DOMESTIC VIOLENCE AGAINST WOMEN IN KURDISTAN REGION

Strategies of Prevention in the Light of Spatial Planning and Space

A Case study of Duhok

A Thesis Submitted to the Council of School of Planning, University of Duhok in Partial Fulfillment of the Requirements for Degree of Master of Science in Spatial Planning

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DEDICATION

In loving memory of my beloved sisters May, Fadia and my brother, Maan. Thank you for being my inspiration and strength, There is never a day that goes by that I don’t think of you You will be in my heart and memories forever.
Map of Duhok
ACKNOWLEDGEMENTS

First and foremost, I thank Allah (SubhanawaTaala) for endowing me with health, patience and knowledge to complete this work.

Acknowledgement is due to the University of Duhok for the support provided to this research.

I wish to express my warm and sincere thanks with deep gratitude and appreciation of the inspiration, encouragement and valuable time and guidance given to me by Dr. Victoria Waltz and Dr. Farhad S. Sadii.

I also wish to express my sincere gratitude to the following individuals and organizations for their cooperation and providing data for the research:

1. MPs, Mrs. Bayan Barwari, Mrs. Zakia Salih
2. The Institute for Strategic Studies in Duhok University.
4. The cases who share their painful experience with me.
5. The women’s organizations in Duhok city, specifically the office of Following Violence against Women and the manager Dr. Sami J. Faqi.
This research deals with domestic violence against women in Kurdistan Region of Iraq, particularly in Duhok.

Domestic violence can be defined as any violence against women that results in physical, sexual or mental harm or suffering to women including threats or deprivation of liberty or harmful acts whether occurring in public or private life.

The first aspect of this study is to explore the main reasons of this problem, its consequences on the women and society within social, economic and spatial context. The second is to investigate the possible solutions and measures to prevent domestic violence. Furthermore, this study aims at assessing the structures and spaces that are initiated for women to help them avoiding being a victim of the domestic violence and help the victims who are already suffering from this phenomenon.

The main issue is to discuss the spatial measures and their effect on this phenomenon and the lack of planning of space that deals with women’s interests which do not exist in the Region.

Finally, this thesis presents field research, interviewing women (The interviews were carried out in a face to-face mode) victims of possible as well as family members and related institutions and politicians to figure out what is the situation and what can be done. The methodology was used in the study is both a qualitative and quantitative study.

It is worth to study this problem to reveal the suffering of the Kurdish women within the families who had experienced domestic violence and to prevent the fatal consequences of this epidemic in Kurdish society; moreover, to stop the increasing number of Kurdish women who set themselves on fire as a result of their depression and loneliness.
# LIST OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstract</td>
<td>VI</td>
</tr>
<tr>
<td>List of Tables and Figures</td>
<td>IX</td>
</tr>
<tr>
<td>List of Abbreviations</td>
<td>X</td>
</tr>
<tr>
<td>Chapter 1: Introduction</td>
<td>2</td>
</tr>
<tr>
<td>1.1 Statement of the Problem</td>
<td>4</td>
</tr>
<tr>
<td>1.2 Significance of the Study</td>
<td>4</td>
</tr>
<tr>
<td>1.3 Research Questions</td>
<td>5</td>
</tr>
<tr>
<td>1.4 Field Work</td>
<td>6</td>
</tr>
<tr>
<td>1.5 Methodology</td>
<td>6</td>
</tr>
<tr>
<td>1.6 Limitations</td>
<td>7</td>
</tr>
<tr>
<td>Chapter 2: Theoretical Conceptual Framework</td>
<td>9</td>
</tr>
<tr>
<td>2.1 Definition and Types of Domestic Violence</td>
<td>9</td>
</tr>
<tr>
<td>2.2 Causes of Domestic Violence</td>
<td>14</td>
</tr>
<tr>
<td>2.2.1 Socio-cultural Causes</td>
<td>14</td>
</tr>
<tr>
<td>2.2.2 Economic Causes</td>
<td>16</td>
</tr>
<tr>
<td>2.2.3 Alcohol and Domestic Violence</td>
<td>17</td>
</tr>
<tr>
<td>2.3 Risk Factors of Domestic Violence</td>
<td>17</td>
</tr>
<tr>
<td>2.4 Consequences of Violence for the Women</td>
<td>18</td>
</tr>
<tr>
<td>2.4.1 Health Consequences</td>
<td>18</td>
</tr>
<tr>
<td>2.4.2 Social Consequences</td>
<td>19</td>
</tr>
<tr>
<td>2.4.3 Economic Consequences</td>
<td>19</td>
</tr>
<tr>
<td>2.4.4 Impact of Domestic Violence on Children</td>
<td>19</td>
</tr>
<tr>
<td>2.5 The Importance of Individual Space and Women Space</td>
<td>20</td>
</tr>
<tr>
<td>2.6 Women Space in the Urban (and Rural) Sphere - the Concept of Gender Planning</td>
<td>22</td>
</tr>
<tr>
<td>2.7 Gender Violence in Public and Private Spaces</td>
<td>23</td>
</tr>
</tbody>
</table>
2.8 Domestic Violence in Rural Area and the Lack of Individual Women Space in the Rural Sphere

