



# A Transnational Approach

The work against forced marriage and female genital mutilation at four Norwegian foreign service missions



Directorate of Integration and Diversity

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# Preface

This report discusses the work of the integration counsellors who have been stationed at embassies in the countries of origin of the largest immigrant groups in Norway, and in which experience shows that forced marriage and female genital mutilation occurs. The Integration counsellors reach a vulnerable group that otherwise has few opportunities to access help. Some have already been forcibly married, others fear that it is going to happen, and many are kept back or left abroad against their will. Among other things, the foreign service missions help young people return home when they have been abandoned abroad or are subject to abuse in their family's country of origin. Some of these cases are very serious and complex, and international cooperation is necessary to handle them and to find good solutions. "Laila's" story that introduces this report is an example of this.

Experience shows that most forced marriages are contracted abroad, when young people are on holiday with their family or when they are left behind after a holiday in order to be married off.

The Integration counsellors represent an opportunity to help these young people, who would otherwise not have anywhere to turn. Their work has also highlighted the strong links between those who emigrate and the family that remains in the country of origin. Knowledge about how this works and the consequences it has for the life of immigrant groups in Norway is also very important for the integration work that takes place here. Our experience is that it is important to work internationally in order to help those at risk.

In this report we want to share experiences, effective measures and recommendations from the Integration counsellors' work at the foreign service missions.

Oslo, March 2013



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# List of concepts



**Arranged marriage:** Marriage in which the family is involved in finding potential partners.

**Diaspora:** Term for religious and national groups who live outside their home country or historical cultural area.

**Extreme control:** Systematic social control that violates an individual's basic right to self-determination and freedom of movement (in relation to age and maturity). The control is enforced by violence or threats of violence.

**Children and young people who are left abroad:** Children who are left abroad against their will by parents or guardians. Also referred to as "forced relocation".

**Individualism:** A value system that emphasises individual freedom more than considerations of the collective.

**Collectivism:** A value system that emphasises considerations of the collective more than individual freedom.

#### **Consular assistance**

Assistance for Norwegian citizens abroad.

**Migration:** Movement of people; immigration and emigration. This is usually used to describe movements between rather than within countries.

**Resettlement refugees, also referred to as quota refugees or UN refugees.** These are people who have fled their home country and have been resettled to a third country. Resettlement refugees are generally recognised as refugees by the UN before they are resettled in Norway.

**Patriarchal family structures:** Families in which the father or the father's father is at the top of the hierarchy, and the other men are ranked according to age. Women are ranked after the men, and according to age. The daughters of the family are at the bottom of the internal hierarchy.

**Religious/unregistered marriages:** Illegal marriage agreements that are not registered with the authorities in Norway or in the country of origin. The parties are not legally married under Norwegian law or under the law of the country of origin. However, in practice the family considers the parties to be "married". Many of these "marriages" are entered through a religious ceremony before the parties have reached marriageable age.

**Social control:** The influence that society, groups or individuals have over individuals through various mechanisms. Social control can be formal or informal, direct or indirect.

**Transnationalism:** Maintaining family, social, political, cultural and economic ties across international boundaries.

**Forced marriage:** Where at least one of the spouses does not have a real opportunity to choose to remain unmarried, choose to not get engaged or contract a marriage, or to choose another partner not approved by the family without being subject to reprisals.

#### **Immigration field**

The immigration field is an important area of responsibility for Norwegian foreign service missions. The main focus is on processing visa applications.

**Violence in intimate relationships:** Violence in which the perpetrator and victim are closely linked through family ties or by being significant to each other in their daily lives in some other way.

**Honour-related violence:** Violence emanating from the family's need to protect or re-establish honour, reputation and respect.

**Honour code:** Rules for maintaining and re-establishing honour (value, reputation, respect) in the views of others.



## Laila's case

**B**etween June 2008 and December 2012, the integration counsellors have seen a total of 473 cases relating to people linked to 20 different countries of origin.<sup>1</sup> All cases are different. Each person affected has a unique history.

Laila's case is based on a true story, but has been anonymised. It illustrates how a Norwegian foreign service mission can help someone subject to forced marriage, and provides an example of how different agencies in Norway and abroad can collaborate to find a solution. The case takes place during the course of one week.

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<sup>1</sup> When the integration counsellors give advice, guidance or other assistance to one person multiple times, this is considered one case. The same definition applies for minority counsellors and the Expert Team for the Prevention of Forced Marriage, which also registers cases and reports to IMDi c/o the Prevention Unit via questback

## ■ ■ LAILA'S CASE

*The Rector of a school contacts the Ministry of Foreign Affairs. She is worried about a former pupil, Laila, who is now living in Pakistan. Laila's cousin has told the Rector that Laila has been locked up by her in-laws and spouse. Laila has been forcibly married, and her spouse abuses her and threatens to kill her. The Ministry of Foreign Affairs contacts the Embassy, and the integration counsellor contacts the cousin, who often visits Laila, to get more information. The cousin says that Laila is in very poor physical and mental condition, following severe abuse. Her husband has threatened to kill her with a gun, and the cousin says Laila's life is in danger. Laila does not have access to a telephone, and is being watched around the clock by relatives. Her husband has close ties to the local police, which makes it difficult to get assistance from them.*

*The Embassy contacts the Expert Team for the Prevention of Forced Marriage to discuss possible solutions. They come to an agreement that the cousin should try to get a telephone to Laila, so that she can contact the Embassy*

*when she is safe and no one can hear her. This plan is successful, and the Embassy gets extensive information about her situation, who poses a threat, and where these persons are. Laila keeps in continuous contact with the Embassy. One day she says that her husband is away on business, which provides an opportunity to get Laila to safety. After considering several possible scenarios, a decision is made that the police must be involved. Laila consents to this plan.*

*The Embassy works for several hours to get in touch with two local police supervisors they know can be trusted. The police receive information about Laila and about the possibility that there are weapons in the house. During the preparations, Laila calls the Embassy and says her husband is on his way home. Time is running short, and the Embassy tries in vain to secure a place at a shelter. Through a tip from a person in the integration counsellor's network, they find a private place. In order to speed up the process, the same person recommends that the Embassy contact a specific senior police officer. This senior police officer*

*has helped in similar previous cases, and is in a position to speed the case up.*

*This is successful, and shortly afterwards Laila phones and says the police have arrived. The integration counsellor tells her to go with the police regardless of what others in the house tell her. At the police station, she appears before a judge. The integration counsellor and the case officer in the consular section are also present. They confirm that Laila is a Norwegian citizen and that she has asked for the Embassy's assistance. The judge decides for Laila, and she is taken to a safe location with an armed police escort.*

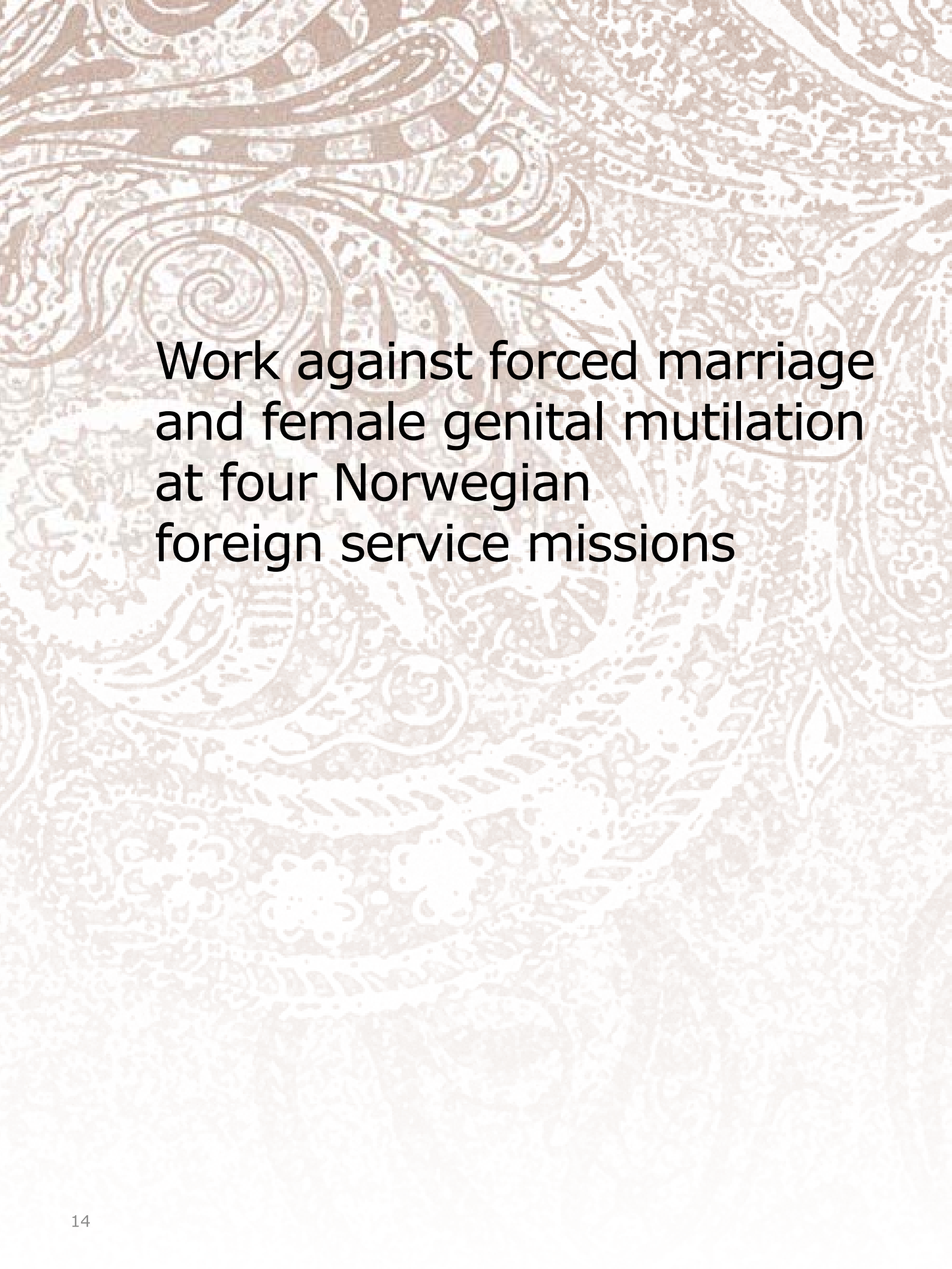
*The Expert Team for the Prevention of Forced Marriage and the Ministry of Foreign Affairs are continuously apprised of the situation, and coverage of the costs of bringing Laila to Norway is approved quickly. The police representative in the Expert Team for the*

*Prevention of Forced Marriage checks information about persons who can be threat in Norway. It turns out that an older cousin living in Norway represents a serious threat against Laila.*

*Based on the assessed level of threat in the case, the journey to Norway is planned carefully. Laila is accompanied to the plane by Embassy personnel, and on arrival at Gardermoen she is picked up by the aircraft and safely accompanied through the airport by personnel from the Gardermoen police station. They also bring her to a shelter that has been agreed-upon in advance. Later, the Expert Team for the Prevention of Forced Marriage helps Laila settle at a secret address, and she is followed up by the municipality in which she settles.*

*Laila is one of many who have been helped home with the assistance of the integration counsellor system. ■ ■*





**Work against forced marriage  
and female genital mutilation  
at four Norwegian  
foreign service missions**

**F**orced marriages have been on the political agenda in Norway for about 15 years: they came under serious scrutiny in the Norwegian public sphere in the mid-1990s. There have been four action plans against forced marriage, as well as some measures in the integration/inclusion action plan (2006). Norway has also had separate action plans against female genital mutilation; the two issues were combined in a joint action plan in 2012.

Forced marriage and female genital mutilation occur in Norway in families with origins in collectivist societies characterised by patriarchal family structures in which arranged marriages are common, such as in parts of Asia, the Middle East and some areas of Africa. It is estimated that about 10,000 women who have been subject to genital mutilation live in Norway today, and that about two-thirds of those affected by the issue in Norway are from Somali areas.<sup>1</sup> There are no statistics about the scope of forced marriage in Norway, but the number of enquiries to support services shows that measures and systems are needed to safeguard vulnerable young people and their families.

Through the system of integration counsellors, which was created in connection with the Action Plan against Forced Marriage (2008–2011), the Government wishes to strengthen the work against forced marriage at the foreign service missions that are located in areas with significant immigration to Norway and in which forced marriages occur. Through the Action Plans for Combating Forced Marriage and Female Genital Mutilation (2012), the mandate was expanded to also include female genital mutilation.

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1 This is according to the Norwegian Centre for Violence and Traumatic Stress Studies. Female genital mutilation is primarily practised in a belt across Africa around the Sahara. Female genital mutilation is also practised on the Arabian Peninsula and by some groups in the surrounding countries, such as by some Kurdish and other groups in Iran and Iraq. This custom is also practised by some groups in Indonesia and Malaysia, as well as among small groups in India and Pakistan. Source: [http://www.nkvts.no/tema/Sider/Kjonnslemlestelse\\_forekomst.aspx](http://www.nkvts.no/tema/Sider/Kjonnslemlestelse_forekomst.aspx)

In this report, we present experiences from the integration counsellor system at the Norwegian Embassies in Jordan (which also covers Iraq, Syria, Lebanon and Palestine), Turkey (which also covers Iran), Islamabad in Pakistan (which also covers Afghanistan), and in Kenya (which also covers Somalia and the Horn of Africa).<sup>2</sup>

This report starts with a general section where we present the background for the system, the mandate and some of the integration counsellors' shared experiences. This is followed by articles based on the integration counsellors' reports about their work at the four Embassies. The report concludes with a summary of recommendations and thoughts about the road ahead. The different parts and chapters of the report can be read independently of each other. It is not written as a monograph, but as a collection of articles in which the reader can pick those that seem most interesting.

The purpose of the report is to share experiences, effective measures and recommendations from the work the integration counsellors do at the foreign service missions. The educational sector, various parts of the support services, the Norwegian Directorate of Immigration, the Directorate of Integration and Diversity and the Foreign Service are the intended target groups for the report.

## Background

Large parts of the Norwegian immigrant population live transnational lives and enter transnational marriages. There is often extensive contact with family members living in the country of origin and in other countries. Their lives are to a large extent lived across international borders, and this affects the economic, social and mental investments the families make abroad and in Norway. This influences children's childhood and youth, and impacts their and their family's integration in Norwegian society.

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2 Originally, integration counsellors were also stationed in Rabat, Morocco and Colombo, Sri Lanka. These positions were phased out during the project period in consultation with the Ministry of Foreign Affairs.

Conditions in the country of origin and close ties to family members there influence norms and practices with regard to marriages among minority groups in Norway. Most immigrants in Norway with a background from Turkey, the Middle East, large parts of Asia, and Africa do not marry someone with a Norwegian background, but rather someone from abroad.<sup>3</sup> These are often arranged marriages in which parents and family members in Norway, in the parents' country of origin and possibly in other countries, take part in the decision to marry and the selection of a spouse.

Arranged marriages are the most common form of marriage in the world, and are legal in Norway. The difference between forced marriages and arranged marriages is the degree to which the parties feel they can participate in the decision making and the extent of the pressure they are under. However, this boundary is not always clear and it can often be difficult to distinguish between arranged and forced marriages.

Forced marriages are characterised by at least one of the spouses not having a real opportunity to

- choose to remain unmarried without reprisals<sup>4</sup>
- choose to not get engaged or to leave a marriage without reprisals
- choose another partner, including against the wishes of the family, without reprisals

In working to combat forced marriages, the targeted person's experience of force must be given great weight.<sup>5</sup> It has become clear that the terms used are important. Things that would clearly be seen as force in a Norwegian

3 Statistics Norway report 2009/33 Soker krake make? Ekteskap og pardan-nelse blant unge med bakgrunn fra Tyrkia, Pakistan og Vietnam. [Birds of a feather flock together? Marriage and establishing couples among young people with background from Turkey, Pakistan and Vietnam.] Daugstad, G.

4 Reprisals mean undue pressure, threats or other physical or psychological violence. In addition to abuse such as hitting and kicking, strategies such as spreading rumours, exclusion, harassment and ostracism are prevalent methods of persuasion or punishment for resisting. More implicit methods of putting pressure on or convincing someone is to point out that whoever refuses to comply with the family's wishes with regard to marriage, cause the illness of family members or hurts the reputation of family members.

5 The definition is from Arbeid mot tvangsekteskap – en veileder [Combating forced marriages – a guide], jointly published by the National Police Directorate, the Norwegian Directorate for Children, Youth and Family Affairs and the Directorate of Integration and Diversity.



