.2 Current situation European Union**

One can conclude that there has been action within the European Union in regard to fighting honour crimes. The European Parliament is, now more than ever, trying to get honour crimes under the attention of the other European institutions.

In 2014, the Parliament initiated a legislative resolution. This resolution consisted out of several recommendations for the Commission to combat violence against women and girls. There was a special focus on honour crimes in this resolution. The European Member States were asked to provide education and shelter to potential victims. They, the EU MS, also have to raise more awareness regarding this issue. This can be done via information campaigns within the MS. The Parliament also called the Commission to take the first steps towards founding a European Observatory on Violence against Women and Girls. They also want to establish an EU year to End Violence against Women and Girls. This means that violence against women and girls will have to be stopped before a certain year. This year needs to be set within the three next years.

#### **2.5 National what can be done national and European what should be done European**

This dissertation aims to find out if European legislation would be beneficial to combat honour crimes or is it better to leave this on the National level?

According to former minister of Foreign Affairs Frans Timmermans, the time of an “ever closer union”, within the European Union is over in regard to all policy areas. This has been stated in a letter on subsidiarity that was sent to the Dutch Parliament written by Mr. Timmermans. According to the Dutch government, subsidiarity lives widely in the minds of the European citizens. More and more citizens are having problems with giving power to the European Union. The Netherlands wants to create a new process, namely: National what can be done on the National level and European what must be done on the European level (Rijksoverheid, 2013).

In the letter that was sent to the Dutch Parliament, it was stated what best should be left in the hands of the Member States in the form of a list. This list was developed with input from all Dutch Ministries and stakeholder organisations. The government stressed that the Netherlands does not want a treaty amendment. The existing division of powers is fine by the Netherlands (Rijksoverheid, 2013).

Several examples of cases that should be left in the hands of the Member States, according to the government, are: no further harmonization of social systems; health and safety regulations; no EU regulation on media pluralism and slowly deleting EU programs for school fruit and school milk (Rijksoverheid, 2013).

Nevertheless, in many areas, European cooperation remains badly needed. This is the opinion of the government. Examples are: Climate change, asylum seekers and migration, completing the internal market and defence. With this new initiative, the Netherlands wants to move towards a European Union that is more modest, sober and at the same time effective (Rijksoverheid, 2013).

Honour crimes and honour-based violence are not mentioned in the list created by the government. Is this a topic that should stay in the hands of the Member States or should there be European legislation?

## **2.6 Conclusion Literature Review**

So far, one can conclude, based on the information that has been obtained by doing secondary research is that all the three Member States are fighting honour crimes. Each in their own way and some more serious than others. So far, one can make the conclusion that France failing in the fight against honour crimes. It seems that it is a problem that does not live within France. It is very challenging to any find information in regard to the background, current situation, data and associations that deal with honour crimes.

In the European Union there is no explicit law that criminalizes honour crimes or honour-based violence. However, the European Union did adopt the 'Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence'. This is not a law, but it proposes measures to protect victims and prevent honour crimes. Within the framework of the EU, the Daphne Initiative was introduced. This initiative funds NGO projects that support victims of violence and combat violence against women, children and young people.

The three sample countries also do not have a law that specifically condemns honour crimes or honour-based violence. It is the question whether or not such a law is needed since aspects of honour crimes such as intimidation, harassment, forced marriages and murder are already criminalized.

For this dissertation it is interesting to investigate the associations that are active in the three sample countries. If it turned out that the countries did not have any associations dealing with honour crimes and honour-based violence than it might be necessary for the European Union to intervene in some sort of way. Maybe by creating a guideline that obliges Member States to fight honour crimes more seriously. That would also be the case if there were no legal provisions, but as it turned out the three sample countries all do have different sorts of associations dealing with different aspects of honour crimes and legal provisions. This shows awareness and the will to help combat and prevent honour crimes.

It became evident that it was difficult to find information in France regarding different aspects of honour crimes, namely:

- Data
- Associations
- Background information
- Current situation

It is unfortunate that there is not a lot of data available that shows the real size of the problem in France. Due to this lack of data it is very difficult to say anything with certainty about the extent of honour-based violence and honour killings in France. This is an aspect that needs to be improved since it is vital to know how often these crimes occur in order to know how large of a problem it really is.

Furthermore, it was challenging to find enough information about the United Kingdom in regard to:

- Background information
- Current situation

The information that has been found via desk-research and that has been put in the Literature Review is not enough to answer the research question with certainty. Right now it is clear that the sample countries are fighting honour crimes, each in their own way. European legislation then seems unnecessary. In order to know this with more certainty this question will also be asked to experts via primary research. These experts can share their views in regard to this question. Furthermore, it would be interesting to find out what experts feel is the best way to combat honour crimes and honour-based violence. Information in regard to the previous mentioned aspects e.g. data in regard to France needs to be found via primary research as well.

### 3. Methodology

Finding the right research methods for a dissertation can be a difficult task to accomplish. It is important to find the right research methods in order to successfully finalize a dissertation. This dissertation will work with an *inductive* research method. Working with an inductive research method means that one starts with facts and observations. Theories and conclusions are formulated at the end of the research (Live Science , 2015). This dissertation does not start with a theory, which means that the direction of this dissertation is not known yet but will become clear as time passes by and more research has been done (Research methodology , 2015).

#### 3.1 Research methods

For this dissertation both primary and secondary data has been collected. The process of collecting secondary data means collecting data from either the creator or a distributor of primary research. Or, to put it into other words, retrieving information that was already gathered (Know This, 2015). Gathering secondary data will be done by doing desk-research. All this gathered information, the secondary data, has been presented in the Literature Review. This data is the theoretical basis of this dissertation.

Desk-research is a good method to find general information on a topic, in this case on honour crimes and honour-based violence. The information that has been found via desk-research is on background information and current legislations regarding honour crimes in the three sample countries and in the European Union, the different associations in the sample countries that deal with honour crimes and honour-based violence and the existing data. When doing desk-research, it is important to keep in mind that not everything that is written on the Internet is in fact true. While doing desk-research, it is always important to keep a critical eye open (Hoge school van Amsterdam , 2012). To see if something is trustworthy one can look at the source it came from. If it comes from a well-known professor or professional of a certain field one can assume that the information is correct but there is never a guarantee. For this dissertation, secondary data has also been obtained by reading books, for example "Het is je zusje" written by Celal Altuntas and academic essays found on Google scholar, watching documentaries that focus on honour crimes and by using the Internet in general.

### **3.2 Primary research: Interviews and hearing at the Parliament**

After having done the secondary research it became clear what information was needed to be found via primary research, namely the opinions of experts that could answer the question whether they think European legislation is necessary and the views of experts on how they think honour crimes are best prevented and combatted. In addition to the opinions of the experts, information in relation to France had to be found as well since it was not possible to find extensive information on the background of honour crimes, the current situation, associations and data via secondary research for France.

Information on these topics have been found via interviews. Another primary research method that has been used for this dissertation is attending a hearing at the Dutch Parliament regarding forced marriages and other honour-based violence offences. This hearing was attended by multiple experts on honour crimes and was held on February 17<sup>th</sup>, 2016.

Interviews are time-consuming but are a good resource to find the exact information one wants to gather. It is possible to explore the views, experiences and beliefs of a person regarding a topic. Since you are the one creating the interviews and interviewing a particular person or organisation, you are collecting primary data (Business Dictionary ).

The researcher has worked with a structured interview method. Before the interview, the interviewer had prepared several questions. Since the interviews have all been done via e-mail it was not possible to change or add new questions during the interview (Easability , 2008). The researcher asked four of the interviewees the same questions (Karma Nirvana, Fier Friesland, Manuel Eisner and Jeroen Ter Voorde). This is because the researcher needed to know particular opinions and visions and these interviewees had the knowledge to answer these questions. It was important to ask the same questions in order to make a good comparison and eventually a good conclusion. The last interviewee, Michael Gihl, is not an expert on honour crimes. However, he does work at the French Embassy and used to work at the Ministry of Justice in France and therefore, he has information in regard to data. The questions the researcher asked were in relation to the French data on honour crimes.

Down below a list can be found with all the interviewees:

- 1) The information that Karma Nirvana provided was in regard to the number of honour crime cases in the United Kingdom and the opinion of Karma Nirvana on whether or not they believe European legislation would be beneficial. Since the interview was held via e-mail it might have been the case that the answers did not have a lot of depth. That depth would have been added if the interview was done via skype or telephone. However, the advantage of doing an interview via e-mail is that the person answering the question can take all the time they need for answering the questions and really think about the answers.
- 2) The second interview was with Fier Friesland. Fier Friesland is an organisation located in the Netherlands. This organisation focusses on helping (potential) victims. This organisation also provided its own opinion on whether or not they thought European legislation would be beneficial. This interview was also held via e-mail. The same advantages and disadvantages apply for this interview.
- 3) The third interview was with Manuel Eisner. Manuel Eisner is a Professor of Comparative and Developmental Criminology researching the history of interpersonal violence. In 2014, he became the Deputy Director of the University of Cambridge Institute of Criminology. Eisner also provided his opinion on whether he thinks European legislation would be beneficial. This interview was also held via e-mail. The same advantages and disadvantages apply for this interview.
- 4) The last interview was with professor Jeroen ten Voorde. He teaches at Leiden University and he is a professor in Criminal Law. He has written a report on honour crimes himself. Jeroen ten Voorde mentioned whether or not he thinks European legislation would be beneficial. This interview was also held via e-mail. The same advantages and disadvantages apply for this interview.