2.9 Why Women Accept Violence?

Chapter 3: The Situation of Women and Policies against DV in the Kurdistan Region of Iraq

3.1 The General Situation of the Kurdish Women before and after 1991

3.2 Cases and Reports about Domestic Violence in Kurdistan/Iraq until 2011

3.3 Women Access to Health Care in Kurdistan/Iraq

3.4 Women Access to Education in Kurdistan/Iraq

3.5 Women Access to Legal Services and the Refugee problem

3.6 Iraqi/Kurdish Policy Against Domestic Violence

3.7 Existing Laws and Procedural Gaps in Efforts to Address Violence Against Women and Girls Iraqi Kurdistan

Chapter 4: The Case of Duhok - Field Research

4.1 Methodology of Field Research

4.2 Status and Main Characteristics of the Interviewed Women

Chapter 5: Conclusions and Recommendations

5.1 Main findings about type, frequency and evaluation of abuse types of the interviewed Women

5.2 Details and Seriousness of Women’s Abuse

5.3 Impacts of Domestic Violence on the Victims According to the Interviews

5.4 Reaction of the Victims after Being Abused – Searching for Help

5.5 Experience and Quality of Support in Details

5.6 Areas Demand Actions

Recommendations

References
List of Tables and Figures

Tables

<table>
<thead>
<tr>
<th>Table(1)</th>
<th>Causes of Violence against Women</th>
<th>29</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table(2)</td>
<td>Types of physical abuse in percentages</td>
<td>64</td>
</tr>
<tr>
<td>Table(3)</td>
<td>Types of emotional abuse in percentages</td>
<td>64</td>
</tr>
<tr>
<td>Table(4)</td>
<td>Types of economic abuse in percentages</td>
<td>65</td>
</tr>
<tr>
<td>Table(5)</td>
<td>Findings of the interviews show the type of service and support in percentages</td>
<td>72</td>
</tr>
</tbody>
</table>

Figures

| Figure (1) | Experience and acceptance of domestic violence among women aged 15-49 | 32 |
| Figure (2) | Geographic distribution of interviewed women | 55 |
| Figure (3) | Marital status of interviewed women | 56 |
| Figure (4) | Age representation of interviewed women | 56 |
| Figure (5) | Level of education of interviewed women | 57 |
| Figure (6) | Occupation of interviewed women | 57 |
| Figure (7) | Monthly income of interviewed women | 58 |
| Figure (8) | Main Findings about the most suffered abuse by respondents | 63 |
| Figure (9) | Reaction of the abused women according to types of abuse | 71 |
| Figure (10) | Support services provided to abused women according to type of abuse | 71 |
### LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIDS</td>
<td>Acquired immunodeficiency syndrome</td>
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<tr>
<td>AusAID</td>
<td>Australian Agency for International Development</td>
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<tr>
<td>CEDAW</td>
<td>Committee on the Elimination of Discrimination Against Women</td>
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<tr>
<td>CPTED</td>
<td>Crime Prevention Through Environmental Design</td>
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<td>D.V</td>
<td>Domestic Violence</td>
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<tr>
<td>ER</td>
<td>Emergency Unit in Duhok</td>
</tr>
<tr>
<td>GDTVAW</td>
<td>General Directorate for Tracing Violence against Women</td>
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<td>ICCPR</td>
<td>Interventional Convention on Civil and Political Rights</td>
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<td>IHSES</td>
<td>Iraq Household Socio-Economic Survey</td>
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<td>IKP</td>
<td>Iraqi Kurdistan Parliament (National assembly)</td>
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<tr>
<td>IPC</td>
<td>Iraqi Penal Code</td>
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<td>IVAWS</td>
<td>International Violence against Women Survey</td>
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<td>KHRP</td>
<td>Kurdish Human Rights Project</td>
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<td>KJC</td>
<td>Kurdish Judicial Council</td>
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<td>KNA</td>
<td>Kurdish National Assembly</td>
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<td>KRG</td>
<td>Kurdistan Regional Government</td>
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<td>KSOC</td>
<td>Kurdish Statistics Organization Center</td>
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<tr>
<td>MPs</td>
<td>Member of Parliament</td>
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<td>MOI</td>
<td>Ministry of Interior</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
</tr>
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<td>-----------</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental Organization</td>
</tr>
<tr>
<td>SMWA</td>
<td>State Ministry of Women’s Affairs</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNAMI</td>
<td>United Nations Assistance Mission for Iraq</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
</tr>
<tr>
<td>UNIFEM</td>
<td>the United Nations Development Fund for Women</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
<tr>
<td>WICC</td>
<td>The Women’s Information and Cultural Centre</td>
</tr>
</tbody>
</table>
Chapter One
Chapter One

Introduction

Violence against women is considered to be a major violation of women's human right worldwide. The United Nations defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life" (United Nations, 2012). According to the worldwide study by World Health Organization in 2012, it was estimated that between 15–71% of women aged 15-49 years reported physical and/or sexual violence by an intimate partner at some point in their lives (World Health Organization, 2010).