*The forced marriage concept as we use it can seem foreign to some of those who are at risk.*

Quote from an integration counsellor

context are referred to as traditional elsewhere. There are many examples of cases of forced marriages where the young person in question says that they have been married in the traditional manner and does not know of any other ways of getting married. There are also many examples of young people being monitored and subjected to extreme control that they perceive as natural.

#### ■ ■ FACTS

Extreme control is the social control and violence that is practised in some communities to ensure that family members behave in line with the family's/community's norms.

The term "extreme control" refers to a qualitatively different situation than those that can be described as "strict" or as setting clear boundaries.

In contrast, extreme control is a violation of the individual's fundamental right to self-determination and freedom of movement (in relation to age and maturity) and is often implemented with the use of violence or threats of violence.

#### Mandate

The system of integration counsellors is meant to strengthen the efforts that are already being made at the foreign service missions with regard to consular activities. The work must be seen in the context of the Ministry of Foreign Affairs' efforts regarding gender equality and human rights. The Integration counsellor is to help:

- Strengthen case processing in cases related to forced marriage and similar family-related cases



- Develop networks and cooperation with actors who can help in the work to combat forced marriages in the country in which they are serving
- Increase the competencies in the area at the foreign service missions
- Increase knowledge about the issue in the civil service and other institutions in Norway.



From 2012, the mandate was expanded to include female genital mutilation in addition to forced marriages.

In this report, only the article about the integration counsellor's experiences from the Embassy in Nairobi, Kenya, discusses female genital mutilation. This is linked to the integration counsellor in question covering Somalia and the Horn of Africa, where many refugees and immigrants in Norway come from, and where female

genital mutilation is very common.<sup>6</sup> The other integration counsellors have only had small numbers of cases involving female genital mutilation, and consequently have a limited basis on which to share experiences of how to uncover and prevent this type of abuse.



### Violation of Norwegian law and international conventions

Forcing someone to enter into or remain in a marriage violates Norwegian law and international conventions. People's right to freely choose their spouse is stipulated in Section 1a of the Marriage Act, Section 222(2) of the General Civil Penal Code, Article 23 of the International Covenant on Civil and Political Rights, Article 16 of the UN Convention on the Elimination of All Forms of Discrimination Against Women, as

<sup>6</sup> According to the Norwegian Centre for Violence and Traumatic Stress Studies, female genital mutilation is common primarily in a belt across Africa around the Sahara. Additionally, female genital mutilation is practised on the Arabian Peninsula and among some Kurdish and other groups in Iran and Iraq. It is also customary among some groups in Indonesia and Malaysia, as well as among small groups in India and Pakistan.

well as in Article 12 of the UN Convention on the Rights of the Child.<sup>7</sup>

Female genital mutilation is also prohibited and a criminal offence in Norway. The practice violates basic human rights, the UN women's convention, and Article 24 of the UN Convention on the Rights of the Child.

### Foreign service mission cases involving forced marriage and female genital mutilation

In total, 473 cases have reached the integration counsellors between June 2008 and December 2012.<sup>8</sup> These relate to persons with links to 20 different countries of origin. Persons with origins in Iraq, Pakistan and Somalia dominate in the statistics. There are also a significant number of cases about individuals with origins in Turkey.

## ■ ■ FACTS

### Act prohibiting female genital mutilation, Section 1

Any person who wilfully performs an operation on a woman's genitalia that damages the genitalia or inflicts upon them permanent changes shall be liable to punishment for female genital mutilation. The penalty is imprisonment for a term not exceeding three years, but not exceeding six years if the operation has resulted in sickness or incapacity to work of more than two weeks' duration, or if an incurable blemish, flaw or injury has been caused, and not exceeding eight years if the operation has resulted in death or serious injury to body or health. Accomplices shall be liable to the same penalty.

Reconstruction of female genital mutilation shall be punishable as stated in the first paragraph.

Consent shall not justify exemption from punishment.

The numbers must be seen in the context of the size of these immigrant groups in Norway.<sup>9</sup>

In 2012, most cases related to young people being left abroad (46%), fear of forced marriage (21%), completed forced marriage (9%), and fear of being left abroad (9%).

7 Konvensjoner og lover om tvangsekteskap [Conventions and laws about forced marriage]. 2009. Ministry of Children, Equality and Social Inclusion.

8 When an integration counsellor gives advice, guidance or other assistance to one person multiple times, this is considered one case. The same definition applies for minority counsellors and the Expert Team for the Prevention of Forced Marriage, which also registers cases and reports to IMDi c/o the Prevention Unit via questback.

9 28,935 people with an Iraqi background, 29,395 with a Somali background, 32,737 with a Pakistani background, and 16,742 with a Turkish background. Source: <http://www.ssb.no/emner/02/01/10/inmvbef/tab-2012-04-26-01.html>

10 Definition of "a case": Where the integration counsellor takes action in relation to a person making an enquiry, or who is otherwise identified by the school/Embassy/Expert Team for the Prevention of Forced Marriage, about one of the following topics: Completed forced marriage, fear of forced marriage, left behind abroad, fear of being left behind abroad, threats and violence, extreme control, completed female genital mutilation, fear of female genital mutilation. Action is defined as advice, guidance and/or another form of follow-up, and can occur once or take place over a longer period.

### The integration counsellors' cases divided by category: <sup>10</sup>

CATEGORY	2008	2009	2010	2011	2012	Total	%
Completed forced marriage	2	10	11	17	14	54	11 %
Fear of forced marriage	10	27	21	21	34	113	24 %
Left behind abroad	-	24	38	48	74	184	39 %
Fear of being left behind abroad	-	14	1	17	14	46	10 %
Violence/threats	-	7	4	14	12	37	8 %
Extreme control	-	5	0	0	5	10	2 %
Completed forced marriage	-	0	0	0	0	0	0
Fear of female genital mutilation	-	7	1	4	6	18	4 %
Other*	11	-	-	-	-	11	2 %
Sum	23	94	76	121	159	473	100 %

\* The project started in June 2008 and the figures represent the period between June and December 2008. Other categories were used.



*She gave me advice and the right information. She told me what I could do, and what could happen if a situation arose. She gave me more information and the right information. The best argument she gave me, was that I could use education as an excuse. She said I should say no for as long as I could. I use schooling as a reason and the rules for family reunification – it helped a lot.*

Quote from a young girl who had been helped by the integration counsellor

The person who is the target of the abuse contacts the integration counsellor in one of four cases. In slightly more than one of ten cases, the initial contact is from the targeted person's friends or family, but this has varied from year to year. The share of the cases that has come to the integration counsellors through the Expert Team for the Prevention of Forced Marriage<sup>11</sup> has been at 9, 18 and 4 per cent in 2009, 2010 and 2011, respectively. A slightly smaller share has come from the minority counsellors. Cases from front-line services in Norway, schools with a minority counsellor, or from non-governmental organisations have varied from year to year.

The number of cases that are about boys is on the increase, from 13 per cent in 2008 to 25 per cent in 2012. On average, 22 per cent of integration counsellors' cases relate to boys. If we look at the cases overall, both those relating to boys and those relating to girls, the age distribution is

even. About half of the cases relate to young people under the age of 18, and the rest involve persons above the age of 18.

There has been an increase in the number of cases since 2008. The integration counsellors received 159 new cases in 2012. This is a quite a significant increase compared to previous years. In comparison, the integration counsellors received 76 cases in 2010 and 121 cases in 2011. The increase may be related to the system becoming better known both in the support services in Norway and among youth with immigrant backgrounds who need advice or assistance. The increase in the number of cases is also indicative of the system meeting a need.

### **Most forced marriages are entered into abroad**

The cases that have been followed up at Norwegian foreign service missions suggest that most forced marriages are entered into abroad. Marriage arrangements are often decided on and implemented in the parents' country of origin.

There are examples that the forced marriage comes as a surprise to the young person, for example while on holiday abroad, but there is usually a previous history of increasing control and increasingly strict rules for what the young person is allowed to do. Experience suggests that there is a link between a strict upbringing and strict control early on in the teen years and subsequent pressure to marry and forced marriage. Prevention should therefore start early, preferably with parental advice in kindergarten. Schools with minority counsellors have succeeded in entering cases at earlier stages, while prevention remains possible.

In many cases, it turns out that the person who decides what is to happen if someone in the family in Norway violates norms of proper behaviour is in another country. It is therefore important to know the honour code, norms and practices in the area the family comes from. The

<sup>11</sup> The Expert Team for the Prevention of Forced Marriage provides advice, guidance and assistance to front-line services in their work on specific cases involving forced marriage, female genital mutilation or other forms of honour-related violence and control. Additionally, the Expert Team for the Prevention of Forced Marriage is the contact point for the Ministry of Foreign Affairs in connection with returns in immigration cases, and perform the necessary coordination with affected public agencies in Norway. Read more about the Expert Team for the Prevention of Forced Marriage here: <http://www.imdi.no/no/Tvangsekteskap/Kompetanseteam-mot-tvangsekteskap/>

Integration counsellors can help with such knowledge, and thus strengthen the follow-up and guidance that the minority counsellors and staff in other support services can provide to the young person.



*In some cases it can be difficult to distinguish between a responsible and caring way of raising children, with strict rules and legitimate boundary-setting, and what goes beyond this and can be characterised as extreme control*

*Quote from integration counsellor*

The opposite is also true. The integration counsellor obtains information and knowledge from the minority counsellors, the Expert Team for the Prevention of Forced Marriage and/or other support services in order to get the best information possible in the case and to find measures that best serve the person at risk. The case and possible measures are also discussed within the Embassies and with relevant actors in the country in question. The work of the integration counsellors is heavily focused on linking professional networks, persons and agencies across international borders, thus helping create chains through which measures may be implemented as well as a particular kind of competency that is not found elsewhere.

### **Not just honour**

An important experience from the Directorate of Integration and Diversity's (IMDi) work on combating forced marriages is that the family's need to protect or re-establish honour is usually

a part of the picture, but that several other issues play a role as well.<sup>12</sup>

Forced marriages occur more frequently in countries at war or experiencing internal conflicts, in which the rule of law is weakened and where the level of violence therefore is high. For example, the civil war in Syria has led to an increase in the number of cases where parents marry off their children against the children's will. For instance, children may be married to someone living in Jordan, where there is peace and they can get away from war and conflict. Similarly, the conflict in Palestine has made marriage an escape strategy, with several examples of forced marriages involving very young girls.

In Norway, the violence and control have turned out to be related to factors such as migration, integration, the family's economic situation and mental health issues. There may also be issues related to agreements made with the extended family when emigrating, inherited debts and obligations, difficulties in adjusting to the dominant society and loss of status. Often, multiple mechanisms are in play simultaneously. It is therefore very important to get an overview of migration and integration stressors and "ordinary" psychosocial issues as a possible backdrop for an escalating conflict in the family.

In several cases, the forced marriage has turned out to be about human trafficking and/or a sham marriage. According to Article 3 of the Palermo Protocol, human trafficking is characterised by one person gaining control of another using various forms of violence, threats, force, and deception, and by exploiting someone in a

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<sup>12</sup> Many people have argued that forced marriage as a concept and problem is too narrow and that "honour-related violence" is a better term. "Honour-related violence" can be defined as violence arising from a family's need to protect or re-establish honour, a logic that is often referred to as an "honour code" or "honour culture". Wikan. U. Om Ære [About Honour]. 2008. Oslo: Pax Forlag.

vulnerable situation. These are also characteristics of forced marriages. Sham marriages are entered for reasons other than to have a relationship. In the sham marriage cases the foreign service missions encounter, the purpose of the marriage is usually for the applicant to gain a residence permit in Norway. Such sham marriages may also be forced upon one or both parties.



In many cases, forced marriages are about slavery. On 10 July this year, the UN Special Rapporteur on Contemporary forms of slavery, Gulnara Shahinian, presented a report to the UN Human Rights Council. The report states that, “Reaffirming forced and early marriages as slavery-like practices is important as it provides an understanding of the violations that victims endure and the kind of interventions required to prevent, monitor and prosecute servile marriage.”

## ■ ■ FACTS

### UN Declaration of Human Rights

Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

In the Action Plan period, there have been several examples of families who select a wife from their country of origin for their son, and where the wife on arrival in Norway lives under slavery-like conditions where she is not permitted to participate in society, is kept locked in her in-law’s house/flat as unpaid domestic help and possibly as a carer for parents-in-law if they are ill. It is therefore important that those who come to Norway for family reunification receive information about their rights and opportunities in Norway as soon as possible. Giving good cultural information prior to arrival, like that given to resettlement refugees, is one option that has been tested with good results in Addis Ababa by the integration counsellor in Nairobi.

### Minors and religious marriage agreements

About half of the cases that the integration counsellors encounter involve young people who are under the age of 18. Forced marriages, in the form of religious marriages, involving youth as young as 13-14 occur in several places in the world.

## ■ ■ FACTS

Marriages entered between persons below the age of 18 are illegal in Norway. Section 222 in the General Civil Penal Code about child marriages came into force in September 2003 as one of several measures to combat forced marriages. The main point is that marriages with persons below the age of 16 are considered forced regardless of whether or not the child feels that the marriage is voluntary. Both the person marrying someone below the age of 16 and those who assist can be punished by imprisonment for up to six years.

Most such marriage agreements are entered abroad, but we also have examples of cases from Norway where the minor has been religiously married to older relatives by persons in Norway who are not authorised to perform marriages. Officially and legally these children are not married, but in practice – in their own and their relatives’ consciousness – they are. These religious marriages are often referred to as ”engagements” when the family is asked about them, but the targeted children often experience it as a binding marriage agreement because the family sees the agreement as binding.

Some pupils are ”engaged” to persons in their family’s country of origin while in lower secondary school. There is cause for concern around a number of these ”engagements”. Staff in the support services must be aware that these may be religious marriages and may involve sexual assaults against minors.

### Prosecution and political dialogue

Many countries have laws that prohibit forced marriages, the marriages of minors and female genital mutilation. These now include all the countries in which integration counsellors are currently stationed. However, in many cases the laws are not enforced, either because most people and the police do not know about them, because prosecuting authorities lack resources, or because law enforcement does not prioritise these types of cases. The laws are also often accused of being results of western influence, and not in line with people’s sense of justice. This is particularly the case in the most patriarchal societies, in which the position of women is weak and family violence is a widespread phenomenon. In addition to the formal legal system, there are a number of councils of elders in tribal societies (especially in rural areas) that decide how conflicts are to be settled, and where forced marriage and early marriages are accepted.

During the past 15 years, we have had eight criminal cases about forced marriages in the Norwegian courts.<sup>13</sup> Religious/unregiste-

13 In 2002, two cases about forced marriage were brought to the courts, one to the Oslo District Court and one to the Toten District Court. 2004, Gulating Court of Appeal; 2005, Oslo District Court; 2005 Drammen District Court and Court of Appeal before the same case was brought to the Supreme Court in 2006. New case in Drammen District Court in 2008. Three cases in 2011: Oslo District Court, Gulating Court of Appeal and Romerike District Court. In 2003, Section 222(2) of the General Civil Penal Code came into force: it explicitly criminalised the person(s) who forces or pressures someone into entering a marriage. In 2004, one forced marriage case was heard in the court in Bergen. In 2006, the Drammen District Court issued Norway’s first decision against forced marriage. The Marriage Act was amended in 2007. It specifies that marriages entered abroad will not be recognised in Norway if one of the parties was under the age of 18 at the time the marriage was contracted. A new case was heard in Drammen District Court in 2008. In 2011, the Oslo District Court issued its decision in the most extensive forced marriage case thus far in Norway, and charges have been laid in another forced marriage case.

red marriages of Norwegian citizens or legal residents who are minors that are entered into in the country of origin should also be prosecuted in the country of origin. Thus far we have no examples of such prosecution, and it would be difficult to achieve in many countries, but if possible it would send a strong signal to the society that forced marriages/early marriages are forms of abuse. Such a signal is important in a prevention perspective and can help bring change and development both in the country of origin and in Norway.



### Left abroad against their will

Most of the cases the integration counsellors encounter are about people who have been left abroad against their will. Several of these involve a forced marriage or related issues. This type of case has also seen the greatest increases. A case about someone who has been left abroad often starts with an enquiry from a minority counsellor at a school who misses a pupil who has not returned to school after a holiday.

