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Measures against harmful traditional practices

Tome 3



EU-Conference

"Joint Action of Member States against Harmful Traditional Practices"



**2006 January 25
Brussels**

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"Joint Action of Member States against Harmful Traditional Practices"

Violence against women has many faces – physical or verbal abuse, or even psychoterror are common forms of violence. Harmful traditional practices affecting women encompass forced marriage, genital mutilation, honour killings, and many other types of violence. This violence can not necessarily be

ascribed to certain religions, but to certain cultures. Millions of women, especially in Africa and Asia, are affected by this violence, but because of global migration women worldwide fall victim to harmful traditional practices affecting women. Women and girls in Europe and Austria are not spared either. Although in European countries these forms of violence constitute punishable crimes and are prosecuted in the courts, it has been impossible to date to prevent them. Far too few of these cases are reported. The few spectacular cases that have become known are only the tip of the iceberg. The groups in which such violence occurs observe taboos and collective silence, partly out of justified fear.

The aim of the EU-conference on ministerial level upon "**Joint Action of Member States against Harmful Traditional Practices**" on the 25th of January 2006 in Brussels was to identify the challenges related to harmful traditional practices (such as forced marriage, female genital mutilation and honour killings) and to exchange best practice models of confronting them. With the contribution and time of all the participants it was possible to achieve this goal.

Because exchanging information is so important I decided to collect all the statements that had been given in the meeting and put them together for a detailed **conference documentation**.

As I mentioned in the final statement at the Conference we all see the challenges related to this sensitive topic of harmful traditions against women and girls. I therefore invite you to join the new network **NAHT - Network Against Harmful Traditions**.

NAHT wants to be an international platform for representatives of non-governmental and community based organisations (NGOs and CBOs),

associations with expertise in working to stop harmful traditions and governmental and political departments which are responsible for gender and health issues. Its aim is to link existing networks as well as new organisations in order to combat harmful traditional practices against women. In order to achieve this aim the Network defines itself by exchanging information, sharing acquired experience on the subject, and promoting good practices on the community level as well as to prepare possible and necessary legal steps and measures for the European Union and responsible member states.

<http://www.naht.info>

Each and every one is called upon to take a courageous step against all forms of violence against women and I am looking forward to doing this together!

Hoping you will subscribe to the Network
Yours sincerely,

A handwritten signature in black ink, reading "Maria Rauch-Kallat". The signature is fluid and cursive.

Maria Rauch-Kallat
Minister for Health and Women

DOCUMENTATION

Opening and Presentation of European Measures against Harmful Traditional Practices” Maria RAUCH-KALLAT, Minister for Health and Women – Austria

Dear colleagues, ministers, secretaries of state, dear guests. Dear Mrs. Ras-Work from the Inter-African Committee and Waris Dirie from the Waris Dirie Foundation as well as representatives of the European Commission and representatives here present of non-governmental organisations, representatives of the European Parliament and other non-political organisations – I would like to thank all of you for having come to this conference here today.

The purpose of this conference is to break through the wall of silence, which generally surrounds traditional forms of harmful or violent practice. It is very important to break through this wall of silence because violence against women has many forms: physical mistreatment, verbal attacks and indeed psychoterror.

Article 5 of the General Declaration on Human Rights states that nobody may be subjected to torture or cruel, inhuman or degrading treatment or punishment. International organisations such as the United Nations and regional organisations such as the African Union have incorporated resolutions into their agreements, which are aimed at protecting the rights of women and children against harmful traditional practices.

One example would be the II. Human Rights Conference, which was held in Vienna in 1993. 171 countries, including many member countries of the UN, Member States of the EU in this case, ratified this resolution. All harmful practices should be discussed and raised publicly.

Harmful traditional practices (HTP) against women and girls involve forced marriages, genital mutilation, honour-based crimes and others. Violence against women generally prevents women from being able to exercise their basic human rights. Religion, culture, customs and so on are not a condition for these forms of violence but they are very often used as an excuse for such practices – an excuse which in no case can be considered acceptable. Forced marriage, circumcision and honour killings are extreme forms of patriarchal violence, which indirectly affect the self-determination of women. Tradition-based practices of this type against women are not necessarily attributed to certain forms of religion but rather to certain forms of culture.

Studies show that harmful traditional practices are not limited to the countries of origin but as a result of colonisation and transfer to other continents, these practices have spread very early on. Subsequent migratory flows led to such practices being spread throughout Europe and America.

Data from the year 2000 show that globally there are about 175 million migrants. This is a figure which has more than doubled since the year 1960. Now almost 49% of these migrants are women. Of the 56 million migrants in Europe at the moment 27 million are women. This means that with these migratory flows harmful traditional practices have also become current in Member States of the EU.

All these forms of violence are punishable in European states and are subject to prosecution. We have not been able to present them because of the fact that the issue is a taboo in the groups affected. One main problem when it comes to harmful traditional practices is the fact that very little basic data is available. These crimes do take place directly before our eyes. But at the same time they go on unnoticed. A number of spectacular individual cases are publicised, but they are really only the tip of the iceberg. The issue is broadly subject to a taboo in the groups themselves. Mostly as a result of fear people tend to remain silent.

This is the reason why I as the Minister for Women’s Affairs in preparing for our Presidency concentrated on our work on a joint action involving the European Union, which we wish to extend subsequently to other continents, particularly to be able to reach the countries of origin of such harmful traditional practices and break through this wall of silence and allow the issue to become a public one so that together with the countries of origin we can mobilise those responsible for these issues in the countries and combat these practices. Protecting women from violence also involves protecting women from traditional practices of this type. The European Commission has also acknowledged that it does not have any reliable data as to the extent of violence against female migrants. According to estimates from the WHO, there are about 150 million women and girls in the world who have suffered genital mutilation and about 2 million girls worldwide are subject to circumcision every year. Genital mutilation of women is practised by a significant number of different societies in 28 African countries and in a number of countries in the Middle East as well as a number of local communities in Asia. Excision of FGM is also reported to have been practised in Australia, Canada, Denmark, France, Italy, Netherlands, Sweden and England. Indeed, in Austria such as case was also reported although there was no hard evidence that it took place.

According to a study by the African Women’s Organisation in Vienna in 2000 which was entitled “On the situation of genital mutilation among migrants in Austria”, there are about 8000 victims of female excision in Austria. This study involved questioning 250 men and women from countries where SGM is practised. The study also reveals that FGM was practised on migrants in Austria, in some cases children below the age of one. 8.5% of such excisions took place in Africa, the others in Europe, including Austria. I men-

tioned one moment ago despite prosecution we were actually not able to take the case to court. So there was no conviction in this case. It was also shocking to find that 76% of the group investigated were against the complete abolition of genital mutilation. More than half of all these people questioned (54%) suggested that the Austrian government and the Europe should contribute to finding a permanent solution for the abolition of this rather damaging tradition.

According to the estimates of the UN Population Fund, more than 5000 women every year are victims of honour killings. Although these killings are reported mainly from Pakistan, Afghanistan, Yemen, Lebanon and Egypt there are also reports of such cases from EU countries such as Sweden, Germany, Italy and Austria.

Another form of violence is forced marriages, which is a practice closely linked to tradition and society, and which is another challenge in many European countries. Youth organisations and other types of organisations helping people often report that young girls who are supposedly on holiday, are sent back to their country of origin and come back as women subject to forced marriage or having been mutilated. Once again, data are very sparse here.

We got the report from one expert in Germany, according to which in the year 2002 230 cases of forced marriages were registered in Berlin alone.

Now there is a housing project called "Rosa(?)" which reports that per month an average of 10 girls or women seek protection in their premises as a result of attempts to force them into marriage. The European Commission has emphasised that decisive commitment is required of the EU and individual Member States so that via education, legislation and awareness campaigns as well as support by the necessary organisations it is essential to eradicate violence against women.

As part of DAPHNE, which is programme to combat violence against women, young persons and children, about 30% of the resources since 1997 have been spent on female refugees and immigrants, as well as female members of ethnic minorities received 11% of the resources.

The EU Justice Commission of Mr. Fratini made clear that the EU and the Member States urgently need a unified data coalescence system with joint definitions, indicators, measures and methods to deal with gender-specific violence.

The Commission has undertaken to develop of comparable statistics within the EU with regard to crimes of this type. Comparable statistics on criminal

activity, penal justice and victims of violence have become a fixed component of the Community's statistics programme.

In the last few years in the EU Member States the awareness of the specific forms of violence against women has increased. National measures were taken and a number of laws were changed. Let me give you a number of examples. FGM is now listed as a specific crime in seven Member States, in 14 of the EU Member States FGM is subject to criminal prosecution as a result of its inclusion in other more general types of criminal activities, e.g. grievous bodily harm.

In Austria genital mutilation is also punishable. It cannot be allowed for in any case. It is considered serious bodily harm depending on the extent of the violence or serious bodily harm with serious permanent consequences or intentional serious bodily harm or intentional serious bodily harm with permanent consequences. The penalty involves up to 10 years imprisonment. Parents whose daughter has been subject to such practices abroad are also punishable.

Another example: Harmful traditional practices are a ground for granting asylum or a temporary residence in eleven Member States.

Forced marriages occur in many traditional societies and also in various religious groupings. In many cases the discrimination and violation of women's rights in such societies women are considered a property of the man without her own will and often without her own legal identity. Quite often the girls and boys involved are coerced into agreeing to such a marriage because resistance within the family is considered unacceptable. Often the engagement is maintained between the parents of a number of years and a refusal to go along with that would involve losing face. This is also a lot of pressure on the people affected to ensure that the wedding actually takes place. Free choice of one's partner in life is one of the human rights. This is set out in Article 16, para. 2 of the General Declaration on Human Rights. A marriage may only be concluded on the basis of a free and accepted agreement of the future spouses. Explicit mention of such forced marriage in the penal code is being considered in a number of Member States at the moment. In two countries this has already occurred. Making forced marriages punishable on the basis of inclusion in a more general type of crimes, such as coercion, is in existence in 13 Member States.

Let me now talk briefly about a number of initiatives against harmful traditional practices in Austria. An Austrian living in America, Dr. Hosken, has been working since the 1970s along with a group on a comprehensive study on FGM. She started up an international women's network, which is called WIN (Women's International Network).

As Minister for Women's Affairs and Health I have quite deliberately picked up the very dynamic theme of harmful traditional practices. Along with the Ministers for Foreign Affairs, Internal Affairs, Justice, Education and the Generations we have started an initiative against HTP. We developed a comprehensive package of measures and we presented them in a joint brochure. Implementing these measures will improve the situation of women affected by these practices in Austria and will protect them more than hitherto.

To give you an example of the measures we have taken in our Ministry, the Ministry for Women and Health, technical discussions on the issues of forced marriages and genital mutilation took place at interministerial level. We also had seminars for doctors, teachers on the issues of genital mutilation and forced marriage. We had a round table on the topic of trade in women. Together with UNICEF Austria and the Austrian Chamber of Medicine, we are working on a study on genital mutilation in Austria. The study will consist of a questionnaire which is going to gynaecologists in private practice as well as paediatricians and doctors and gynaecologists in maternity wards in Austrian hospitals. We are also beginning to draw up a database for notification of cases of genital mutilation and forced marriage. Doctors, pedagogues, social workers, police, lawyers and other public figures are being called upon to notify cases which come to their attention of genital mutilation and forced marriage. The data thus gathered remains anonymous and is aimed at analysing the issue, increasing awareness and education and should lead to a set of guidelines for how to deal with the matter in the future. We have also initiated work on explanation of what genital mutilation is all about. We put that in the curricula for gynaecologists and paediatricians. We are also planning to set up emergency living headquarters for girls and young women who are threatened with forced marriage.

Now a word on the objectives of today's conference. This event, I think, can and should be a starting point as well as a continuation when it comes to joint action against harmful traditional practice against women within the European Union. A primordial aim will be to identify the challenges which result from traditional practices involving violence against women within the European Union. The aim of the conference then would be to give all participants the possibility to exchange best practice models within EU Member States. An enhanced exchange of best practice models can assist in implementing ideas elsewhere, which have functioned well. I feel we need targeted political strategies to both protect victims and to be able to take action against the perpetrators.

So at this conference we want to discuss first of all legislative means to counter harmful traditional practices and to condemn them. Secondly, we want to discuss possibilities to ensure that victims are protected. And the

following more specific points, I feel, should be touched upon during this conference: the need to increase and target the data we have got on harmful traditional practices; to collect this data to be able to develop legislative strategies in line with needs; to ensure that there is a basic understanding of the fact that any form of traditional violence against women is a violation of fundamental human rights and must therefore be set out in the penal code; the establishment of easily accessible care centres for victims or potential victims; the need to collaborate closely with NGOs which have access to women from potential victim groups; special initiatives such as public relations campaigns within those groups which are likely to come into most contact with possible victims (teaching staff, medical staff, religious leaders, police, social workers); confirming the need to collaborate globally to combat harmful traditional practices in general; and above all the setting up of an international network against harmful traditional practices, in which representatives of governments and parliaments would work together with representatives of NGOs and NPOs in order to eliminate tradition-based violence.

I would like to thank all of you for having come to this conference this morning. I am happy to note that in the afternoon the two relevant Commissioners, Mrs. Ferrero-Waldner as Commissioner for External Affairs and Mr. Spidla as Commissioner for Equality of the Sexes will be able to come here and speak to us in the afternoon.

I very much hope that many of you or all indeed will be able to sign up to our proposed network so that we will be able to take a significant step forward in order to raise this issue at the Commission on the Status of Women meeting at the end of February and the beginning of March, which will take place in the UN in New York, so that this issue can be put on the agenda of this meeting and can represent a joint initiative to take up and pursue the fight against harmful traditional practices. Thank you very much.

"Campaign against Domestic Violence"

Key note speech

by Madame Catherine VAUTRIN

Minister for Social Cohesion and Equality, France

I am pleased to be among you today to recall our common fight in defence of equality between men and women.

France is strongly opposed to all forms of violence perpetrated on women, and particularly against traditional harmful practices to which young migrant women or young women resulting from immigrant families are subjected.

This approach lies within the broader scope of the **overhaul of French policy with regard to the welcoming and integration of migrants**, which to this day is based on a contract between the French state and the new migrant.