Victims of violence can be of any age, sex, race, culture, religion, education, employment or marital status. Although both men and women are subjected to violence, domestic violence in most cases is perpetrated by men against women. Although there is no universally accepted definition of domestic violence against women, some literature defines domestic violence as “a pattern of abusive behaviors by one partner against another in an intimate relationship such as marriage and family”. Moreover, some human rights activists prefer a broad-based definition that includes "structural violence" such as poverty and unequal access to health and education.

Domestic violence includes violence perpetrated by intimate partners and other family members, it is manifested through:

- Physical abuse such as slapping, beating, arm twisting, stabbing, strangling, burning, choking, kicking, threats with an object or weapon, and murder.
- It also includes traditional practices harmful to women such as female genital mutilation and wife inheritance (the practice of passing a widow, and her property, to her dead husband’s brother).
- Psychological abuse which includes behavior that is intended to intimidate and persecute, and takes the form of threats of abandonment or abuse, confinement to the home, surveillance, threats to take away custody of the children, destruction of objects, isolation, verbal aggression and constant humiliation.
- Economic abuse includes acts such as the denial of funds, refusal to contribute financially, denial providing food and meeting basic needs, and controlling access to health care, employment, etc.

- Most obvious type of violence against women’s right to self-determination, such as wife exchange (Shighar Marriage), marriage in young age, and the rejection of women’s formal education.(Delhi Psychiatry Journal, 2011)

Other types of violence are present in some societies such as circumcision; women committing suicide, domestic violence, and honor killing were overlooked. Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women (Delhi Psychiatry Journal, 2011).

Violence in the domestic sphere is usually perpetrated by males who are, or who have been in positions of trust and intimacy and power like husbands, boyfriends, fathers, fathers-in-law, stepfathers, brothers, uncles, sons, or other relatives. In this context, domestic violence is considered the most harmful type because home is the refuge of woman and mostly home is where they face a regime of terror and violence at the hands of somebody close to them, somebody they should be able to trust. Those victimized women suffer physically and psychologically. Because of these factors the victimized women are unable to make their own decisions, speak out their own opinions or protect themselves and their children for fear of further repercussions (Innocent digest, No.6 - June 2000). Their human rights are denied and their lives are stolen from them by the ever-present threat of violence. Extreme violence at home is taking many forms. Some are shot at home and at remote places, after which they are secretly buried.

Cases of domestic violence exist in the Iraqi Kurdistan Region. Some may argue that violence against women has only recently reached an alarming level, but there is, meanwhile, an increasing number of women who have been hospitalized as a result of domestic violence. The local TV programs and newspapers have mentioned a lot of incidents and focused on the subject recently. The situation of honor-related violence had reached alarming level which no longer can be denied.
1.1 Statement of the Problem

Domestic violence is considered to be local as well as global phenomenon. The Kurdish society with its specific traditions and rules which can be, sometimes, described as strict on women which has put some restrictions on women. Upon these rules, women sometime do not speak out and they just follow the traditions by obeying men’s rules even if the man is wrong or what he asks is against her will. Even if she wants to take an action, she feels tied up because man is the house owner and provider for the daily life. Violence against women in Iraqi Kurdistan can be defined as structural violence (economic), cultural violence (tradition and society) and direct violence. Violence against women takes many forms and has many consequences in which the main victim is the woman herself. Thus, the social and economic factors can be seen as important reasons for domestic violence in Kurdistan Region.

To combat domestic violence in the Kurdish society, the questions which arise here are: Is it possible to change the way people think and perceive the woman’s role in society and what are the measures to make women more independent socially and economically?'. The second question is 'Can anyone offer help to solve problems that augment domestic violence through offering places for the women where they can spend their time safely, Should the city provide shelters for women where they can escape in case their home environment is or becomes dangerous for them?

1.2 Significance of the Study

According to the statistics released in 2006 from Kurdistan Regional Government, 170 cases of domestic violence have been recorded while this figure has been doubled in 2007 to around 350 cases; the 2012 number of cases has been notably increased to reach alarming figures. This statistical rise, which is thought to be higher than announced figures, has taken the notice of the official department of the local and regional government in Kurdistan Region to the problem of domestic violence against women (Human Security Report, 2012).