Parents’ motives for leaving children abroad have turned out to be complex. They often have legitimate and legal reasons for doing so. The children/young people may have been left abroad in order to attend school and live with relatives in order to get to know the culture and language. In some cases, parents leave their children in

their country of origin because the child is having difficulties at school in Norway or because they are dissatisfied with the Norwegian school system and want their children to attend a better school. Some parents leave children abroad in order to remove them from troubled peer groups such as those involved in substance abuse and crime. There are several examples of young people who have been left in their parents' country of origin because the young person has behavioural problems, or because the parents think the young person has become too Norwegian.

Some enquiries come from the child's relatives or mother, who get in touch and ask for help with returning a child who is a Norwegian citizen back home to Norway. In these cases, the relatives or mother have not been Norwegian citizens, while the father and children have been Norwegian. In many of these cases, the father has left the children with the mother and other relatives abroad, because he for various reasons does not want to take responsibility for the children in Norway. In several of these cases, the father has taken the mother and children's passports, and a difficult situation has arisen because both parents must consent in order for a new passport to be issued to the children. If the mother does not have a residence permit in Norway, this can complicate the case further.

### **Limited flexibility**

Every year, the Foreign Service is contacted in cases where Norwegian children and young people abroad need help in order to return to Norway. Most of these cases involve disagreements either between the parents and child, or between the parents in relation to the child. If the parents share parental responsibility and agree that the child should be left abroad, it is only in cases where the child's life and health are considered to be in imminent danger that the foreign service mission will act in opposition to the parents' will.<sup>14</sup>

Even in emergencies, it is important to not act rashly but to use channels such as schools, the Expert Team for the Prevention of Forced Marriage and the support services in Norway to get the best information possi-

ble in the case and to collaborate in finding a solution. Dialogue with the young person and the parents can be crucial to the outcome of the case, and should be considered on a case-by-case basis. Before initiating a dialogue with the parents, it is important to consider the young person's safety, and to gather as much information as possible about the background for the conflict that has arisen. In some cases, the parents can be moved to see the case from new angles. In other cases, one or both parents cannot be moved.

Many cases take a long time to solve, and it is not uncommon for shelved cases to be reactivated years later. A new event may have occurred, or parents or others have changed their views on the issue. If the young person has to live abroad for some time – perhaps forever – the Integration counsellor nevertheless has a role to play as a source of support and advice for the young person experiencing difficulty.

### **Assistance to return home is possible but difficult**

Since the start of the Action Plan in 2008, about 50 people have received assistance to return home by the foreign service missions where the integration counsellors are stationed. "Good helpers" in the country of origin, both from within and outside of the family, have been crucial to the successful outcome of these cases. The integration counsellors have created an overview of relevant partners in the countries in which they have served. These partners consist of local and international organisations, the Embassies of other countries, and local authorities. The integration counsellors have used this network to gather information about local conditions, which is of great importance when assisting individuals.

In several of the countries in which the integration counsellors work, the security situation is very difficult and assisting individuals to leave the country is associated with particularly high

<sup>14</sup> Report No. 12 to the Storting, Bistand til nordmenn i utlandet [Assistance for Norwegians abroad]

risks. People who are subject to forced marriage abroad are in addition often threatened by their family, which also makes it more difficult to provide assistance to return to Norway.

The integration counsellors have experienced that it is particularly difficult to help young people under the age of 18 to return to Norway, because they remain under their parents' (in many countries this only applies to the father) care and responsibility. Though they are minor Norwegian citizens, the Norwegian child protection authorities cannot do anything as long as the minor is outside of Norway, unless the child protection authorities have previously assumed custody of the child. However, even in such cases it can be difficult to help the minor return to Norway, especially if the young person has dual citizenship. A number of countries do not recognise the second citizenship, or a change of citizenship.

When there is concern about a possible forced marriage, the main message is that school employees and others must work to prevent the young person from leaving Norway.

### **Follow-up agreements**

Despite warnings that there is very little Norwegian authorities can do in the territory of other countries, some young people who fear forced marriage nevertheless choose to travel abroad. In such cases, several schools have offered to stay in touch with the young person by telephone, SMS or email while they are abroad. The young person has then filled in a "form for follow-up during travel abroad" together with the minority counsellor, and included information about where they will be while abroad, the names and addresses of those they will be visiting, and where they will be staying. The pupil gets information about the Norwegian Embassy and a telephone number to use if they need help. An agreement is also made about what to do if the young person does not return to Norway as expected.

There are several examples of agreements about follow-up having contributed to the young person getting in touch with the integration counsellor and getting help to get away from their family and returning home to Norway. In several cases, the parents were positive to using an agreement about follow-up and to the written information in their first language about forced marriage being prohibited and a criminal offence in Norway. These parents thought that the agreement – which was certified by the police/child protection authorities – could help them argue against marriage pressures from their community in their home country.

It is important to be aware that an agreement about keeping in touch and follow-up during travels abroad does not guarantee that things will go well. It is therefore important that the conversation with the young person about the upcoming trip is conducted in a manner that makes what could happen clear to the young person, and that it does not create a false sense of security.



## Holistic approaches and cross-border collaborations

In order to help someone who is the target of forced marriage or other honour-related violence, it is necessary for the support services to cross borders in different ways. These borders are not just between sectors, agencies and professions in Norway; the transnational character of the cases means that one must look beyond the borders of Norway. For advisers or staff members in the support services, this primarily means being aware of this, and familiarising oneself with the social and cultural context the problems arise in, in the diaspora and in the country of origin.

IMDi's experience is that these cases require holistic approaches and interdisciplinary collaboration.

In the foreign service missions' work on combating forced marriage, it is important to develop professional expertise systematically and to ground the work on combating forced marriage in three areas: migration, aid and consular cases. The following case description exemplifies and highlights the links between these three areas.

### More cases could have been prevented with better transnational competence

According to IMDi's integration counsellors, more of the forced marriage cases the foreign service missions receive could have been prevented if the people who handled the cases in Norway had better transnational competencies. Some of the topics the integration counsellors think it is important to have knowledge about in this context are: 1) Basic knowledge about the political social and cultural conditions in the countries of origin. Knowledge of the marriage patterns and traditions in the family in question. 2) Awareness that the family of the person one wants to help in Norway may be under strong pressure from other relatives in the country of origin. Awareness that important decisions in a family, such as about marriages, are not necessarily taken in Norway but by relatives in the country of ori-

## ■ ■ CASE:

### The connection between migration, aid and consular cases

#### Migration

*A family had to flee their country because they were persecuted. They arrived in Norway in 1992, after two years as refugees – first as internally displaced people within their country, and then as refugees in a camp in a neighbouring country. The family has four children, two boys born in the camp and two girls born in Norway. The family settles in Norway and in time they get Norwegian citizenship. They have always kept in touch with relatives in their home country by telephone, SMS, the internet and Skype. The father and sons have visited the family in their home country several times. They also have good contact with the mother's siblings in Canada. The family also has clear expectations that the daughters are to marry cousins from their home country. The oldest son is educated in Norway, and gets a good position in an international company in another country because he speaks many languages. Regular news about the war in their home country contributes to making them more focused on their home country than on Norway. The parents have good jobs in Norway, speak Norwegian, and all the children are working or in school. From the outside, the family seems well integrated in Norway.*

#### Aid

*The humanitarian situation in the home country worsens due to the war. Women's situation has declined significantly in recent years. The Norwegian foreign service mission manages aid targeting women. One of the organisations that receive financial support from the women's fund is an organisation that among other things helps women who have been targets of violence with free legal aid and psychosocial support. It also works to change attitudes in order to combat violence against women. One of the areas the organisation operates in has a lot of migration to*

and from Norway. The integration counsellor at the foreign service mission ensures that this organisation includes the target group "Norwegian citizens who are targets of forced marriage or other honour-related violence while in their country of origin" in its project.

### **Consular cases**

*In the summer, the family travels to their home country on holiday. Everyone returns to Norway after the holiday, except the oldest daughter of 19, who is left with relatives against her will. She fears that she will be forced to marry a cousin. She now understands that there has been an agreement between her father and uncle, because the uncle helped her father with money to flee the country more than 20 years ago. She keeps in regular touch with a friend on Facebook. She is scared, and says she wants to return to Norway. Her Norwegian passport has been taken away, and she has no money. Her friend's mother gets in touch with the police in Norway. The police call the Ministry of Foreign Affairs' operations centre (UD-OPS) , which informs the Norwegian foreign service mission. Her friend in Norway is given the phone number for the Norwegian foreign service mission, and passes this on to the girl who is being held back against her will. The girl gets in touch with the Norwegian foreign service mission and says she fears being forced to marry and that she does not have her passport or any money. The Norwegian foreign service mission contacts one of the organisations in the area that receives aid from Norwegian authorities. The girl and the organisation are put in touch with each other. The girl is picked up by the organisation and taken to the airport. The Norwegian foreign service mission issues a Norwegian emergency passport and organises the payment of the airfare. ■ ■*

#### **■ ■ FACTS**

In April 2010, an operations centre (UD-OPS) was established in the Ministry of Foreign Affairs in Oslo. Thirteen people are connected to the centre, which is open 24/7. A central task for the centre is to help the public while abroad, as all enquiries directed to the foreign service missions outside of office hours are channelled to UD-OPS. The Embassies and Consulates can also contact UD-OPS at any time in complex consular cases.

gin. 3) Awareness that Norwegian authorities have a limited ability to help Norwegian citizens or others with connections to Norway who are targets of force, violence and control while abroad.

Most of the cases the foreign service missions see have a prior history in Norway. Schools, child protection authorities and the police have often been involved in the families for some time without having realised that forced marriage is an issue in the family. IMDi's experience from several cases the integration counsellors have been involved in, is that the child protection authorities and/or some parts of the support services have been involved in the young person's families at some point during their childhood, without the young person having found this to be of help.

### **Competence and routines**

When cases are not discovered and the young person does not receive adequate help and guidance, this may be due to resources and/or competencies. Both can be in short supply, at schools, in the support services and at foreign service missions. As a phenomenon and problem, forced marriage may be seen as marginal compared to the rest of the portfolio of tasks and responsibilities that these sectors have. Forced marriage is therefore a vulnerable area that requires focus and special efforts. Anchoring the work on combating forced marriage by improving competencies and routines has been an important part of the work of the minority counsellors and integration counsellors.

In relation to schools and the support services in Norway, the integration counsellors have provided knowledge of the local "on the ground" situation in the work on individual cases, and at the same time have helped improve competencies about what the foreign service mission can do in this type of case.

Similarly, the integration counsellors have helped improve competencies among employees at the foreign service missions about migration issues and issues among immigrants in Norway. In handling consular cases, the integration counsellors have for example contributed experience and competencies from social work, knowledge of the support services and of developments in the integration field in Norway.

These efforts have also highlighted the need for increased attention to how the authorities are to face the many challenges related to social work, child protection, policing and legal issues that are caused by the movement of people and their transnational lives.

The integration counsellors have actively helped update the Norwegian Directorate of Immigration's guide for the foreign service missions. In collaboration with employees at the foreign service missions, they have also prepared supplementary guidelines and routines for uncovering and handling individual cases at each foreign service mission. The routine has been translated into English. The feedback from employees at the foreign service missions is that the routine is an important tool in the work on combating forced marriage.

### **Connection to women's and gender equality efforts in the countries of origin**

There is an overlap between work against forced marriage and other areas the foreign service missions are responsible for, such as integration, gender equality and human rights. It has been important to tie these together to achieve synergies and a win-win situation. In this way, forced marriage has also become a more integrated part of the Embassy's work.

At the foreign service missions, this means that the handling of consular cases is seen in the context of aid to organisations that work to improve women's position and to combat violence against



*A special integration counsellor ensures that we have the appropriate expertise when the embassy comes into contact with forced marriage cases. These cases will always be complex consular matters. The integration counsellor ensures good case processing and effective cooperation with the support system in Norway.*

Quote from an ambassador.

women and children in the country in question, and especially in areas where the diaspora in Norway originate from.

### **Experiences from the foreign service missions**

The integration counsellors have been stationed at and cover areas that have significant societal differences. At the same time, different conditions such as the size and location of the foreign service mission, the foreign service mission's previous experience from forced marriage cases, and whether or not the foreign service mission is already following up on aid projects, have meant that the work is organised in somewhat different ways.

The social, cultural, economic and political differences between countries such as Pakistan, Somalia, Iraq and Turkey require different approaches in the work on combating forced marriages. First and foremost, Somalia and Iraq are countries that in different ways are severely affected by war and violence, with many internally displaced persons and refugees all over the world as a consequence. Most people with a Somali or Iraqi background resident in Norway have arrived as refugees, are the descendants of refugees or have come to Norway through family reunification with a refugee or a descen-

dant of a refugee. This is in contrast to Norwegian residents with a Pakistani or Turkish background, who have mostly arrived as labour migrants and are the descendants or family members of these migrants.

The societal differences between the countries and the different causes of migration (whether it is voluntary or not) is an important backdrop for how one should handle cases (consular cases) and for the organisation of preventative work on attitudes around forced marriage (aid work). Different approaches and methods have been tested at the various foreign service missions during the Action Plan period. These are presented in the following in the form of four articles about the integration counsellors' experiences related to Iraq, Turkey, Pakistan and Somalia.



# Experiences from the Embassy in Amman's work on combating forced marriage



**D**uring the past four years, the Embassy in Amman has registered a steadily increasing number of enquiries regarding forced marriage or other forms of honour-related violence. The work that has been done – through the measures in the Action Plans for Combating Forced Marriage and Female Genital Mutilation – have led to increasing numbers of forced marriage cases being discovered, to serious abuse being prevented and to more vulnerable women and children getting help to handle their situation.

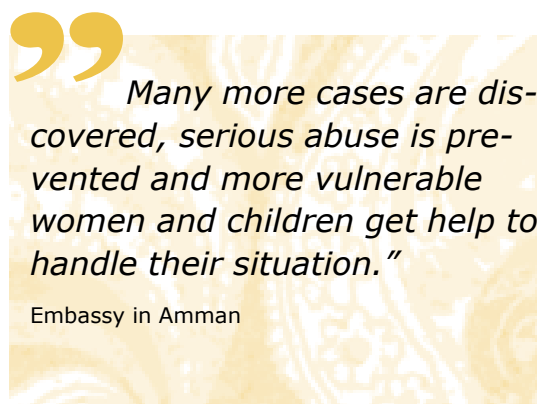
On the establishment of the integration counsellor's position in June 2008, the Embassy had hardly any dealings with this type of case. Four years later, in December 2012, the Embassy had registered 185 individual cases regarding forced marriage or other forms of honour-related violence. In addition to Jordan, the Embassy in Amman covers Iraq, Palestine, Syria and Lebanon. Most enquiries are with regard to women/girls in families originating in Iraq.<sup>1</sup> It is the most serious cases, where women and children have already been left behind and ask for help because they have been forcibly married and/or abused in other ways, that come to the integration counsellor.

Handling enquiries and cases related to forced marriage and other forms of honour-related violence currently constitutes a significant part of the Embassy's activities. The work is an integrated part of Embassy activities in the consular, immigration and aid fields.

### **A sensitive and challenging topic**

Forced marriage is a challenging and difficult topic that has both political and practical implications. It is a politically sensitive topic, both in Norway and in the countries the Embassy deals

<sup>1</sup> The cases relate to persons who have been forcibly married, who fear being forced to marry, are targets of violence and threats, have been left abroad or fear being left abroad. 120 of the 185 cases related to persons with Iraqi origins. The other cases are distributed as follows: Jordan 25, Palestine 22, Syria 11, Lebanon 7



with, because it can affect bilateral relations. Through the integration counsellor, the Embassy works to uncover and handle specific individual cases that involve women and children who are at risk of violence and who are in a difficult and desperate situation in the country of origin and ask for help from Norwegian authorities.

The forced marriage concept as we use it can seem foreign to some those who are at risk. The person at risk often says that she/he has been married according to tradition, which often means that they have been married when young or have not seen themselves as having an option of saying no to the marriage. Through the work of the integration counsellor, the importance of the terms used in conversations with people at risk has been highlighted. It has been shown that it can be better to use terms such as "child marriage" or "traditional marriage" in conversations to uncover forced marriage.

### **A shared issue for the authorities of both countries**

There is a large group of immigrants from Iraq in Norway. Some bring regrettable attitudes related to violence against women, forced marriage and early marriage with them from Iraq to Norway. Though the legal age of marriage is 18 years in both Norway and Iraq, force and frequent use of religious marriages of girls much below the legal age take place. Most forced marriages and child marriages are performed in Iraq. However, in recent years we have become aware that this type of abuse also takes place in Norway. In part,

this awareness is a result of the serious decision issued by the Borgarting Court of Appeal in 2011, in which several members of a Norwegian-Iraqi family were sentenced for having forced a girl to marry a significantly older cousin when she was 13. The illegal "marriage" took place in Oslo. She was a minor, and was raped and subjected to other forms of mental and physical violence for several years. The judgement was given when the girl was 17.