- 5) Michael Gihl works at the French Embassy and used to work at the French Ministry of Justice. This contact was very useful because he was able to obtain information in regard to the data on honour crimes in France and explain why there is no data. This interview was also held via e-mail. The same advantages and disadvantages apply for this interview.

As already mentioned before, the interviews were conducted via e-mail. This was a carefully thought about decision made by the researcher. The first reason for doing so was because the researcher was able to ask the questions unambiguously, in the exact same way. This resulted in getting the same kind of answers from the interviewees and in that way the answers were comparable. This was important and essential.

Another advantage of interviewing via e-mail is that the interviewee really can think about how he or she is going to answer the question. There is no hurry in answering the question, he or she can take all the time that is needed. That way the interviewee can give a well-thought about answer. There is also a practical advantage, which is: There is no need to transcribe the interview since one already has the interview in an electronic source. However, an interview via e-mail also has its disadvantages. The interviewee cannot ask for an explanation to the question and the interviewer cannot give an addition to the question. It is also not possible to give a reaction to an answer that is given. This might lead to a discussion with new questions and new answers that might be interesting for the interview. Another disadvantage is that the answers that are given are not spontaneous, this might take away the essence of the interview.

These disadvantages were not a problem for this particular research. It was important to gain as much objective information as possible. Interviewing via a different way, e.g. a Skype interview can lead to nuances and more personal opinions. This is not what the researcher wanted.

The researcher also reached out to the Labour Party in the Netherlands (PVDA). This party did not have time to do an interview but it did, however, provide a small text with information on how they feel about honour crimes and what they think needs to be improved. The Labour Party mentioned interesting aspects and these aspects are added in the Results chapter.

As mentioned before, the researcher also attended a hearing in the Dutch Parliament regarding the topic of forced marriages and other forms of honour-based violence. The hearing was attended by multiple experts and four MPs that wanted to know how they could improve the Dutch legislation in order to more effectively prevent and combat honour crimes. All the information that was gathered through this hearing has been put in the Results section.

With quantitative research, a problem is turned into numbers. Opinions, motivations and ideas are enumerated. Quantative research is able to find out different patterns. This dissertation did not work with a quantative research method in the way that the researcher conducted the quantative research herself. Quantative data, in the sense of creating and collecting surveys, will not be done for this dissertation since this data (opinions and views of general European citizens) will not contribute to answering the main research question of this dissertation (Methods of data collection in qualitative research: interviews and focus groups, 2008). However, the researcher did use quantative data in terms of using existing statistical data regarding the amount of honour-based violence in the three sample countries.

Surveys have limitations. Limitations in the questions one asks and limitations in the answers one can give. Often questions can only be answered with yes or no, to agree or to disagree, or a rating. Sometimes it is possible to add a small explanation but this is not always enough. In an interview, the person can give answers, with an explanation and the interviewer can ask questions with an extra explanation. This offers more easing in the question and answer so the quality is higher. The questions that were needed to be answered were only possible to obtain via interviews.

The research method that was chosen by the researcher, namely interviewing via e-mail, creates well thought about- and high quality answers. The researcher needed answers with a clear explanation. This explanation would not have been able to be given by the interviewee via a survey. An interview via e-mail also prevents nuances and subjectivity in a better way.

Not everything is able to be found via Internet, books or documentaries. The use of interviews helps obtain more factual information on particular topics but it also allows to obtain extra information that might be useful for the research. An interviewee can mention an aspect that the researcher did not think of.

### **3.3 Ethics**

Honour crimes and honour-based violence is a sensitive topic. All the persons interviewed regarding this topic have been asked whether or not they want to remain anonymous in this dissertation or not. In order to make sure that the interviewee knew exactly what to expect and to ensure that his or her privacy is ensured, he or she had to sign the Informed Consent Form. Nobody that was interviewed for this dissertation wanted or needed to remain anonymous. This might have been the case if the researcher interviewed a victim or perpetrator of honour crimes. In this case, where organisations and honour crimes experts were interviewed it was not needed to remain anonymous. If it were the case that a interviewee wanted to remain anonymous, the researcher would have respected this decision. All the notes and recordings were taken with the full approval of the interviewee. If the interviewee had any remaining questions regarding the interview, he or she was able to ask them to the researcher. It was also essential for the researcher to not let personal opinion play any role in this research.

The researcher also signed the Ethics form where it was stated that the personal data of the interviewees should not be stored in such a way that they can be associated with the participants data. Also, all the personal information of the participants will be stored in a file that is only accessible by the researcher.

### **3.4 Limitations**

The researcher had multiple limitations when it came to finding all the information that was needed to answer the research questions via desk-research (Secondary data). Via desk-research it was possible to find information regarding the background of honour crimes, current situation and associations in the United Kingdom and the Netherlands. The same goes for information on the current legislation in both countries. However, it was very difficult to find information on those topics in regard to France. In general, it was very challenging to find information regarding the amount of honour-related violence offences in all three sample countries. For France, it was not possible to find any relevant data via desk-research.

Down below a list can be found with the exact topics that were not able to be found via secondary research by the researcher or that were incomplete:

- Data France;
- Associations France;
- Background information France;
- Current situation France;
- Background information United Kingdom;
- Current situation United Kingdom.

The consequence of the aforementioned aspects were that the researcher needed to find other ways to find the necessary information. Through direct contact with the French Embassy new information such as data in regard to France became available. Nevertheless, it was not possible to find information in regard to the background and current situation of honour crimes in France and the background of honour crimes in the UK.

For this particular dissertation the background of honour crimes in the sample countries is not the most important part. This dissertation investigates whether or not there should be European legislation and that answer is based on the current situation in the three research countries and the aspects: data, legal provisions, associations and the opinions of experts.

The researcher found that the information regarding the current situation in the United Kingdom was rather limited and wanted to find more information via primary research. The researcher reached out to several associations that would know about the history of honour crimes in the UK and France but these associations all declined or did not respond.

The fact that no information (France) or added information (United Kingdom) could be found in regard to the current situation of honour crimes is unfortunate, but does not necessarily impose a problem for this research. This finding, the lack of information in regard to the current situation in two of the sample countries, is a finding in itself.

As already mentioned before in the Literature Review, the researcher wanted to find the opinions of experts in regard to European legislation and other aspects concerning honour crimes. These opinions were not available via secondary research. This had the consequence that the researcher needed to find information via primary research, namely via interviews. This turned out to be a challenge as well. The majority of the people that were approached by the researcher declined the interview or never responded. There were two organisations and three experts that were willing to do an interview. These organisations and persons were on the list of the researcher. It was not possible to interview a French organisation that had knowledge on honour crimes in France. The consequence of this limitation is that there is a lack of information on France in regard to background, current situation (level of awareness) and associations.

The results that were obtained by the researcher are valid because multiple associations and experts shared their views in such a way that the researcher was able to make a comparison. The interviews were also held apart from each other, that way the interviewees were not distracted by the other answers and the experts shared their views based on their expertise.

## 4. Results

The Literature Review investigated the background, current situation, data, associations and legal provisions in the three sample countries and in the European Union. Based on these findings, one can conclude that European legislation might not be that beneficial, since multiple aspects in regard to honour crimes are already criminalized. There are also several associations that are busy with fighting honour crimes. In order to know for sure that European legislation has no added value, the researcher asked multiple experts whether they think there should be European legislation.

This chapter presents the data that has been collected via primary research. For this dissertation the primary research has been obtained by interviews and attending a hearing at the Dutch Parliament. An in-depth look into the interviews can be found in the Methodology chapter.

### 4.1 European legislation and honour crimes

The charity Karma Nirvana believes that European legislation regarding honour crimes will be beneficial in the fight against honour crimes. They believe that this legislation will be “helpful and empower victims to come forward to report and for support” (Karma Nirvana, 2016, January 26. E-mail interview). Karma Nirvana welcomes any relevant legislation that will empower victims and deter perpetrators. They believe honour crimes are a serious enough problem that needs to be dealt with on European level, since the victims can be significantly harmed and even murdered.

In comparison to Karma Nirvana, Fier Friesland does not believe European legislation would be that beneficial in the fight against honour-related violence. They rather believe it should be dealt with on national level by getting support of the national government.

Jeroen ten Voorde, Professor Criminal Law, agrees with Fier Friesland and responded the question with: “No, why should there be a law?” (Ten Voorde, J. 2016, February 18. Email interview). Honour-based violence has been named in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). “Also in several resolutions honour crimes are condemned” (Ten Voorde, J. 2016, February 18. E-mail interview). He thinks that is enough. The Member States need to step up against honour crimes with their own legislation. International cooperation can be strengthened. Europe should always ask itself whether a problem needs to be dealt with on a national or international level. Jeroen

Ten Voorde is not convinced a European approach would be better than a national approach. This is with the condition that there is international cooperation.