This contract integrates respect for the fundamental laws and values of the Republic with equality between men and women in particular. I would also emphasise how important I consider it to be to speak the language of the receiving country.

The traditional practices of forced marriage and sexual mutilation are still widespread in France.

1. On the subject of **forced marriages**:

These practices, which undermine freedom in marriage and choosing a spouse, are archaisms which must clearly be condemned in the name of Republican values.

Forced marriages constitute actual acts of violence, which may be accompanied by multiple attacks on the victims as soon as they express their disagreement.

On the legal front I was again in Parliament yesterday to support a **bill** aimed at intensifying the prevention and repression of domestic violence. Among the provisions adopted at this stage – the text must again be the subject of a final reading before its adoption – several relate to the fight against forced marriages:

- First of all, one of the last elements of sex discrimination still integrated

in our Civil Code will be abolished, **bringing the legal age of marriage for girls in line with that for boys**, i.e. 18;

It is obvious that this will contribute to reducing the number of forced marriages since young women of the new legal age are more equipped than young girls of 15 to 18 to oppose a planned force marriage;

- Secondly, at the moment, the time period to object to living with her husband is 6 months if the young woman wants to **apply to have her marriage annulled on the basis of vitiated consent**; this period is too short: from now on, she will be allowed a **period of 2 years**.
- It will also be **possible for the ministry of justice, to oppose a marriage if there is any doubt as to free consent**; today, only the spouses may do so, thus even in cases of forced marriage, the spouse who has not freely consented is not always in a situation which enables him or her to apply for the marriage to be annulled.

2. On the subject of **female sexual** mutilation:

Here again, immigrant women and girls are still mutilated or are threatened with mutilation, in most cases in their country of origin when they take holidays there.

In order to eradicate these practices, which represent extremely serious attacks on the physical integrity of the person concerned, and fraught with health implications and social consequences, the Government is particularly concerned to take preventive **actions** and effective **repressive measures**. The women who conduct such excisions are exposed and sentenced, and the publicity surrounding the cases brought ensure a greater awareness of the horror of the practice, both among doctors and social workers, as well among the families concerned. For your information, a sensational case was brought before the Paris Court of Assizes in February 1999 exposing a young girl who had been excised when she was a child. The person who conducted the excision was sentenced to 8 years' imprisonment, and the mother of the young girl to 2 years.

It is precisely with a view to making this repression even more effective that I have fervently supported certain provisions of the bill debated yesterday in Parliament:

- Because they were mutilated at a very early age, the victims, when they finally summon up the courage to bring a complaint, too often today find themselves confronting with the **period of limitation** of 10 years from the date on which the deeds were committed; this period is to be **increased to 20 years from the date on which the victim came of age**.

- Moreover, an **end will be put to the impunity of these crimes when they are committed abroad**, on the pretext that the young girl, who normally resides in France, does not have French nationality; from now on the French authorities will be able to protect her and prosecute the perpetrator.
- Finally, the **possibility of lifting professional secrecy**, in the case of sexual mutilations on a minor, will be **expressly mentioned**. This will strengthen the effectiveness of the entire prevention and repression provision.

Whether it is a matter of increasing awareness among parents and children, or training the field workers, the emphasis must undoubtedly be placed on prevention.

To this end, the Ministry for Women's Rights has supported, in particular, the drafting and publication, by the Association "*Neither whores, nor dependant*", of a **mutual respect guide**.

This guide, which is intended to be read by the younger generation, sets out the law that is in force regarding forced marriages and provides useful information for assistance and finding a specific solution.

Furthermore, the Ministry for women's rights has organised a **nationwide communication campaign** aimed at increasing the awareness of parents and relatives living in France by distributing leaflets and posters entitled "*Let us protect our young girls from excision*". This campaign will continue throughout 2006.

A **guide to equality between immigrant men and women** will be published during the first half of 2006 and will be translated into several languages.

Finally, the Ministry grants and regularly repeats its **support for the associations specialising** in the prevention of forced marriages and sexual mutilation. These associations are irreplaceable partners to the young girls and their families, as well as to the various professionals involved.

Before concluding, I should like to remind you of the **campaign France is conducting against domestic violence against women**, acts of violence which affect all women, including immigrant women. It is intolerable that one woman should die every four days from domestic violence.

My wish has been to inject **new impetus** into this campaign for 2006, with three objectives:

- to provide even greater assistance in finding shelter and care for women who are the victims of violence,
- to improve the training of the various professionals involved,
- to increase the penalties imposed on the perpetrators of violence, whilst encouraging consideration of the actions to be taken or supported in this direction.

In this regard I am delighted with the progress already made as a result of the bill already mentioned: some penalties, for example in the case of murder, will be heavier if the crime has been committed within a relationship. And this acceptance will be as wide as possible because not only will the spouse and cohabitant be targeted, but also the partner associated with the victim by a civil partnership (PACS), as well as the ex-spouse, the ex-cohabitant and the ex-partner. In fact, the acts of violence do not stop when the relationship comes to an end: 31% of deaths occur at the time of the break-up of a relationship or after it.

Moreover, **the possibility of removal** of the violent partner from the home will be **reinforced**, for it is the violent partner, not the victim who should leave.

This new enthusiasm demonstrates the **wish of France to fulfil all its European and international commitments in this area**.

In fact, traditional or customary practices harmful to women and girls are expressly recognised as forms of violence that obstruct the achievement of objectives in the areas of equality, development and peace, and as a violation of the fundamental rights and freedoms of women, through the *Beijing Action Programme* which the Member States of the United Nations reaffirmed last year on the occasion of its tenth anniversary.

“Honour Killing” (interpretation from Italian)

Key note speech by Ombretta PACILIO

Diplomatic Advisor to the Minister, Ministry of Equal Opportunities – Italy

I would like to thank the Austrian Presidency for this initiative. Above all I would like to extend the greetings of Stefania Prestigiacomo, the Minister for Equal Opportunities, who unfortunately has been unable to attend today.

The issue which I would like to address for a few minutes is an issue which has already been touched upon by previous speakers, that is honour killings. Honour killings is of course within the broad category of harmful treatment but it is harm and a crime which does not just affect the person because in the different cultures honour – which is not a legal concept but a moral, religious and social concept – was associated with countries or households or nations. In Roman law indeed there was the crime of honour, which was understood to mean the possibility for members of the family, essentially the father, to kill the daughter if that daughter had committed adultery for example. Obviously, that tied in with the concept of ownership, property of the persons. The father owned the daughter and could therefore end her life. Now this principle was further pursued by the Napoleonic Code and that was maintained until roughly 1810. The concept of honour killings, which is anachronistic today to all of us, the whole world, is considered completely estranged from our culture but in fact it is an ancestral residue from a more tribal type of society, where in particular women, and children as well, do not have a personal and separate identity. The woman is above all an object and a possession of the family and above all of the father or the husband.

Now these are two fundamental points I think we need to bear in mind but we have to consider how the law has gone beyond Roman law and the Napoleonic Code. In Italy in the 1930s before WWII., which was a particular period in our history but also in Europe, there was an article of law which introduced this concept of honour killing. I would like to read it out if, I may.

It is Article 587 of the Criminal Code and let me reassure you it is no longer in force stating that anyone causing the death of the spouse, daughter or sister in an act due to the discovery of an illegitimate carnal relationship and in a state of rage caused by the injury to his honour or the honour of the family is punished by imprisonment from 3 to 7 years. Now the same punishment shall affect all those under the same circumstances who cause the death of the person who is in an illegitimate carnal relationship with the spouse, daughter or sister.

I read this out to just explain the sort of mentality which prevailed here. It was not a justification but the punishment was reduced. For an honour

killing there was a penalty, which stretched from three to seven years. Obviously, this was a specific cultural moment.

Let me reiterate that honour killing is above all a cultural, social, moral issue – it is not a legal concept. But to change this Article or rather completely annul it, we had to wait a long time. Civil society, mentality, culture had already progressed quite significantly and certainly gone beyond this Article 587, which was deemed to be shameful, quite honestly, in the Italian Criminal Code. But it was only about 25 years ago in fact that this Article was actually abrogated. Now this is what the Criminal Code had in Italy for honour crimes.

But today as the French Minister has pointed out we are also faced with another major challenge in our country, i.e. that of migration. It is a problem for the Italian population having honour killings amongst Italian citizens. We have hundreds of thousands of migrants, where the traditions – these are not laws but traditions and the culture misconceived concept leads to infanticide as well. In Italy an immigrant

woman, who may not even be legal, does not have a residence permit, may give birth even without having to reveal the identity in all details. This can be done in absolute safety and security but despite all the efforts to disseminate this information women simply do not know that this is the case. They do not know that they can go and give birth because unfortunately in all of our major cities if not on a daily basis, certainly on a weekly basis, you have infanticide or the abandonment of newly born babies, who in most cases then die. This is purely and simply the result of ignorance because our laws are amongst the most progressive. They guarantee anonymity for woman. She can give birth in a hospital and the child can then go for adoption or whatever. There needs to be absolutely no trace of the woman who has given birth to that child. The Ministry for Equal Opportunity has indeed pursued an awareness-raising campaign making women aware – not just migrant women but women in general – of this right.

Earlier someone talked about the need to overcome fear and the need to provide information where an honour killing or infanticide or mutilation – all of these forms of violence – against the woman as a human being, where ever these crimes are committed, there is a misconception about the concept of honour and also this ancestral prejudice of a past culture, a culture which is no longer part of the Western world, which should no longer be relevant to other countries which are unfortunately still suffering from this. Overcoming this fear comes from an awareness. A campaign by the Ministry of Equal Opportunities in Italy was organised, including TV spots highlighting the need to protect the human body, the woman as a person, as a human being. There were special telephone numbers, “green numbers” as they are called. Special telephone centres were set up that people could

call. We also distributed pamphlets, documentation. This was done by means of all the social centres. We have tried to begin these efforts with women to give them a greater self-respect, a greater ability to understand this situation, to have someone to talk to because quite often what happens is that the authorities are distant. It might appear that you do not actually have someone to talk to. So it is important to have these mediators, social centres, some entities or persons who can act as cultural intermediaries.

If we are to overcome this fear, it is important that we act together, law throughout Europe and really at the lowest level we need to act to convince people or women to overcome their fear and acquire greater self-awareness, greater self-esteem so that they do not feel guilty because unfortunately the women who are killed, mutilated often believe that what happens to them is only fair and right.

So the biggest cultural leap that needs to be accomplished is to convince women that they are the victim of injustice, they are the victim of crime because it is not the culture of their country which is being pursued but a crime which is being committed – a crime against a human being. We have to say that this is a murder. This is something which has to be perceived and understood by the women affected themselves.

The European Union in its activities can do more. We should remember, as I said earlier, that this is not just a legal concept, it is not just a question of changing the law of the country, having greater repression. That needs to be done, of course. But we need to bring about a change of mentality amongst women. Women can help women. Where a mother for the first time does not agree to the father killing the daughter because the daughter has been committing adultery then this will represent the first step. Sisters should help their sisters. At the end there might even be a father or brother who will refuse to commit this honour crime. Only if we change in depth this mentality will these things change.

We have also talked about forced marriage or reparatory marriages. That is something we have had in Italy in the past, above all in the countryside not in cities, again because of this misconceived idea of honour. A woman who was kidnapped and then raped, if she was then married by her kidnapper recovered her honour as did the family. The family was able to recuperate their honour. At the beginning of the 1950s, I think it was, there was a woman who had been kidnapped and raped and who refused this reparatory marriage because she simply did not want to get married to that man. That was the first time that anything like that had happened. It really triggered off an avalanche. For the first time it was realised that a woman could refuse. She might lose her "honour" but she could refuse reparatory marriage. The law followed suite. The concept of a reparatory marriage is no longer pertinent.

If you begin to say no to a tradition from within, external assistance is obviously vital. The assistance of the law is necessary but it is women who have to help women because until such time as women are fully aware of their rights and of the injustice which is perpetrated against them at 360° we will not change this culture into a culture of life, a culture that is today a culture of death. Thank you.

“Harmful Cultural practices as they relate to the Integration Process”

Key note speech by Marilyn HAIMÉ

Director of the Minorities Integration Policy Department, Ministry of Justice, The Netherlands

First of all, I would like to thank Minister Rauch Kalat for organising this conference. My name is Marilyn Haimé and I am the Director of the Minorities Integration Policy Department at the Ministry of Justice, The Netherlands. I am honoured to be here and happy to share our approach. It is a discussion that has been central to the recent social and political debate in the Netherlands.

I will address two primary issues in my speech: our work with the migrant and resident minority communities in the Netherlands to combat harmful traditional practices. And the legal framework, in which harmful traditional practices are placed in the Netherlands. I have three propositions that I would like you to consider:

1. Harmful traditional practices are, if they result in violent actions, to be considered violence. Full stop. They are handled as such under Dutch law, regardless of cultural, social or religious motivations.
2. This being said, there are areas in which violence can find its roots in cultural, social or religious tradition. This is where integration policy and legal action against violence can interact. In the discussion about honour-related violence and female genital mutilation in Western society, for example, issues like emancipation and integration of minority groups also play a role. Understanding challenges in integration can therefore contribute to the successful eradication of harmful traditional practices.
3. For this reason, it is essential to cooperate with migrant and resident minority groups. Changing cultural, social and religious attitudes must come from within.

I will first address our cooperation with migrant and minority communities in the Netherlands. As the Integration Policy Department, one of our tasks is to encourage an internal process of change with regards to harmful traditional practices, such as honour killings. We have encouraged involvement of these groups in the development of new approaches, both at the policy level and at the operational level.

We stepped up our approach to honour-related violence about a year ago. This required a realistic insight into the nature and scope of honour-related violence, as well as an insight into the manner in which police, the Public

Prosecutor, and social work treat cases involving honour-related violence. An unambiguous approach and definition of the phenomenon was equally important.

We achieved this by:

- setting up a project in two police regions (nature and scope, improving police approach);
- examining twenty honour-related cases to see how services operate;
- drawing up a work definition
- working closely with the community.

This has resulted, for example, in the establishment of a unit for multi-ethnic policing in The Hague Regional police force. This unit operates nationwide as a helpdesk, offering information and support in cases involving honour-related violence cases. The unit boasts a network of minority organisations and key figures representing more than 80 nationalities in more than 100 municipalities across the Netherlands.