Additionally, judgements have been given in two other forced marriage cases related to Iraqis living in Norway.

In order to stop this practice – which is illegal in Norway and in Iraq – we must work on several fronts at once. First and foremost, we must work to ensure that forced/child marriages are reported and prosecuted in both countries. This should be a shared concern for the legal authorities in Norway and Iraq. At the same time, it is necessary to work on prevention by changing attitudes both in local communities in Iraq and amongst the Iraqi population in Norway.

### **Help to return home is possible but difficult**

From the start of the project in June 2008 and until December 2012, the Embassy has helped 30 vulnerable women and children return to Norway. Good helpers within and outside the family have been crucial to the success in these cases and in enabling the vulnerable women and children to return to Norway. It is important that the support services in Norway is aware that such rescue operations are difficult and in many cases carry great risks both for the person who is a target of violence and force, and for helpers in the country of origin. In part, this type of knowledge is important to enable the agencies that are to provide follow-up in Norway (police, child protection authorities, the Norwegian Labour and Welfare Administration, etc.) to initiate necessary security measures on return to Nor-

way if this is required. It is possible but difficult to provide assistance with the return to Norway.

In handling the consular cases at the Embassy, the following specific problems may be at issue:

- The person needing assistance has dual Norwegian and Iraqi citizenship.
- The person is a minor.
- The person's travel document and money have been taken from them.
- The person is locked up or is unable to get to the Embassy in Amman because she cannot travel freely without male relatives.
- Extensive use of threats and control by the extended family.
- Risks associated with options for fleeing because the person must move through areas of Iraq with severe security challenges.



*I thought I was going to die down there. My parents said that if I did not do as they said, I would never see the sun again. Right before I was taken abroad, I got in touch with the child protection authority. When I told them I feared that I would be forced to marry, they did not believe me and called the situation I was in a generational conflict and a teenage rebellion. I tried to explain to them that that was not it, and that this was about culture. Then they told me that this was something I had to live with.*

*Quote from 18-year old girl who the Embassy helped return home.*



Even if the person is a Norwegian citizen, Norwegian authorities are limited in what they can achieve abroad. It is therefore important that the support services in Norway primarily work to prevent young people from travelling abroad if they fear forced marriage or other forms of abuse.

### **How are the cases uncovered and what are their characteristics?**

Forced or child marriages are often performed in connection with shorter or longer stays with family in the country of origin, and it is generally a public agency or the support services in Norway that reports the concern. It may be that the individual in question has not returned to school or work as agreed after a holiday, or that s/he has managed to notify friends in Norway who in turn contact the police, the Ministry of Foreign Affairs' operational centre (UD-OPS)<sup>2</sup> or other parts of the support services. Increasingly, young people are contacting the Embassy directly themselves.<sup>3</sup>

In many cases in which a young person is at risk of being forced to marry or is subjected to violence, threats and other forms of abuse in Iraq, we see that this can also be part of "getting the young person to behave". In the family's view, the young person has either become too Norwegian or is at risk of becoming too Norwegian. The integration counsellor's experience is that getting a girl to behave and ensuring that she gets married are often two sides of the same thing. Not all enquiries are about forced marriage and other abuse. On closer inspection, it can turn out that the person in question wants to stay in the country or the parents have decided that the family is to live there for a while. This can of course be problematic if it is against the wishes

of the child or young person, but it is not in and of itself illegal.

Placing children and young people with relatives in the country of origin in order for them to attend school there for some time can be an expression of the family's wish to safeguard cultural values and retain contact with the country of origin. In other cases, the parents' motive may be to remove the young person from substance abuse and crime in Norway. It may also be that the parents want to remove the child/young person from peer groups in Norway that they think are bad for the children or that they feel they cannot control. However, longer absences from Norwegian school can cause problems for the young person when he or she returns and is to start school again, and can have negative consequences for their future education.

### **Different motives**

Parents may have diverse and complex motives for sending their children to Iraq, leaving them there or marrying them off. In addition to a number of other issues, retaining or re-establishing honour is a topic in most of the cases the Embassy handles. A forced or child marriage can be part of a long-term migration strategy that is implemented in order to secure residence in Norway for other family members, or it may be part of a settlement or compensation between different clans, or may be performed to fulfil old agreements between families.

### **When forced marriage is part of the prior history**

Some of the cases are about adult women who are abandoned in their country of origin, either alone or with their children. The women and children have their passports taken away, are targets of violence and threats, and their husbands or fathers return to Norway alone. In many of the cases relating to family issues, including child abductions, the background may include a forced/child marriage that took place several years previously. Though the notifications of concern

<sup>2</sup> The Ministry of Foreign Affairs' centre for consular assistance for Norwegian citizens abroad. The centre is open 24/7 and responds to enquiries to the foreign service missions outside of business hours.

<sup>3</sup> In one of four cases IMDi's integration counsellors received in 2012 (applies to all four integration counsellors), the young person got in touch with the Embassy themselves.



*In many of the cases relating to family issues, including child abductions, the background may include a forced/child marriage that took place several years previously.*

the Embassy receives are often about a mother and children abandoned in Iraq, or children who have been abducted from their mother in Norway and are staying with their father's relatives in Iraq, our experience is that forced marriage issues may also be a part of the picture.

### **Vulnerable families**

It may be difficult to know what the reality is in a case. Mapping the family's history in Norway provides important indicators of what we are facing. A significant part of the integration counsellor's work is therefore focused on helping to ensure that the best information possible is gathered for each case. The integration counsellor works with other Embassy staff and the agencies involved in Norway (such as child protection authorities, schools, police, the Norwegian Labour and Welfare Administration, and others) to do this.

Most of the cases handled by the Embassy have a prior history in the sense that some of the support services in Norway have previously been involved with the family. Mostly we are dealing with families that are struggling in multiple areas and who experience several stressors simultaneously. Problems related to mental health, the family's socio-economic situation in Norway, family conflicts and violence as well as criminal activities are often part of the background.

### **Dependent on good collaboration and a support network in Iraq**

These are complex and resource-intensive cases that require extensive collaboration between the special counsellor from IMDi, the National

Police Immigration Service, the Norwegian Directorate of Immigration and Embassy staff working on consular cases and visas in order to find solutions. This is particularly true for the cases relating to Iraq, as Norway has no permanent presence of Foreign Service staff in Iraq. In order to help Norwegian citizens or other legal residents of Norway who are targets of violence and are in Iraq when requesting help from Norwegian authorities, the Embassy is completely dependent on having a well-functioning support network within Iraq.

### **Migration, aid and consular cases**

The handling of cases involving Norwegian-Iraqi women and children is linked to the support given to organisations working to improve women's positions and conditions in Iraq. A large share of the aid provided to Iraq for women's issues – which is currently managed by the Embassy – is given to local non-governmental organisations, projects and measures against gender-based violence (including forced marriage and child marriage).<sup>4</sup>

The projects and measures that receive support are located in several places in Iraq, and are concentrated in the areas from which the Iraqi population in Norway originate. These NGOs are invaluable partners for the Embassy in the handling of specific cases. Together with international organisations, the Embassies of other countries and local authorities in Iraq, they constitute a support network in areas in which the Embassy has many consular cases.

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<sup>4</sup> In total, NOK 10.255 million have been granted to Iraqi women's organisations for the 2010-2012 period. The Embassy also supports the Norwegian People's Aid's programme for local community development in Northern Iraq (under "Peace, reconciliation and democracy measures"). Work against early marriage and forced marriage is included as a significant part of the larger effort. For the 2011-2012 period, this work has received funding of NOK 11.1 million. In addition to the aid funding, IMDi has supported the Norwegian People's Aid's project "Combating Early and Forced Marriages among the Iraqi Kurds" with NOK 1.05 million in the 2011-2012 period. The project is implemented by the Peoples' Development Association, which is one of Norwegian People's Aid's partner organisations in Iraq.

## Increased violence due to war and conflict

Violence in intimate relationships, such as forced marriage, early marriage, child marriage and honour-related crimes, is a significant social problem in Iraq. This is not just because of patriarchal traditions and women's subordinate position in society. War, lawlessness and an increase of general violence and the breakdown of social structures in the country have also contributed to the increase of violence in intimate relationships. Further, factors such as poverty, displacement from the family's original home community, and the security situation in many places have led some families to marry off their daughters at earlier ages than previously. Many see marriage as the only way to ensure a girl's future.

## Women's situation in Iraq has deteriorated

The women of Iraq have experienced a deterioration of their situation due to the wars and unrest in the past decades. Nearly a million women are thought to be the sole breadwinners for their families because their husbands are missing or have been detained or killed. The destruction of infrastructure within education, health, water and sanitation affects women more directly than men. Iraq has also experienced a more conservative social development. There are reports that women are attacked for not wearing the hijab, for walking in public alone or for talking to men who are not their relatives. This is largely due to the increased power of religious groups and leaders at the expense of the previous secular state, which was friendlier towards women. After 2003, there has been an increase in so-called honour killings.<sup>5</sup>

## Lack of protection

The situation of women and children who are targets of violence and force in Iraq is very difficult. First of all, there are few places where they

can seek help. There are only a few shelters in the entire country, and these are in the Kurdish autonomous region. This means that women in other parts of the country whose lives are threatened and who are targets of violence cannot access the temporary protection a shelter can provide. In practice, this means that most must come to terms with their fate and return to the family. For others, the protection offered by law is lacking. Though the Iraqi Constitution prohibits violence in the family, the penal code entitles a man to punish his wife. Rape is an offence, but the penal code offers the rapist the option of avoiding punishment by marrying his victim. Though honour killing is a criminal offence, the law permits milder punishments for a man who has killed his wife or a close female relative if she has been caught having prohibited sexual relations.

Though both forced marriage and child marriage in the form of religious/unregistered marriages are prohibited in Iraqi law, these are common and socially accepted practices in many places. The legal age of marriage is 18 for both men and women in Iraq. Marriage is permitted for those aged 15 to 18 with the consent of a judge. Marriage before turning 15 is illegal, but in practice the risk of being caught is very low and the sanctions minimal. According to a well-known women's organisation the Embassy works with, it is enough that the family pays a symbolic fine if the authorities were to discover that a father has married off his daughter before she turned 15.

## Help for those who are targets of violence and for activists for change and development

The organisations that receive aid from Norwegian authorities run support centres that offer psychosocial, medical and legal help for women who are subjected to abuse. The target group is primarily Iraqi women living in Iraq, but also includes Norwegian citizens with an Iraqi background who need help while in Iraq.

Here they meet professionals who listen and give advice about how they can handle their situation. These are not traditional shelters or places where women can live. In some places, the support centre has just one room within the walls of a small women's organisation, minimally

<sup>5</sup> According to, among other things, a 2010 report from Freedom House: Women's Rights in The Middle East and North Africa, People's Development Association et al.

furnished with two chairs and a table. Nevertheless, for many this room can be the place that saves them. They meet understanding social workers, psychologists, lawyers and other women who can help them move forward.

In addition to working directly with women who are targets of violence, the Iraqi women's organisations are important activists for change and development with regard to women's position in the country. Through dialogue with religious leaders and decision-makers at various levels, media campaigns and workshops, the women's organisations help increase awareness of forced marriage and other honour-related violence in Iraqi society.

### **The way forward**

The work on ending forced marriage and other honour-related violence and to improve women's situation in Iraq must have a long-term perspective. The women's organisations are doing an important and good job, but they work under very difficult circumstances. Many of the women involved in this work are risking their own life and health.

It is therefore important that Iraqi authorities get involved and take their share of responsibility for these conditions. To help lift women's issues onto the political agenda in Iraq, the Embassy has since 2011 among other things supported initiatives to help ensure that Iraq prepares a national action plan for the implementation of the UN Security Council's Resolution 1325 about women, peace and security. The initiators are working systematically on involving government representatives and politicians in Iraq in creating a comprehensive approach that Iraqi authorities have ownership of.

In parallel with strengthening of civil society in Iraq, in part through aid to organisations working on women's issues, there is a need to strengthen the formal government institutions in the country. Here, Norwegian authorities contribute in collaboration with the authorities of other countries and the international community to build capacities and train judges, police and prosecuting authorities.

### **Exchanging experiences and building capacities**

In recent years, representatives of several of the organisations that work to combat forced marriage and other honour-related violence have visited Norway. Among others, the Norwegian People's Aid's partner organisation in Iraq has been in

Norway on several occasions, as have representatives of several of the women's organisations that run support centres for women and children who are targets of violence. The visits have enabled organisations that work preventively and with changing attitudes among the Iraqi population in Norway and in Iraq to exchange experiences. In this way, the efforts made to combat forced marriage and the integration work in Norway have been connected to aid work in Iraq related to gender equality and women's rights.

In Norway, we still have some way to go in terms of the enforcement of our own laws and in our prevention work. The work ahead must focus more on preventing families from sending their children to Iraq, marrying them off and abusing them in other ways. There is a need for increased competency about forced marriage and other honour-related violence within the child protection services, schools, police and other support services in Norway. Immigrant organisations in Norway can be important contributors in this work, together with Iraqi non-governmental organisations. In this context, the integration counsellor is an important link.



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# Experiences from the Embassy in Ankara's work on combating forced marriage



The first Turkish people came to work in Norway in the 1960s and 1970s. Today, the Norwegian-Turkish population is the 12th largest group of immigrants in Norway.<sup>1</sup> Of a total of 16,472 Norwegian-Turks, about 5,500 live in Oslo. Norwegian-Turks constitute the largest immigrant group in Drammen and in Trondheim, and the second-largest group in Stavanger. In Oslo, they are the fifth largest group.

There are large differences within the Turkish population in Norway, but at the "group level" the Norwegian-Turks have a relatively low score for important indicators of integration, such as education and work.<sup>2</sup> People born in Norway who have a Turkish background are much more likely than the first generation to pursue higher education, but are less likely to do so than the average for non-Western immigrants.<sup>3</sup> At the same time, many traditions related to marriage are retained. Arranged marriages are the most common, and a relatively large share marry at young ages.<sup>4</sup> Many marry someone from their parents' home community in Turkey.

The Action Plans and the mandate of the integration counsellors have helped the work on combating forced marriage get more resources and increased focus at the Ankara Embassy. Since the start of the project in 2008, central parts of the efforts in this field have included building

1 As of 1 January 2012, 16,742 Norwegian-Turks were living in Norway permanently, of whom 10,696 were first-generation and 6,049 were descendants born in Norway. Source: [www.ssb.no/emner/02/01/10/innvabef/tab-2012-04-26-01.html](http://www.ssb.no/emner/02/01/10/innvabef/tab-2012-04-26-01.html)

2 According to Statistics Norway and figures for the fourth quarter of 2011, only 60 per cent of the men between 15 and 74 years of age are working. The share amongst women is only 41.6 per cent. Secondary school is the highest level of educational attainment for more than half of the group, while less than ten per cent have education at the post-secondary level. From: <http://www.ssb.no/emner/04/01/utniv/tab-2012-06-19-07.html>

3 Statistics Norway report 2007/29: Fakta om 18 innvandrergupper i Norge [Facts about 18 immigrant groups in Norway].

4 Twenty-three per cent of Turkish immigrants and descendants between the age of 20 and 25 are married. Source: Statistics Norway report 2009/33: Søker krake make? [Birds of a feather flock together?]



networks and more long-term prevention work, as well as assisting individuals.<sup>5</sup>

### Marriage and women's position in Turkey

In connection with the establishment of the modern Turkish Republic in 1923, Turkey introduced a family act based on European legal traditions. It also introduced the principle of civil marriages.<sup>6</sup> Turkey prohibits entering a religious marriage before the civil marriage, and religious leaders, including imams, are not authorised to perform marriages. The Civil Code of 2001 gives men and women the same rights and duties in relation to marriage, divorce, the care of children, etc.<sup>7</sup> The Code also prohibits polygamy and stipulates that the marriage must have been entered freely.