Professor and director of the Violence Research Centre, Manuel Eisner, does not know whether European legislation would be beneficial since he would not know what that law would cover. As said by Professor Eisner: "It is important to note that notions of 'honour' may play a role in many crimes, including murder, forced marriage, rape, assault, threat, etc. Often motives are mixed. Therefore, I find it difficult to imagine a law against honour crimes on European level. But where there are gaps, for example regarding forced marriage, these gaps should be closed" (Eisner, M. 2016, January 26. E-mail interview).

Just as Manuel Eisner, the Dutch Labour Party does not know whether it would be a good idea to create European legislation. They do not know how it would help the situation. They think that the fight against honour crimes and honour-based violence must start in the Netherlands. It is important to identify the problem early, that way it will be possible to intervene more early.

There is a consensus between Jeroen ten Voorde and Fier Friesland. They both agree that European legislation is not going to be beneficial. They rather believe it should be dealt with on a national level. In comparison to ten Voorde and Fier Friesland, Karma Nirvana does believe it should be dealt with on the European level. Both Manuel Eisner and the Dutch Labour Party do not know whether it would be a good idea to coordinate honour crimes on the European level.

Due to the answers that were given by the experts on the question whether they think it would be beneficial to create European legislation regarding honour crimes, the question can be asked what the added value would be of European legislation since honour crimes are already named in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and because of the other reasons named above. It now becomes interesting to find out what a better option would be to prevent and combat honour crimes and honour-based violence. This dissertation is now taking a different path. Instead of only researching whether or not European legislation would be beneficial, the researcher will now also look at possible better options to prevent and combat honour crimes. This has been discussed with the experts and the results can be found in the next sub-chapter.

## 4.2 Ways to prevent and combat honour crimes

As mentioned in the previous sub-chapter, the majority of the interviewees either have doubts about European legislation, or do not believe it would be beneficial. This sub-chapter will present the alternatives, what the experts believe is the best way to prevent and combat honour crimes.

Manuel Eisner believes that stronger legislation plays a relatively limited role in preventing and combatting honour crimes since most behaviours regarding honour crimes, such as murder, coercion and forced marriage, are already criminalized. He rather believes that focussed prevention in social groups with a strong honour culture would be important. This would require support by community leaders. He also mentions that, “in many places, there is still a need for better cooperation between victim support agencies, schools, the police and medical staff in providing the best possible support in cases of suspected exposure to honour-related violence” (Eisner, M. 2016, January 26. Email interview). He mentioned that “most prevention and intervention activities are more likely to happen at a national or local level”, but these issues arise in highly patriarchal, honour based communities where “honour crimes that are condoned are very similar across Europe, and they require at least the sharing of knowledge” (Eisner, M. 2016, January 26. Email interview).

A different approach has been named by Fier Friesland. They believe expertise and notoriety of the problem are required. To the question on what they believe is the best way to prevent honour-related violence they answered that punishing the perpetrator is not necessarily the most important part. This is because every case is different and mostly the whole family is involved. Fier Friesland provides counselling and treatment and, if possible, mediation between the family members.

There is a consensus between Manuel Eisner and Jeroen ten Voorde regarding more severe punishments. They both do not think this is the solution for honour crimes. Jeroen ten Voorde stated that this has been proven in the past. He thinks it is more important to look at the source of honour-based violence, the importance of honour for people. He wants people to become more aware of the fact that honour can be protected through various ways, and that violence is not the solution. He states that prevention is better than repression.



“When someone has been killed, the perpetrators need to be found and sentenced. Honour-based violence is much more difficult to prevent, but if it occurs (in the form of threats and offences) a targeted approach of the problem is desired, without the spreading of the problem. This brings along risks for the ones involved.” (Ten Voorde, J. 2016, February 18. Email interview).

The Labour Party would like to see a more coordinated and centralized program to combat honour crimes. They believe that the current approach is too fragmented with multiple ministers being responsible. Besides, they would like to see more attention for honour crimes and honour-based violence.

#### **4.3 Level of awareness**

Awareness is an important part in preventing and combatting honour crimes. If there is no awareness regarding a problem in a country it is unlikely that it will be fixed. This sub-chapter discusses whether or not the experts believe there is enough awareness in the Netherlands and the United Kingdom. The researcher was not able to interview someone that could share information on the awareness level in France. This limitation has been explained in more detail in the Methodology chapter.

In regard to the United Kingdom and Europe in general, Manuel Eisner thinks that the attention for honour crimes is too much focussed on a few spectacular cases. He says that “honour crimes arise on the background of wider beliefs, about patriarchal rule, the role of a man as protector and defender of his family, and the right to use violence to protect the reputation of the family or community. This broader context needs more attention” (Eisner, M. 2016, January 26. Email interview). Professor Eisner finds that there has been a much higher awareness level of the problem in the United Kingdom since the last few years. This has also been mentioned in the Literature Review.

Regarding the Netherlands, Jeroen ten Voorde states that there was enough attention within the police, the public prosecutor and judges for honour crimes in the years 2006 until 2010. This was also the case for municipalities, youth centres and safety houses. After 2010 judges and the general prosecutor paid less attention to honour-based violence, but the police is still focusing on the problem. The researcher was not able to obtain factual information on why the awareness decreased after 2010, but it is likely that it had something to do with the financial crisis.

Due to the financial crisis, multiple cut backs have taken place. This was also the case within the police forces and the public prosecutor. Professor Jeroen ten Voorde thinks that the knowledge that has been built up over the years needs to be preserved. In that way attention for honour crimes is maintained.

Furthermore, Jeroen ten Voorde thinks that the Dutch government has done a lot in the last decade in regard to the fight against honour-based violence. A lot of money has been invested in the detection, prevention and aid. However, he can't answer the question whether or not there has been an improvement.

The researcher also attended a hearing at the Dutch Parliament. This hearing addressed more aspects of honour-based violence than only awareness. In the next sub-chapter, the findings of this hearing will be presented.

#### **4.4 Hearing at the Dutch Parliament**

As mentioned in the previous sub-chapter, the researcher also attended a hearing at the Dutch Parliament on February 17<sup>th</sup> 2016. This hearing was regarding forced marriages and other cases of honour-related violence. Several experts on honour crimes talked about their association, their concerns and what kind of changes they would like to see from the government<sup>1</sup>. The researcher has made notes of this hearing which can be found in de Appendices chapter.

It was concluded in the Literature Review that there is a severe lack of data regarding honour crimes in the three research countries and in the European Union. This lack of data has been confirmed by all the experts that attended this hearing. Zeki Arslan, expert at the CAOP (this is the full name of the association and it provides knowledge and service in the field of labour issues in the public domain), said that there is need for a structured system, where all organisations and experts can share their information. Shirin Musa ,who works at Femmes for Freedom, also said that there needs to be more investigation regarding the size of the problem. Janine Janssen, an investigator of the National Expertise Centre on Honour Related Violence, said that they already try to register all the cases of honour crimes in the Netherlands (these numbers have been put in the Literature Review). The National Expertise Centre on Honour Related Violence receives this data from regional police stations, but apparently the police only passes on two or three percent of the cases to the National Expertise Centre on Honour Related Violence. This is because they often do not recognize honour-based violence.

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<sup>1</sup> There is no official transcript available of this hearing , however, the notes of the researcher are available in the Appendices.

The experts also explained why it is so hard to acquire this data. It has several reasons. First, a lot of women do not go to the police. They either know someone who works at the police station and they are afraid that person will tell the victim's family or they are simply afraid that going to the police might make things worse. Secondly, it often happens that women do go to the police but they are sent back home. This happens because police officers often do not recognize honour-based violence.

Furthermore, the experts explained how they think honour crimes and honour-based violence can be combatted better. Honour crimes need to be talked about. This was said by Shirin Musa. She believes it is important that a Sexual Liberties Campaign is launched: "We must not be scared to call this problem by its name" (S. Musa, personal notes Hearing at the Dutch Parliament, February 17, 2016). She also mentioned that Germany, Belgium and the United Kingdom all have safe houses in several foreign countries. These safe houses help girls and women that have been taken to their country of origin to be forced into a marriage or to be abandoned. If a girl or woman manages to escape her family, she can stay in one of these safe houses until she is taken back to the United Kingdom, Germany or Belgium. Musa wants the Netherlands to do the same. Furthermore, it must become easier to press charges. If a woman or girl is intimidated, harassed and raped, she should press charges three different times. Sometimes she gets encouraged to only press charges for one crime since this is 'easier'.

It was also mentioned by Hilde Bakker, that the situation of the "individual versus collective" often occurs. In the cases of honour-based violence it hardly ever occurs that a woman is abused by solely her husband. The majority of the times her brothers, parents and family in law are also involved. However, these people are hardly ever prosecuted, because only the perpetrator who physically hurts the woman is punished and he is willing to take his responsibility. This is where legislation should be much stricter and the collective should be punished as well.