Contact with these networks is intensive. They exchange information on, for example, early identification and (emergency) assistance, as well as investigation and enforcement efforts.

Minority groups were also heavily involved in the establishment of a working definition on honour-related violence. The practical work definition provides the framework for the approach. It reads as follows:

'Honour-related violence is any form of mental or physical violence committed from a collective mentality in response to a (threat of) violation of the honour of a man or woman and therefore of his or her family of which the outside world is aware or may become aware.

In other words, the Netherlands does not take honour killings as its starting point, but has adopted a broader approach that also includes any underlying factors. We try to find a balance between protection and the safety of possible victims. Minority organisations and professionals in particular have stressed the relevance of this approach: a sound intervention lies in early recognition.

At the policy level, too, there are frequent contacts with minority and religious organisations regarding the approach. Migrant organisations, for example, are setting up their own operational protocols to guide citizens and organisations of minority groups. By doing so, they aim to stimulate the discussion in their own community, and to bridge the gap between minorities and institutions.

We have also invested in prevention through our introductory programme system. This is the area in which the link with integration is most evident, and also involves the efforts of minority groups:

Dutch integration policy starts with the acquisition of skills of the newcomer or resident minority, so that he/she can function successfully and participate in Dutch society. To this end, we require that all newcomers who come for family reunification or formation- and resident migrants who have a welfare benefit and can't speak Dutch – to pass an introductory programme as a prerequisite for residence. This includes language instruction and social orientation, and will soon be required in the country of origin, before the newcomer enters the Netherlands.

We have included information about the legal consequences of involvement in Harmful Traditional Practices in the social orientations section of these courses. In addition, some of these courses are specifically geared towards the emancipation of women, a number have been financed with EC subsidies. For example, Taal Totaal, an introductory course for women from an ethnic minority background, aims to reach 240.000 women by 2010. This will help with language skills and educate them about their rights in Dutch society. A number of municipalities are planning to extend this programme in the coming years.

These courses follow up general efforts to promote the emancipation and integration of women and girls of an ethnic minority background. The Cabinet, for example, has joined forces with 30 municipalities, supported by a wide range of instruments, to be able to reach women at the local level, to promote social contacts and to support their efforts at joining the labour market.

The government also addresses additional barriers to emancipation and integration, such as views on male-female relationships and violence. A pool of discussion leaders was set up to initiate debates on these topics in venues all over the country. Last year, these debates and dialogues reached 2.000 women. The programme also focuses on the role of men in the emancipation process.

We cannot forget the men! The debate about honour-related violence has to be expanded to include men- they too, can be the victims of honour-related violence and the offending parties are sometimes women.

As I suggested at the beginning of my remarks, combating harmful traditional practices requires a delicate balance. Between working with minority groups and investing in integration and emancipation measures on the one hand. And emphasising the fact that violence is violence, regardless of possible motivations of the perpetrator or victim on the other.

Like other European countries, the Netherlands has a multi-ethnic society, with minority groups from Western and non-Western origin. They are part of our society, and often have Dutch or dual nationality. In this respect it would be unwise to regard harmful traditional practices *solely* as foreign culture aspects only found 'in others'. Moreover, this approach increases the risk that police officers and social workers take an attitude of non-intervention in cases involving honour-related violence or possibly female circumcision, either from an attitude of so-called 'respect for local traditions', or due to indifference, 'it's their problem, let them sort it out'. This will only delay a proper solution.

Which brings me to my last point. Cultural aspects of these practices must be recognised, but the legal reaction must be firmly imbedded in general criminal law.

Dutch criminal law has no specific criminal penalisation code, for example, for murder motivated by a sense of honour. On the first of February, for example, the section dealing with duels – a familiar phenomenon all over Europe – will be taken out of the Dutch Criminal Code. Duels, too, were often fought over a woman's honour. Participants in a duel will now be tried exclusively under the Criminal Code Sections for murder, manslaughter, and assault. The government is keen to give a clear signal that all forms of violence are classed as violence, regardless of the motivation. Wounded honour does not justify and should not minimize the penalty for murder.

The Dutch approach does allow for a *differentiation* of the issue, for example through separate penalisation of female genital mutilation or forms of honour-related violence. The Dutch Criminal Code offers sufficient scope for prosecution and trial in cases of female genital mutilation and honour-related violence. Sentencing allows room for considerations in respect of motive and circumstances that may play a role in Harmful Traditional Practices. We have created the possibility, for example, to prosecute Dutch residents involved in female genital mutilation, even if it is not a crime in the country in which it was actually carried out.

In closing, I hope that our experiences will help spark a discussion about effective approaches to combating these practices. The examples I have provided are a start and will be further developed. They are also part of a long-term strategy, which must be implemented with attention to security, guidance, and integration. In the present, we deal with concrete issues relating to safety and welfare, with cases of serious assault or even casualties, where social groups restrict individuals' rights and freedom of choice. In the medium to long term, the best way to eradicate honour-related violence and female circumcision is by providing an effective and intervening approach, which allows for concrete steps in relevant cases to prevent

people from falling victim to these practices. And by investing in emancipation and education.

The saying goes: it takes a woman to raise a family. But in honour-related violence the following also applies: it takes a family, and possibly even a community, to free a woman.

Thank you.

“Female Genital Mutilation. Achievements and Remaining Challenges”

*Key note speech by Berhane Ras-Work
Executive Director Inter African Committee*

Violence against women is a common denominator in the prevailing patriarchal system. It is a pervasive form of human rights violation that has defied time, social, cultural and religious boundaries.

Despite the serious consequences it inflicts on the health and general well being of millions of women worldwide it is largely tolerated and many times valorized as a tradition hence as a norm. The studies of the UN Special Rapporteurs in Traditional Practices and on Violence Against Women show clearly that practices such as dowry death, female infanticide, rape, trafficking, trokosi, devadasi, female genital mutilation, wife battering and many more are built into traditional system of societies. The studies also show the limited government efforts invested to redress this violation.

The unequal power relationship between men and women both socially and economically render women vulnerable forcing them to accept in silence and with apathy the most gruesome forms of violence.

According to a study by the Geneva Centre for the Democratic Control of Armed Forces, globally women aged between fifteen and fortyfour are more likely to be injured or die as a result of male violence than through cancer, traffic accidents, malaria and war combined.

The World Health Organization (WHO) estimates that globally one woman in five will be the victim of rape or attempted rape in her lifetime. Other data suggests that in Canada, New Zealand, the United Kingdom and the United States the corresponding figure is one in six women .

In South Africa, a frightening 40% of girls aged 17 or under are reported to have been raped or attempted rape. The number of women forced or sold into prostitution is estimated at any where between 700,000 and 4 million per year. Between 120,000 and 500,000 of them are sold to pimps and brothels in Europe alone. Over 60% of HIV positive youth between the ages of 15 and 24 around the world are women.

Dowry death practiced in some Asian countries results in the killing of women who do not pay full dowry. An estimated 5,000 women are burnt to death each year as an accident for failing to pay dowry.

Female infanticide is a practice which involves the killing of girls before or after they are born in countries where boys are preferred e.g. China, India, and Bangladesh.

Early and forced marriage as practiced in some countries in Africa can lead the forcing of 7 or 8 years old girls to marriage where they will be violated by the husbands. A fistula Clinic in Addis Ababa, Ethiopia shows the result of early marriage. Marital rape, incest is all forms of violence practiced worldwide.

Naka is practiced in India forcing women to marry several times for the family to get money.

Devadasi is a practice which forces girl to serve fully in a temple after they are offered to the religious leader.

Virginity test exist in some countries in Africa where girls are subjected to a physical test.

*Trokosi obligates families to render their daughters to the gods in fetish shrines, where they are forced to serve as sexual slaves
The list is in exhaustive.*

Societal tolerance to violence against women is a major challenge to overcome. Female genital mutilation stands out as a gruesome form of violence against women. Despite its nature and consequences tradition is advance as a justification for its prevalence and persistence.

A conspiracy of silence surrounds the agonizing cry of the little girl under the knife, when her healthy body is being slashed away. Strange as it may look the hands that mutilate the girls are those of women. Why do women perform such cruel act on other women?

The partial answer to this question is as Hanny Lightfoot Kleine puts it "They are all Prisoners of Rituals"

The socializing process conditions women's to accept pain in silence and to freely inflict it on other women without remorse. Grand mothers, mother, aunties sit around to witness the mutilation of a girl sometimes as young as seven days.

Infibulations the worst form is performed on girls at 6 or 7 years old in Somalia, Djibouti, Sudan and parts of Ethiopia. I myself have witnessed cases where women stand by and watch the performance of the ritual with apathy considering it as an inevitable price to pay as women for the future security of marriage and social acceptance. In the African Continent, FGM is practiced from the coastal region of Djibouti in the east up to the western coast of Gambia along the Sahel Belt.

Geographical Distribution of Female Genital Mutilation

FGM currently is practiced in the following countries:

Excision: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Côte D'Ivoire, Djibouti, Ethiopia, Gambia, Ghana, Guinea, Guinea- Bissau, Kenya, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Sudan, Tanzania, Togo, Uganda, Yemen.

Sunna: The above countries plus Australia, Bahrain, Parts of India, Indonesia, Malaysia and Unite Arab Emirates.

Infibulation: Djibouti, Egypt, Ethiopia, Mali, Somalie, Soudan.

Gishiri and Angurya cuts: Nigeria

Reasons Advanced for the persistence of the female genital mutilation:

Religious misconceptions

Virginity; family honour

Economic; Bride Price

Aesthetic

Social Integration

Prevention of child mortality

The consequences of the practice such as bleeding, infection, tetanus are linked to other causes such as bad eyes, evil deeds etc by the excisers, while keliod formation, tearing during child deliver are borne with silence.

Millions of women are victims of FGM in Africa alone.

At present FGM is crossing the borders of Western Europe, USA, Canada, Australia, New Zealand etc. I ask mothers living in Europe about the validity of FGM especially outside Africa. The general reasoning is maintenance of identity, tradition with hope of returning to the motherland one day. In fact some of the mothers appeared to be more conservative than those in Africa. The sense of insecurity in a foreign country and the looming rejection by the host society are negative forces for Africans living outside their own country that push them to respect their traditions and strongly maintain their identity.

Tackling FGM

There is a visible shift of international opinion regarding the practice of FGM. At the level of the United Nations FGM is recognized as a violation of human rights. International Summits such as the International Conference on Human Rights held in Vienna in 1993 has defined harmful traditional practices, such as FGM, early marriage and others as forms of violations, while affirming the indivisibility inalienability and universality of human rights.

The Copenhagen Conference on Population and Development and its framework for Action identified HTPs as serious causes for maternal and child mortality and reproductive health general.

The Beijing Declaration and Platform for Action have recognized harmful traditional practices and attitudes as obstacles to the full enjoyment of human rights by women and their participation in programmes of development with full gender equality.

The General Assembly in its resolution A/RES/53/117 adopted on December 9th, 1998 Stated:

“Welcomes:

The report of the Secretary General on the issue; the effort undertaken by the UN bodies, programmes and organizations... to address the issue of traditional or customary practices...; The work carried out by the Inter-African Committee on Traditional Practice Affecting the Health of Women and children and other non-governmental organizations, including women’s organizations in raising awareness of the harmful effects of such practice, in particular FGM.”

“The UN general Assembly calls upon all state members to: Intensify efforts to raise awareness of and to mobilize international and national public opinion concerning the harmful effects of traditional or customary practices affecting the health of women and girls, including female genital mutilation...”

With regards to international instruments there are sufficient conventions and declarations which if put to action could protect women from FGM and other practices.

Convention on the Elimination of Discrimination Against Women.
Convention Against Torture

Convention on the Rights of the Child and other protect women and girls from such practices.

The African Protocol on Human and People’s Right on the Right of Women in Africa, Article 5, on the Elimination of harmful Traditional practices states:

“States Parties shall prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognized international standards. States Parties shall take all necessary legislative and other measures to eliminate such practices, including: creation of public awareness in all sectors of society regarding harmful practices through information, formal and informal education and outreach programmes;

prohibition, through legislative measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalisation and para-medicalisation of female genital mutilation and all other practices in order to eradicate them;

provision of necessary support to victims of harmful practices through basic services such as health services, legal and judicial support, emotional and psychological counseling as well as vocational training to make them self-supporting;

Protection of women who are at risk of being subjected to harmful practices or all other forms of violence, abuse and intolerance.

This protocol is awaiting ratification and domestication with concrete measures for implementations. To date only 16 African Countries have adopted legislation against FGM and other HTPs..

The African Solemn Declaration on Gender Equality adopted on the 8th of July 2004, in Addis Ababa also protects women from the harmful traditional practices such as FGM.

Experience show that with concerted, integrated and holistic approaches it is possible to impact change.

The experience of IAC shows that with intensive education and information tailored to respond to the varying cultural contexts, it is possible to impact positive changes of attitudes.

Some of the interventions of IAC are shown below.

Training and information Campaigns (TIC). This is a programme targeted to reach the public through a wave of successive trainings. Training of Traditional birth attendants. This aims at changing the attitudes of this target group for eventual use as agents of change.

In 2004, 5 TIC projects were implemented Kenya, Niger, Somalia, Sudan and Tanzania

In 2005, 7 TIC were implemented Cameroon, Egypt Gambia, Sierra Leone, Senegal, Somalia, and Sudan

Alternative Employment Opportunities (AEO) for excisers. This programme is particularly successful as it aims at the practitioners who have the skill for performing and who gain the status for their knowledge. Informing, training and giving alternative sources of income can convert this group to change agents.

In 2004, 7 AEO projects were implemented Cameroon, Djibouti, Ghana, Liberia, Mauritania, Nigeria and Uganda

In 2005, 4 AEO were implemented in Guinea Conakry, Guinea Bissau, Sierra Leone, and Senegal

Programmes for youth. Youth are important target groups both as victims and future parents. IAC invests a great deal of effort to sensitize youth using different entry points such as theaters, sports, peer education, school, radio, etc

In 2004, 14 youth programmes were implemented in Benin, Burkina Faso, Congo, Cameroon, Djibouti, Ethiopia, Gambia, Ghana, Guinea, Kenya, Liberia, Mali, Nigeria, Somalia, Sudan, Tanzania, and Uganda.