The situation is often different in practice. The modern legislation and secular state contrast sharply with a society in which parts of the population hold on to traditions and where many women experience a great deal of oppression. There is still a long way to go before the

5 IMDi's work on combating forced marriage, including its integration counsellor system, was organised as a project.

6 Bentzin, A. (1998, 30 March). Die soziale und religiöse Bedeutung der Eheschließung für türkische Frauen der zweiten Generation in der Bundesrepublik Deutschland. Berlin: Der Humboldt-Universität. From: <http://edoc.hu-berlin.de/magister/bentzin-anke-1998-03-30/PDF/Bentzin.pdf>

7 United Nations (2009). Tackling honour in the aftermath with a good practice, Pervizat, L. From: [http://www.un.org/womenwatch/daw/egm/vaw\\_legislation\\_2009/Expert%20Paper%20EGMGPLHP%20\\_Leyla%20Pervizat\\_.pdf](http://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20_Leyla%20Pervizat_.pdf)

laws are implemented. Violence against women, honour killings, forced marriages and child marriages remain significant social problems in Turkey today.<sup>8</sup> These practices are considered especially prevalent in the Kurdish areas in southeastern Turkey and in Konya, and these are areas where many Norwegian-Turks come from.<sup>9</sup>

### **How are forced marriages and other forms of honour-related violence uncovered?**

To uncover forced marriages and other forms of honour-related violence, it is important to know something about traditions and practices in the areas where Norwegian-

Turkish families come from. Together with local staff at the Embassy, the integration counsellor has prepared a list of examples of marriage practices and possible signs that the marriage has been decided on and/or performed against the young person's will.<sup>10</sup> For instance, the list has been useful in connection with interviews with people who apply for family reunification. Embassy staff uses it as a starting point to talk in more depth with the person in question, and to discuss the case within the Embassy.

8 From: [http://ec.europa.eu/enlargement/pdf/key\\_documents/2012/package/tr\\_rapport\\_2012\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/tr_rapport_2012_en.pdf).

9 Marriage traditions in Turkey, Team memorandum from Landinfo 30 November 2009.

10 There are great variations within Turkey. Any lists of possible signs of forced marriage and other forms of honour-related violence will therefore have its limitations. They will always be general, while each case is unique.

### **EXAMPLES OF MARRIAGE PRACTICES WHICH CAN INVOLVE COERCION \***

- If an arranged marriage is planned and organised by parents without the knowledge of the young people concerned, and without their participation in the preparations, or the decision about the marriage was made while they were children.
- Young people who are gay, lesbian or trans are put under pressure to marry someone of the opposite sex to prevent their sexual orientation or gender identity becoming known. Even if they do not talk at first or say anything about their sexual orientation, be observant and create an atmosphere of trust so that people talk openly.
- People are forced to marry someone with a mental disability in order to meet the spouse's need for care and thus ease the pressure on other family members.
- Women or men are forced into marriage as part of a migration strategy to secure a family member's entry into Norway.
- Sham marriages may involve an element of coercion.

### **General indicators**

- Large age difference. Old man and young woman, or vice versa.
- The parties are unable to document that they knew each other or had met before they married, and the family/other people have arranged the marriage for them without the parties themselves being involved.
- Marriage between the parties was agreed upon before they were legally of marriageable age. (There are examples of parents promising their children in marriage at birth.)
- The referee/sponsor in Norway has been divorced several times (documented in the case files). Marriage between cousins to uphold the families' economic interests.
- Parents wish the young person to marry someone from the same geographical area in the parents' homeland, or from their own caste/ clan/tribe as a counterweight to the modern western lifestyle, where boys and girls socialise and can have romantic relationships which the parents do not accept.

\* *This text is in English because it has been prepared in collaboration with local employees and it must be possible to for employees who do not speak Norwegian to use and read it.*



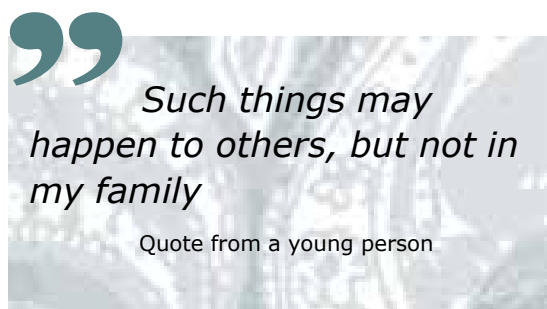
## Individual cases

Cases from Turkey have maintained about the same pattern throughout the four years of the Action Plan, from 2008 to 2011. Most cases were about individuals who were born and brought up in Norway. With a few exceptions, nearly all the parents of the vulnerable young people came to Norway as labour migrants.

Geographically, the cases have mainly originated in two specific areas, Konya and U ak, but there have also been cases from other cities, such as Ankara, Izmir, Aksaray and Diyarbakir.

Few young people get in touch with the integration counsellor directly. Most of those who do not get in touch with support services before travelling to Turkey get in touch with their friends or a minority counsellor, teacher or municipal employee they have been in contact with previously in some other context, and these in turn contact the integration counsellor.

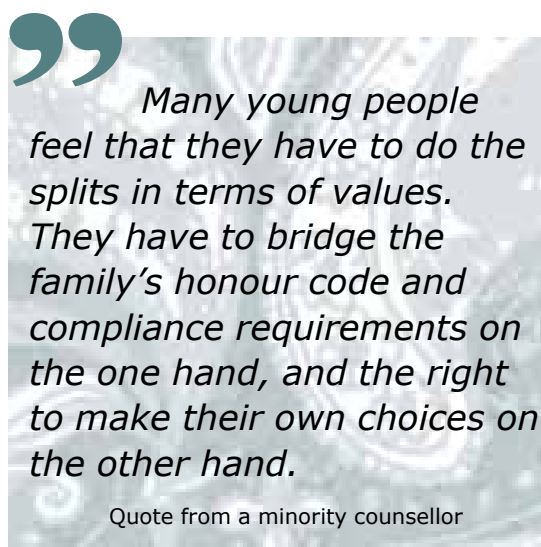
The cases have varying degrees of seriousness, and of what the young person has experienced. In most cases, the young person has not believed that issues of violence, control and marriage would affect them. Their upbringing and family rules indicated that these young people would be able to choose their own spouse. As one stated, "Such things may happen to others, but not in my family".



## Loyalty and ambivalence

A typical characteristic of the cases is that the young person, even when subject to extreme control and violence, express loyalty to their family and feels a great deal of ambivalence. On

the one hand, the young person wants help. On the other hand, they do not want to break with their family. In forced marriage cases, these wishes and needs can be difficult to reconcile. The choice between entering a forced marriage and resisting this often comes with great costs, regardless of which alternative the young person settles on. To enter a forced marriage is a form of abuse and is a very serious violation of the person's body and integrity. However, to not comply with the decision made by parents and the family about marriage and the selection of a spouse can trigger strong reprisals against the young person and have consequences for his/her safety.



## Advice, help and guidance

Disse unge menneskene opplever dermed et These young people therefore experience a difficult dilemma in which the integration counsellor plays an important role as someone to talk to, who can offer comfort, a way to calm down and information, and show that there are in fact alternative ways out of the situation. In especially difficult cases, the integration counsellor provides information about the option of getting help to flee the family and get assistance to return to Norway.<sup>11</sup> Several have accepted this offer, but

<sup>11</sup> Cases where life and health are/may be threatened.

there are also examples of the young person choosing to enter the marriage against their will because they fear for their life if they resist the marriage, or because they do not want to disappoint parents who claim they want the best for their children and their family. In some cases, extreme ambivalence has made the young person unable to make a decision. In such cases, the integration counsellor has in the aftermath of the wedding advised the young person of the option of having the marriage annulled. This can lead to negative reactions from the family, and in some cases to threats and violence. Yet there are also examples of forced marriages being annulled in consultation with the family after a period in which the integration counsellor has been in dialogue with the family to reach this solution. Considerations of the young person's feelings and right to make their own choices have been part of the arguments. References to Turkish and Norwegian laws about marriage, and that forced marriage is a criminal offence have in some cases helped the parents see that the forced marriage was a form of abuse that they want to release their daughter/son from.

### **Young people and women with children who have been left abroad**

Tvangsekteskap har vært en del av problematik Forced marriage has been a part of the issue in several of the cases in which mothers with children have been abandoned by the husband in Turkey. These are individuals who have generally thought they were going on a short holiday and that the family was to travel back to Norway together. They have often first been abandoned with their children, but after a period the husband has returned and brought the children to his own family in Turkey or back to Norway. Most of these women were left abroad just before their residence permit expired. In every case, the husband took their passport.

The integration counsellor's role varies from case to case. In one case, the integration counsellor helped the woman return to Norway. As a Turkish citizen, she was able to get a passport herself. The integration counsellor ensured that she got a visa and contacted the Expert Team for the Prevention of Forced Marriage, which among other things organised emergency housing on arrival in Norway.

In another case where a mother had been left abroad, her residence permit had expired, and the children had been

taken back to Norway by their father (who was a Norwegian citizen of Turkish descent), the integration counsellor informed the woman of her legal aid options. Together, they contacted Legal aid for women (JURK), which discussed the case with the Norwegian Directorate of Immigration. The woman then applied for family reunification with her children.

### **Collaboration across borders**

Cases about forced marriage can be extremely complicated and complex. In one case, the individual was born in Iran, brought up in Turkey, engaged in Latvia, married in Sweden and divorced in Norway. These are often transnational lives and transnational marriages, which require a support system that crosses international and disciplinary borders.

Collaborations with minority counsellors, the Expert Team for the Prevention of Forced Marriage and other support services have been crucial to the integration counsellor's work in specific cases. They play different roles and can therefore assist the vulnerable individual in different ways to get help and protection. In many cases it is their combined efforts that have led to good solutions. For example, the integration counsellor has knowledge about the area where the vulnerable person's family comes from, or has obtained such knowledge from their network, and passed this on to minority counsellors, the Expert Team for the Prevention of Forced Marriage or support services in Norway, who thus have a stronger starting point for their conversations with the young person and are in a better position to consider, together with the young person, what would be most appropriate in the case. Though each case is handled individually and consideration is made of each person's unique situation, it will be useful to have knowledge of customs and traditions locally/in the parents' community of origin both when working on specific cases and in the more long-term work on prevention. In cases where Norwegian-Turks who have been targets of forced mar-

riage or other forms of honour-related violence need assistance to flee their family and return to Norway, the Expert Team for the Prevention of Forced Marriage is a central partner for the integration counsellor and Embassy.<sup>12</sup>

Collaboration with organisations and shelters is also important in individual cases/consular cases. Sefkat-Der, which has a shelter in Konya, has for example been on call for two days to receive a young Norwegian woman who had been subjected to violence and been locked up by her husband. Had it not been possible to house her in a public shelter, it would have been an alternative to house her in the shelter Sefkat-Der is responsible for.

**Forced marriage and associated topics can be tied to several areas of expertise at the foreign service mission**

Just as the integration counsellor must cross geographic boundaries and collaborate with different agencies in Norway and their network of organisations in Turkey, working across the Embassy’s departments is also necessary both in individual cases and in the work on prevention.

At the Ankara Embassy, there are three disciplinary areas: visas (immigration), consular cases and political/human rights issues. The integration counsellor works across these disciplinary fields. Turkey is not a country that receives Norwegian development aid, so the Embassy does not have its own aid funding. Nevertheless, small sums are granted for projects and measures that support women’s position and human rights. IMDi has also given funding to projects to increase awareness of the consequences of forced marriage. The integration counsellor is usually responsible for

following up on such small women’s projects, regardless of whether they are funded by the Ministry of Foreign Affairs or IMDi.

**Efforts to change attitudes that have consequences for the Norwegian-Turkish population**

At the Embassy in Ankara in Turkey, the Integration counsellor helped establish a women’s project in 2010. The project is run by the EKDAV organisation, and focused on fighting gender-based violence, with measures targeting men and boys to influence their attitudes and actions.



Since 2010, IMDi has funded a project on "Awareness-raising about the consequences of forced marriage and the marriage of minors" in Konya, which is the area of Turkey where most Turks living in Norway have their origins. The project was implemented by Dost Eli Derneği and the target group was children and young

12 The Expert Team for the Prevention of Forced Marriage manages the national housing offered for young people above the age of 18 who have been targets of forced marriage or threatened with forced marriage, and is also the contact point for the Ministry of Foreign Affairs in connection with returns in immigration cases, in order to carry out the necessary coordination with public agencies affected in Norway.

people from the age of 12 and their parents in the Kulu, Cihanbeyli and Beysehir districts. Village heads, opinion leaders and teachers have also been target groups in this project. Written materials that have been produced through this project were also to be used at selected upper secondary schools in Norway, which tied the project to the target group (young people with a Turkish background) in Norway. It is assumed that materials produced about a sensitive and controversial topic such as forced marriage in Turkey, in their first language and in their parents' hometown will have a strong impact in the communities in Norway.<sup>13</sup>

Many Turkish people living in Norway travel to Konya for their summer holiday. Since this project was implemented in three small and closely connected areas in Konya, visitors from Norway have encountered people who either participated in the trainings or were themselves involved in the project in one way or another. This is thought to have created awareness of the topic and to have had a preventive effect in these communities.

The organisations the integration counsellor is in regular contact with are positive to receiving visiting delegations from Norway. They provide information about the forced marriage issue and give an account of their experiences and the developments in the field in Turkey. The integration counsellor provides information about their own work and their experiences with regard to the Norwegian-Turkish population. In this way, experiences and effective measures are exchanged, which is useful for both parties in their preventive work.

## **Dialogue and collaboration with Turkish authorities**

The presence of the integration counsellor has strengthened the breadth of the competencies at the Embassy. During the regular internal meetings, the integration counsellor contributes input and views in discussions about issues related to forced marriage and other family-related issues. Thus these topics are also included in the Embassy's contact with Turkish authorities.

There is an ongoing need to continue to focus on these challenges. The Global Gender Gap Index for 2012 shows that Turkey has dropped two spots to number 124 of 135 countries. In part, the drop is an expression of women's position having been weakened by the increasing gap between men and women with regard to education, economic opportunities and political influence. This also affects Norwegian-Turkish women.

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13 From: <http://www.cocukeyliler.org/content.php?id=00017>



# Experiences from the Embassy in Nairobi's work on combating forced marriage and female genital mutilation



**T**he Somali diaspora in Norway is the starting point for the integration counsellor's work. As the prevalence of forced marriage and female genital mutilation (FGM) is closely connected to women's position in the country of origin, all work for gender equality and women's rights contributes indirectly to the struggle to change harmful traditions and practices that mainly hurt women. At the Nairobi Embassy, which also covers Somalia, this is an additional argument for emphasising women's issues and gender equality in the Norwegian aid to Somalia.

Some areas of neighbouring countries – in particular in Kenya and Ethiopia – have large Somali populations. This includes the border areas between Somalia and Kenya, including the Dadaab. Dadaab has the world's largest refugee camp, from which Norway accepts refugees for resettlement. Additionally, many Somalis live along the coast. Many Norwegian-Somalis have stayed in Eastleigh (an area of Nairobi) for a longer or shorter time. At least 50,000 Somalis live in Eastleigh. In Ethiopia, Somalis often live in camps along the border to Somalia, and in Addis Ababa. Next to Somalia, these are the areas that the integration counsellor's work focuses on, both with regard to networking with organisations for possible assistance in consular cases, and for possible project funding.

Most Somalis safeguard their traditions where they settle. Forced marriages and FGM are part of these traditions, which some continue to adhere to after moving to new countries. This happens despite the fact that forced marriage and FGM are prohibited in Kenya, Somalia, Ethiopia and Norway. Since 2012, the work on combating FGM has been part of IMDi's portfolio, and thus the portfolio of the integration counsellor at the Norwegian Embassy in Nairobi. In practice, it was already part of the Nairobi integration counsellor's area of interest.

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*Norway has a large Somali diaspora (29,395 people as of 1 January 2012, according to Statistics Norway), and Somalis are now the largest group of asylum seekers and of migrants who arrive through family reunification with refugees in Norway. Of those who have themselves immigrated, about one-third have lived in Norway for more than ten years, about one-third for five to nine years, and about one-third have lived in Norway for four years or less.*

Statistics Norway (2012): Personer med flyktningbakgrunn etter botid og landbakgrunn [Individuals with a refugee background by length of residence and country of origin].

### **Somali marriages, forced marriage and child marriage**

Somali marriages are entered under Islamic law (Sharia), where the wedding (nikah) is performed by a sheik, most commonly at the Sharia Court, who declares the man and woman to be spouses. This must be done in the presence of two male witnesses. If a sheik cannot be found, the wedding can be performed by a religious man (wadaado) and Muslim witnesses. The woman must always have guardian (wali) who permits her to marry. Sometimes, the permission can be given by telephone, for example if the bride's father is in Somalia and the wedding is being performed in Kenya.

