



People's Development Association



Norwegian People's Aid



Directorate of Integration and Diversity

Project to:

Combat

Forced Marriage



Project to combat forced marriage

People's Development Association (hereafter the PDA) is an independent and not-for-profit organization.

The PDA was established as a result of nationalizing Community Development Program in 2004, a program which was once implemented by the Norwegian People's Aid.

It keeps working for developing the society through implementing various projects, using civil lobbying, and offering direct services to the community.

Since then, it has implemented numerous projects in cooperation and in partnership with several concerned and similar organizations.

The PDA has kept implementing some long-term and strategic projects in the areas of human rights, women's issues, culture development, freedom of expression and youth.

The PDA's main objective is to help all social groups, especially the marginalized groups, become their own decision-makers in a bid to contribute to the development of their society where their political, social, economic and cultural rights are supposed to be secured.

Why forced marriage ?

Existence of violence against women, gender-based discrimination and inequality in power-sharing among spouses are the most noticeable problems pertaining to women's issues in Kurdish society, which prevent women from achieving self-actualization and confidence.

Women have been always regarded as second-class citizen and they are subject to violence and being deprived of their rights, forced marriage is one of the most dangerous form of such violations of rights, by which, women are compelled to endure a married life without their consent and respect for the humane values .

Combating Forced Marriage is one of the projects within Women's Rights Desk, which has been implemented by the People's Development Association (PDA) in partnership with Norwegian People's Aid and Norwegian Directorate of Integration and Diversity (IMDI) since 2009.

The project aims to combat all forms of forced marriage amid the backward circumstances from political, economic, social and cultural perspectives in the Kurdish society.

The PDA keeps implementing this project through various activities in a bid to encourage the authorities and concerned parties for further cooperation and seek appropriate measures to reduce the rate of forced marriage.

Forced Marriage Project's objectives

- Short-term objectives :

- 1- Raising awareness of people in general and that of women in particular of questions pertaining to marriage, their rights in marriage process and consequences of forced marriage.
- 2- Offering necessary recommendations and social and legal services to the victims of forced marriage.
- 3- Encouraging governmental and non-governmental foundations and organizations and religious clerics and people with strong social power to create solidarity for combating forced marriage.
- 4- Making forced marriage be among the top subjects of discussion and debate amidst all social groups.
- 5- Improving the capacity building of the non-governmental organizations in order to play a better role in combating forced marriage.
- 6- Collecting the best suggestions and recommendations to take appropriate measures to eliminate forced marriage
- 7- Exchanging views on this question with the respective non-governmental organizations based in Norway.

Long-term objective:

- Preventing and combating forced marriage through raising people's awareness and encouraging the authorities to take appropriate legal and security measures to make necessary changes accordingly.

Forced marriage from legal perspective in Kurdistan region:



- According to the personal status law, personal consent to marriage is the key principle of marriage which has to be given by spouses with full maturity and mental well-being. The spouses are supposed to be over 18 years old when they enter marriage but sometimes they are forced to marry without their consent.

According to the first paragraph of article 9 of Personal Status Law, -no relative or non-relative has the right to force marriage on any person, whether male or female, without their consent. The contract of a forced marriage is considered void if the marriage is not yet consummated. The second paragraph of the same article states that a first degree relative who breaches the provisions of paragraph 1 of this article shall be sentenced to two to five years [minimum of two years and maximum of five years]. If the person who breaches this provision is not a first degree relative, he shall be sentenced to an imprisonment term varying from a minimum of three years to a maximum of ten years.

- The judge has the authority to allow a spouse to get married if s/he has a mental illness if special medical committee's report showed that his/her marriage will not harm the community and it will be in his/her interest provided that the spouse clearly expresses his/her agreement in writing during the marriage contract.

- If a 16-year-old person asks to be married, the judge can authorize his marriage if the eligibility and physical ability of the person in question was proven to him, after obtaining the approval of his legal guardian. If the guardian abstains from responding, the judge calls upon him to state his consent during a defined period. Thus, if the guardian does not object or if he submits an objection that is unworthy of consideration, the judge shall allow the marriage.

- Exceptionally, a 15-year-old person is authorized by the judge to enter marriage for the most difficult cases.



- If a marriage partner was forced to marry, s/he can ask for divorce if s/he does not want to continue her married life. But, if s/he is fine with his or her married life, s/he can continue in it.
- Both spouses have the right to ask for separation. If the contract of marriage was concluded before one of the two spouses has completed his or her 18 years of age, without the consent of the judge. Or, if the marriage was concluded outside the court by coercion.
- According to the 5th paragraph of article 10 of Personal Status Law, any man who concludes his marriage contract outside the court is punished with a fine varying between ID1m to IDm3. If he concludes another marriage outside the court when he is already married, the imprisonment penalty shall range between a minimum of three years and a maximum of five years.

Activities of Combating Forced Marriage's Project:

- Open-discussion events :

Arranging open-discussion events for these groups : lawyers, journalists, social workers, representatives of NGOs, women's rights activists and religious clerics.



- Seminars

Arranging seminars on marriage and ways to prevent forced marriage in all its forms such as early marriage and arranged marriage outside the court for the ordinary people.



Radio programs:

Arranging radio programs in which respective experts and specialists are invited to discuss marriage procedures.



Poster campaign:

Conducting a poster campaign to raise people's awareness of forced marriage, rights to marry and ways to prevent forced marriage.