Naeeda Aurangzeb, a woman that has been a victim of honour crimes and now works as a journalist, said that there is a huge power battle going on between large "white" organisations that help (potential) victims of honour crimes and smaller organisations of migrant people, who in fact fight for the same cause. The larger organisations often tell the smaller organisations that they do not need any help. This is in fact not true. The migrant organisations can connect with the women on a certain level that can never be reached by the "white" organisations, because the migrant organisations have the same backgrounds, thus said by Naeeda Aurangzeb.

Many new ideas have been mentioned by the experts that have attended the hearing at the Parliament in regard to how to prevent and combat honour crimes better. It has been mentioned that there needs to be a better investigation regarding the size of the problem. This goes hand in hand with the structured system that has been mentioned by Zeki Arslan.

Shirin Musa brought along the idea of Safe Houses. She also finds that pressing charges must become easier. Furthermore, it has been mentioned that there is a power battle going on between “white” organisations and smaller “migrant” organisations. These organisations have to work together. In regard to stronger legislation, Hilde Bakker mentioned that in the situation of the “individual vs the collective” the “collective” needs to be punished as well.

## **5. Discussion**

This chapter will discuss the information that has been acquired in the Literature Review and Results chapter in order to come closer to answering the main research question on whether or not there should be European legislation regarding honour crimes.

### **5.1 European legislation**

This dissertation started out with the research question: Should there be European legislation regarding honour crimes? The researcher began with researching different aspects such as the current situation, data, associations and legal provisions in the sample countries and in the European Union. The findings have given an indication on whether or not European legislation would be beneficial. These findings will be analysed in the following sub-chapters.

#### **5.1.1 Current situation**

It is clear that the awareness in regard to honour crimes has increased in the Netherlands and in the United Kingdom in the last few years. The United Kingdom did not know the term honour-based violence until a couple of years ago, while nowadays it has legislation against forced marriages. Hence the increase in awareness. Also, in the Netherlands one can see progress. There are multiple campaigns (TrouwenTegenJeWil and YourRight2Choose) against forced marriages and there has been a three million euro's investment in fighting honour crimes and homophobia. This shows that the country is willing to make a change and fight honour crimes.

For France it is a different story. After having researched honour crimes in France for a while, it became evident that there is a severe lack of information. No information could be found on the current situation in regard to honour crimes. Therefore, the researcher cannot say anything with certainty in regard to the current situation in France.

#### **5.1.2 Lack of data**

Finding data in regard to honour crimes and honour-based violence was the most challenging part of this dissertation, especially finding data in regard to France. It was possible to find the number of honour killings in the Netherlands and in the United Kingdom and a comparison can be drawn from this. The number of honour killings in the Netherlands and in the United Kingdom seemed relatively similar in the years 2010 and 2011. However, after 2011 there has been a big difference in number between the two countries.

Year	2010	2011	2012	2013	2014
Netherlands	11	7	13	17	14
United Kingdom	11	5	0	9	4

It is questionable how reliable these statistics are. However, these are the only statistics that have been found, and at least these statistics give an indication of the number of honour killings in the Netherlands and in the United Kingdom. If one takes a look at them, it is obvious that there are less honour killings in the United Kingdom. This is questionable since the United Kingdom is a larger country with more citizens. The Netherlands has 17 million citizens while the United Kingdom has 64 million citizens (Europa Nu , 2016). Also, it has been mentioned that the most honour-based violence offences occur in the United Kingdom. There could be several explanations for this difference in numbers. For one, it could be the case that the Netherlands has a better way of keeping track of all the honour killings. In the Netherlands, the National Expertise Centre is busy trying to keep track of all the honour crimes and honour killings, and this might be working. The United Kingdom could be failing at keeping track of all the honour crimes that occur. This is an aspect that came up in every source that investigated honour crimes. It is simply very hard to keep track of data, since a lot of the times the family members cover up the crimes, the police does not recognise honour crimes or because the victims are scared to press charges. Training professionals to recognise honour crimes better and making the threshold smaller for pressing charges are part of the solution for obtaining more data.

The statistics that have been found are difficult to compare and are not complete. This aspect does not help this dissertation, and more importantly, it does not help fighting honour crimes. Even though the before mentioned does not help this dissertation, it does not stand in the way of the final conclusion and rather adds recommendations for fighting honour crimes more efficiently. One can say that the number of honour killings is low in both countries, but if one compares it with the number of murders in total it is relatively high in the Netherlands. Also, this conclusion is questionable because of the credibility of the data in regard to the United Kingdom presented in these tables.

Year	2010	2011	2012	2013	2014
<b>Honour killings in the NL</b>	11	7	13	17	14
<b>Total murders in the NL</b>	170	165	142	147	135
<b>% honour killings of the total</b>	6.5%	4.2%	9.2%	11.6%	10.4%

Year	2010	2011	2012	2013	2014
<b>Honour killings UK</b>	11	5	0 <sup>2</sup>	9	4
<b>Total murders in UK</b>	648	577	533	552	537
<b>% honour killings of the total</b>	1.7%	0.9%	0%	1.6%	0.7%

It was not possible to find any data regarding honour crimes and honour-based violence occurring in France. The only data that has been found was that in the past 16 years, about 7000 forced marriages have occurred in France. This number was presented by the association Planning Familial (Planning Familial ). It is questionable how reliable that number really is.

<sup>2</sup> The number 0 in the second table has been explained in the Literature Review: United Kingdom: Background information and data

The researcher wanted to find out why there is such a lack of data regarding France. This question has been answered by Michael Gihl, who works at the French Embassy and used to work at the Ministry of Justice in France. He stated that there is no official data regarding honour crimes in France.

The first fundamental reason for this, as he stated, is because honour crimes are difficult to define. In France, it is commonly known that two different categories of criminal behaviour can fall within the category of honour crimes:

1. Blood crimes: these crimes are usually committed in relation to family honour. These vendettas occur in regions around the Mediterranean Sea and within the Balkan region.
2. Crimes that are committed in certain cultural and religious contexts. This happens in relation to religion, marriage and the place of women within society.

Since this dissertation focusses on the second category, the following problem can be identified when it comes to finding relevant data:

“On the 6<sup>th</sup> of January 1978, the law known as: ‘Loi Informatique et Libertés’, forbids to collect and record information’s, directly or not, about racial and ethnic origins, as well as religious beliefs. If one does collect data it is a criminal offence. However, this law authorizes ethnics studies made by researchers but with specific criteria. The National Data Protection Authority is in charge of controlling and approving these studies” (Gihl, M. 2016, May 10. E-mail interview) .

France has signed the ‘Universal Declaration of Human Rights’ set up by the United Nations. France also has legislation that states that women and men are equal, legislation that criminalizes forced marriages, intimidation and murders. If France were to take the Universal Declaration of Human Rights and her own legislation seriously, the law ‘Loi informatique et libertés’ should be abolished. This law limits France in the international law, her own formulated legislation and in her ‘fight’ against honour crimes. Due to this law, France will never have any statistics in regard to this problem. This means that France will never know how big of a problem honour crimes are in the country and will never be able to fight honour crimes, because it will not be known where the problem occurs (in which communities, which kind of crimes occur and how often).



### 5.1.3 Associations

The Netherlands, France and the United Kingdom all have multiple associations that are trying to prevent and combat honour crimes and help (potential) victims. Some countries have more associations than others. The Netherlands has different kinds of associations. The National Expertise Centre on Honour Related Violence is an association that deals with the scientific side of honour crimes, but there are also multiple associations that are focussed on the victims. In the Netherlands, the police is trying to focus more on honour crimes since the last decades and works closely with the National Expertise Centre on Honour Related Violence. In the United Kingdom, the Metropolitan Police in London is very much involved. This research has not been able to reveal whether or not the police in France is trying to be more present in the fight against honour crimes. Both in France and in the United Kingdom there are associations dealing with honour crimes. However, there is a difference in the amount of associations dealing with honour crimes in those two countries.

It was evident that in the United Kingdom there are more associations. For France, only two were found: 'Genre en Action' and 'Planning Familial'. This means that France scores low again regarding this aspect.

The fact that there are multiple associations, shows that there is a certain level of awareness in the sample countries. Associations are important messengers that also increases awareness within the society. The fact that there are already associations that try to prevent and combat honour crimes, shows that the sample countries, especially the Netherlands and the United Kingdom, are already active in the fight against honour crimes. The associations address the problem in politics; organisational influence is more effective than individual influence. The associations have a strong bond with the different groups where honour crimes occur, because they are more approachable than e.g. police stations or the political world. For many people there is a threshold in approaching the police. This means that associations obtain a lot of information that is valuable for the fight against honour crimes and honour-based violence. The information could be regarding the different communities involved in honour crimes, what sorts of honour-based violence occurs and how often. If, for example, a particular community struggles with forced marriages, the authorities can focus on that particular problem.

#### 5.1.4 Legal provisions

Gender equality is prioritized in all three sample countries. All three countries allow women to have an abortion, take contraceptives and see rape as a criminal offence. The reason why this is relevant for this dissertation is because one can expect that countries that take gender equality serious, as these sample countries claim to, also take honour crimes and honour-based violence serious, since these crimes are contrary to the before mentioned principles.