It is difficult for women to manage over time in Somalia or in Somali areas in neighbouring countries if they are not married. It is the family's responsibility to ensure that women are taken care of through marriage. Most girls/women therefore accept the partner the family believes to be a good choice. However, it is not



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uncommon for the two young people to themselves decide that they want to marry, and to then involve their families. When a decision is made about a marriage, clan membership is often crucial. The marriage also has an economic aspect, in that a bride price is paid.<sup>1</sup>

During times of war and unrest, with many orphans taken care of by adults other than their parents, the needs of the young people are not always at the forefront when a spouse is selected. Many girls in Somalia are married at very young ages. It is estimated that 80 per cent of the girls are married in so-called "early marriages".<sup>2</sup> Young people who refuse to marry the spouse selected by the family may risk being targets of violence, and cannot expect protection from their family or clan. However, there is no tradition of honour kil-

1 "Gabaati" is a payment made in connection with the engagement, which the groom's family pays to the bride's family after they have agreed on the marriage.  
"Mahr" (the bride price) is an important ingredient in Islamic marriages, and is the payment the groom makes to the bride. This is her money (a kind of insurance) in the event of a divorce, as Islamic law does not require the husband to support his former wife after a divorce. The amount of mahr that is paid is noted in the marriage contract signed by the sheik, the two witnesses and the couple. In most cases the money is promised but not in fact paid. Sometimes, meher can also be given in the form of gold jewellery, a Koran, camels or cattle.  
"Yaraad" is the price the groom pays to the bride's family. In many cases, the bride reports that this money has been distributed to the members of the bride's family that are present during the aroos (wedding party).  
"Dibaad" is the dowry/the bride's contribution to the groom's family. Those whom the integration counsellor has interviewed report that this is often given as cakes/small gifts.

2 OHCHR (2010): Human Right Council, 13th session. Report on the independent expert on the situation of human rights in Somalia, Shamsul Bari. A/HRC/13/65. 09/03/2010.

lings in Somalia.<sup>3</sup>

### **Female Genital Mutilation (FGM)**

In Somalia, 95 per cent of girls are still subjected to FGM.<sup>4</sup> FGM is traditionally performed on girls between the ages of four and eleven, but in recent decades flight and displacement have led to it taking place from infancy and into the teens. It is the most serious form of mutilation (infibulation) that is most common. The mutilation has serious physical and mental consequences for girls and women, and is a contributing factor to Somalia being among the countries with the highest infant mortality rate and the highest maternal mortality rate. The often serious problems Somali girls and women struggle with can prevent their participation in society, something that there is little focus on, also in Norway.

Research suggests that the practices among the Somali diaspora in Norway are changing among those Somalis who have been in Norway for some time (more than 4-5 years).<sup>5</sup> It is claimed that this changed has been caused by increased religious knowledge and awareness that FGM has no place in Islam. Through health information given in Norway, the links between FGM and suffering have become clearer and helped increase the scepticism of physically harmful practices. Norwegian law and attitudes to FGM in Norway also have an effect.



*Changes are happening among Somalis in Norway. It is becoming possible for increasing numbers of girls to get married without being circumcised.*

3 Country memorandum about Somalia prepared by Sidsel Rønning, former integration counsellor at the Norwegian Embassy in Nairobi.

4 UNICEF; Eradication of Female Genital Mutilation in Somalia, [http://www.unicef.org/somalia/SOM\\_FGM\\_Advocacy\\_Paper.pdf](http://www.unicef.org/somalia/SOM_FGM_Advocacy_Paper.pdf)

5 Talle, Aud (2008): Kvinnelig omskjæring: Holdninger og praksis blant somaliske kvinner i Norge og blant omskjærere i Somaliland [Female circumcision: Attitudes and practices among Somali woman in Norway and among circumcisers in Somaliland]. Department of Sociology, University of Oslo.  
Gele, Abdi (2012): Attitudes toward female circumcision among Somali immigrants in Oslo: a qualitative study, International Journal of Women's Health.



That boys and men also change their views of circumcision mean that marriage opportunities in the Somali diaspora are increasing for girls who are not circumcised. Worries about the girl's marriage opportunities are likely an important reason that the changes in practice are not as clear for families whose residency in Norway is uncertain and for families who have been in Norway for a short time and have strong ties to their family in their country of origin, as these tend to look for a spouse in the diaspora outside of Norway. The Embassy in Nairobi considers these children and young people to be especially vulnerable to FGM and forced marriage during stays in their home country or in neighbouring countries.

### Migration area

More than two million Somalis are refugees, about half of whom are in the countries neighbouring Somalia. UNFPA estimates that between seven and nine million Somalis are currently living in Somalia. Of these, about 1.5 million are internally displaced. While many are fleeing, others are continuously returning for shorter or longer periods. Somalis are a nomadic people, who have developed strong mechanisms to protect their culture and traditions, regardless of where they are in the world. Marriage is one of these protection mechanisms. Through marriage, clan ties or ties to other important (subsidiary) clans are strengthened. Somali traditions in the Somali diaspora are strengthened through marriage with traditional partners from the home country, and this includes the harmful traditions. As a result, young Norwegian-Somalis may be targets of violence and force, for instance in order to ensure that their partner gets a residence permit in Norway. Having children be raised by traditional family or clan members is another way of retaining culture and tradition. This is often an explicit purpose when children are (voluntarily or involuntarily) left with family in Somalia, Ethiopia, Kenya or elsewhere. In some cases, this includes a risk of FGM.

While some Somalis are bound by tradition, many are also adaptive and quickly adopt new ideas and technology they consider appropriate. Traditions are under pressure within the community as a result of new knowledge. There is great activity around and interest in the political and structural development in Somalia among the Somali diaspora in Norway. Women often push for a return to the home country after war and conflict. However, it is not a given that Norwegian-Somali women want to return to a traditional women's role in Somalia, with continued intense pressure regarding FGM and forced marriage. Many Norwegian-Somali women participate in or support the work for change in Somalia, but are unlikely to return permanently until women have better protection against violence and abuse, including protection against harmful traditions.

“ *There are many large and small organisations working on women's rights, female genital mutilation and forced marriage in Somalia, Kenya and Ethiopia.* ”

### Aid and the humanitarian field

There are many large and small organisations working on women's rights, female genital mutilation and forced marriage in Somalia, Kenya and Ethiopia. Norway funds programmes in all these countries. Most of the Norwegian funding goes to UN organisations, and is distributed by them to international and local non-governmental organisations. In order to coordinate the efforts, avoid overlap and ensure the transfer of experience, national committees or other local forums have been established where relevant NGOs, UN organisations, donor countries and government representatives meet regularly. As a representative of an important donor country, the Embassy/ integration counsellor is welcome in such networks, which is important both to keep abreast

of developments in the field and to gain local knowledge and get contacts that can also be used in the consular work. Some organisations also run shelters that vulnerable Norwegian-Somalis can use, others can contribute information, contacts, transport options, etc.

In our experience, FGM is best combated through a holistic approach at the village/city neighbourhood level and through collaboration across different sectors and professional communities. The protection of vulnerable groups and combating of violence is especially challenging in these countries. The legal sector is weak, the laws are new and are only implemented to a limited extent. This is partly caused by a lack of competencies, prioritisations and resources.

### **The consular field**

Due to the growing Somali diaspora in Norway, the Embassy has seen a significant increase in the number of consular cases regarding Norwegian-Somalis. This includes cases that relate to people who have been involuntarily left behind, forced marriage and FGM, or the risk of any of these.

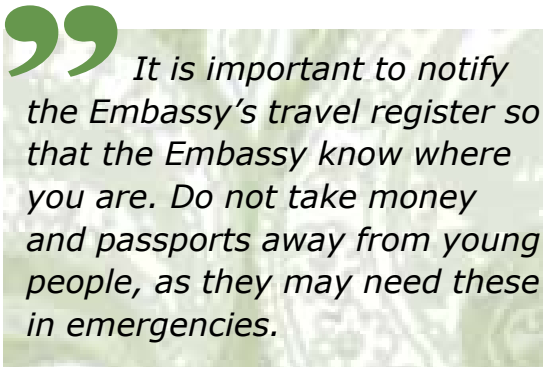
There are limited purely consular measures available. It is therefore important to be creative and see opportunities where they arise, such as for example through collaboration with international and local organisations and networks. At the same time, we must be realistic with regard to the limitations Norwegian authorities work under when operating outside the borders of Norway. However, the measures that have been implemented through multiple Action Plans on the combating of forced marriage and FGM give the Embassy a basis to work from – especially in Norway – with regard to prevention and the handling of individual cases.

### **Prevention**

A lot of information material that have been developed about forced marriage and FGM in

Norway and in projects in the region are available at the Embassy in the relevant languages.<sup>6</sup>

As part of its work on prevention, the Embassy has established a new routine of raising questions about FGM when receiving applications for passport renewals for girls in the relevant age-range. As a starting point, the staff member working on passport applications assumes that Norwegian-Somalis are aware of Norwegian law and do not want to expose their children to FGM, but that they can be pressured by their family and community. The dialogue with the parents raises the health, mental and legal consequences of FGM, but also covers the possibility of the parents being subject to criminal sanctions in Norway for contributing to FGM, even though it took place abroad. The dialogue also provides an interesting insight into how Norwegian-Somalis think and relate to questions of FGM.



*It is important to notify the Embassy's travel register so that the Embassy know where you are. Do not take money and passports away from young people, as they may need these in emergencies.*

Passport renewals and lost passports are the main reasons Norwegian-Somalis come to the Embassy. During such visits, they are encouraged to use the Embassy's travel register. The contact information in the travel register is important to be able to alert them about issues such as those related to the safety of Norwegian citizens, and may ease the integration counsellor's work on getting in touch with young people who have been left abroad. Based on the safety situation, Norwegian-Somalis are encouraged (by the Expert Team for the Prevention of Forced Mar-

<sup>6</sup> [http://www.nkvts.no/tema/Sider/kjonnslemlestelse\\_brosjyrer.aspx](http://www.nkvts.no/tema/Sider/kjonnslemlestelse_brosjyrer.aspx)

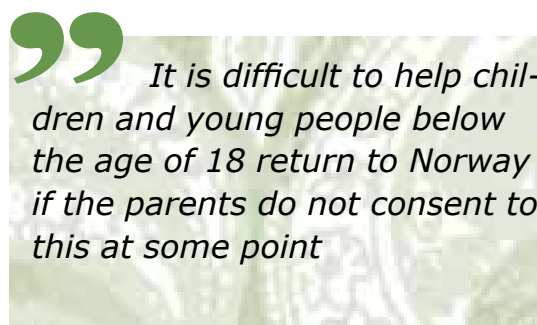
riage, minority counsellors and others) to pay attention to the Embassy's travel advice and to not take money and passports from young people, as they may need them in an emergency.

### Individual cases

In the first years of the Action Plan period, most of the cases came to the integration counsellor from IMDi's minority counsellors working in upper secondary schools in Norway. As the integration counsellor scheme has become better known, such cases come directly from schools, support services in Norway, the Expert Team for the Prevention of Forced Marriage, the Ministry of Foreign Affairs, or from enquiries directly to the Embassy from young people themselves or from their friends. The persons the cases are about vary in age and the duration of their stay in Norway, and they have varying and often complex family situations. However, most of the cases are about children and young people, both boys and girls, who have been left against their will in their country of origin or in a neighbouring country. Their passports, tickets and money have been taken away to prevent them from returning to Norway against the wishes of one or both parents.

The children and young people in question want to return to Norway as soon as possible. Within the framework of the Instructions for the Foreign Service, Embassy routines have been developed about how to handle such enquiries in order to ensure that the Embassy has enough information to maintain contact with the enquirer and investigate the case further. The information provided by the vulnerable young person can quickly be supplemented by data from registers available at the Embassy and/or available to the Expert Team for the Prevention of Forced Marriage and Female Genital Mutilation. Thus the Embassy has a good starting point to find relevant actors who can help provide further information in the case, and who may play a role in the further handling of the case. It is often necessary to have a dialogue with the family in

Norway, and who the best partner is in that dialogue is varies from case to case. The school is often an appropriate actor that the parents find relatively non-threatening, and the school has a natural starting point from which to get in touch when a pupil fails to attend. In many cases, multiple public agencies have previously been in touch with the family, and some may have had form of contact that it is appropriate to build on. Some agencies may also know resource persons affiliated with the family who can also participate in the dialogue if the contact with the parents is difficult.



It is difficult to help children and young people below the age of 18 return to Norway if the parents do not consent to this at some point. According to the regulations governing the issuing of passports, one or both parents must consent in order for the Embassy to issue a passport to an individual below the age of 18. In such cases, the assistance focuses on keeping in touch, comforting the young person, talking with them about how to handle the situation and perhaps facilitating contact with friends in Norway. If the young person is a Norwegian citizen, s/he can apply for an emergency travel document on turning 18. If the young person only has a residence permit that expires before s/he turns 18, s/he must reapply for a residence permit in Norway. The decision on the application will depend on the strength of the applicant's ties to Norway as compared to their ties elsewhere, as well as other issues.

Several victims of forced marriage have been helped home from Ethiopia and Somalia. These

have been girls above the age of 18 who have contacted the Embassy themselves. All of them have said they were locked up by their family/ clan for a long period and that they have been subject to severe violence. They have worried about being recognised at the Embassy, and have been very concerned about their family in Norway finding out when they returned to Norway. In the cases where the young person has been unable to reach the Embassy, transport and accommodation have been organised by the network the integration counsellor has built through the Embassy's humanitarian/aid work.

Many of the young people who have been left in Kenya without travel documents do not have a valid residence permit, often because their tourist visa has expired. Illegal residence violates immigration law, which is a criminal offence. The young people who are helped home therefore also need the Embassy's help in relation to Kenyan authorities in order to be able to leave the country.

Many of the cases where children and young people are left behind are about fleeing from the child protection authorities in Norway. The Somali diaspora's distrust of the child protection authorities is partly caused by disagreement and a lack of knowledge about what it means to be a parent in Norway, and partly by the child protection authorities' lack of multicultural competencies. The child protection authorities also make mistakes, and rumours spread quickly in the Somali community about such cases.

The child protection authorities turn out to have been involved in many of the cases involving boys. Most relate to boys between 16–18 years of age who have had problems in Norway at school, with substance abuse/mental health, or with the police. The parents struggle to handle them. The boys are therefore brought back to Somalia or Kenya and left for shorter or longer periods, often at Koran schools, to learn to behave. When they return to school in Norway,

they often encounter problems again due to their long absences and the teaching they have missed, which can have negative consequences for their future education.

The motive for leaving girls abroad is in many cases more difficult to identify. Various support services in Norway have often been involved in these cases too, but in some cases the parents' worries about their daughter becoming Norwegian consist of the daughter having adapted to Norwegian society too well, and being at risk of "losing" her Somali identity. In such cases, the parents and extended family may consider marriage to someone from their country of origin to be an appropriate course of action, regardless of what the girl wants.

In several cases related to fear of FGM, it is the girl's mother who has reported her concerns to the integration counsellor. In these cases, the mother is resident in Norway while the children live with grandmothers who had their own daughters circumcised. The child's mother is therefore concerned that the grandmothers will give in to pressure from family and relatives. In such cases, the Embassy can invite the grandmother or influential family members to a conversation and provide information – in writing and in Somali – about the physical, mental and legal consequences of FGM, until the child can be brought home. The responsibility parents have to protect children they have left abroad must also be stressed vis-a-vis the parents, including their criminal liability for any abuse that takes place outside of Norway.

### **The political arena**

The Ministry of Foreign Affairs is responsible for measure 20 in the Action Plans for Combating Forced Marriage and Female Genital Mutilation: "Raise the issue of forced marriage in political discussions with other countries." In East Africa, this must also include FGM.

The Ministry of Foreign Affairs and the Norwegian Embassy in Nairobi have for a long time been strongly focused on the human rights situation in the political dialogue with Kenyan authorities. Gender equality and women's rights, including marriage traditions and FGM, have been raised as integral parts of this. Norway coordinates strategically with like-minded countries, and contributes to joint declarations where possible and appropriate. Funding has also been provided for organisations that have pushed for new laws in Kenya. After forced marriage, child marriage and FGM was prohibited in Kenya in 2011, the implementation of the law is being raised in the political dialogue.

Ethiopia is a pilot country for the implementation of the international Action Plan for Combating Female Genital Mutilation, and FGM has been raised as a topic in political conversations both by the Embassy in Addis Ababa and by Norwegian politicians in meetings with Ethiopian authorities. FGM and forced marriage are prohibited in Ethiopia. The implementation of the law in relation to Somali residents is especially challenging both in Kenya and Ethiopia.