In 2005, 19 youth programmes were implemented in Benin, Burkina Faso, Cameroon, Djibouti, Congo, Ethiopia, Ghana, Gambia, Guinea Conakry, Liberia, Mauritania, Mali, Niger, Nigeria, Somalia, Mauritania, Sudan, Tanzania and Chad

IAC works closely with religious leaders to clarify the religious misconception and encourage religious leaders to join the campaign.

In 2005 two symposia were organized in October and December in Egypt and Burkina Faso for English and French speaking participants in all 80 participants from 30 countries took part. After serious analysis of the problem they made an open declaration of their opposition to the practice and adopted a decision to set up a network in order to continue the campaign in a sustained and coordinated manner.

In 2005, IAC organized a training workshop for programme officers from 17 countries. The aim was to give added skill in programme planning fund raising implementation and evaluation.

IAC has developed several relevant teachings and information materials based on action research. It has developed an impact indicator manual to evaluate programme in a scientific manner.

Advocacy and lobby. Our organization together with other NGOs continues to lobby and to draw attention of policy makers on the issue of violence especially those which are traditionally condoned. At the UN, the Commission on Human Rights and its subsidiary body the Sub-Commission, and in New York at the Commission on the Status of Women. NGOs, like IAC play strong lobbying against gender based violence.

In 2003 the IAC organized an international Conference on zero tolerance to FGM. Representatives come from 40 countries. The outcomes of the deliberation, reflection and analysis are:

Adoption of a Common Agenda for Action for the elimination of Female Genital Mutilation 2003-2010

Appeal by IAC to African Heads of State on "Zero Tolerance to FGM". Declaration of February 6th as the International Day on Zero Tolerance to FGM

Following the outcome of the conference IAC signed a letter of agreement with WHO, UNICEF and UNFPA for a joint action. Such collaboration will strengthen action and avoid duplication of efforts.

Conclusion,

In order to deal with the problem of FGM at an instrumental level it is essential to adopt a common political as well as programme strategy.

European Governments, The European Union can play an important role to influence policy and action for effective protection of women and children from FGM and other harmful traditional practices. In this regard following are some suggestions:

Legislation with a human face, i.e. not repressive but protective, to be implemented with education and persuasion.

Mobilization of resources to support community based organization working among the immigrant population.

Support organization in Africa in order to enable these to have a wide programme out reach.

Organize programmes of skills training in Africa and in Europe to exchange experience and best practices.

Identify or set up material production centers to strengthen, and avoid duplication of efforts and resource wastage.

Organize EU and AU high level meeting on traditional attitudes and practices which are obstacles to gender equality.

Set up a joint functional body to asses actions, impact and challenges in order to strategies better. This could include governments, and NGO representatives. This body can evaluate planned activities, realized actions, and impact. This will encourage better implementation and use of resources.

Statement by Lise BERGH

State Secretary for Gender Equality, Sweden

First of all I would like to thank the Presidency for organising this conference, focusing on the need of joint action against harmful traditional practices. It provides an important opportunity to exchange experience on one of the fundamental issues in the struggle for gender equality. Men's violence against women as the most extreme manifestation of the unfair gender-based power structures.

As my time is limited I will get to the point immediately.

Violence prevents women from fully enjoying their human rights. In a democratic society we can not tolerate that there are people around us who are exposed to various means of oppression and violence by their immediate family members - who really ought to be the first to protect them.

Just now there is an intensive debate in my country about so called honour killings and violence and coercion in the name of honour. The reason is the anniversary of the killing of Fadime, a very brave young girl who tried to live her life as she wanted and not as her family wanted. She was killed by her father. This murder was the starting point of a debate in society of this phenomenon and of a series of actions from the Government. We started by trying to get an overview of the extent of the problem and found after a first survey that approximately 1500 to 2000 girls and young women are exposed to violence and coercion in the name of honour. Between 150 and 300 girls are in need of direct protection from their families. We also acknowledged that boys and men and homosexuals, bisexuals and transgender persons are victims of this violence.

We have since then addressed this issue at various levels and I will give you a few examples of what we have done and what we think has to be done; Addressing and codifying violence and oppression in conventions, laws etc. And here it is important that this include the "every day" violence and oppression.

Acknowledging and analysing the underlying causes of violence and oppression with an emphasis on the differences between women and men and on stereotyped perceptions of men as violent and women as passive - rather than the similarities between women and men.

Develop institutional measures; funding, in-service training, joint action and guidelines

Operational programmes and measures for victim protection and measures directed against perpetrators.

We also know that violence or coercion in the name of honour is not a phenomenon limited to only a few countries. So all of us need to find effective measures to tackle this very sensitive issue.

To that end, Sweden hosted in December 2004 an international conference on patriarchal violence against women, focusing on violence in the name of honour.

As a follow-up of this a study has recently been published by the Swedish Government offices on action taken (nationally as well as internationally) to address patriarchal violence and oppression, especially in the name of honour.

The survey shows that a wide range of measures have been introduced at the international level over the past 10-15 years, to break the silence over patriarchal violence and oppression. For instance, the issue that for long was defined as a health concern is now accepted as a right's issue.

There are many supplementary measures that need to be taken which focus on the root causes of oppression and violence - mainly concerning the imbalance in power between women and men. The study also shows that internationally, it is important that we all play an active role to combat patriarchal violence.

And what we all have to do is what Sweden and many other countries has done since many years:

- strengthening the regulatory framework governing human rights;
- emphasising broad-based efforts to promote gender equality as a means of addressing the underlying causes of violence;
- emphasising the role of men to achieve gender equality;
- emphasising that women and adolescents have the right to their own bodies and to sexual and reproductive health and rights;
- pressing for action against crimes committed in the name of honour and other forms of extreme violence and oppression against homosexuals, bisexuals and transgender persons.

I would also like to share with you some experience on action to tackle the serious issue of genital mutilation.

A special Act prohibiting genital mutilation has been in effect in Sweden since 1982. The Act covers all forms of genital mutilation, and even genital mutilation that occurs abroad may be subject to legal proceedings in Sweden.

However, more than legislation is needed put an end to genital mutilation. To succeed, broad social campaigns involving opinion moulding and information activities are necessary in order to change attitudes in the long term.

It is a question of involving and informing relevant population groups as well as professionals, non-governmental organisations and religious leaders. To meet this need we have adopted a national action plan.

International cooperation for combating genital mutilation is also important, and there is one aspect I would like to highlight – not only for the sharing of experiences and good practice but also for informing us of the development in our countries. Because people who have moved to our countries are not always aware of the development that has taken place in their old countries of origin, and instead live in the belief that things remain pretty much the way they have always been. They base their beliefs and conduct on “old” perceptions in their countries of origin. In the same way, it is important that those who are active in organisations in the countries of origin meet and talk with those who have emigrated and now live in our countries.

Finally I would once again like to emphasize the relation between men's violence against women and other areas of gender inequalities. Areas like economy, representation and labour market is not separate from violence. Men's violence influences women's ability to be economically independent and it influences work life, both for individual women and for women as a group.

Against this background I would like to inform you of a Swedish initiative, aiming at highlighting the important role of gender equality policies for achieving our common goals for growth and jobs in Europe. We aim to - together with some member states - raise the idea of a European Gender Equality Pact at the Spring European Council in March.

The Swedish Prime Minister Göran Persson introduced the idea at the informal European Council in Hampton Court as one of the key instruments to meet the economic and demographic challenges Europe is facing.

The Pact for Gender Equality should serve to enhance women's participation in the labour market and to promote equality between women and men. It would build on the already existing objectives, targets and instruments within the Lisbon process and not create a new process.

The Pact would mainly contribute to fulfilling EU ambitions on gender equality in the EC Treaty closing the gender gaps in employment and social protection promoting better work-life balance for women and men promoting a balanced distribution of power between women and men

I hope for your support in this work.

Thank you.

Statement by Waltraud DAHS

*Federal Ministry for Family Affairs, Senior Citizens, Women and Youth,
Head of Division, Germany
(interpretation from German)*

Thank you Minister. I also would like to express my gratitude to the Austrian Presidency for having organised this very important conference on this subject.

Briefly allow me to introduce a few measures with which we in Germany try to combat female genital mutilation. The Federal Government fully condemns female genital mutilation and is attempting to overcome this practice via a number of measures. We are supporting first of all measures at international level within the WHO, UNICEF and the UNFPA, SD as well as supporting bilateral efforts by promoting quite a number of projects in various regions in Africa as well as our own PR work and cooperating with NGOs in their awareness campaigns in Germany.

Domestically, the Federal Government is concentrating in its PR work on the target group of specialists, doctors, counsellors and so on as important multipliers. The Ministry for Family Affairs, Senior Citizens, Women and Youthies, the Elderly and Young Persons has been distributing a brochure on genital mutilation of women for quite a number of years now. We also work together with a number of non-governmental organisations and we support their targeted educational measures, e.g. a brochure in several languages entitled "We protect our daughters", which has been supported by the organisation Terre des Femmes. The Federal Government has taken the issue of female genital mutilation and included it in the national action plans to combat violence against women also.

Looking at the long-term abandonment of this practice, particular initiatives in the countries themselves are most promising. The Ministry for Economic Cooperation and Development is thus supporting government and NGO-led efforts in the countries of origin, efforts to combat these practices.

A number of words now on the legal efforts in Germany. We have brought protection within the penal code against the practice of female genital mutilation. Those responsible for carrying out female genital mutilation can be punished on the basis of the laws on bodily harm, grievous bodily harm, and abuse of minors by those in custody, in other words parents who allow their children to be submitted to these practices. The same applies to parents who allow their children to go abroad for this practice even if the child or woman in question agrees to the practice.

There have been reports in Germany where there have been individual cases of girls having been sent back to the country of origin for this excision

[dieses Wort kenne ich nicht...]. That is an alarming development. If that is discovered in good time, the youth officers in Germany have sufficient powers to go to court and limit the right of residence or the custodial rights of the parents. Such court decisions have already taken place.

I come to the laws governing asylum and foreign residents. Women who are victims of or threatened by female genital mutilation are considered to be victims of gender-specific abuse. We have improved the laws for victims of such mutilation. Victims of female genital mutilation are or those who are threatened with such a practice receive residents' rights and this allows them to reside and stay in Germany. There are specific leaflets to be provided to the staff in the decision-makers allowing them to recognise asylum seekers in such cases. Federal Office for Migration and Refugees.

Finally, I have to say that we fully support there are joint efforts within the EU to combat harmful traditional practices. We fully support all those efforts. Thank you.

Statement by Orozco CORPAS

Encarnación, Special Government De-legate on Violence against Women, Spain (interpretation from Spanish)

Thank you, Madam Chairman. Minister, we very much welcome this opportunity to deal with this important issue of physical and psychological violence against women, in particular harmful and archaic traditional practices of this type. So we are very grateful for having taken up this initiative.

This allows us to raise the awareness of the various initiatives, which the various countries have taken in order to combat traditional practices of this type of violence. From our perspective, basically three legal instruments have been adopted: 1. *La Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género (Organic Law 1/2004 of 28 December on Integrated Protection Measures against Gender Violence)*; 2. *La Ley Orgánica 11/2003, de 29 de septiembre, de Medidas concretas en materia de seguridad ciudadana, violencia doméstica e integración social de los extranjeros (Organic Law 11/2003 of 29 September on Specific Measures related to Citizen's Security, Domestic Violence, and Social Integration of Foreign Nationals)*; and, 3. *La Ley Orgánica 3/2005, de 8 de julio, para perseguir extraterritorialmente la mutilación genital femenina (Organic Law 3/2005 of 8 July on Extraterritorial Prosecution of Femal Genital Mutilation)*.

Gender violence is considered one of the most obvious manifestations of the domination of women by men, something which is manifest in all the cultures, including our own and quite a number of types of behaviour, including physical and psychological violence in the home.

As to our organic or specific basic law against gender-based violence I will just stress that we are talking a law aimed at gender equality. There are two reasons why I say this: The first is that this law aims to look into and to tackle the causes of this violence underlying the patriarchal scheme that makes the women subordinated to men; and, secondly because this law introduces positive action measures into our criminal law. The law creates an integral protection system aimed at acting in different areas: awareness, recognition of the rights of victims and their right to be reintegrated into society –various labour rights are recognized by this law-, the prosecution of the aggressor, etc.

We must point out that half of our Government is involved and that the Institution that I represent is a coordinating body within our Government. Obviously, we are uniting the efforts of our various ministries, the local and regional administrations, and the civil society as well. The aim of this law is to act against violence, which is a manifestation of discrimination, inequality

and the power relations, of men over women specifically. This means that in my country the law is not aimed at just any type of violence but particular types of violence which reflect special social or socio-cultural dimensions which lead to the woman being subordinate to man and which lead to certain types of practice which our legal system condemns and renders unacceptable.

Gender-based violence is exercised in many cases by spouses, ex-spouses or those who have had certain types of liaison with the women in question, having lived with them or not. So it is a type of violence which is characterised by a particular relation between the victim and the aggressor. We have noted that in this sphere of personal relations the socio-cultural dimension is most prominent.

In the year 2005 we have noticed that in 92.46% of cases linked to personal relations the victims have been women. In 2006 we have got the same kind of trends. 90% of deaths of this type linked to personal relations involve the deaths of women. Considering this type of violence, the law has come up with a series of measures to ensure integral protection of the victims. The explicit aim, as I said, is to prevent, sanction and ultimately eradicate this type of violence and to pay due attention to the victims. Within this legal order then prevention from the very early phases of education and training onwards is one of the main instruments, which in many cases has to continue throughout the life of the professional groupings which are involved.

The preventive element has got to involve raising the awareness and education of health care staff to assist the victim but the health care system is a core element when it comes to early detection of this type of violence. This involves providing specialist knowledge to those providing health care. The same applies to the police forces and all the relevant social services that have a role to play in combating this type of violence – prevention obviously involving sanctions, punishment as a necessary deterrent or dissuasive element.

A law does reinforce the legal protection against this type of violence but one point I would stress within this law the fact that we have a specialised type of court cases for gender-based violence. This involves various types of professions, lawyers, judges and indeed forensic medicine specialists.