The Netherlands, the United Kingdom and France do not have a law that explicitly condemns honour crimes and honour-based violence. However, these three countries all criminalize forced marriages, which is a form of honour-based violence, and criminalize other criminal offences such as intimidation, harassment and murder.

Forced marriage became a criminal offence in France in 2003, whereas it became a criminal offence in 2015 in the Netherlands and in 2014 in the United Kingdom. This is a big difference between the countries. This seems a bit odd, since France seems to be the country less engaged in the fight against honour crimes.

France had created legislation against forced marriage years before the other two sample countries did, but the country does not bring this legislation into practice. France does not keep track of honour crimes and has few associations dealing with the problem. Therefore, this legislation seems only theoretical.

There is also a difference in punishment in these three countries. In the Netherlands one can get a maximum punishment of two years in jail if someone has been found guilty of forcing someone into a marriage, while in the United Kingdom one can go to jail for a maximum of seven years. The punishment is much more severe in the United Kingdom. This research did not reveal the maximum punishment one can get in France for forcing someone into a marriage.

The Netherlands also has an additional law that criminalizes pressuring someone into doing something with the use of threats, intimidation or other means (Article 284, Criminal Law). Someone who has been found guilty of a 'coercion crime' can be sent to jail for a maximum of two years (Landelijk knooppunt Huwelijksdwang en achterlaching, 2015).

The three sample countries all have legislation, although different, that has a direct or indirect relation to honour crimes. This is not surprising. There are large differences in legislation between the countries that are a member of the European Union. There is nothing wrong with that. Although the European Union is an unity, it also consists of 28 individual Member States, every one of them having its own history, characteristics, values and culture. National legislation often fits well with these before mentioned individual aspects. For example, the Netherlands has always been a tolerant and open-minded country. Legislation regarding regulated prostitution and soft drugs is less strong than in other countries. A goal of this legislation is to keep those two issues from going into the uncontrolled underworld.

#### **5.1.5 Opinion of the experts**

After having conducted secondary research, it became clear that the sample countries all have different aspects of honour crimes criminalized. This raised the question what the added value would be of European legislation. The researcher wanted to know the opinion of the experts regarding the research question. Their answers can be found down below, together with the analysis of the researcher.

The organisation Karma Nirvana does find European legislation beneficial. They believe that this legislation would be “helpful and empower victims to come forward to report and for support” (Karma Nirvana, 2016, January 26. E-mail interview). However, Karma Nirvana would welcome any relevant legislation that may empower victims and deter perpetrators. Furthermore, Karma Nirvana believes that honour crimes are a serious enough problem that needs to be dealt with on European level, with the reason that victims can be significantly harmed and even murdered.

With the power that European legislation can radiate, Karma Nirvana has made a valid point in regard to European legislation. National (often different) legislation can be too fragmented and therefore less powerful.

Professor Manuel Eisner does not know whether or not European legislation would be beneficial, since he would not know what this law would cover. What Professor Eisner has stated is true, since most behaviours such as murder, coercion and forced marriage are already criminalized. The researcher came to the same conclusion after finalizing the Literature Review.

The organisation Fier Friesland said it did not think European legislation would be beneficial in the fight against honour crimes. The reason behind this statement is because they do not think punishing the perpetrator is the most important part. This is because every case is different and most of the time the whole family is involved. So then the question remains: who do you punish? Fier Friesland and Manuel Eisner both do not think that the solution lies in more severe punishment. Instead, the solution might lie in the Individual vs Collective. This will further be elaborated on in the sub chapter: *The Individual vs the Collective*.

The final interviewee, Jeroen ten Voorde, also does not believe there should be European legislation with the reason that honour-based violence is named in the 'Convention on Preventing and Combating Violence against Women and Domestic Violence'. With this convention, European legislation seems unnecessary. Instead, one should focus on combatting honour crimes on the national level. That being said, it does mean that the European Union does not have a role. The European Union can support the Member States in various ways in the fight against honour crimes. For example, by giving financial aid.

Based on these four interviews, one can make the conclusion that European legislation would not be more beneficial. It rather should be dealt with on the national level. Due to this research, different ways to combat honour crimes have come up. These alternatives are being analysed in more detail in the sub-chapter: *Alternatives for fighting honour crimes*. In the next sub-chapter one will take a look at the obstacles that occur while fighting honour crimes.

## **5.2 Obstacles in the fight against honour crimes**

There are multiple obstacles when it comes to preventing and combatting honour crimes. This chapter will focus on the different obstacles that have become apparent while performing this research.

### **5.2.1 Lack of data**

One aspect that really stood out in the Literature Review was the lack of data in the three research countries, especially in France. This lack of data has been confirmed once again by all the experts that attended the hearing at the Dutch Parliament. Knowing the size of the problem is a very important part of decreasing it, because how does one know how to tackle a particular problem if one does not know how large it is. This being said, necessary data does not only exist of the number of honour crime cases. It also exists of knowing who the perpetrators and the victims are, what the reason behind the violence is, and in which communities it happens most often. Before one can solve the problem, one must be familiar with the problem.

### **5.2.2 The broader context**

According to Manuel Eisner, the attention for honour crimes is too much focussed on a few spectacular cases. He said that “honour crimes arise on the background of wider beliefs, about patriarchal rule, the role of a man as protector and defender of his family, and the right to use violence to protect the reputation of the family or community. This broader context needs more attention” (Eisner, M. 2016, January 26. Email interview).

Honour crimes are very difficult to define since it occurs in many different communities and in many different forms. The background of honour crimes can be both cultural or religious. The severity of honour crimes can also differ. The fact that honour crimes are so diverse makes it difficult to get a hold of the problem and to combat it.

### **5.2.3 The recognition of honour crimes**

As mentioned several times before, there is a severe lack of data in the three sample countries. One of the reasons behind this lack of data is because it is difficult to keep track of all the honour crime cases. Occasionally, family members cover up the crimes or the police does not recognise it. This has also been explained in the chapter: *The Netherlands: Background information and data*, where it was stated that police officers find it hard to recognise honour-based violence and pass it on to the National Expertise Centre on Honour Related Violence.

Fortunately, high school teachers in the Netherlands will be trained to recognise signals of forced marriage and other types of honour-based violence. This is a very big and important step in the right direction, because in this way it becomes easier to prevent honour crimes. The United Kingdom also wants to recognise honour-based violence better. Therefore, a lesson has been given to police officers to teach them how to recognise honour-based violence. Again, France is missing in this chapter.

#### **5.2.4 The process of pressing charges**

Another obstacle that occurs in the fight against honour crimes is the process of pressing charges. It was brought up in the hearing at the Dutch Parliament that if a woman or girl is intimidated, harassed and raped, she should press charges three different times. Sometimes she even gets encouraged to only press charges for one crime since this is 'easier'. It would be a better option if one can press charges for one crime only, if that crime is 'honour-based violence', existing out of the before mentioned intimidation, harassment and rape. Also, the threshold for going to the police to press charges will become lower, since one only has to press charges once.

#### **5.3 Alternatives for fighting honour crimes**

This sub-chapter will analyse all the alternatives for fighting honour crimes that have come up while writing this dissertation.

##### **5.3.1 A structured system for data**

A structured system, where all organisations and experts can share their knowledge, including statistics, might be one of the best things the sample countries could do. The Netherlands is ahead of this in comparison to the United Kingdom and France. The National Expertise Centre on Honour Related Violence is keeping track of all the cases, and it publishes a yearly report with these numbers. Here lies a potential role for the European Union. The EU can encourage all of its Member States to create a National Expertise Centre, where data can be obtained. Besides encouraging their Member States, the EU can also have a facilitating role. This would mean providing financial aid and/or organisational support.

### **5.3.2 Safe Houses**

Shirin Musa mentioned that Germany, Belgium and the United Kingdom all have Safe Houses in several foreign countries. These Safe Houses help girls and women that have been taken to their country of origin to be forced into a marriage or to be abandoned. If a girl or woman manages to escape from her family, she can stay in one of these houses until she is taken back to the United Kingdom, Germany or Belgium. Musa wants the Netherlands to do the same. The researcher agrees with this suggestion and finds that Safe Houses are very important. This way, the Member States can keep providing shelter and safety for their citizens, even if these citizens are in a different country. The EU could also encourage all Member States to create Safe Houses.

### **5.3.3 Power Battle “white” vs “immigrant” organisations**

As already mentioned before in the results section, there is a so-called power battle going on between large ‘white’ organisations and smaller organisations of migrant people that help (potential) victims of honour crimes. Both organisations fight for the same cause. The larger organisations often tell the smaller organisations that they don’t need any help. This is in fact not true. The migrant organisations can connect with the victims on a certain level that can never be reached by the ‘white’ organisations, because the migrant organisations have the same backgrounds, thus said by Naeeda Aurangzeb.

It would be a smart idea if these organisations would bundle their powers. In this way, more people will benefit, and the organisations will be able to help more people. Here lies a role for the National governments. They can request the different organisations to work together instead of fighting each other.