The Embassy in Nairobi has running and good contact with the Somali transitional government. This is now continued in relation to the new Parliament and Government from autumn 2012. In this contact, women's rights and FGM have been raised.

Forced marriage and FGM are sensitive topics. It is important that participants in political conversations and political development are knowledgeable about the topics. The integration counsellor is to contribute to this, and to highlighting the field in the Embassy's governing documents and reports, both to the Ministry of Foreign Affairs and to IMDi/Ministry of Children, Equality and Social Inclusion. It is also important that there is good communication between ministries and directorates at home in Norway about the topic, so as to ensure a unified and knowledge-based policy in the field.

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# Experiences from the Embassy in Islamabad's work on combating forced marriage



**T**he Norwegian-Pakistani population has a relatively long history in Norway. The first Pakistanis came as labour migrants in the 1960s and 1970s, and have thus been residents for 30–40 years.<sup>1</sup> After Poles and Swedes, people with a Pakistani background constitute the largest immigrant group in Norway, and a large share live in Oslo.<sup>2</sup> In addition to the first generation that themselves immigrated, we have a second and third generation who were born and/or brought up in Norway.

Through the years, the Norwegian Embassy in Islamabad has occasionally assisted individuals who were subject to a forced marriage or another form of honour-related violence, or who feared this. With the Action Plan against Forced Marriage (2008–2011) and the Action Plans for Combating Forced Marriage and Female Genital Mutilation (2012), this work has received a special focus at the Embassy, and the number of cases has increased significantly. Improving competencies, preparing routines, building networks, and initiating and following up on projects and collaborations with actors in Pakistan and Norway have been important parts of the work on preventing, uncovering and handling forced marriages.

### Marriage and migration

There is a development underway in the Pakistani immigrant population.<sup>3</sup> The percentage that chooses their own spouse is higher among young people, and they marry later than previous generations. While eight per cent of older Pakistani women say they have chosen their own spouse, this share is 58 per cent among young descen-

dants. This is a significant change of practice during a relatively short period, and suggests that received traditions are changing quickly as new generations come of age. At the same time, there are many examples of young people living under extreme control and with strict limitations on their clothing styles, friends, leisure activities and love.

Norwegian-Pakistanis keep in close touch with their country of origin, and many visit annually and/or go on holiday in their parents' home country, usually in Gujarat and Kharian, where about 90 per cent of Pakistani immigrants come from. About 70 per cent of those who have a Pakistani background marry someone from their country of origin or from another country outside of Norway.<sup>4</sup>

### Violence against women is common and legal protections are weak

The integration counsellor has seen a link between forced marriages in Norway and women's position in the areas where the family originates from. There are reports of gender roles and family cultures with a low threshold for violence against female family members. At the same time, there is generally a high social tolerance for violence against women. According to Human Rights Watch, in 90 per cent of cases involving violence against women the perpetrator is either a spouse, another family member or a person in the immediate community. The Human Rights Commission Pakistan (HRCPP) reported 647 honour killings in 2009, which shows women's vulnerable position in Pakistani society.

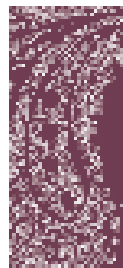
Cousin marriages constitute a large share of the documented forced marriages. There may be several reasons for forced marriages between close relatives: keeping the family's economic resources together, keeping the family within the same clan, and using transnational marriage as a migration strategy for relatives in Pakistan, as this is the only ticket to legal residence in Europe for

1 Today, there are 32,737 Norwegian-Pakistanis, of whom 14,844 are descendants born in Norway. From: <http://statbank.ssb.no/statistikkbanken/>

2 op.cit

3 This paragraph is based on FAFO report 2011:25 Hvem bestemmer? Ektefellevalg blant unge med innvandrerbakgrunn [Who decides? Spousal choice among young people with an immigrant background]. Elgvin, O. and Skevik Grødem, A. and Statistics Norway report 2008/41 Ekteskap over landegrensene [Marriage across international borders]. Daugstad, G. From: [http://www.ssb.no/emner/02/02/30/rapp\\_200841/rapp\\_200841.pdf](http://www.ssb.no/emner/02/02/30/rapp_200841/rapp_200841.pdf)

4 Op.cit



most people. In Pakistan, forced marriages take place in all social classes, though it appears to be more common amongst those with less education.<sup>5</sup> When a spouse is selected for a child, religious affiliation is significant, though inter-religious marriages do occur. Biraderi (caste) is the most important factor when choosing a spouse.<sup>6</sup> The significance of caste is an old tradition that is independent of religion and it is something Pakistanis in Norway also emphasise.

At the Norwegian Embassy in Islamabad, the integration counsellor has worked with the other employees to identify the following signs that a forced marriage may have been performed or may be planned:

#### **Age differences, time of meeting and entering marriage, and divorces**

- Big age difference: old man and young woman or vice versa
- The parties cannot document having known or met each other before getting married and the family/others have arranged the marriage for them without the involvement of the parties
- The parties were not of marriageable age at the time the marriage was decided upon (there are examples of parents promising their children in marriage at birth)
- Discrepancy between real and stated age
- The reference/sponsor in Norway has had multiple divorces (documented in case file)

#### **Criteria based on kinship and/or caste/"birdaderi"**

- Cousin marriages to protect the families' economic interest
- The parents want the young people to marry someone from the same geographic area in the parents' country of origin or from their

caste, as a response to a Western, modern lifestyle, where girls and boys interact and can have boy/girlfriends the parents do not accept

- Parents (in Norway) are pressured by their extended family or clan in their country of origin to marry off a son/daughter as part of a migration strategy, where the person in the home country gets a residence permit in Norway.

#### **Deviations from traditions and rituals**

- Deviations in the marriage process, such as one party not being present (marriages entered by phone or by proxy are not valid).
- Deviations in the marriage rituals, either breaches of current practices or that rituals have not been performed (such as Rukhsahti or Valima) or deviations in the number of guests
- Deviations in the size, value of dowry. The time and terms for the handing over of the dowry.
- Avvik i medgift med hensyn til størrelse, verdi. Overleveringstidspunkt og vilkår for utlevering

5 This is according to statements from a number of non-governmental organisations and communities that work on women's issues.

6 According to a study of marriage practices conducted by Struggle for Change (SACH) in 2009.



Various forms of forced marriage are usually tied to old traditions that often carry more significance than laws and regulations in society. Below, we give examples that the Embassy and integration counsellor together have identified of issues that may arise in possible forced marriage cases:

- If an arranged marriage is planned and organised by the parents without the young people being aware of or participating in the preparations
- Though 18 is the minimum age of marriage in many countries, illegal marriages of girls as young as 8 do occur
- Women can be married to a family as compensation for an insult or to heal a conflict between two families (Vani/Swara)
- Women are forced to marry their rapist, because rape destroys their opportunity to marry anyone else if it becomes known
- Girl children are married to the Koran and must sacrifice themselves to religious activities and duties for the rest of their lives
- Gays, lesbians and trans people are pressured to marry to prevent their sexual orientation or gender identity from becoming known
- Individuals are forced to marry mentally disabled spouses in order to fulfil the spouse's caretaking needs and thus relieve other family members of this responsibility
- Elements of force may be present in sham marriages, for one or both parties
- Individuals may be forcibly married as a part of human trafficking.

There can be many and serious consequences of a forced marriage, and these can affect entire families in both Pakistan and Norway. Violence in intimate relationships is common in Pakistan, and forced marriages can further facilitate violence against women. Where women or men choose to resist their family's choice of a partner and to marry someone of their own choosing, both parties may in the final instance risk being targets of "traditional" honour-killings ("karo-kari-killing").

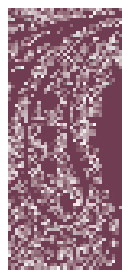
### Individual cases

It has turned out to be difficult to uncover forced marriages though interviews in family establishment cases.<sup>7</sup> The explanation for this may be that the applicant in most cases wants to migrate to Norway, and therefore refrains from saying anything that can help might reduce the likelihood that the application will be granted. Therefore, the integration counsellor has to a larger extent worked in the consular field.<sup>8</sup>

The content of the cases varies, but a typical case is about a girl between 18 and 21 who asks for help to return safely to Norway after threats of forced marriage and possible violence and an escape from having been locked up. This usually means that the girl needs a safe place to stay until she can return home. The Embassy helps by providing a place at a shelter in Islamabad or another city. The Embassy can also help purchase air tickets and advance money if necessary. In cases with significant security risks, the Embassy helps find a "safe" travel route and secures airport transport. If the individual does not have travel documents, the Embassy issues an emergency passport. In cases where the individual's safety may be at risk due to threats of violence, the Embassy establishes a close collaboration

7 Foreigners who marry and apply for family reunification with a Norwegian citizen or permanent resident must meet at the Norwegian Embassy in their home country for an interview.

8 Consular cases relate to Norwegian citizens who ask for assistance from a foreign service mission; for instance individuals who are having problems related to forced marriage and other forms of honour-related violence.



## ■ ■ Case: Left abroad

*Rehana was married to a cousin in Norway at an early age. During a visit to Pakistan, she was abandoned with two young (Norwegian) children that were three and five years old. She had no identification documents for herself or the children. She had travelled to Pakistan with her husband, allegedly to celebrate a wedding. When they arrived in Pakistan, her own and the children's identification documents were taken from her, and she was told to go to her family of origin and to stay there. She did not think she had any choice, and went to her family. Her family did not receive her well. They could not afford to feed another person, and it was considered shameful to have a "divorced" woman in the family. She was scorned and stigmatised in the village. Her in-laws regularly threatened her by phone, saying they would take the children to Norway once they turned 7-8 years old, as the children belonged to her husband and his family. She moved from her family to an uncle, and did not dare be alone with the children for fear that someone would suddenly come and take them. She asked the integration counsellor for help to return to Norway, as she thought she would be better protected by the police there than in Pakistan.*

*Rehana lived from hand to mouth, but got in touch every time her in-laws threatened her. She said her husband wanted to bring a new wife from Pakistan, and she did not think she could ask for a divorce, as she believed only men had the right to do so. She was also scared afraid of divorcing, and thought of the marriage as the only possibility of living with her children, who she feared losing. She received no financial help for herself or the children from her ex-husband. Rehana needed a lot of information in order to understand that she could apply for residence in Norway in reunification with her children, as a divorced woman and on an independent (social) basis. She got help from a relative in Norway to find housing and work, and after two years she received notice that she would be issued a residence permit with her children, as a divorced woman. She travelled to Norway as soon as the visa was issued, and cried with joy at the Embassy.*

with the police liaison service. The contact with Norway is usually maintained by the integration counsellor, who identifies the individual's short-term need for assistance and keeps in continuous contact with the Expert Team for the Prevention of Forced Marriage, which plays a crucial role in ensuring that there is a system in place for receiving and following up with the person in question when s/he returns to Norway.<sup>9</sup>

### **Fewer cases are considered absolute emergencies**

Since 2008, there has been a change in the integration counsellor's handling of individual cases. Fewer cases are considered absolute emergencies, and more emphasis is placed on not breaking family ties if possible. In conversations with young people who want to get away from family control, the integration counsellor has used more time on emotional support and discussions of the alternatives available. Several cases were solved through dialogue with the parents, whether they were in Norway or in Pakistan, in parallel with dialogue with the young person in Pakistan. In several cases, this has led to a forced marriage being prevented, without causing a break with the family. In conversations with parents, the integration counsellor often provides information about conditions in Norway, about laws and regulations pertaining to marriage, the age of majority and the rights young people gain on turning 18, including the right to self-determination.

This does not conflict with helping individuals who are in crisis. Safety must always come first, but experience shows that the room for action is greater than one might think at first, and that for instance dialogue with the family is possible. Breaking with their family is something

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<sup>9</sup> The Expert Team for the Prevention of Forced Marriage consists of representatives for the Norwegian Directorate for Children, Youth and Family Affairs, the National Police Directorate, the Norwegian Directorate of Immigration, the Norwegian Directorate of Health, the Norwegian Labour and Welfare Administration, and the Directorate of Integration and Diversity, which has the administrative responsibility for the Expert Team. The Expert Team for the Prevention of Forced Marriage provides advice, guidance and assistance to the front-line services in the work on specific cases about forced marriage, female genital mutilation or other forms of honour-related violence and control. Additionally, the Expert Team for the Prevention of Forced Marriage is the contact point for the Ministry of Foreign Affairs in connection with returns in immigration cases, and perform the necessary coordination with affected public agencies in Norway.

many young people cannot handle for long periods. In conversations with the integration counsellor, many young people stated that at a later time they would want to be reunified with their families, but that they needed some distance for a period of their life.

### **Collaboration with minority counsellors and the Expert Team for the Prevention of Forced Marriage**

The integration counsellor has collaborated with minority counsellors in about a quarter of the cases.<sup>10</sup> In these cases, the minority counsellor has usually been the one to get in touch. This work has largely consisted of sharing information, and advice and guidance from the integration counsellor about the pupil and the pupil's family as well as discussions of possible measures that can/should be initiated whether in Norway or in Pakistan or both.

There has been much more collaboration with the Expert Team for the Prevention of Forced Marriage, which has been involved in about 50 per cent of the cases. In this collaboration, the integration counsellor has often contacted and informed the Expert Team about cases at the Embassy. The issue in question has been discussed with the Expert Team, and there has been a practical collaboration about initiating measures. Agreements about the reception and follow-up of individuals who have been helped back to Norway have worked very well. This may involve having the police meet the individual in question at Gardermoen airport, and making agreements about placement in sheltered housing and with a municipality that assumes responsibility for further follow-up.

### **A holistic approach across the Embassy's different sections is necessary**

Experience shows that once they have been processed in more depth, consular cases are often related to the integration counsellor's area. Many cases involve family-related issues that touch on the situation of children and women. These cases have many sides, are often full of conflict, and can include topics that are difficult to talk about and that require a holistic approach to find optimal

solutions. For the best possible result in individual cases as well as in the preventive work, it is obvious that the integration counsellor must work interdisciplinarily. In practice, this means that the integration counsellor must take a broad approach in the preventive work, where assessments and case processing are done on the basis of a shared understanding and discussion with the consular section, employees in the visa section and with the police in individual cases, and through discussions with employees in the political section.

### **Coordination role**

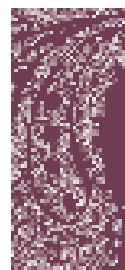
It is not a given that the different disciplines naturally work together at an Embassy. Someone must usually assume responsibility for coordinating the work. This is also true of the forced marriage field. One of the integration counsellor's important jobs is therefore to coordinate cases related to forced marriage. One of the most important reasons to coordinate the case is precisely the recognition that forced marriage cases are complex and difficult. The coordination function is therefore crucial in enabling these cases to be seen in a holistic perspective and not to be divided into their de-contextualised individual factors. In most cases, this is absolutely necessary in order to find a good solution.

### **Competence is a vulnerable key factor**

Det ligger i integreringsrådgivers mandat at han/ The integration counsellor's mandate includes training Embassy staff in handling forced marriage cases and in the contents of the Action Plan. Without knowledge in this field, most staff will have limited abilities to "see", understand or address the problems.

As Embassy staff is replaced regularly, this is not a one-time event, but something that must be repeated. Though the Ministry of Foreign Affairs organises a preliminary course for staff about to be sent abroad in which forced marriage is covered, this is far from sufficient in enabling

<sup>10</sup> Thirty minority counsellors work at schools in eight counties. They primarily work preventively on forced marriage, female genital mutilation and other honour-related violence, but also on uncovering, handling and following up on emergency cases – when necessary in collaboration with the integration counsellor.



## ■ ■ CASE:

### Collaboration: an example \*

*In a specific case about forced marriage in which the targeted young woman was kept locked up and her life was being threatened, collaborating with the local police was crucial. With the help of the consular section and the police liaison service, the integration counsellor was able to initiate collaboration with contacts in the Pakistani police. The Embassy had good experiences with these contacts in solving other types of cases. These police officers ensured that the woman in question was rescued from the house she was locked up in. They also ensured that she was brought to safety and presented to the local court the next day. Further, a private shelter was used which ensured that the woman was safe until she could be sent to Norway. The collaboration with the police in this case was crucial to the rescue of the woman from the house she was being held in. Furthermore, it was very important to the woman, who was very vulnerable, that she was offered a place in a private shelter, where she was looked after in a professional and safe manner. In Pakistan, it is crucial to have "personal" contacts within the police and other types of organisations in order to solve individual cases.*

\* This is the same case as was previously presented previously in the report. We include parts here because it shows how the Embassy worked and collaborated with Pakistani police and a Pakistani shelter, and how crucial this was to the girl's situation and safety.

staff to uncover suspicions of forced marriage or to handle forced marriage issues.