So there are a number of rights which are enshrined in this law which we attempt to provide to the victims once again, a number of labour measures, measures connected to social protection, economic assistance, rights to information and in particular we guarantee the right to an integrated type of social assistance, particular elements in the social assistance departments specialised in this type of help. We try to ensure that these units exist

throughout the territory of the country. There is ongoing evaluation of these efforts as well to ensure that various measures can be adjusted to the reality on the ground, to ensure that they can be continued with effectiveness.

The progress we have noted over the years since the law came into force has been characterised by the fact that the wall of silence of the victims has begun to be broken. We have an increase of 17% of reports. This means that fewer women are now withdrawing the accusation or allegations they have made with regard to their spouses or ex-spouses. In other words, women are beginning to trust the system and the increased protection the system is offering them.

Finally, I would like to refer to the situation of immigrant women who obviously enjoy all the rights which Spanish women enjoy under the law. They are often in an illegal situation. Quite often following a protection order and a court ruling they can receive temporary residence rights pending final judgement of their case.

As to female genital mutilation (FGM), as I said, that was specified as such in a law in 2003. It is considered a practice which must be combated and which cannot be justified for supposed religious or cultural reasons. So in 2005 – and once again assuming that FGM is a serious violation of human rights – it became possible to apply extraterritorial jurisdiction in such cases. This means we were able to cover the case. The most common case occurs abroad, where people travel back to their country of origin. These practices are then subsequently detected by our primary medical services that have been trained to be able to recognise this type of treatment. We think this is a first step to being able to eradicate this type of practice.

When a resident's permit is requested the applicants are informed of the fact that FGM is a crime and can be prosecuted and can be subject to up to 12 years imprisonment.

On to forced marriage now. This problem is less prominent in Spain than perhaps in a number of other countries represented here today because immigration involves countries from South America to a larger extent. Nevertheless since 2003 we have amended our legislation to allow for cases of separation or divorce where you have got particular relations where the law involving personal relations differs from ours or where we feel that law is discriminatory or has implications for public order, in which case Spanish law has primacy with regard to their marriage.

In fact there was a case of this type just last week with regard to a Moroccan couple. The Moroccan law states that if the man does not agree to a separation the woman's application will be rejected. Last week there was a case of this type which reflected this change in the legal situation.

Honour-based crimes (once again we deal with them as gender violence, depending on the origin of the violence) is covered in some way in our legal order, specifically perhaps under the laws governing domestic violence. That is just about it.

I will just point out that in order to combat these practices we have opted for specialisation, coordination, follow-up and ongoing evaluation of the various measures, which we have taken as we have described to ensure more effective application of our provisions.

Statement by Deborah JAMIESON

Violent Crime Unit, UK

Thank you very much to the Austrian Presidency for organising this conference today, which is very timely and important. The UK shares in the commitment to tackling violence against women of all forms, including female genital mutilation, crimes committed in the name of honour and forced marriage.

In response to crimes committed in the name of honour, the UK and Turkey jointly presented to the UN General Assembly in 2004 the resolution on working towards the elimination of crimes against women and young girls in the name of honour. This was accepted in its entirety.

In the UK we know that we have 12 cases of honour killings and a 117 cases are being re-examined by the Metropolitan police for elements of honour. Just November of last year we had a case that went before the Oxford Crown Court, in which a father had convinced his two young sons aged 16 and 19 to commit an honour killing. The father and the two sons received a sentence of 20 years. We are currently through our Senior Advisory Council changing sentencing guidelines so that now it will be an aggravating feature rather than a mitigating feature for planning an offence, an abuse of trust and an abuse of power, which is all very important in combating this crime.

We know that globally violence against women is the leading cause of morbidity, which is injury and illness in young women aged 15 to 44 years old, greater than malaria, war, cancer and motor-vehicle accidents. So the significant hope in each of us is very important.

In the UK the cost of domestic violence has been estimated at 23 billion pounds, 6 billion of which is the public purse and 2.7 billion pounds to the employer in lost economic output. So this highlights the seriousness of this crime.

We have the Female Genital Mutilation Act 2003 with sentences of up to 14 years. We have funded Community Days in the practising communities to raise awareness of this fact. I was told that just this past week we had eleven year old girl, who was going to be taken out of the UK overseas for FGM and this was successfully prevented and she was granted indefinite leave to remain through immigration rules. So that was a successful case.

We also have the Domestic Violence, Crime and Victims Act 2004 and that is to increase the safety and justice, to bring perpetrators to justice and to

ensure that victims have the support necessary. We also have rolled out over the past year 25 specialist domestic violence courts, which is helping to reduce the attrition rate, increase the prosecution and increase the victim's safety and satisfaction.

We have worked on many areas around FGM, forced marriage and honour crimes. It is true that often women do not know, they are misinformed about their rights. So we have funded through so-called Black Sister, which is an NGO, a step-by-step guide which will allow these women to know about their human rights, immigration rights, resources, links and where to go for safety.

We also have funded national conferences on forced marriage and honour crimes. We have just completed a national consultation on the specific essence of forced marriage. We will have a summary of responses in spring with recommendations. We have also just funded the first UK-wide working group on these issues. It is comprising NGOs, statutory sector, researchers and a range of different people that are important to this issue.

It is also important to reach the young people, particularly around prevention. We have funded a programme called "Changing lies" where young people receive 16 weeks of training on peer-to-peer qualification, for peer-to-peer support. This has worked extremely well, better than anticipated. Most of the young people are bilingual and able to go back into their community to help try change attitude, do voluntary work and prevent further FGM, forced marriage and honour crime.

Thank you to all the speakers and thank you again Minister.

Statement by Tuula Haatainen

Finnish Minister of Social Affairs, Health and Gender Equality

Dear Colleagues, Ladies and Gentlemen

Let me start by thanking you Minister Rauch-Kallat for organising this highly important meeting. I want also to thank the previous speakers. The theme is not unknown in Finland, though measures to tackle these forms of violence have been taken. Still I know that more action is needed.

As we know and have heard in key-note speeches, we have many international agreements. The question is how we implement them on national level and how the follow-up of the situation is organised. We need better data collecting on violence against women in Finland but also on EU level. We need information, campaigns and better networking. I fully support proposals for having further activity and cooperation on EU and international level with other actors on this matter.

Finland will be conducting an extensive crime victim survey regarding the prevalence of violence against women. The results will be available in summer 2006. We in Finland have adopted different kinds of measures to improve the professionals' abilities to identify and intervene in the different forms of violence. Last year an extensive handbook dealing with immigrant women and violence was published for the use of health care personnel. NGOs in the field are central cooperation partners with regard to both information dissemination and service provision. In 2004, a recommendation for the social and health personnel was updated regarding the prevention of female genital mutilation as well as the promotion of the wellbeing of women who have been subject to such practices. According to the Penal Code of Finland, all forms of female genital mutilation constitute a crime.

At the moment there are several help lines operating in Finland and offering assistance and guidance to immigrant women who have experienced violence. Telephone helpline is available throughout the country. A secret shelter for immigrant women is maintained by an NGO in the metropolitan area.

We still need to develop measures to safeguard the safety and empowerment of the victims through effective support services. Reinforcing attitudes against violence can be promoted by information campaigns and it is advisable to organise European wide campaigns on a regular basis. Things do not change rapidly, but we have to act now.

Statement by Eugenia TSOUMANI

Secretary General for Gender Equality, Ministry of Interior, Public Administration and Decentralization, Greece

Thank you very much. We would like to congratulate the Austrian Presidency on this initiative.

There is no doubt that the traditional practices we have been hearing today do violate fundamental rights of women and children and that these practices are completely unjustifiable. There are already national European laws about outlawing these practices. We have the Convention on Marriage which entered into force in the UN 1964. We also have the Resolution of the Council of Europe's Parliamentary Assembly on forced marriage. These are in fact in line with criminal law in Greece whose aim is to combat violence. There is a bill which is going to be examined by the Greek Parliament next month.

But all of these violent practices come from stereotypes or archaisms – which are originally Greek words by the way – which still persist in our society. So this is why there is a great deal of work still to be done in the field in close cooperation with civil society. Thank you very much.

Statement by Dagnija Stake

Minister of Welfare, Latvia

Thank you very much Madam Chair. I too would like to thank the Austrian Presidency for having organised this conference. Although patriarchal society still predominates in our Latvian culture with our characteristic traditions and outdated sexual roles, I think that I can say that in general the problem of traditional violence against women is not really a problem in Latvia.

The same thing applies to forced marriages. Marriage before 18 is prohibited. One exception is possible if someone older than 15 marries a fully entitled adult with the permission of the parents of that person. A marriage is regarded as not valid if it is commemorated (sic!) outside the registry office and not by a clergyman, if it takes place out of factitious reasons without the aim of creating a family, if a person is married before reaching the appropriate age, if a person who is getting married is not regarded as fully competent or has not the means of his action or has not been married out of free will, if the marriage is forbidden because of a link of parental relations between the spouses or if one person is already married. The spouse may challenge the marriage if the marriage has taken place under threat.

Now with increased immigration there is a risk that in Latvia as well in certain groups that have traditional violence that these tendencies will increase.

Now if we analyse the present situation I think that we can draw a distinction between two areas which require greater in-depth study when it comes to establish the degree of traditional violence. One group where there may be this type of problem are the Roma. Their proportion in the Latvian population is 0.4%, which means about 8,500 people. Now this ethnic group generally marries at a very young age. The tradition, foundation and preservation of family is something which may apply to certain other religious or ethnic groups. Thank you.

Statement by Maria Muga

Secretary of State, Ministry of Labour, Social Solidarity and Family, Romania

Thank you Madam Chair. Ladies and gentlemen, first of all allow me to address my gratitude to the Presidency of Austria for having the opportunity of participating in this very important meeting, which has an important subject of debate: violence against women and harmful traditional practices.

Romania made an important progress in the domain of women's rights promotion and the protection of this segment of population against all the phenomena of violence. For the first time the Romanian Constitution guarantees the equal opportunities between men and women. There are also very important legal instruments such as the Law on Equal Opportunities between Men and Women on the Labour Market. Another important law such as the Law for Preventing and Combating Violence Against Women.

Despite this very important legal framework and all the efforts Romania made in this field, our country is still confronted with the phenomenon of violence against women. According to the database provided by the Ministry of Justice in Romania, last year 22 women were killed by their husband and their families. Another 55 were physically mutilated by the same partners in their families.

Recently, Romania adopted two important plans of action, which aim to enforce all the mechanisms and to strengthen the capacity of action of government institutions like the Agency for Family Protection, which is a very specific structure within the Ministry of Labour and Solidarity, and the Agency for Equal Opportunities to develop a very important information and educational campaign in Romania designated to the prevention and the combat against violent action against women and at the same time to develop services like telephone helplines, shelters, counselling services for aggressors and so on.

Like I said in the beginning, Romania is confronted with different aspects of this phenomenon of violence against women. On Romanian territory certain communities encourage harmful practices for the human being. These are some Roma communities, some pecuniary interest groups, mendicant networks, other patriarchal groups and immigrants of Arab or African origin. Within some Roma communities the practice of forced marriage is being perpetuated, marriage in which the future spouses do not know each other and are under age, usually between 10 or 12 years old. Classified as a type of violence, this practice violates fundamental rights regarding human dignity and integrity. Forced marriage means triple maltreatment: physical, psychological and sexual maltreatment. Aiming at eradicating this practice, the

state is actively intervening through special staff employed as community, educational and sanitary mediators through Roma communities and the communities facing poverty.

Another harmful practice is the use of children for exploitation through beggary and sexual exploitation within the country or beyond its borders. Mendicant practices are actually a phenomenon that takes place in Romania as well as in other states of the European Union representing a practice of trafficking with human beings which must be combated.

Another aspect regarding this matter is very strongly connected to the community of immigrants, which perpetuate the traditional practices identified such as genital mutilation. The Romanian government considers that it is a very important moment to enforce all the legal mechanisms and all the policies to sustain the common actions at the governmental level to combat and prevent this phenomenon of violence, especially violence against women.

An important aspect is regarding the collaboration with NGOs from different countries within the civil society in the framework of solidarity programmes. Thank you very much.

Statement by Jorge LACAO

Secretary of State, PORTUGAL

(interpretation from Portuguese)

Thank you very much. I thank the Austrian Presidency for this initiative and confirm the great interest we have in this initiative. This event has been organised by the Austrian Presidency in the context of the EU. It should enable us to attach great importance to this issue and give it higher international profile and visibility. At the same time, it should enable us to promote the best practices which exist aimed at eradicating these unjustifiable practices of violation of human rights.

In Europe most of these harmful traditional practices have been eradicated in most of our countries. I think it is particularly important bearing in mind the new migratory flows. The communities now living in Europe continue to perform these practices and this is something that needs to be combated. We have to develop an effective response. Therefore within the European Union we have to make a full commitment to fully enforce human rights and pursue full gender equality between men and women.

In Portugal this is an issue which has come to the forefront only recently. On the basis of an initial analysis, we found that our migrant communities coming from Portuguese speaking African countries do practise these harmful traditions, in particular female genital mutilation, which is actually forbidden by law in Portugal. In general it takes some time in Portugal to fully apprehend this reality. Honour killings are also clearly banned under Portuguese law. The judicial authorities still tend to deal with such crimes as a domestic violence. Therefore sentences and sanctions are more in line with the sort of penalty which apply to domestic violence. So I think it will be necessary to explain that these are actually crimes which derive from these traditional harmful practices.

When it comes to forced marriages, again this is a phenomenon which is not really recognised and understood in Portugal. By law marriage for young people below the age of 16 is prohibited in Portugal.

Some of the situations we are faced with relate to the Roma community. These are communities living on the margin of the law. Here too we have tried to increase awareness of this phenomenon.

In 2003 the Portuguese Committee for Equality and Women's Rights chaired by X (?) and involving the cooperation with the Association of Family Planning in Portugal held a first conference on female genital mutilation. The purpose of this conference was to collect and analyse the available data and to increase visibility of these practices in Portugal.

Research was undertaken. This research carried out among healthcare works presented the following results. 6% involved in health care never even heard of female genital mutilation. 84% had heard of it but did not realise that it was something that was relevant or happening in Portugal. 89% of these people had not received any training on this and only 5% had heard about this more specifically in international medical conferences or seminars. 20% of nurses, paramedics and 9% of doctors had stated that they had been in personal contact with women who had suffered these practices. On the whole 97% of the people interviewed declared themselves to be totally opposed to such practices and therefore in favour of the eradication of these practices.