### **5.3.4 The Individual vs the Collective**

Honour crimes often have a collective dimension, which means that they have been planned by several family members (United Nations General Assembly, 2014). It was also mentioned by Hilde Bakker, who works at an organisation called Kennisplatform Integratie en Samenleving (KIS), that the situation of the ‘individual versus collective’ often occurs. In the cases of honour-based violence it hardly ever occurs that a woman is abused by solely her husband. The majority of the times her brothers, parents and in-laws are also involved. However, these people are never prosecuted. This is because only the perpetrator who physically hurts the woman is punished and he is willing to take his responsibility. This is where legislation should become much stricter, and the collective should be punished as well. If the whole family will get punished after committing honour-

based violence, it might send a message that honour-based violence is taken seriously and is not something to think lightly about.

The before mentioned paragraph also shows the importance of the background of honour crimes. Therefore, it is necessary to be active on the national level in order to prevent and also combat honour crimes. This prevention is very difficult to realize on the European level. The reason behind this is that the situation is different in every Member State. Every Member State has a different history in regard to crimes in general and in relation to honour crimes. The national level has a more direct relation with and stands closer to the problem of honour crimes and honour-based violence.

#### **5.3.5 Prevention in social groups**

Another important alternative for fighting honour crimes, as suggested by Manuel Eisner, is focussed prevention in social groups with a strong honour culture. This will require support from community leaders. The idea of Manuel Eisner goes hand in hand with the idea of Jeroen ten Voorde. He thinks it is important to look at the source of honour-based violence, the importance of honour for people. That means that one deals with the social groups with a strong honour culture as stated by Manuel Eisner. Jeroen ten Voorde wants people to become more aware of the fact that honour can be protected through various other ways, and that violence is not the solution. Also, this will have to be done on the national level and more specifically on the scale of the municipalities. It might be difficult to enter these social groups, being an outsider. Here lies a role for the before mentioned 'immigrant' associations. They will most likely have less problems to enter these social groups, because they will be less seen as an outsider.



## 6. Conclusion

This chapter will give an answer to the main question of this dissertation which was whether there should be European legislation regarding honour crimes. Furthermore, it will summarize all the steps that have been taken in order to come to this final conclusion and it will end with multiple recommendations.

Even though there were some limitations when it came to gathering data the conclusion of this dissertation is clear: European legislation in regard to honour crimes has no added value. Prevention and repression can be done much more effectively and better at the national levels but this does not mean that there is no role for the European Union regarding honour crimes.

This dissertation started out with focussing solely on the legislation part because its research question was focussed on the legislation. As more research was being done, it became clear that (European) legislation plays a relatively limited role in preventing and combatting honour crimes. That is why this dissertation developed a broader look on the problem of honour crimes and how to prevent and combat it better. Many problems can be best tackled on the lowest possible level and this also applies to honour crimes. Honour crimes occur in society, and more importantly, in different ethnic and cultural groups within the society. Involvement in this problem starts low in the societies; in communities, schools, youth centres and associations. Municipalities are the nearest formal institutions that know the community best and can play a role in the fight against honour crimes. The national level is the next higher formal institution which has the competence to make (criminal) laws.

The three sample countries are busy with preventing and combatting honour crimes within different areas, some countries are doing more than others. There are different legislations that criminalize several aspects of honour crimes and there are multiple associations that either help (potential) victims or investigate the scientific side of honour crimes. Even though the sample countries are dealing with honour crimes, improvements can and must be made and this is where the European Union can play an important role.

Legislation is not a goal in itself but a way to achieve goals, in this case preventing and combatting honour crimes. In order to prevent and combat honour crimes, good legislation plays an important role, but in regard to this problem prevention via information and education, support and guidance and proper registration is just as important. This should be done on the local level (municipalities), and in cooperation with associations that are active in the fields of honour crimes and honour-based violence.

Down below a list with 4 recommendations can be found, including the ones in which where the European Union can play a role:

### **Recommendation 1) Data**

Since there is such a lack of data in the European Union and in the sample countries, there should be more attention towards gathering data. Associations, municipalities, police stations and the Public Prosecutor all need to gather data and pass it on to each other and to a special association such as the National Expertise Centre on Honour Related Violence. This can be done through a structured system that collects various aspects that are related to honour crimes. All Member States need an association such as the National Expertise Centre. The European Union can play a role in this by either giving financial and/or organisational help.

### **Recommendation 2) Cooperation**

International cooperation needs to be strengthened. Countries need to share their knowledge, in that way countries can learn from each other. The European Union can play an encouraging role in this. There also needs to be cooperation between different sorts of associations ("white" associations vs "immigrant" associations). These associations can truly learn from each other and they need each other. Here there is no role for the European Union, it rather should be dealt with by the municipalities, since they have a closer relation to the associations.

### **Recommendation 3) Awareness**

There is still a need for more awareness. This awareness can be obtained by organising campaigns (TrouwenTegenJeWij). But also by raising awareness by giving information and education to the communities where honour crimes occur. Explaining to them that honour can be preserved through other ways instead of using violence. Since honour crimes are often not recognised, more awareness should also be created among police officers and teachers, which can be done by giving trainings to them.

**Recommendation 4) Create safe houses**

All Member States should create safe houses. Safe houses help girls and women that have been taken to their country of origin to be forced into a marriage or are abandoned. This way, the Member States can keep providing shelter and safety for their citizens, even if these citizens are in a different country. The European Union can play a role in this by either giving financial and/or organisational help.

This research can go on in multiple ways. For example, one can investigate other European Member States and see how the situation is there in regard to honour crimes. The situation might be very different in another country in comparison to the three sample countries this dissertation focussed on. Furthermore, it would be interesting to wait a couple of year and then research the current situation of these three sample countries and see if the situation has changed. Is there more awareness, is there any improvement in regard to collecting data?

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## **Appendix 1**

### **Interview 1 with the Karma Nirvana team**

Question 1) How would you define honour crimes?

*Answer 1- Honour crimes are crimes motivated by honour i.e. upholding family honour. Honour based abuse and violence is motivated by honour but of course is not justified and there are usually multiple perpetrators- male and female.*

Question 2) Do you think that there is enough attention for the phenomenon Honour crimes?

*Answer 2- We believe it is important to continue raising awareness about forced marriage and honour based abuse/violence as it is widespread in the UK and abroad. Therefore, it is necessary that awareness is raised amongst society. We train professionals i.e. police to ensure they give the right response to victims and survivors of this abuse. We also have a Young Person's Officer who goes into Schools to raise awareness amongst students and staff. We participate in events across the UK and internationally as well to raise awareness.*

Question 3) What do you personally believe is the best way to prevent honour crimes (stronger legislation en prevention)?

*Answer 3- To prevent this abuse, we believe there needs to be legislation but prevention too. We have the forced marriage law in the UK whereby FM is illegal but of course other measures need to be enforced to safeguard victims i.e. Forced Marriage Protection Orders, removing victim from abuse i.e. getting them into safe accommodation, signposting them to support services etc.*

Question 4) There is, besides general human rights legislation/law, no specific European legislation regarding honour crimes. Do you think/believe there should be a law?

*Answer 4- Yes legislation specifically around honour based abuse and violence would be helpful and empower victims to come forward to report and for support. We would welcome any relevant legislation that may empower victims and deter perpetrators.*

Question 5) What can the Dutch/French/British government do better in regards in the fight against honour crimes?

*Answer 5- Continue making a stand against this abuse and sending out a clear message to perpetrators. They can also help to make it easier for victims and survivors to come forward by making training, reporting etc of professionals mandatory and getting forced marriage and honour based abuse on the curriculum. As education is at the heart of prevention.*

Question 6) Have you seen an improvement in the fight against honour crimes in the last couple of decades?

*Answer 6- Yes, we have come a long way since 1993- when we were founded by our CEO Jasvinder Sanghera. However, there is of course many victims yet to reach but it is great that there is more awareness and support for victims and survivors and of course the forced marriage legislation.*

Question 7) Do you consider honour crimes a serious enough crime to be dealt with on European level?

*Answer 7- Absolutely, crimes motivated by honour are widespread as we have previously stated. We handle an average of 600 calls a month from UK victims alone which includes males and females so would reinforce this abuse is extremely serious and needs to be tackled. In regards to forced marriage or honour based abuse/violence, victims can be significantly harmed or even murdered so yes this abuse is serious enough to be dealt with by European law.*

Question 8) Or do you think that this can be better dealt with on national level (because the situation is different in every country)?

*Answer 8- As stated, we believe forced marriage and honour based abuse needs to be tackled worldwide and would reinforce that legislation or prevention needs to be consistent across the board.*

Question 9) Do you think prevention is better than repression?

*Answer 9- Prevention is key as if victims are given the right response and listened to and believed forced marriages can be prevented from taking place. Common triggers and indicators need to be picked up on by professionals especially who may be presented with a victim of this abuse as often, British subjects are taken abroad for a forced marriage during School holidays, absences go untraced etc and by then, the victim may be at serious risk of harm. Therefore, prevention is necessary and everyone has a responsibility to safeguard victims as far as possible especially professionals i.e. police, School, Social Services, Health professionals etc.*

## Appendix 2

### Interview 2 with Fier Friesland

Question 1) How would you explain honour related violence?