Repeated training sessions and the integration counsellor's regular "repetitions" in meetings and other relevant contexts are necessary and important in order to create awareness of this area among staff. Further, it is important to hold specific training for local staff, adapted to their work situation and taking the potential sensitivity of the issues and questions into account. The integration counsellor has initiated improvements of the formal competencies of local staff in the visa section, and has proposed courses in interview and conversation techniques that will improve the quality of the interviews.

The regional gatherings organised regularly by the Ministry of Foreign Affairs' consular section have turned out to be important arenas for competence building. Here, the integration counsellor meets employees at other foreign service missions in the region who also encounter forced marriage issues in their daily work. Useful contacts and collaborations across Embassies can be established.

A transnational approach to the field is absolutely necessary as what happens to Pakistani women in Pakistan also happens to Norwegian-Pakistani women in Norway. Highlighting the link between what takes place internationally and what takes place in Norway in the preventive work on forced marriage and female genital mutilation is therefore an important task within the Embassy for the integration counsellor.

### Collaboration with non-governmental organisations and project funding

The integration counsellor has also worked to establish a network of non-governmental organisations and other relevant communities that can provide insight into women's actual situation. Through the network, the integration counsellor has gained access to knowledge and competence that have provided a sense of confidence in the advising role. Sound competency is a prerequisite for being able to give qualitatively good advice and guidance and effective assistance in individual cases. In some cases, such networks have also been important partners in handling emergencies.

At the Embassy in Islamabad, the integration counsellor's work has contributed to several measures aiming to combat forced marriage having been "baked in" as subsidiary projects in an existing project focused on women. Via the Embassy in Islamabad, the Ministry of Foreign Affairs provides funding for several organisations focused on women, children and human rights. The projects that receive funding focus on everything from raising awareness, to grassroots training, legal aid, the operation of shelters, and lobbying. Funding is also given to various health and education projects that aim to help improve women's situation in Pakistan. Preventive work and work on changing attitudes in areas where most Norwegian-Pakistanis come from also help influence the Pakistani population in Norway and their descendants. The close ties between families in the country of origin and in Norway mean that changes that take place in Pakistan also have consequences for those who live here in Norway.

### **The political dimension**

In accordance with the Action Plan against Forced Marriage 2008–2011 measure 36, forced marriage is to be raised in political conversations with other countries: "In bilateral political discussions with the authorities of other countries, and in connection with visits by political and professional delegations, forced marriage should be brought up in an appropriate manner in countries where this is a relevant issue." The integration counsellor has assisted in the preparation and implementation of meetings with public authorities and has also initiated the implementation of follow-up meetings where researchers, politicians, representatives of civil society and bureaucrats have raised issues related to women for discussion.

According to the Pakistan Human Rights Commission and several non-governmental organisations that the integration counsellor collaborates with, women in Pakistan receive little or no protection from public authorities such as the police and the legal system. Though Pakistani authorities have passed laws that to a greater extent put women on an equal footing with men (inheritance) and protect women against violence, in practice the laws are of little significance. The implementation of the laws is therefore an important topic in the dialogue with Pakistani authorities about this area.

### **A resource-intensive work that still needs special focus**

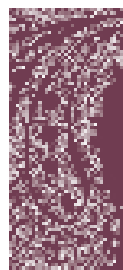
Forced marriages are resource-intensive. A case can take a very long time and in periods require follow-up around the clock. Where the case involves helping a young person flee a violent family, the integration counsellor has spent a lot of time getting the young person to safety and helping with practical things such as buying a plane ticket, issuing an emergency passport and collaborating with the public agencies that will assist the young person on their return to Norway.

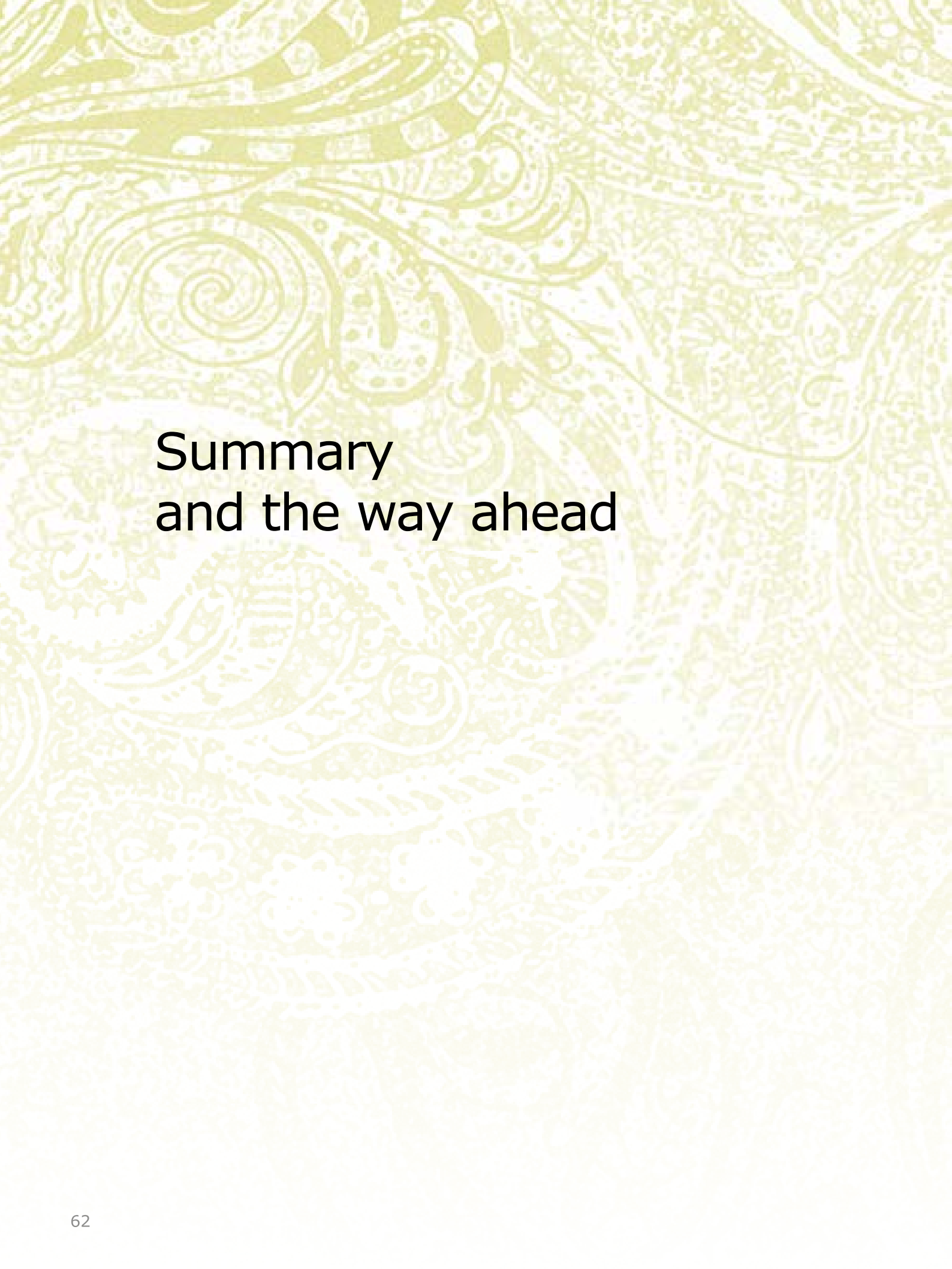
To succeed in the demanding cases about forced marriage and other forms of honour-related violence, it is crucial that the integration counsellor collaborates with other Embassy staff. In the preventive work, it is important that the work on combating forced marriage constitutes an integrated part of the Embassy's work on women's and gender equality issues.

It is the responsibility and duty of the integration counsellor – along with the Ambassador – to identify connections and links between the work on combating forced marriage and the Embassy's other areas of responsibility, and to thus help them to mutually strengthen each other. This work must also be seen in the context of the work on integration and migration challenges in Norway.

#### **■ ■ FACTS**

The Expert Team for the Prevention of Forced Marriage administers the national housing provision for young people above the age of 18 who are targets of forced marriage or threatened with forced marriage. The Expert Team for the Prevention of Forced Marriage coordinates with affected public agencies in Norway, in addition to being the contact point in such cases for the Ministry of Foreign Affairs.





# Summary and the way ahead

To combat forced marriages, female genital mutilation and other forms of honour-related violence, it is not enough to make efforts only in Norway. Collaboration across international borders is necessary to prevent forced marriages and to assist in individual cases where forced marriage is a part of the problem. To contribute to changes and developments, we must work on multiple fronts simultaneously, and also be aware of the dynamics and interplay between "those who were left at home" and "those who went abroad" and their descendants in Norway and other countries.

### **Forced marriage as part of the Embassy's consular responsibility and duty**

The integration counsellors have helped strengthen efforts that were already underway in the consular field at the foreign service missions. Rather than coming in to look after a new area, the integration counsellors have helped increase the focus on and awareness of issues that the foreign service missions already have some experience of. Competencies have been strengthened, the work is more systematised and routines for



*We were aware of the issue because of the instructions regarding forced marriage that were issued by the Norwegian Directorate of Immigration. However, before the integration counsellor came, we had no training that enabled us to see the red flags in cases and we had no training in how to conduct interviews in such cases.*

Employee at the embassy in Nairobi

uncovering and handling individual cases have been prepared and implemented.

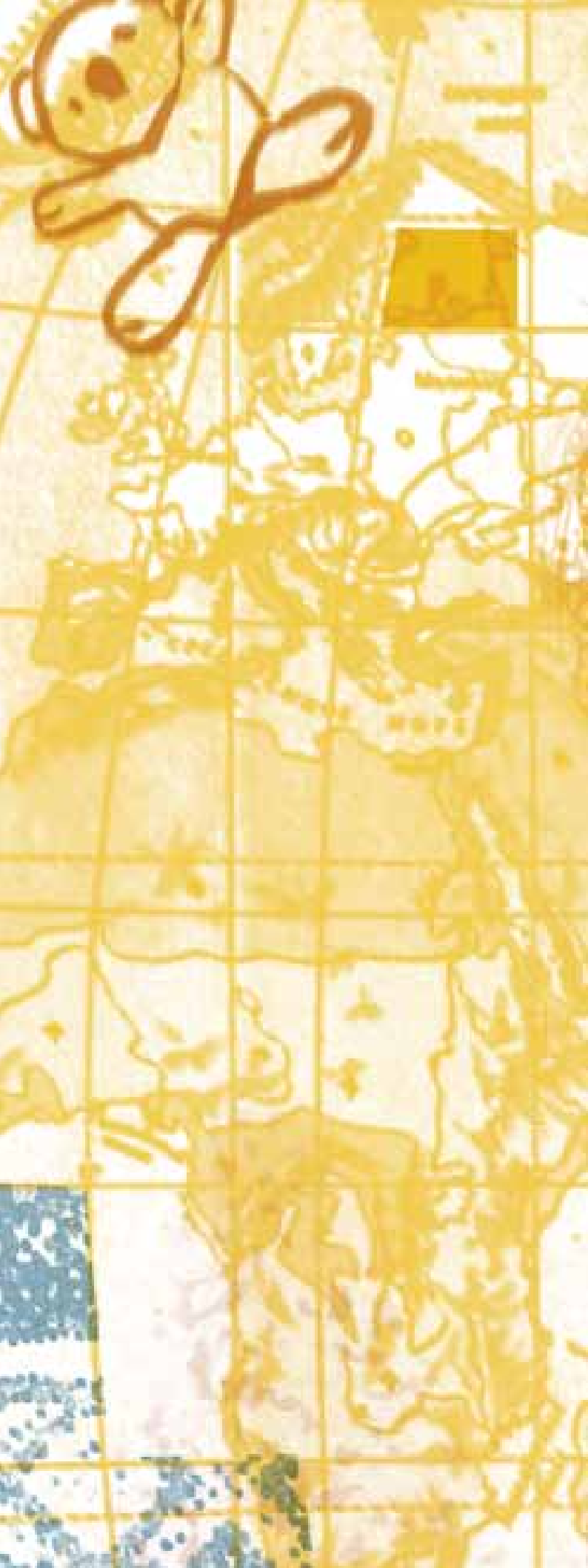
The result has been a significant increase in the number of forced marriage cases, from a total of 94 in 2009 to 159 in 2012. Most cases are about individuals who have been left against their will in their parents' country of origin and/or who have been forcibly married or fear being forcibly married. These are often people who are in a situation characterised by complex challenges, where collaboration across the different sections of the Embassy has proven necessary in order to provide the best assistance possible. A holistic approach and collaboration with local actors<sup>1</sup> and with schools, the Expert Team for the Prevention of Forced Marriage and support services in Norway have helped ensure that good information has been gathered in the cases, and that measures have been discussed and implemented. In the countries in which the integration counsellors have been stationed, local non-governmental organisations have been important links in the chains through which measures have been implemented, and they have also provided practical assistance in finding solutions in forced marriage cases. In all cases the integration counsellors have followed up on, it has been necessary to work across the foreign service mission's



*The integration counsellor has helped us see how those in charge of various disciplinary areas at the foreign service mission can collaborate and use each other's networks and contacts.*

Embassy in Nairobi

<sup>1</sup> The local actors that are relevant vary from country to country. These may be NGOs, organisations working to combat violence against women and to promote women's rights, and shelters. They may also include representatives of various public authorities in the country.



different areas within visas, consular cases, police cases and development aid tasks.

### **Development aid and human rights focused on women**

The Ministry of Foreign Affairs and the foreign service missions' efforts for women and gender equality in the different countries of origin and the funding given to organisations working to combat violence against women and children have been important and have helped place the work on combating forced marriage in a larger context.

With the field of development aid, the integration counsellors have helped with the start-up and development of several projects and measures to combat violence against women and children – including forced marriage – in the countries of origin. Most of the projects and measures receive funding through the Ministry of Foreign Affairs' funds for women's issues.

Some of the projects have received funding from IMDi for work on changing attitudes and for preventive work against forced marriage. The projects and measures mainly take place in areas where there is significant migration to and from Norway. Preventive work against forced marriage is also being done through the dialogue the Embassy has with the authorities in the countries the Embassy covers. The implementation of laws protecting women is raised in some of these conversations. Gender equality and human rights are also covered.

### **Competence and anchoring**

As a starting point, the integration counsellor positions were rotating. They were to be moved to other foreign service missions based on assessments of needs and resources. To ensure continuity and a better foundation for the work on combating forced marriage at the Embassies, the positions as integration counsellors were changed to special envoys. Where work on combating forced marriage and female genital mutilation is



included in the foreign service mission's activity plans, and/or been made points on which the Embassy must report to the Ministry of Foreign Affairs, the work has become less dependent on specific individuals and better integrated.

Several steps have been taken to offset the challenges related to the loss of competencies that result from the frequent staff turnover at foreign service missions. The preliminary course the Ministry of Foreign Affairs organises before staff are stationed abroad and which covers forced marriage is supplemented by ongoing training and specific training sessions for local staff in several places. Regional gatherings regularly organised by the Ministry of Foreign Affairs' consular section have proved to be important arenas for competence building. Here, the integration counsellor meets staff at the various foreign service missions in the region who also encounter forced marriage issues in their daily work. Useful contacts and collaborations across Embassies are established.

### **The way ahead**

The preventive work and assistance to individuals is time-consuming and requires knowledge of the phenomenon and of the agencies that should be included both abroad and "at home". Knowledge, routines and effective measures have been developed in the Action Plan period. The work has a better foundation and is better attended to than previously. At the same time, several integration counsellors have pointed out that work on combating forced marriage, female genital mutilation and other forms of honour-related violence is a vulnerable field that requires special resources in the form of special envoys who have competencies in the area and who can maintain the focus and attention on this topic and assist in individual cases.

The system of integration counsellors is retained in the new Action Plan for 2013-2016, and will be reassessed in 2014. We are at the intersection of several political areas, where for instance inte-

gration policies and foreign policies meet. The dissemination and interaction between these fields is important to maintain regardless of the framework that will apply to the work in future. The foreign service missions are appropriate starting points for meeting the need for efforts across international borders. A transnational perspective is important, not just in the work on combating forced marriage and female genital mutilation, but in all work that aims to promote inclusion and integration.

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All enquiries directed to the foreign service missions out of office hours are channelled to this center. The Embassies and Consulates can also contact the center at any time in complex consular cases.