The unexpected social changes, the emergence of new technologies have contributed to enhancing this problem. For instance, recently there have been many incidents of physical violence caused by the misuse of mobiles phones. People were photographed
while flirting, their voices recorded and disseminated among friends. If the family of the secretly observed knew about it, they would have used physical violence against their daughters or even killed them. The government finally, with support of women’s organizations issued law (No. 6 for preventing the misuse of telecommunication equipment in 2008, stating that an “individual who distributes video, audio or photos that deemed to damage the honor of women” will be fined or imprisoned. However, women are still suffering from domestic violence, cases of self-burning are increasing what shows a dramatically urgent need for researches about the reasons of this phenomena and finding solutions and measures to prevent it (Maamoon Alsayid Mohammed 2007-2009). The burning unit in Azadi General Teaching Hospital in Duhok city receives about 6-10 cases of self-burning or suicidal attempt per week. (A senior doctor in Azadi hospital, June, 2012)

1.3 Research Questions

There is gender discrimination and the powerless situation of the women is the basic for domestic violence not the individual with its good or bad sides.

This study is guided by five main research questions:

- What are the causes and types of domestic violence in Kurdistan Region?
- Does the educational level and the socio-economic status of the victims and the abuser have an effect on the cause and degree of domestic violence?
- Does the cultural/traditional thinking have impacts on the cause and degree of domestic violence?
- Has the lack of individual, semi-public or/and public shelters for women contributed to the cause and degree of domestic violence?
- Does the gender-planning process meets the demands and aspirations of woman in Duhok city?

Accordingly, the possible solutions with respect to the international debate questions can set to be:

- What are the experiences in other countries?
- What are the initiatives, measures, policies and the legal frame that exists in Iraqi Kurdistan Region?
- Are these measures sufficient according to the experience of helping institutions, NGO’s and the affected women?
- Are there any shelters in the city/village help in reducing rate of violence?
- Can urban planning provide the female citizens with adequate shelters?

1.4 Field Work

Domestic violence often takes place at home and rarely in public. Victims often have no courage to speak; they feel ashamed about what happened, guilty etc. This makes it difficult to understand all the dimensions of the problem or to make it public to raise awareness. Despite that this thesis aims to give those women a voice and to break this silence. This study is considered to be a sensitive research, taking into account the difficulties of affected women to speak out about what happened to them. Therefore, field work, what means interviews have an important role in the research, beside relevant data from institutions, NGO’s and doctors. It is planned to present some typical cases of domestic violence so as to reveal the structure, causes and the socio-economic conditions of those cases.

1.5 Methodology

After reviewing literature and analyzing documents on domestic violence in the national and international debate that are relevant to this research, in-depth interviews and structured interview, and questionnaires have been the main sources of data and findings. For summarizing the results of this research and to use them for developing strategies that aim to end and/or prevent the domestic violence in the future and to provide affected women with shelter and support, the method of SWOT analysis will be used to determine the weakness and strength to explore the most possible dimensions of the problem and to determine some basic element to end the violence in Iraqi Kurdistan society.
1.6 Limitations

The questionnaire used in the study covered all types of abuse and was, therefore, very lengthy and qualitative, which created some difficulties in quality control and data coding. Furthermore, the topics addressed are sensitive. As a result, the interviewers had to visit the respondents twice to be able to finish the questionnaire. Sometimes, the respondents broke down and could not continue. In such cases, the interviewer made new arrangements with the respondents to finish the interview at a later stage, if she was still willing to continue. These circumstances resulted in some mistakes in the filling of the questionnaires.

The questionnaire was adapted to the Arabic context, but remained written in English. The interviews were however mainly conducted in Kurdish, because the majority of respondents were more comfortable expressing themselves in their language. However, some violence against women concepts appeared to be difficult to translate into Kurdish without losing their meaning.

Finally, the questions that inquired about the characteristics of the abuse and the abusers were supposed to only deal with one specific incident which the respondent experienced as the most serious abuse.
Chapter Two
Chapter Two

Theoretical Conceptual Framework

This chapter deals with definitions, types, causes, risks and consequences of domestic violence against women with reference to rural and urban areas. It also discusses the effect of violence on children and the reasons which make women to accept violence.

2.1 Definition and Types of Domestic Violence.

Domestic violence occurs daily in homes throughout the world. Globally, at least, one out of three women has experienced some form of gender-based violence during her lifetime. National Coalition against Domestic Violence reports that 1.3 million women are victims of domestic violence each year; 85% of domestic violence victims are women. Most cases of domestic violence are never reported to the police (www.peacefulfamilies.org).

Different concepts and terms concerning research required explanation such as "Violence”, “Abuse”, “Victims” and “Domestic Violence of woman”.

Violence is the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal development or deprivation(Byrne, 1999);while abuse means to hurt or injure by maltreatment.

“Victims are persons, who individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights through acts or omissions that are in violation of criminal laws within Member States” (“UN Basic Principles” paragraph 1).

“Domestic violence” also defined as a pattern of abusive behaviors by one partner against another in an intimate relationship such as marriage, dating, family, or cohabitation (Diop-Sidibé, N. 2001.).
The term “violence against women” is meant to be any act directed against a person because of his gender. (The term “women” is used to cover females of all ages, including girls under the age of 18).

A comprehensive definition formulated during the United Nations Fourth World Conference (Beijing Conference) includes any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life (Fourth World Conference, 1995).