Based on the conclusions of this conference and the data available, the Portuguese government together with all the various bodies pursuing equal opportunities and equal rights and NGOs have decided to take a number of initiatives. In particular we wish to pursue the study and the analysis of this situation in Portugal to establish exactly the degree and scope of this phenomenon in Portugal. We also want to consider and to improve the existing legislation, continue both informal and formal training for staff working in health-care and in social services, in education as well and also amongst the media.

It is important that we work in a coordinated fashion with the leaders and the local communities. So we have to establish closer contacts with the communities in which these practices occur. Recently, we have pursued a programme in schools involving a campaign which included sexual education and citizenship education. This was a campaign stressing human rights and gender equality.

So in Portugal we are looking again at our main legal instruments trying to appraise more critically what can be done to combat violence. So in various parts of our law we are planning reviews and revisions. We also have to review our criminal code so that when it comes FGM this will be considered a crime and courts will be given the powers to rule on such cases, cases that occur within Portugal but also cases which may have taken place outside our national territory. This will be done as part of a national programme to combat violence against women, in particular domestic violence. Clearly this plan will also have to address other forms of violence, which is emerging now, e.g. the recent phenomenon of trafficking with women for sexual exploitation. There is a programme jointly with the police and with other international bodies. We have also reconsidered how to deal with women in their own countries who have been the victims of this trafficking. This is an extremely serious problem for us. Again it happens on the basis of inequality between men and women.

By way of conclusion, let me say that the promotion of equality between men and women is a fight that has to be pursued by men and women. This is why I am particularly grateful for having allowed me to speak here today. Thank you.

“Women’s Rights are Human Rights”

Dr. Benita FERRERO-WALDNER, Commissioner for External Relations and European Neighborhood Policy

Thank you very much, dear President/Minister/Maria and ladies and gentlemen and of course my dear colleague Vladimir Spidla. Let me add my voice dear colleagues of welcome on behalf of the European Commission. I am delighted that the Commission today is hosting this conference. I thank Maria Rauch-Kallat for the initiative she has taken already some months ago.

I would like to start, if I may, with the words of the wife in the African poem “The song of lavimo(?)” because it is very beautiful.

“I have only one request. I do not ask for money although I have need of it. I do not ask for meat. I have only one request and all I ask is that you remove the roadblock from my path”.

I think it is about that. It is about removing the very important roadblocks that are still on the paths of women. That is what we want to do. We want to empower women to make their own choices. We want them to have the same opportunities in life as men and above all we want to protect them from violence, from discrimination and also from persecution. I think this is the reason why we are here together.

And the title of my speech “Women's rights are human rights” - this is the main thrust of what I have to tell you. To people in this room this is of course self-evident. Of course, women's rights are human rights. Human rights are universal. They are the rights of every man, every woman and every child anywhere in the world. But unfortunately as you know this message still has not been heard or understood everywhere. So I think it is our duty to repeat it time and time and again until the day comes when women's rights are respected but also protected really throughout the whole world because violating the rights of women or all girls can never be justified by cultural relativism. Because this is very often the reason what they say or in the name of a tradition. Such arguments that sustain and excuse human rights against women are mere excuses for their true meaning that women's life matters less than men's.

The subject of today's conference “harmful traditional practices” goes to the heart of this debate. Culture has been the long-standing defence of harmful traditional practices perpetrated against women and girls. Yet as the great Nigerian writer and Nobel Laureate Wole Volinka(?) wrote: “Culture is a

matrix of infinite possibilities and choices. From within the same cultural matrix we can extract arguments and strategies for the degradation and ennoblement of our species, for its enslavement or liberation for the suppression of its productive potential or for its enchantment." This means it is up to us to use the right arguments to do the right things. So our task is exactly that.

This morning you heard about the situation within the European Union. Of course my colleague Commissioner Spidla will then shortly talk about this what the European Commission is doing inside the EU.

My responsibility, however, is for countries outside the EU. Therefore talking harmful traditional practices beyond our borders is not only a moral imperative. It is also intimately linked to addressing the issue within the EU, which is why I will ensure that the European Commission continues to devote its substantial resources.

A year today the Commission for instance adopted a thematic programme on human rights, which lays out our priorities for the years ahead. I can assure you that the fight against harmful traditional practices will play a prominent role in our assistance and has already done so.

Now the European Union has made quite clear its position on the unacceptability of traditional practices, which violate women but also children and their rights. But we need to make sure that all countries understand our position. And we have to advocate for those human rights that they are being respected.

That is why we take every opportunity to raise our concerns in our political dialogue with non Member States. We have included for instance a specific commitment to prevent female genital mutilation into our Cotonu Agreement with the 79 African, Pacific and Caribbean countries. Violence against women including honour killings in South Asia and elsewhere is raised with our partners around the world wherever such an issue arises. We clearly state that such practices are a violation of the UN Conventions on the rights of women and children when we support governments with stated initiatives to address these issues. We have also co-sponsored resolutions of the UN Commission for Human Rights against those taking insufficient action.

On a practical level we favour a two-pronged approach for our assistance. On the one hand, advocacy and lobbying for legislation and policy on the rights to equal treatment and also on prohibiting those harmful practices and on the other hand, the capacity building for government officials and also advocacy and awareness-raising for all sections of society because

without involving all the levels of society the chances for effective enforcement of legislation are certainly limited.

To deal with culturally ingrained practices, if I may say so, is really so important to change perceptions and attitudes as legislation.

Tackling violence against women is a special concern of gender equality programmes. We support projects aiming at promoting gender equality in the attitude and behaviour of adolescent boys and girls to violence against girls and women. You can imagine how much we have been doing in Afghanistan, where we the Commission have a huge programme and where also I specifically want to make a focus of women. We have also mainstreamed support for gender equality into our geographic programmes.

Even in a project today on sustainable forestry or even earthquake reconstruction like in Pakistan we have a specific component designed to empower women. Projects funded from our human rights budget line are indeed assessed for their impact on children's rights and also gender equality. Practices like forced marriage, honour crimes and female genital mutilation are the target of a special line of the European Commission, specially on human rights. This mentions equal treatment and physical integrity including harmful traditional practices and other forms of cultural excision such as FGM and also gender-based violence in conflict areas.

Now current projects that are funded under this human rights title include the so-called "stop female genital mutilation campaign", an international campaign to eradicate FGM which has received almost one million euro of Commission funding over the last two years. This excellent initiative, I can say, has launched an international appeal for the eradication of FGM signed by 25,000 people, including Peace Nobel Prize winners. It has also provided legal expertise and training to stakeholders, launched a media campaign in Kenya and helped the Cairo Arab-African Conference on legislation for the elimination of FGM. Many of our projects against female genital mutilation take place in the countries of sub-Saharan Africa, and we know it is highly important. But the practice unfortunately is also prevalent in Egypt. 97% of the married women of reproductive age (according to our statistics) really have undergone that. The Commission is therefore funding a project for children at risk providing family outreach, social marketing and communication and community service initiatives. The human rights section of Egypt's European neighbourhood action plan will also clearly include such a commitment to dealing with these harmful practices.

Now the human rights instrument also supports a wide range of projects to reinforce women's rights and their position in society. Examples are legislative reforms, awareness-raising campaigns and the support for women's

access to political mandates and legal aid. Also that is important. We tackle a range of harmful traditional practices including honour killings and forced marriage through education and through literacy programmes, through legal system reforms and the implementation of the UN Convention on the elimination of all forms of discrimination against women.

Therefore, my dear colleagues, changing cultural practices ingrained over hundreds of years, perhaps thousands of years, is naturally - we all know it - is not easy. In this month a study was released showing that in India ten million women were missing due to prenatal selection and selective abortion over the last 20 years. So the changes must come from within the societies in order to be sustainable.

I strongly believe that it is poverty itself and its related factors, especially of course education, that lie behind this continued practices of such harmful tradition, which is why long-term development actions designed to empower women are a key to improving women's health and ultimately also to reducing poverty. Above all, I believe education holds the key. As Tim Wolfeson(?) you know he works in Palestine for us put it: "There is no doubt that it is more important to educate a woman than to educate a man. Everyone from Ghandi to the head of the IMF (he was the head of the IMF) would tell you that educating a woman is educating a whole family and educating a man is very often only educating a man."

This is why we lay also great emphasis on human rights education. When I was foreign minister I brought out this human rights manual. I don't have a lot of examples here but I gave one to our special ambassador here Waris Dirie. I think the important thing is to go on because with the eradication of illiteracy we will be able also to teach women what they can ask themselves.

On the whole, dear Minister, dear Maria, dear colleagues, not so long ago practices like the FGM, early marriage and honour-killings were widely practised in Europe. Now the fact that they are restricted to certain immigrant groups shows that it is possible for cultural changes to evolve. European women today must therefore continue this fight for such degrading and inhumane practices to be eliminated on our continent. We owe it to those in previous generations who fought for our rights of equality, for dignity and the integrity of the human body and to continue the battle both within Europe and beyond.

Again I would like to pay tribute to Waris Dirie who is with us today and who should together with us make a difference. Thank you very much and please bear with me, I have to go because I have the next meeting to chair on the other side in the Commission. Thank you very much.

"The EU – a driving force for women's rights. For a joint campaign against harmful traditional customs"

Vladimir ŠPIDLA, Commissioner for Employment, Social Affairs and Equal Opportunities

Dear Madame Minister Rauch-Kallat,
Dear Lady and Gentleman Ministers,
Madame Commissioner, dear Benita,
Ladies and Gentlemen,

The Austrian Presidency wishes to underline the importance, for the European Union, of the fight against traditional customs which reduce women to a state of dependence, inferiority or degradation which profoundly touches our conscience and democratic values. Benita Ferrero-Waldner has just reminded us that the battle against these practices is an essential dimension of the Union's foreign policy.

In fact the Union must act on two fronts.

It must fight to ensure that fundamental human rights are respected, both within the Union and in the world at large – it must be proud of the fundamental principle that it has proclaimed: "*No one must be subjected to pain or inhuman or degrading treatment*".

The Charter of Fundamental Rights guarantees everyone the right to his or her physical and mental integrity. Female genital mutilation therefore represents the most shameful violation of the rights of young girls and women, as well as an intolerable attack on their physical and mental health.

The Union must also fight against discrimination, promote quality of opportunities between men and women, and recognise the growing diversity of society.

These are the essential objectives of our policies, within our frontiers, and throughout the world. I am therefore very happy to be with you today, for the challenge posed by reconciling diversity, quality between men and women and the protection of fundamental human rights, has long been ignored.

The Union is active in this field both inside and outside its borders.

The DAPHNE programme supports major campaigns violence against women. The new "DAPHNE II" programme, launched in the year 2004,

further strengthens the fight against violence inflicted upon women. This programme should therefore support the development of indicators and identification of common elements that enable the policies conducted as legal practices to be improved.

Campaigns have been conducted by NGO networks, as well as by the university world or by public authorities to address the problem of genital mutilation, in the field and with the players involved. The added value of these projects is that they directly involve the population concerned, and therefore have a direct impact on their target groups.

We know that the simple denunciation of female genital mutilation is wholly inadequate. **These practices will only disappear if people, including the women involved, are convinced that they are able to abandon this practice without denying their culture.**

We must therefore adopt a coherent, global approach, following three principles:

The Union must make a commitment to fight these practices in the EU because they violate the fundamental rights of girls and women and **these rights are superior to any culture or tradition**. Many victims of female genital mutilation live in Europe. It is our duty to act according to our values and commitment to Human Rights and the inviolability of the human body.

Within the European Union, the Member States must collaborate and find a common framework. But it must also heighten the awareness of health care providers of the risks involved in this practice, and must train them accordingly. They must be able to counsel people who have been victims of such mutilation or who risk becoming victims.

Finally, society as a whole must be made aware of the scale of the problem and its repercussions on the girls and women who have been subjected or who are currently being subjected to this practice. **We cannot believe that this is not our problem here in Europe.**

This is the reason why the European Union has always been very active in the field of equality between men and women.

In fact, for over thirty years these policies have been a prime mover in economic and social progress, and they are today embodied in a whole set of legal rights covering economic and social life: from equality of treatment in employment to non-discrimination in terms of access to services, the Union has many years of experience in promoting actual equality between men

and women. The recent "revision" of the directives will render these legal rights more "legible" and more accessible.

Today we must strengthen the campaigns for increasing the awareness and improving the training of the people involved in equality policies. The European Social Fund enables the Member States to carry out training programmes aimed particularly at law and police officers.

It also helps encourage the formation and creation of companies by women originating from ethnic minorities or immigrant – and a quality job is an essential key to emancipation and the achievement of real equality.

This is why the need to increase the membership of migrants in the job market has been emphasised as being among the priorities of the structural funds provided for the future planning period.

Today Europe is at a turning point. The effects of demographic ageing are beginning to be felt, in the reduction in the working population, for example. We must therefore mobilise our productive resources and strengthen social cohesion in order to meet these challenges. We can no longer allow certain groups to be left out: we must offer immigrant women real job prospects.

I am convinced that the **dual nature of the equality policy – "mainstreaming" and specific measures** – can make a valuable contribution to the achievement of these objectives – namely those aimed at promoting equality, diversity and respect for human rights.

On the eight of March next – International Women's Day, the European Commission will therefore adopt a "road map to equality" for the period 2006 – 2010, which will cover all the external and internal policies of the EU. This road map must be aimed at meeting challenges such as people trafficking and violence towards women and young girls.

How will this "road map" contribute towards eradicating traditional harmful practices?

We must start by increasing our knowledge of the problems, which today suffers from an obvious lack of information and indicators, as demonstrated in the reports submitted to today's conference. Therefore we still sorely lack joint statistics and indicators on incomes, accommodation, level of training of these migrants and on the actual situation of women belonging to these groups.

The Race Institute which is currently being set up can play an important role in this context.

As part of the European strategy for growth and employment, the Commission supports exchanges of experience and the preparation of comparable data. The "joint reports on social inclusion" have shown that ethnic minorities and immigrants, particularly women, experience specific difficulties with social integration. But only a minority of Member States has presented a real "policy mix" that combines anti-discriminatory measures and targeted integration measures, such as language learning.