*Answer 1- Honour related violence is mental or physical abuse to restore the broken honour of the family. The problems are very intense for all the involved family members. The violence can exist out of threats, abuse, forced marriage, kidnap and even honour killings. Honour-related violence is mostly common in closed communities.*

*Honour related violence knows many different forms:*

- *Mental pressure ( humiliation) and threats*
- *Abuse*
- *Forced marriage*
- *Honour killings*

*Sometimes the victims also have to deal with:*

- *Staying home from school*
- *Having less personal freedom*
- *Being isolated from the outside world*
- *Being abandoned in the country of origin*

Question 2) Do you believe there is enough attention for honour crimes here in the Netherlands?

*Answer 2- It is always good to have attention for honour-related violence, but what is enough? I also wonder whether or not the national campaign such as “ Het houdt niet op...niet vanzelf” (it does not stop, at least not by itself) makes sure that honour related violence will decrease. Making the problem more known is always good but according to Fier (our organisation) it is more important to spot honour related violence, especially within education and healthcare. The National Centre of Honour Related Violence and Abandonment was commissioned by the Ministry of Social Affairs to create a brochure for professionals. What can you do as a professional? Every year hundreds of Dutch people against their will. Especially young people between the ages of 16 and 25 years with a*



*non-western background are vulnerable to forced marriage. Teachers and other professionals usually see forced marriage, abandonment or other form of honour-related violence when it is too late. The signals are often being missed: often they are not clear or the youth does not talk about it. Schools can contribute to the prevention of forced marriage, abandonment and other cases of honour related violence. The Ministry of Social Affairs has asked Fier and Kompaan en de Bocht to train teachers and social workers so that they will be more capable of noticing signals of honour related violence.*

*Especially for this a National training offer has been created, this is for everyone within the education system that works with younger people with a non-western background. Professional development of teachers and health professionals within the VO, MBO and HBO on the themes of forced marriages, abandonment and honor-related violence with the aim of acting professionally in possible cases of forced marriages, abandonment and honor-related violence: to recognizing signals, to discuss and take appropriate action.*

Question 3) What do you think is the best way to combat honour-related violence?

*Answer 3- To prevent honour-related violence much is needed. It is not necessarily important to punish the perpetrator of honour related violence. This is usually very complex. The whole family is involved, so who is in fact the real perpetrator? Fier gives counselling and treatment. Sometimes it is necessary for a woman or a girl to leave her house temporarily. That is why our shelters as Blijf van mijn Lijf and Zahir are created. Zahir is a small anonymous shelter that provides protection and treatment to girls between the ages of 14 and 23 who have dealt with honour-related violence.*

*Parents are being told that their daughter is in a safe surrounding and if possible, in cooperation with the police, a mediation is started for the whole family. We work together with the police and the National Expertise Centre of Honour Related Violence.*

Question 4) There is no European legislation for honour-related violence. Do you think there should be a law?

*Answer 4- To prevent honour-related violence it is very important that this problem is known and expertise is required. A special legislation will not do that. Support of the government will. Fier has received of the Ministry of Social Affairs has received a training offer what we can offer for free to the education system. With that support we could make good progress. This has improved the last few years.*

Question 5) What can the Dutch government do better to combat honour related violence?

*Answer 5- Mentioned above.*

Question 6) Have you seen an improvement in the fight against honour related violence in the last couple of decades?

*Answer 6- Mentioned above.*

Question 7) Do you think that honour-related violence is as serious enough problem to be dealt with on European level?

*Answer 7- No case of honour-related violence is the same. For every family other rituals and traditions are being used. This makes honour-related violence so complex. We have to make sure violence is taken seriously and fight for it, not only in the Netherlands but also in Europe. More expertise and notoriety is step 1.*

Question 8) Or do you think it would be better to leave it in the hands of the National government, since every situation is different?

*Answer 8- Mentioned above.*

### Appendix 3

#### Interview 3 with Professor Manuel Eisner

Question 1) Do you think that there is enough attention for the phenomenon honour crimes in the United Kingdom and in Europe in general?

*Answer 1- I think the attention is too much focussed on a few spectacular cases. Honour crimes arise on the background of wider beliefs, about patriarchal rule, the role of a man as protector and defender of his family, and the right to use violence to protect the reputation of the family or community. This broader context needs more attention.*

Question 2) What do you personally believe is the best way to prevent honour crimes (stronger legislation and prevention)?

*Answer 2- I believe stronger legislation plays a relatively limited role since most behaviours (murder, coercion, forced marriage etc.) are already criminalized. However, I believe that focussed prevention in social groups with a strong honour culture would be important. This requires support by community leaders. Also, in many places there is still a need for better cooperation between victim support agencies, schools, the police and medical staff in providing the best possible support in cases of suspected exposure to honour-related violence.*

Question 3) There is, besides general human rights legislation/law, no specific European legislation regarding honour crimes. Do you think/believe there should be a law?

*Answer 3- I am not sure what that law would cover. It is important to note that notions of 'honour' may play a role in many crimes, including murder, forced marriage, rape, assault, threat, etc. Often motives are mixed. I find it therefore difficult to imagine a law against honour crimes. But where there are gaps, for example regarding forced marriage, these gaps should be closed.*

Question 4) What can the British government do better in regards in the fight against honour crimes?

*Answer 4) See above*

Question 5) Have you seen an improvement in the fight against honour crimes in the last couple of decades?

*Answer 5) I think there is a much higher awareness of the problem. In the UK this is reflected, for example, in the legislation regarding forced marriage.*

*[http://www.cps.gov.uk/legal/h\\_to\\_k/honour\\_based\\_violence\\_and\\_forced\\_marriage/](http://www.cps.gov.uk/legal/h_to_k/honour_based_violence_and_forced_marriage/)  
[#a04](#)*

Question 6) Do you consider honour crimes a serious enough crime to be dealt with on European level?

*Answer 6- Yes, I think it would be useful to coordinate activities at the European level.*

Question 7) Or do you think that this can be better dealt with on national level (because the situation is different in every country)?

*Answer 7- I don't think it's an either or. Most prevention and intervention activities naturally are more likely to happen at a national or local level. But these issues arising in highly patriarchal, honour based communities where 'honour crimes are condoned are very similar across Europe, and they require at least the sharing of knowledge.*

Question 8) What would the advantages and disadvantages be, if honour crimes would be dealt on European level instead on the national level?

*Answer 8- Not sure really*

## Appendix 4

### Interview 4: Professor J. Ten Voorde

Question 1) Do you believe there is enough attention for the problem honour crimes?

*Answer 1- You are assuming that honour crimes are a problem. Then I first must know when something is a problem. Also, apart from the figures of honor crimes, I would think that the behaviour in which amounts to own direction without the need for a general justification can be formulated, is a problem. Looking at it that way, there is a problem. That problem just does not only apply to honour crimes. In the Netherlands we do not talk about honour crimes but about honour-based violence, a phenomenon that deals with honour crimes but is so much more. There was a lot of attention for honour-based violence between 2006 and 2010, first by police, later by the general prosecution en judges. Also municipalities, youth care and safety houses paid more attention to honour-based violence. Whether that is enough I find hard to answer. After 2010 the attention slipped away, at least by judges and the general prosecution. The police is still focussed on the problem. So I can answer your question with yes and no. Depending on what perspective you are looking at. It is important that build up knowledge is preserved, so that the attention for honour-based violence can stay. Whether or not that is happening is a more important question. A world of knowledge can be gained there.*

Question 2) What do you think is the best way to prevent honour crimes? (better legislation e.g.)

*Answer 2- I don't think legislation or prosecution and severe punishments will work. This has been proved in the past. It is more important to look at the source of honour-based violence, the importance of honour for people. I think that is something that needs to be talked about. Why is honour so important and needs to be protected. Is violence the solution? I think it is important that people become more aware of the fact that honour can be protected through various ways, and that violence is not the solution. Preventing honour-based violence starts by talking about honour and creating awareness that violence can't be and is not the solution.*

Question 3) There is, besides general human rights, no specific European law that criminalizes honour crimes? Do you think there should be a law?

*Answer3- No, why should there be a law? Honour-based violence is named in the European treaty against violence against women. In several resolutions of the European Council and European Union honour crimes are condemned. I think that is enough. The member-states need to step up to honour crimes with their own legislation. International cooperation can be strengthened.*

Question 4) If yes, what would be advantages and disadvantages of such a law?

*Answer 4- Since I answered this question with no I do not feel the need to answer this question. In general sense should Europe always ask the question whether or not the approach of a problem should be dealt with on a European level or national level. I am not convinced that a European approach would be better than a national approach to combat honour-based violence, hence there is enough cooperation.*

Question 5) What can the Dutch government do better against honour crimes?

Question 6) Have you seen an improvement in the prevention against honour crimes in the last couple of years?

Question 7) What results have been achieved in order to prevent honour crimes?