The United Nations Declaration on the Elimination of Violence against Women (1993) defines violence against women as "any act of gender-based violence that results in or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life." (www.unece.org)

The above refers to the gender-based roots of violence, recognizing that "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men." It broadens the definition of violence by including both the physical and psychological harm done towards women and it includes acts in both private and public life (Ellsberg, 2000). The UN Declaration defines violence against women as encompassing but not limited to two areas: violence occurring in the family and within the general community.

The US Office of Violence Against Women defines domestic violence as a “pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner”. This definition adds that domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender” and can take many forms including physical abuse, sexual abuse, emotional, economic, and psychological abuse (www.ovw.usdoj.gov).

Various individuals and groups have defined domestic violence to include everything from talking unkindly or demeaning words to grabbing a person's arm, hitting, kicking, choking, or even murdering.
Domestic violence cannot be tackled easily but it may take local groups to raise awareness from a legal perspective, and even use religious doctrine to speak against this crime. However, regardless of how many local organizations are set up to help women deal with domestic violence, if the government does not provide funds specifically for victims of domestic violence, the extent of help to women is limited. Women must feel protected by law, and receive funds to escape abusive relationships without fearing retaliation (Fernandez, M. 1997).

Types of Violence

All forms of domestic abuse have one purpose: to gain and maintain control over the victim. Abusers use many tactics to exert power over their spouse or partner: dominance, humiliation, isolation, threats, intimidation, denial and blame (Heise, L.L. 1998). Violence might be in various forms:

A. Physical abuse the abuse which involves physical contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or body harm. Physical abuse includes hitting, slapping, punching, choking, pushing, burning and other types of contact that result in physical injury to the victim.

Physical abuse can also include behaviors such as denying the victim of medical care when needed, depriving the victim of sleep or other functions necessary to live, or forcing the victim to engage in drug/alcohol use against his/her. If a person is suffering from any physical harm then she/he is experiencing physical abuse. This pain can be experienced at any level (Jewkes, R. 2002).

B. Sexual abuse is any situation in which force or threat is used to obtain participation in unwanted sexual activity. Coercing a person to engage in sexual activity against her/his will, even if that person is a spouse or intimate partner with whom consensual sex has occurred, is an act of aggression and violence.

Sexual violence is defined by World Health Organization as:

- any sexual act or attempt to obtain a sexual act, unwanted sexual comments or advances, or acts of trafficking, or otherwise directed, against a person’s sexuality
using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.

- Marital rape, also known as spousal rape, is non-consensual sex in which the perpetrator is the victim's spouse. As such it is a form of partner rape of domestic violence, and of sexual abuse (Malhotra, A. and M. Mather, 1997).

Categories of sexual abuse include:

1- Use of physical force to compel a person to engage in a sexual act against his or her will, whether or not the act is completed;

2- Attempted or completed sex act involving a person who is unable to understand the nature or condition of the act, unable to decline participation, or unable to communicate unwillingness to engage in the sexual act, e.g., because of underage immaturity, illness, disability, or the influence of alcohol or other drugs, or because of intimidation or pressure (Martin, S.L., A.O. Tsui, K. Maitra and R. Marinshaw. 1999.).

C. Emotional abuse (also called psychological abuse or mental abuse) can include humiliating the victim privately or publicly, controlling what the victim can and or do, withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from friends and family, implicitly blackmailing the victim by harming others when the victim expresses independence or happiness, or denying the victim access to money or other basic resources and necessities. Degradation in any form can be considered psychological abuse (McCluskey, L., 2001).

Emotional abuse can include verbal abuse and is defined as any behavior that threatens, intimidates, undermines the victim’s self-worth or self-esteem, or control over the victim’s freedom.,(Gordon, M, 2000 ). This can include threatening the victim with injury or harm, telling the victim that they will be killed if they ever leave the relationship, and public humiliation. Constant criticism, name-calling, and making statements that damage the victim’s self-esteem are also common verbal forms of emotional abuse (Moore, M. 1999). Emotional abuse can also include inflicting physical injury onto other targets such as children or pets in order to cause psychological harm to the victim.
Often perpetrators will use children to engage in emotional abuse by teaching them to harshly criticize the victim as well. Emotional abuse includes conflicting actions or statements which are designed to confuse and create insecurity in the victim. These behaviors also lead the victims to question themselves, causing them to believe that they are making up the abuse or that the abuse is their fault (Stark, E. and A. Flitcraft. 1996).

Emotional abuse includes forceful efforts to isolate the victim, keeping them from contacting friends or family. This is intended to eliminate those who might try to help the victim leave the relationship and to create a lack of resources for them to rely on if they were to leave. Isolation results in damaging the victim’s sense of internal strength, leaving them feeling helpless and unable to escape from the situation (Straus and R.J. Gelles 2000).