The moment has therefore come to integrate fully the race dimension into immigration policy and the policy of integrating ethnic minorities. This policy must be balanced and based on an understanding of reality, particularly the situation of women.

It must therefore rest on a balance between the rights and obligations of the migrants and the ethnic minorities, and also those of the receiving countries, with one clear objective: to make immigrants and members of ethnic minorities – as well as their children – real citizens benefiting from an equality of rights and obligations, and sharing European values.

Considerable progress has been made in my field.

Therefore the coordination of legal social security regimes has been extended to legal immigrants: this represents a major integration factor.

Furthermore, the Union issued a directive, in June 2000, that was aimed at combating racial discrimination not only at the workplace, but also within the education system and in the areas of social security, access to housing and access to goods and services in general.

Various provisions of this directive also encourage the development of partnerships with civil society and the NGO's, without which a policy for fighting discrimination can never succeed. This is a very important document which gives specific content to the fundamental rights proclaimed by the Charter.

The Commission has also just adopted a "framework strategy" aimed at guaranteeing effective control of discrimination, enhancing diversity and promoting equality of opportunities for everyone.

It will reach its climax in 2007, which will be the European Year of Equality of Opportunity for everyone, and which will hinge upon four objectives: the respect of rights, by sensitising public opinion to the right to equality and non-discrimination; representation, by encouraging debate on the ways of

increasing participation in society by groups that are under-represented; the recognition of diversity; and finally respect and tolerance with a view to creating a more coherent society.

Ladies and gentlemen,

It is not acceptable for immigrant women or women in ethnic minorities to be prevented from integrating in society by the negation of their fundamental rights as individuals.

The fundamental rights do not belong to one culture, one tradition or one particular area of civilisation: they are the common heritage of Humanity.

We cannot accept the denial of this heritage – or worse, that some people are using the weapons of democracy, for example protection against discrimination, to justify customs or practices which harm the physical or moral integrity of women.

We must therefore endeavour to integrate in a coherent strategy all players – from police to social services, through the NGO's -, so that they develop true partnerships in the field. We must continue to work to integrate the dimension of equality of opportunity in the practices of all these players, as emphasised in the draft conclusions of the Austrian Presidency.

Thanks to our collective mobilisation we shall give specific meaning to the values which make Europe a continent where democracy and respect for the human being are a reality – although progress is still possible in this area. We will also show that Europe wants to continue to take the lead in promoting equality between men and women.

"The Right of Self-Determination – A Human Right"

Waris DIRIE, Waris Dirie Foundation

Waris Dirie:

I would like to present some pages of my book. My assistant, Ms. Corinna Milborn will read some pages to you.

Corinna Milborn:

I would like to start reading a part of *Desert Flower*, the first book by Warris Dirie, her autobiography. The book speaks about forced marriage and how Waris fled from her family after this when she was 13 years old.

"Early in the morning my father called me. You know who that brought last night.

I can guess.

That is your future husband.

But Papa he is so old.

I still could not believe that my father thought so little of me that he sent me to live with an old man like that with a cane and a white beard.

But that is the best choice, darling. He is too old for running around, chasing after other women, bringing home other wives. He is not going to leave you. He'll look after you and besides, Papa grinned proudly, do you know how much he is paying for you?

How much?

Five camels. He is giving me five camels, Papa petted my arm. I am so proud of you.

That night I could not sleep. Instead I lay there sheltered in the midst of my family watching the stars spin overhead and made my decision. I knew if I protested against marrying the old man that would not be the end of the situation. My father would find another man and then another one and another one because he was determined to get rid of me and get his camels. As I sat watching the goats playing that day, I knew it would be the last time I look after my father's herd. I pictured my life with the old man, the two of us in some completely isolated desert place, me doing all the work, while he limped around with his cane, me living alone after he had a heart attack or better yet me raising four or five babies alone after he died because in Somalia widows do not remarry. I made up my mind. This was not the life for me.

That night when I came home my mother asked me what was wrong. Have you met that man, I snapped. She did not need to ask me which man. Yes, I saw him the other day. In a frantic whisper so my father could not hear I said: Mama I don't want to marry that man.

She shrugged. Well, my darling it is out of my hands. What can I do? It is your father's decision.

I knew that maybe tomorrow or the next day my new husband would come for me bringing his five camels in exchange and I formed my plan to run away before it was too late. That evening after everyone went to sleep I listened for Papa's familiar snoring, then I got up and went to my mother, who was next to the fire. Mama, I whispered, I cannot marry that man. I am going to run away.

Be quiet. Where child, where are you going to go?

I find my aunt in Mogadishu.

Did you know where she is?

I don't.

Don't worry, I find her.

Well it is dark now, she rationalised.

Not now in the morning, I whispered. Wake me up before the sun comes up. I knew I needed her help. No, she shook her head, it is too dangerous.

Oh please Mama, I cannot marry this man and go and be his wife. I come back for you, you know I will.

Go to bed. She had that stern look, her look that told me that the subject was closed. I left my tired mother looking into the fire and pushed into the tangle of arms and legs between my brothers and sisters to get warm.

While I was sleeping I sensed my mother lightly touched my arm, she knelt on the ground beside me.

Go now!

Immediately I was awake than fluttered with the sick sensation of what I had to do. I wriggled carefully from the warm bodies and checked to make sure that my father was in his usual position guarding the family. He still lay snoring. I shivered and walked away from our hut with my mother.

Mama, thank you for waking me.

In the gloomy light I struggled to see her face trying to memorise its features because I would not see the face again for a very long time. I had plans to be strong but instead I jerked on my tears and hugged her hard. Go! Go before he wakes up she said softly. I felt her arms tighten around me. You are going to be alright. Don't you worry about that. Just be careful. Careful.

She turned me loose.

And Warris please one thing, don't forget me.

I won't Ma.

I turned away from her and ran into the darkness, alone into the desert."

So the second part I am going to read out of *Desert Flower* about female genital mutilation. This is about Waris at the age of five and there are two reasons to read this. One is to show how deeply rooted the practices are and that the mothers do not intend to harm their daughters but think they

do something very good by doing this. The second is to bring back to your minds what we are talking about here which is torture and a crime.

"The time has come for my oldest sister Aman to be circumcised. Like all other younger siblings I was envious, jealous that she was entering the grown-up world that was still closed to me. My father was growing concerned because Aman was reaching marriage age but no marriage could take place unless she had been properly fixed. The prevailing wisdom in Somalia is that there are bad things between a girl's legs, parts of our bodies we are born with yet are unclean. These things need to be removed. The clitoris, the labia minora and most of the labia majora are cut off. Then the wound is stitched shut leaving only a scar but the actual details of the ritual, cutting, are left a mystery. It is not explained to the girl. You just know special is going to happen to you when your time comes. As a result, all young girls in Somalia anxiously await the ceremony that will mark their transformation from being a little girl to becoming a woman. Originally the process occurred when the girls reached puberty but through times female genital mutilation has been performed on younger and younger girls partially due to pressure from the girls themselves since they eagerly await their special time as a child in the West might await her birthday party or Santa Clause's arrival on Christmas Eve.

The night before my own circumcision I was five years old Mama told me not to drink too much water or milk so I would not have to pee pee too much. I was nervous but resolved to get over with it. That evening the family made a special fuss over me and I got extra food at dinner. This was a tradition I had witnessed through the years that made me envious of my older sisters. I lay awake with excitement at night until suddenly Mama was standing over me. The sky was still dark. She motioned for me to be silent and took my hand. I grabbed my little blanket and still half asleep stumbled along after her. Now I know the reason they take the girls so early in the morning. They want to cut them before anybody wakes up so nobody else will hear them scream.

We walked away from our hut into the bush. We wait here Mama said. We sat down on the cold ground. Then without me seeing her approach the cutter woman was right beside me. Sit over there. She motioned towards a flat rock. There was no conversation. No hello, no how are you? No. No the killer woman was strictly business.

Mama grabbed a piece of rig from an old tree, she provisioned me on the rock. She sat behind me and held my head back against her chest, her legs treading(?) my body. I circled my arms around her thighs. My mother placed the wood between my teeth. Bite on this! She leaned over and whispered to me: You know I cannot hold

you. I am on my own here. So try to be a good girl baby, be brave for Mama and it will go fast.

I peered between my legs and saw the gypsy woman getting ready, she looked like any other old Somali woman with a colourful scarf wrapped around her head and a bright cotton dress, except that there was no smile on her face. She looked at me sternly, a dead look in her eyes and then forged through an old carpet bag. I expected a big knife but instead she fished out a broken razor blade. Turning it from side to side, she examined it. The sun was barely up now. However, I saw dried blood on the jagged edge of the blade. The spat on it and wiped it against her dress.

While she was scrubbing, my world went dark as my mother tied a scarf around my eyes as a blindfold. The next thing I felt was my flesh being cut away. I heard the sound of the dark blade sawing back and forth through my skin. When I think back I honestly can't believe that this happened to me. I feel as if I were talking about somebody else. There is no way in the world that I can explain what it feels like. It is like somebody slicing through the meat of your thigh or cutting off your arm except that this is the most sensitive part of your body.

However, I did not move an inch because I knew there was no escape. I now wanted Mama to be proud of me. Unfortunately my legs began to quiver on their own accord and shake uncontrollably. I prayed: Please God let it be over, let it be over quickly. And soon it was because I passed out.

When I woke up I thought we were finished but now the worst of it had just begun, my blindfold was off and I saw the killer woman had piled next to her a stack of thorns from an Acacia tree. She used these to puncture my skin and then perked a strong white thread through the hole to sue me up. My legs were completely numb but the pain between them was so intense that I wished I would die."

So I will now as a last part read a part of (?), the third book, it is about FGM in Europe. It is from the introduction.

"I have been fighting against the traditional practice of female circumcision or female genital mutilation from many years now and although of course I knew there were women outside Africa, women in Europe, who were affected, I was convinced that girls born here, away from the villages, away from their grandmothers would be safe. But I was wrong.

The research for this book showed me that female genital mutilation is a problem in Europe. It is a problem that is hardly acknowledged. In many European cities girls and women secretly suffer this unspeakable cruel tradition in the midst of an open, modern society. We calculate that at least

500,000 women in Europe are victims. These figures might well be modest as we do not have exact figures for Arab and Asian women. Although FGM is largely seen as an African problem, it is also practiced widely in Malaysia, Indonesia, Pakistan or even Iraq. So we simply do not know the full extent of the number of women and girls who are affected.

Some of the girls undergo the procedure performed by midwives, doctors or even traditional cutter women here in Europe. Many more go to the African, Arab or Asian countries their parents came from and have it done there. Virtually every girl from one of these communities who believe in this practice is at high risk. It is a fact that here, even in Europe in the 21st century many of the mothers in these groups remain convinced that their daughters will not find a husband if her genitals are intact. Men and women keep up the tradition fired by a combination of fear and love. And because speaking out against FGM is still a taboo, nobody talks about it, it is kept secret but inside the communities everybody knows.

Sweden and the UK were the first countries in Europe to pass laws against FGM and many more followed. But outside France in all these times since the early 1980s not one person has been taken to court.

I believe it would not be difficult to stop this gruesome practice. I think what needs to happen first of all is for the laws and the reasons behind them to be made known to the people affected. They need to hear in their own language why FGM is bad, that it is both a cruel and a medically high-risk practice and that it is illegal. Secondly, support for the women who are affected is desperately needed. Thirdly and most contentiously we need vigilance. I think doctors should examine girls when they are small and check them again every year. Doctors, midwives and nurses check children for other health issues. This is a health issue, and it is a crime. Finally, the law must be enforced and people suspected of being involved in carrying out this practice should be taken to court. France is the only country in Europe that has condemned parents and cutter women for practising FGM. But I assure you that the problem is no less serious in other European countries.

I know that these demands are highly controversial among the African communities and also multi-culturalists. But there is just no against saying it. Cutting a girl's genitals is one of the worst things you can do to a human being. We have to do everything possible to prevent it."

So now I would like to read to you the Waris Dirie manifesto, which lists the demands on European governments:

"I have a long road ahead of me, I have very clear ideas of what I want to achieve in my fight against genital mutilation in Europe. Here are my 15 goals.

I want everyone in Europe to recognise genital mutilation as a problem common to all countries and one we can no longer shut our eyes to. I want every religious community to take a clear stand against the practice of genital mutilation.

I want every FGM victim needing help to get the help she needs.

I want all European governments to issue regulations to protect girls from genital mutilation in Europe and abroad.

I want all European governments to pass legislation enabling perpetrators and their accomplices to be brought to justice.

I want it to be mandatory for every incident that comes to light of mutilation of a minor to be reported for prosecution.

I want all European countries to regard genital mutilation as equal to political persecution and as ground for asylum.

I want everyone to be enlightened about the status of genital mutilation. It is not culture, it is not tradition, it is not religion. FGM is torture and a crime.

I want all victims at last to be treated with sensitivity and with respect.

I want all health workers to become well informed about FGM and to know how to help the victims.

I want all victims, where it is their wish, to have free access to surgery to counteract the damage and to receive psychological counselling.

I want genital mutilation to be a subject that people can and will openly discuss.

I want all the groups working to combat FGM to come together and agree on their policy and strategies.

I want all organisations working to combat FGM to have sufficient funding to be able to function efficiently.

And last, I want everyone in Europe to put into action my dream, our dream, of an end to genital mutilation.

If this book can start the ball rolling I would be the happiest person in the world.

Waris Dirie „Desert Flower“

Printed by courtesy of Waris Dirie Foundation

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Waris Dirie „Desert Children“

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CONCLUSION

Maria RAUCH-KALLAT, Minister for Health and Women, Austria

I should try and sum up. I think Waris Dirie is quite right saying that we have been talking about this enough. It is time for action.

But let me assure you that a lot has already been achieved so that we are in fact combating tradition-based violence but attempts should be made to provide protection, assistance so that this violence is stopped. Nonetheless, these practices are continuing. I think it is our common aim to eradicate these practices. Now one essential element of that will be publicising this. We have to work so as to make sure that no veil is drawn over this issues. This is not to be swept under the carpet. It must be constantly brought to the forefront, must be a permanent item on the agenda of meetings, of leaders, our politicians or decision-makers.