Making leaflet:

Making a leaflet in Kurdish and English to disseminate information pertaining to forced marriage.



Producing media infomercials:

Producing some radio, TV and print infomercials in which some information on forced marriage are delivered.

Conducting seminars in Norway

- Conducting some seminars on marriage in Norway where views are exchanged on the question of forced marriage with the relevant organizations. Those seminars are attended by the Kurdish community in Norway.

- Supporting individual effort :

The project tends to encourage those people who want to make activities in any form to combat forced marriage.

List of some activities arranged in 2009 and 2010 :



1- Conducting a training course to produce 16 trainers to perform the project's activities at the time.

2- Conducting 8 training courses for the concerned organizations advocating for women's rights. The number of the beneficiaries were 111 persons.

3- Conducting 31 seminars, 21 of them were arranged in Kurdistan region and the remaining in Norway. In total, 709 persons attended the seminars arranged in Kurdistan while 229 others attended those arranged in Norway.

4- Conducting 22 open discussion events in which 462 persons attended in total.



5- Conducting 9 radio programs on combating forced marriage, which were aired by Nawa Radio.

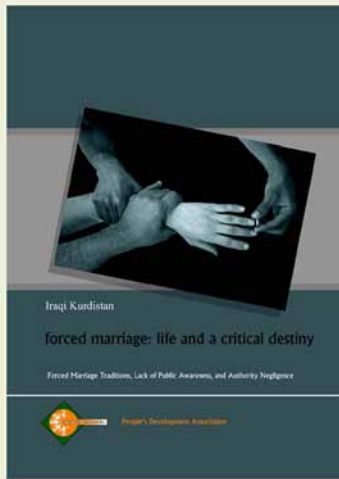
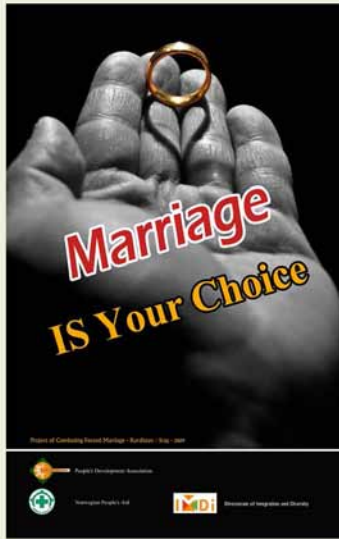
6- Producing and distributing 450 posters in both Kurdish and English.

7- Making 300 leaflets pertaining to the project's objectives in both Kurdish and English.

8- Conducting a research entitled " Forced Marriage : Life and Critical Destiny". The research was conducted in Pishdar areas in cooperation with International Human Rights Law Institute, which was then published in Kurdish and English.

9- Conducting 2 seminars at the end of the project for 2009-2010 in which 67 persons attended in total.

The total number of the direct beneficiaries for the project in 2009-2010 was 1594 persons.



Stories of victims of forced marriage:

M. A. is a girl whose father was killed when she was only one month old. She had a sister and her mother was re-married following the death of her husband because she could not afford to care for their children. Thus, M. A. was given to her grandfather on mother's side while her sister, who was older than her by three years, was raised by her grandmother from father's side. M. A. did not know her sister or she did not even meet her for once. M. A. was raised by her grandmother who did not send her to school. When she grew up, she was told by her surroundings that she was not raised by her mother but by her grandmother. Her mother uncle wanted to marry a girl who was a neighbor to her. In response, that family also asked for the hand of M.A. for a man who was older than M.A. by 30 years. Thus, she rejected to marry him. Her mother uncle went mad at her and he beat her very badly to the extent that the traces of his beating have still remained on her body. He along some of his friends beat her into coma but she could not run away because she could not think about a place to go if she left the house. Thus, she was forced to marry the old man in the presence of a Muslim cleric. She was threaten to death if she did not show consent to the marriage when she was married to him. The Muslim cleric did not ask her to see if she accepted the marriage. The day when she was supposed to move to her husband's house in a ceremony, she locked herself behind door. Thus, her brother-in-laws took her to her new home by force but she did not surrender herself to her husband for four months. So, her uncle came and fastened her arms to make her prepare for the first sleeping with her husband. After spending two years with her husband, she went to the court but still she was not bold enough to ask for divorce as she was threatened to death if she said so.

Thus, she was forced to remain in her critical married life. She often tried to commit self-immolation. Once she attempted to commit suicide by hanging herself but she was rescued by her grandmother. After being immediately hospitalized, she was asked to see why she wanted to commit suicide, she said that she was fed-up with her life condition. She has been suffering from coma and depression for five years.

- M. X. is a woman who was raised by a poor family. She quit schooling when she was at final stage of elementary school. Her brother fell in love with a girl in his village. Although he was married when he fell in love with that girl, he had been forced to marry before. As soon as their love story was revealed, the family of M.X killed a cousin of the girl, who was married with some children. Later, the disputed families negotiated and came to an agreement to put an end to the problem.

According to the agreement, family of M.X had to give three girls to the latter family. M.X was one of those girls who was given away for reconciliation between the two families.

As she said, she was only 11 when she was married outside the court. After one year of her married life, she was brought to court to marry her again in court. The judge asked her to see if she accepted the marriage, her husband signaled her to give an affirmative reply.

She said that she did not match with him, adding he keeps beating her. He told her that he did not want her but he got her as she was given away to settle disputes.



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