People who are being emotionally abused often feel as if they do not own themselves; rather, they may feel that their significant is less than other. Women or men undergoing emotional abuse often suffer from depression, which puts them at increased risk for suicide, eating disorders, and drug and alcohol abuse (WHO report, 2001).

D. Verbal abuse is a form of emotionally abusive behavior involving the use of language. Verbal abuse can also be referred to as the act of threatening. Through threatening, a person can blatantly say they will harm in any way and will also be considered an abuse (Heise, Lori L, 1993).

Verbal abuse may include aggressive actions such as name-calling, blaming, ridicule, disrespect, and criticism, but there are also less obviously aggressive forms of verbal abuse. Statements that may seem being on the surface can be thinly veiled attempts to humiliate, falsely accuse or manipulate others to submit to undesirable behavior, make others feel unwanted and unloved, threaten others economically, or isolate victims from support systems.
E. Economic abuse is a form of abuse when one intimate partner has control over
the other partner's access to financial resources. Economic abuse may involve
preventing a spouse from resource acquisition of financial resources, limiting
the amount of resources to be used by the victim, or by exploiting their
economic resources of the victim. The motive behind preventing a spouse from
acquiring resources is to diminish the victim's capacity to support herself, thus
forcing her to depend on the perpetrator financially, which includes preventing
the victim from obtaining education, finding employment, maintaining or
advancing their careers, and acquiring assets. In addition, the abuser may also
put the victim on an allowance, closely monitor how the victim spends money,
spend victim's money without her consent and creating debt, or completely
spend victim's savings to limit available resources (Straus, M.A, 1990).

2.2 Causes of Violence

There is no one single factor to account for violence perpetrated against women.
Research has focused on various factors that should improve our understanding of the
problem within different cultural contexts (Thoennes, N. 2000).

2.2.1 Socio-cultural Causes

Several social and cultural factors have kept women particularly vulnerable to the
violence directed towards them; all of the manifestations are of historically unequal
power relations between men and women. Factors contributing to these unequal power
relations include:

1. Socio- Economic factors.

2. The family institution where power relations are enforced.

3. Fear of and control over female sexuality.

4. Belief in the inherent superiority of males.

5. Legal isolation and cultural sanctions that have traditionally denied women and
children an independent legal and social status.
6. Lack of economic resources underpins women’s vulnerability to violence and their difficulty in extricating themselves.

Violence against women occurs in every country, among all social, cultural, economic, and religious groups. At the societal level, violence against women is most common within cultures where:

1. Gender roles are strictly defined and enforced.
2. Masculinity is closely associated with toughness, male honor, or dominance.
3. Punishment of women and children is accepted.
4. Violence is a standard way to resolve conflicts.

**Social Causes and Effects of Tradition in Iraqi Kurdistan Region**

In Kurdistan Region there are some traditions that are specific to this society and spread all over the area although they are old but its people still follow them in spite of the development and the rise of the education level. Women’s lives are dictated by social norms and strict societal controls and whether a woman is able to move freely is largely dependent on the men in her life.

The Refugees report (October 2005) mentioned that in northern Iraq the practice of ‘Jin for Jin- (Shighar Marriage)’ [meaning a woman for a woman] contributes to the high incidence of forced marriage. It involves the exchange of girls – the girl from one family marrying the son of another or from the extended family while his sister is given in marriage in return – to avoid having to pay ‘bride fees’ (Muher) for the daughter. It is important to clarify that Shighar Marriage with an object to ride from dowry – is a pre Islamic custom.

If a family has no girls of the same age in the respective families, then, a baby will be married from the cradle in exchange for the older girl. Therefore, there is often a big age gap between the partners in the arranged marriages. Sometimes, fathers, and other relatives of a girl-child, who want to marry again will use her as an exchange for their new wife areas where people do not have enough money to pay a bride-fee.
The report notes that another custom is giving a girl for marriage to another family as compensation for a killing. Girls under the age of 15 are particularly vulnerable to forced marriage which is arranged by the family in the vast majority of cases.

Due to the widespread nature of forced marriage, the right to choose a partner freely is often extremely restricted. If women oppose forced marriage, they risk violence or even being killed (KHWAK, 2007). Women and girls who have been forcibly married may be forced to submit to violence from their partner. If they seek refuge with their families, they may be forced to return. And they cannot divorce because it is considered shameful in the Kurdish community (Duhok Court, Official Records).

### 2.2.2 Economic Causes

The link between violence and lack of economic resources and financial dependence is circular, on the one hand, the threat and fear of violence keeps women from seeking employment or at best it compels them to accept low-paid, home-based exploitative labor; and on the other hand, without economic independence, women have no power to escape from an abusive relationship.

While abuse occurs in all socioeconomic settings, poverty and stress associated with poverty contribute to intimate partner violence. Within relationships, male control of wealth and decision-making and relationship instability are strongly associated with abuse.