*Answer 5,6,7- I am going to answer these three questions at once. The Dutch government has done a lot in the last decade in the fight against honour-based violence. A lot of money has been invested for the detection, prevention and aid etc. Whether or not there has been an improvement I cannot answer. There is still a lot of money spend on detection, prevention and aid. I think that is enough for now. I don't receive signals that that is not the case, although more aid is never wrong. Aid can also help prevention.*

Question 8) Do you think honour crimes are a big enough problem to be dealt on on European level?

*Answer 8- See answer question 4*

Question 9) Or do you think it can be better dealt on on national level?

*Answer 9- See answer question 4*

Question 10)- Do you think prevention is better than prevention? Or vice versa?

*Answer 10- Honour crimes need to be prevented. One death is one too many. When someone has been killed, the perpetrators need to be found and sentenced. Honour-based violence is much more difficult to prevent but if it occurs (in the form of threats and offences) then a targeted approach of the problem is desired, without the spreading of the problem. This brings along risk's for the ones involved. Here it is less obvious to sentence. After the detection, the OM has different choice modalities to dismiss the case. The OM has to check how to dismiss a case per case.*

Question 11) Do you have any knowledge about honour crimes in France or the United Kingdom?

Question 12) If yes, what do you know about it?

*Answer 11, 12) Not enough to answer this properly.*

## Appendix 5

### Interview 5 with Michael Gühr

NB: None of the following shall be considered as an official contribution by French authorities expressing the views of the French government or judiciary.

Question 1) I have been researching the data regarding honour crimes in France, but I cannot seem to find anything. Is it because it is difficult to find the data or because it simply does not exist?

- *In France, there is no official data regarding honour crimes.*

Question 2) If the data does not exist, what are the reasons for this? Is it because it is not possible due to the French law to register these numbers?

- *The first underlying reason probably resides in the difficulty to define honour crimes. It is commonly understood that two categories of criminal behaviour may fall within this category:*
  - *Blood crimes committed in relation with family honour (vendetta, such as in some regions of the Mediterranean sea and Balkans)*
  - *Crimes committed in certain cultural/religious contexts, in relation with the problematic of religion, marriage, and the place of women in society.*

*Once the second category is identified as the relevant one for the purpose of the study, two main obstacles can be identified when it comes to finding data:*

*Data can only be individualized to the extent that a relevant criminal offence can serve as basis for prosecution. This is precisely not the case. Some aggravating circumstances are more particularly relevant in this context (murder/assault battery by husband/partner/father) but are not sufficient to identify patterns within raw statistics. In the sense of criminal law, "honour crimes" do not exist as such.*



*Whereas those phenomena are being observed within some cultural and ethnic communities, the data protection framework in France makes it difficult to analyse the phenomenon. A law of 6 January 1978, known as “Loi informatique et libertés”, forbids to collect and record informations, directly or not, about racial and ethnic origins as well as religious beliefs. Doing so is made a criminal offence. The law nonetheless authorizes ethnics studies made by researchers but with specific criteria. The national data protection authority is in charge of controlling and approving of these studies.*

The difficulty to apprehend the phenomenon from a statistical point of view is stressed by this 2010 interview by the deputy director for criminal matters and pardons.

<http://www.senat.fr/rap/r09-408/r09-40814.html#toc57>

Question 3) What are the consequences of not having any data?

As a consequence, the phenomenon of honour crimes is only put forward:

*-When a particular case attracts the attention to a specific crime that appear to fall within that category.*

A few examples:

[http://www.lexpress.fr/actualite/societe/un-crime-d-honneur-derriere-le-meurtre-de-fatima\\_773961.html](http://www.lexpress.fr/actualite/societe/un-crime-d-honneur-derriere-le-meurtre-de-fatima_773961.html)

<http://www.leparisien.fr/espace-premium/actu/l-impossible-proces-d-un-crime-d-honneur-10-11-2015-5262609.php>

*This article of 2011 states that “since 1993” about 10 cases (“une dizaine”) have been reported by the media. [http://www.lemonde.fr/europe/article/2011/11/15/les-crimes-d-honneur-une-realite-europeenne\\_1604170\\_3214.html](http://www.lemonde.fr/europe/article/2011/11/15/les-crimes-d-honneur-une-realite-europeenne_1604170_3214.html)*

**Question 4) I noticed while doing research that there is hardly any information to be found regarding honour crimes? What is the reason behind this?**

*-When an NGO specifically dedicated to this phenomenon puts it forward to the attention of the general public, such as Swiss foundation "Surgir"  
<http://www.surgir.ch/default.aspx>*

## Appendix 6

### Program hearing at the Dutch Parliament

Tijdens het rondetafelgesprek staan de aanpak van gedwongen huwelijken en de problematiek van 'verborgen vrouwen' centraal. Met de term 'verborgen vrouwen' worden vrouwen bedoeld die in gedwongen isolement leven en die vaak te maken hebben met psychische en fysieke mishandeling. De leden van de commissie voor Sociale Zaken en Werkgelegenheid gaan hierover in gesprek met onderzoekers, vertegenwoordigers van organisaties en praktijkdeskundigen.

Het rondetafelgesprek dient als voorbereiding op een nog te plannen debat over Huwelijksdwang en 'verborgen vrouwen', met minister Asscher van Sociale Zaken en Werkgelegenheid. Hierin komt ook het Actieplan Zelfbeschikking 2015-2017 aan bod.

#### Blok 1: Onderzoek(ers) (10.00 tot 11.00 uur)

1. Hilde Bakker, *Movisie Kennisplatform Integratie*
2. Zeki Arslan, *CAOP*
3. Channa Samkalden, *Advocaat Prakken d'Oliveira*
4. Shirin Musa, *Femmes for Freedom*

#### Blok 2: Organisaties (11.00 tot 12.00 uur)

1. Raffia Aallouch, *Stichting Home Empowerment*
2. Nurcan Yildirim, *Stichting HEG Nederland*
3. Fatma Özgümüş, *Vluchtelingenorganisaties Nederland (VON)*
4. Anke van Dijke, *Fier*
5. Cecilia Pérez Yáñez, *Blijf Groep*

#### Blok 3: Praktijk-en ervaringsdeskundigen (12.00 tot 13.00 uur)

1. Janine Janssen, *Landelijk expertisecentrum eengerelateerd geweld*
2. Ellen van Leeuwen, *Landelijk Knooppunt Huwelijksdwang en Achterlating (LKHA)*
3. Paul Scheerder, *Leefkringhuis Amsterdam*
4. Yasmine Allas
5. Mounir Samuel
6. Naeeda Aurangzeb

## Appendix 7

### Hearing at the Dutch Parliament February 17th 2016

#### *Notes of the researcher*

During the hearing one talked about tackling forced marriages and other forms of honour-based violence. The members of the Committee for Social Affairs and Employment have discussed with researchers, representatives of organizations and consultants.

The hearing served as a preparation for an upcoming debate on forced marriage with Asscher Minister of Social Affairs and Employment.

Down below a list can be found with all the attendees:

- Hilde Bakker, *Movisie Kennisplatform Integratie*
- Zeki Arslan, *CAOP*
- Channa Samkalden, *Advocaat Prakken d'Oliveira*
- Shirin Musa, *Femmes for Freedom*
- Raffia Aallouch, *Stichting Home Empowerment*
- Nurcan Yildirim, *Stichting HEG Nederland*
- Fatma Özgümüş, *Vluchtelingenorganisaties Nederland (VON)*
- Anke van Dijke, *Fier*
- Cecilia Pérez Yáñez, *Blijf Groep*
- Janine Janssen, *Landelijk expertisecentrum eengerelateerd geweld*
- Ellen van Leeuwen, *Landelijk Knooppunt Huwelijksdwang en Achterlating (LKHA)*
- Paul Scheerder, *Leefkringhuis Amsterdam*
- Yasmine Allas
- Mounir Samuel
- Naeeda Aurangzeb

All the experts find that there is a severe lack of data in the Netherlands. Zeki Arslan says there is a “need” for a structured system where organisations and experts can give their information (data) too. Shirin Musa: There must be more investigation to the size of the problem. Janine Janssen then replied with saying that the National Expertise Centre is already trying to register all the numbers.

The experts are now naming different reasons why it is difficult to gather data:

- Women often do not go to the police (afraid, know someone at the police, might makes things worse)
- Women that go to the police are sent home (police does not recognise it)

The experts have named different alternatives to combat honour crimes:

- Shirin Musa: Honour crimes need to be talked about. We must not be scared to call this problem by its name. Safe Houses are also a good idea. Germany, Belgium and the United Kingdom already have them. These houses help girls that are forced into a marriage in a different country or are abandoned. It must also become easier to press charges.
- Hilde Bakker: the individual vs the collective. It is often a girl vs a group. While only the perpetrator who physically hurts the girl gets punished.
- Naeeda Aurangzeb: White vs immigrant associations. There seems to be power battle between these sorts of associations. The white associations say they do not need help. This is not true, the immigrant associations can connect with the women on certain level that can never be reached by the white associations. This is because the immigrant associations come from the same backgrounds as the women.