I think what Ms. Ras-Work is saying is also very import. Having a meeting between the European Union and the African Union so that respect for these fundamental rights becomes a condition for the granting of European aid. I think this can be a measure which will really help to change attitudes, create greater awareness. It is important bear in mind that this is not just a problem for African countries. We know that forced marriages and genital mutilation is also something which happens in Asian countries and so on. This is a sort of approach which will have to be extended to other countries in the world.

When it comes to international considerations, this should not be restricted to the domain of committees dealing with women. This is an issue for the Human Rights Commission, which is now being upgraded to a Council for Human Rights. It is a matter related to fundamental human rights for everyone.

To what extent do we need legislative measures within the Union and whether there should be a directive, just to make it absolutely clear that any form of harmful traditional practice is a violation of a human right and is therefore subject to criminal sanction – this is something, which we and the Presidency would like to examine. We have to see to what extent existing legislation suffices in the European countries. Do we need to have some kind of harmonisation? In June we will be looking at this and if necessary make proposals. If appropriate, we will then ask the Finnish Presidency to continue this work.

On the need to bring together and collect data, I think this is a point made repeatedly here. We have been working a lot with estimates. We do not have specific figures. And if we are to take action we are moving somewhat on uncertain ground because we do not have exact figures. Of course, I am not sure we will be able to get absolutely precise figures but I think we should certainly make an attempt to improve the state of knowledge. Within the Union we are now establishing a Gender Institute and this is one of the tasks that this Institute could pursue. Via networks we could endeavour to take data, which could then be checked and compared. So that would be a further measure.

We also heard that an important aspect is the training and information amongst the communities themselves. This means that we have to have awareness-raising campaigns amongst the groups themselves. We know that some things are already being done. The Union pursues activities, a lot of countries have such plans and programmes. We need to further strengthen these.

Perhaps we will be able to develop a campaign, which could be used throughout the Union, which would be available in all the languages of the Union and which could perhaps be used even outside the Union because it is readily understandable. We will endeavour to make sure that funds and resource can be found within the Union to pursue this idea.

Now this network should also operate outside Europe. It should constitute a platform, first of all a virtual platform. We have the Internet, which makes communication a lot easier. But it should also become a real platform. We should have regular meetings, which would be at the European or international level so that parliaments, governments, parliamentary representatives from the world, also non-political organisation and individuals can participate fully to pursue these joint aims, including the international organisations. Again we must not forget that the aim is really to eradicate such harmful practices.

But I would like to conclude now by thanking you all for your contributions, Waris Dirie in particular for the unforgettable and very impressive testimony, also all the Ministers, Secretaries of State, Heads of Delegations and all the contributors for their help and their assistance. We will try to take all of these contributions and publicise them in some kind of book, which should then be made available to the public at large.

The Austrian Presidency will present conclusions on the basis of the contributions today. At the Equal Opportunity Council in June the Council of Ministers for Social Affairs, Equal Opportunities and Health we will be submitting these joint conclusions and hopefully they can then be adopted so

that what has been discussed today will not be forgotten and will in fact constitute a further contribution to making this issue known to the public at large so that the public at large realises that it is absolutely urgent to indeed eliminate these traditional practices.

Thank you all very much for your contributions. I wish you all a pleasant and safe journey back home. I hope that with this conference we have taken a major step forward. Thank you.

AUSTRIAN PRESIDENCY CONCLUSIONS



**Austrian EU-Presidency Conclusions
Brussels, 25th January 2006**

**“Joint Action of Member States
against Harmful Traditional Practices”**

In the context of combating violence against women, the Austrian Presidency, represented by Maria Rauch-Kallat, Federal Minister for Health and Women, invited ministers and representatives of all 25 EU Member States as well as representatives of the 4 candidate countries, the EU-Commissioner for Employment, Social Affairs and Equal Opportunities, Vladimír Ťpidla, the EU-Commissioner for External Relations and European Neighbourhood Policy, Benita Ferrero-Waldner and observers from other countries to a conference on “Joint Action of Member States against Harmful Traditional Practices” held on 25th January 2006 in Brussels.

The Vienna World Conference on Human Rights in 1993 reaffirmed that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. These fundamental rights have become an integral part of the Beijing Platform for Action 1995. Violence prevents women from fully enjoying their human rights.

Violence against women has many faces and protection against violence should include protection against Harmful Traditional Practices (such as forced marriage, female genital mutilation and honour killings). States have the duty to prevent and to investigate these forms of violence against women and girls - to protect them and to intervene and punish the perpetrators in specific cases.

The Austrian Presidency convened this meeting in order to identify the challenges related to Harmful Traditional Practices as well as to discuss and find effective ways and the most appropriate instruments of preventing and combating them, as well as providing adequate protection and help for the victims within the European Union. The conference offered an opportunity to exchange best practice models of EU Member States to combat Harmful Traditional Practices.

The main points discussed during the meeting were as follows:
Harmful Traditional Practices violate the fundamental rights of women and

girls and cannot be justified on any grounds, including religious grounds. Preventive actions should be undertaken on the basis of this principle. Considering the best strategies to combat Harmful Traditional Practices, the issue has to be seen in a perspective that includes also boys, men and families.

The dimension of women and girls affected by Harmful Traditional Practices within the EU Member States is not that clear, but it seems that far too few cases are being reported. In order to define the scope of the problem and the efficiency of strategies and legislation, more data and statistics need to be made available.

Specific awareness-raising campaigns should focus on the professions and groups that are likely to have contact with victims: among them teachers, medical doctors and midwives, religious leaders, police and social workers. Awareness-raising should also focus on the social environment of possible victims and perpetrators with a view to creating a change of mentality. Close cooperation with members of minority communities and NGOs working with women from communities that might be particularly vulnerable to such forms of violence is essential in seeking to update policies and legislation to protect victims.

Support of the EU and its Member States for actions developed elsewhere to fully eradicate these Harmful Traditional Practices is important. In this respect cooperation in the area of development is particularly important.

The Austrian Presidency welcomed the efforts already undertaken by Member States and encouraged them to intensify their mutual work as partners in order to identify challenges and to agree on actions and initiatives to eliminate all kinds of Harmful Traditional Practices.

**NETWORK AGAINST
HARMFUL TRADITIONS – NAHT**

NAHT – Network Against Harmful Traditions

Harmful traditions against women can be found in many different forms all over the world. Migration from Africa and Asia to Europe has been an enduring characteristic of the post-war period. Women are increasingly becoming migrants in their own right rather than elements of family units. Within the European Union we have experienced that especially young migrant women are confronted with harmful traditional practices such as female genital mutilation (FGM), forced marriage or honour killings. Despite their harmful nature and their violation of international human rights laws, such practices persist because they are not questioned and take on an aura of morality in the eyes of those practising them.

NAHT – Network Against Harmful Traditions wants to be an international platform for representatives of non-governmental and community based organisations (NGOs and CBOs), associations with expertise in working to stop harmful traditions and governmental and political bodies. Its aim is to link existing networks as well as new organisations in order to combat harmful traditional practices against women.

Harmful Traditional Practices violate Human Rights. These rights are articulated in several Conventions, such as:

The United Nations Charter (article 5)
The Universal Declaration of Human Rights
The International Covenant on Civil and Political Rights (article 7)
The Convention of the Elimination of All Forms of Discrimination Against Women

The European Union is aware of the need to achieve equality between the sexes and of the fact that an equitable society cannot be attained if fundamental human rights of half of human society, in this case women, continue to be denied and violated. It is necessary to deal with the problems and the severe consequences for integrity, health, security and social and economic status of women and girls who are victims of harmful traditional practices.

Harmful traditions sometimes seem impossible to change. We still do not have enough detailed data about the numbers or circumstances of these ordeals. Efforts to alter or eradicate these practices require the understanding, cooperation and initiative of the general public, the people who have experienced or witnessed these practices themselves and political leaders and policy makers. What is needed are policies aimed at helping the victims and eliminating these practices.

The purpose of the network is to exchange information, share acquired experience on the subject, and promote good practices at the community level as well as to prepare possible and necessary legal steps and measures for the European Union and responsible member states. Areas with special concerns are:

Collect data/statistics about the occurrence of these specific forms of violence against women in order to define the scope of strategies/legislation to be developed.

Refer specifically to certain forms of violence against women, e.g. female genital mutilation, in the criminal code. No one should be left uncertain, that this constitutes a crime.

Cooperate closely with NGOs working with women from communities that might be particularly vulnerable to such forms of violence in seeking to update policies and legislation to protect victims.

Conduct awareness-raising campaigns among the professions and groups that are likely to have contact with victims: among them teachers, medical doctors and midwives, religious leaders, police and social workers.

Join each other in the effort to fully eradicate these harmful traditional practices globally

Please register online:
<http://www.naht.info>



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NO TOLERANCE FOR HARMFUL TRADITIONAL PRACTICES AGAINST WOMEN AND GIRLS

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NO TOLERANCE FOR HARMFUL TRADITIONAL PRACTICES AGAINST WOMEN AND GIRLS

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Ms	Manuela	HOFER		Bundesministerium für Gesundheit u. Frauen
Ms	Tereza	HORSKA	Second Secretary - Employment & Social Policy	Permanent Presentation to the EU
Ms	Maria	IMLINGER	DSA Leiterin	Haus der Frauen - Frauenhaus St. Pölten
Ms	Deborah	JAMIESON		Violent Crime Unit
Ms	Joanna	JASIK		The Waris Dirie Foundation
Ms	Eva-Lotta	JOHANSSON	Head of Section	Ministry of Justice , Division for Immigrant Integration and Diversity
Ms	Vanda	JURSENIENE	Chief Specialist of Labour Market and Equal Opportunities	Ministry of Social Security and Labour
Ms	Isabelle	KLEIN	Senior Advisor	Ministry for Equal Opportunities
Ms	Joanna	KLUZIK-ROSTOKOWSKA	Undersecretary of the State, V-CE Ministry	Ministry of Labour & Social Policy
Ms	Sylvia	KÖLBL		Bundesministerium für Gesundheit und Frauen
Ms	Bettina	KÖLBL		Bundesministerium für Gesundheit und Frauen
Ms	Ursula	KOPP	Ständige Vertretung der BRD in Brüssel	
Ms	Monika	KSIENIEWICZ	Specialist	Ministry of Labour & Social Policy
Mr	Jorge	LACAO	Secretario de Estado	Presidencia ob Conselho de Ministros
Ms	Moa	LAGERCANTZ	Head of Section	Ministry of Industry, Employment and Communication
Mr	Walter	LUTSCHINGER		The Waris Dirie Foundation
Ms		MESZAROS	Senior Counsellor in the Ministry	Ministry of Youth, Family, Social Affairs and Equal Opportunities
Ms	Corinna	MILBORN		The Waris Dirie Foundation
Ms	Pilar	MORENO	Technical Advisor at the Special Spanish Delegation against Violence on Women	Government of Women
Mr	Hervé	MOYSE	Officer de Sécurité	Cabinet de la Ministre déléguée à la cohésion sociale et à la parité
Ms	Maria	MUGA	Secretary of State	Ministry of Labour, Social Solidarity & Family
Ms	Violeta	MURAUSSKAITE	Secretary of the Ministry	Ministry of Social Security and Labour
Ms	Aari-Pekka	OLLILA	Senior Officer	Ministry of Social Affairs and Health
Ms	Encarnacion	OROZCO CORPAS	Special Government Delegate against Violence on Women	Government of Women
Ms	Ombretta	PACILIO	Consigliere diplomatico del Ministro	Ministry of Equal Opportunities
Ms	Elza	PAIS	President	Commission for equality and for women rights
Mr	Marios	PAPACHRISTO-DOULOU	Administrative Officer	Ministry of Justice & Public Order
Ms	Luisella	PAVAN-WOOLFE		EU Commission
Ms	Rozalina	PETROVA	Third Secretary	Mission of Republic of Bulgaria to the European Communities
Ms	Theresa	PHILIPPI		Bundesministerium für Gesundheit u. Frauen
Ms	Marcela	PRELIPCEAN	Executive Director	MOLSSF/ Directorate Suceava
Mr	Florian	PRESSL		Bundesministerium für Gesundheit u. Frauen
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NO TOLERANCE FOR HARMFUL TRADITIONAL PRACTICES AGAINST WOMEN AND GIRLS

<i>Titl</i>	<i>First Name</i>	<i>Last Name</i>	<i>Official Title Position</i>	<i>Ministry Organization</i>
Ms	Berhane	RAS-WORK	Executive Director	Inter-African Committee (IAC)
Ms	Maria	RAUCH-KALLAT	Minister	Bundesministerium für Gesundheit u. Frauen
Ms	Miroslubka	RAZSOUKANOVA		Chief Expert Ministry of Labour and Social Policy
Ms	Ragnhild	SAMUELSE-BERG	Head of Information	Ministry of Children and Equality
Ms	Margarita	SCHULYOK	Stagiaire	European Commission
Mr	Vladimir	SPIDLA	European Commissioner	European Commission for Employment, Social Affairs and Equal Opportunities
Ms	Dagnija	STAKE	Minister	Minister of Welfare
Ms	Helena	STIMAC RADIN	Head of the Office	Office for Gender Equality, Government of the Republic of Croatia
Ms	Eugenia	TSOUMANI	Secretary General for Gender Equality	Ministry of Interior, Public Administration and Decentralization
Ms	Catherine	VAUTRIN	Ministre déléguée à la cohésion sociale et à la Parité	
Ms	Evita	VITOLA	Counsellor of the State Secretary	Ministry of Welfare
Ms	Meltem	WEILAND	Social Worker Advisor	Orient Express Frauenberatungsstelle & Kurszentrum
Ms	Hana	ZDRAZILOVA	Gender Expert	Ministry of Labour and Social Affairs
Mr	Jiri	ZUKAL	I Secretary for Social Affairs	Permanent Presentation to the EU

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The Ministry's Women Service Unit:

0800/202011

The staff of the Women Service Unit of the Federal Ministry of Health and Women and the special Service Unit for Migrant Women provide cost-free and unbureaucratic information on women-specific matters.

We are available to you from Monday to Thursday from 10 a.m. to 3 p.m. and on Friday from 8 a.m. to 12 noon under the cost-free number **0800/202011**

www.bmgf.gv.at

FEDERAL MINISTRY OF
HEALTH AND WOMEN



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