Once there was thought that women with many children were at increased risk of abuse. It is also important to note that domestic violence rates are five times higher among families below poverty levels, and also twice as likely to be committed by unemployed men than by men who are working full time (Matthews, 2004). However, without the control for socio-economic status, domestic violence occurs equally in urban, suburban and rural areas (McCue, 2008).
2.2.3 Alcohol and Domestic Violence

The relationship between alcohol or other substance abuse and domestic violence is complicated. A prevailing myth about domestic violence is that alcohol and drugs are the major causes of domestic abuse.

In reality, some abusers rely on substance use as an excuse for becoming violent. Alcohol allows the abuser to justify his abusive behavior as a result of the alcohol. While an abuser’s use of alcohol may have an effect on the severity of the abuse or the ease with which the abuser can justify his actions, an abuser does not become violent “because” drinking causes him to lose control of his temper.

Some researches indicate that a large quantity of alcohol, or any quantity for alcoholics, can increase the user’s sense of personal power and domination over others. An increased sense of power and control can, in turn, make it more likely that an abuser might attempt to exercise that power and control over another. Violence may be triggered by conflict over alcohol use or in the process of obtaining and using substances, particularly illegal drugs.

It is important in this context to refer to the fact that Duhok has the highest rate of alcohol consumption in Iraq (IHSES, 2007).

2.3 Risk Factors of Domestic Violence

1. Family History

Domestic violence can be learned and taught as an acceptable way to deal with anger and frustration toward women and children. Most abusers feel that beating their victims is the right way to show them who is the bread winner and that their victims deserve their beatings as "just" punishment (An Update on the Cycle of Violence, February 2001).

2. Mental Illness

Personal history of mental illness may be a red flag that should alert you of potential domestic violence. Diseases such as manic depression and conditions such as
depression can both lead to domestic violence. When the chemicals in the body are not balanced, people can be capable of unspeakable things when they aren't receiving the proper medical or psychological treatment.

3. Jealousy

It is a great indicator that spouses may be capable of violence. This is not true in every situation, but people that keep their husbands or wives under locked in, to keep them from cheating, are likely to be offenders. These jealous types are paranoid that their partner or spouse could cheat them, so they try to control them. This is the indicator that abuse may occur, especially, if one of them believes that their partner is currently cheating them.

4. Aggressiveness

This may be a sign of potential violence, but has not been proven scientifically. Aggressive people tend to use violence instead of speech to deal with their problems. Aggressiveness may start out as horseplay or joking around, but can eventually lead into the severe domestic violence.

2.4 Consequences of Domestic Violence

Violence affects many aspects of life as follows:

2.4.1 Health Consequences

Health consequences can result directly from violent acts or from the long term effects of violence such as:

1. Injuries: Physical and sexual abuse by a partner is closely associated with injuries. Violence by an intimate partner is the leading cause of non-fatal injuries.

2. Death: Deaths from violence against women include honor killings (by families for cultural reasons), suicide, and maternal death from unsafe abortion.

3. Sexual and Reproductive Health: Violence against women is associated with unintended pregnancies, gynecological problems, sexually transmitted infections such as HIV/AIDS, induced abortions, and adverse pregnancy outcomes including miscarriage, low birth weight and fetal death.
4. **Risky Behaviors:** Sexual abuse, substance use, and additional victimization. Each of these behaviors increases the risk of health problems.

5. **Mental Health:** Violence and abuse increase the risk of depression, post-traumatic stress disorder, sleep difficulties, eating disorders and emotional distress.

6. **Physical Health:** Abuse can result in many health problems, including headaches, back pain, abdominal pain, fibromyalgia, gastrointestinal disorders and limited mobility.

2.4.2 **Social Consequences**

The social and economic costs of violence against women are enormous and have ripple effects throughout society. Women may suffer isolation, inability to work, loss of wages, lack of participation in regular activities, and limited ability to care for themselves and their children (Grovert, Amanda J. 2008).

- **Social consequences:**
  1. Rise number of divorces in community.
  2. Encouragement of betray and fidelity, Children who get aggressive behavior and might grow up to become abusers themselves in future.

2.4.3 **Economic Consequences**

1. Increase medical and health services.
2. Low income if the victim is an employee.
3. Increase the work of Ministry of Labor and Social Affairs.

2.4.4 **Impact of Domestic Violence on Children**

Children who have witnessed domestic violence or have themselves been abused exhibit health and behavioral problems including problems with their weight, eating and sleeping. They may have difficulty at school and find it hard to develop close and positive friendships. They may try to run away or even display suicidal tendencies.

A study in León, Nicaragua reports that children of women who were physically and sexually abused by their partners were six times more likely than other children to die
before the age of five (Sullivan, C.M., Campbell, R., Angelique, H., Eby, KK, Davidson, W.S. II. (1994).

Children are traumatized by witnessing violence in their family. The children of such families are at high risk of being battered themselves by either the batterer or the victim. In addition, the long-term effects of witnessing such violence can create a cycle of violence that spans generations.

It is know that many men who are abusive witnessed their mothers being abused and many were victims of physical abuse themselves. In addition women who come from a family in which they witnessed their mother being battered are more susceptible to developing what is called "battered women's syndrome." Such women may come to believe that is nothing they can do to get out of an abusive relationship.

Both men and women who come from abusive parents may come to view violence as normal, and carry it into their own relationships as adults ( (WHO ,2001) .

2.5 The Importance of Individual Space and Women Space:
Many of the past and present trends in urban planning and development reflect the male perspective regarding the role of women as primary caregivers.

Viewing families, communities, towns, cities, and regions from a gender perspective requires a radical shift both in thinking and in actions. The current development of urban infrastructure and the built environment needs to be redesigned to promote greater gender equality in the use and benefits of urban space (www.globalurban.org).

Women in general are seen as 'caregivers', needing to deal simultaneously with many varied aspects of everyday life. This is one reason why they need multifunctional urban spaces to match the balancing of their multi-tasking daily realities (Global Urban Development Magazine, 2006).

Complete neighborhoods of mixed uses with short travel distances and close proximity to work, childcare, and schools, plus extensive availability of stores and services, along with safe pedestrian environments and frequent and easily accessible
public transportation systems, these constitute some of the main elements of urban life that fit the needs of women as caregivers.

Incorporating women’s point of view in city design is necessary to ensure that also women can fully benefit from urban opportunities and enjoy their freedom and human rights. (Global Urban Development Magazine, 2006)

Furthermore, women’s perceptions are vital because as a result of their higher levels of tension they are generally more aware of those aspects of the built environment that can offer opportunities for crime and criminals and contribute to feelings of insecurity. For this reason, utilizing women’s perceptions and experiences in urban design and planning will enhance overall community welfare. (European Forum on Urban Safety, 1999)

Community centers and networks of services can provide a safe place in which women can consider how to counter gender violence (Whitzman, 2004). With informational, emotional and practical support such services help women make decision about their future.

Moreover, community centers are not only emergency resources; but are also meeting places where women can talk over matters of health, employment, and human rights.

The spaces of discursive freedom in community centers or resource networks encourage women not only to discuss their safety, but also to organize and advocate for changes in their communities. Thus, these centers may train women on leadership and community organizing as well as help them to achieve economic self-sufficiency. Limited economic development and poverty are cited as a leading cause and result of violence against women (González-López, 2007), (Whitzman, 2008).

The link between gender violence and economic development has lead both public and private planning agencies to fund services for survivors of gender violence that focus on long-term recovery (Whitzman, 2004). These services include access to affordable housing, workforce development, job search advice, legal advocacy, economic support, and services for children.
2.6 Women Space in the Urban (and Rural) Sphere - the Concept of Gender Planning

“Gender Planning” means the technical and political processes and procedures necessary to implement gender-sensitive policy (Hazel Reeves and Sally Baden, 2000). When developing a gender planning process, one must be clear about what needs to be changed and what realistically can be changed.

“Gender planning” aims to make changes at various levels for it is the most effective which should be aimed at different levels and includes several programs. For example, employment equity, pay equity and other affirmative action programs are parallel strategies that should be in place before introducing a gender mainstreaming strategy.

Integral to developing an operational framework to mainstream gender is the development of tools, guides, and other initiatives. While it is not possible to deal with all the challenges faced when gender planning, there are certain core elements or successful factors that must be integrated into gender planning strategies such as guides. (Christine Saulnier, 1999)

Probably, the most critical success factor is to provide sufficient resources for these initiatives and to allocate an adequate budget and staff. Staffing includes the need for expertise and skills training. Gender analysis cannot be an ‘add-on’. Eventually, it will be seen as a routine part of policy making. This success factor, while critical, may also be one of the most formidable tasks to achieve because of the resistance to sufficiently resource these initiatives. (Christine Saulnier, 1999)

However, this interest in gender analysis also fits within the overall public demand on governments everywhere for greater public accountability for policy design and outcomes; when resources are limited, costly mistakes are ill-afforded (Bélanger and Regehr, 1998).
That is why the city is a place where people – women and men – negotiate their recognition and renegotiate the power relations in which they are immersed. Likewise, it is the place for the development of new actors and processes of ownership and discovery of new rights. Thus, cities are also privileged spaces for democratic innovation heterogeneous: their characteristics depend upon the places they occupy, the neighborhoods where they live, the form and extension of territory appropriation, the use they make of space, the distribution of time between movements and their housing distances, all of which vary according to age and sex. In all cases, it seems that men have much more interchanges and appropriation (generally excluding appropriation) of public spaces. (United Nations Framework Convention, 2012)

2.7 Gender Violence in Public and Private Spaces

The private sphere, defined as the site for reproduction, was and is still associated with personal and family relations and activities, informal or unpaid employment—and women.

Most policy-oriented and academic literature on violence and the fear of crime has focused on public space and the built environment, and averted its gaze from the everyday lives of women in private spaces. This focus on the public sphere has contributed to the myth that the private space of home is safe for everyone must acknowledge in different contexts and cultures, and even for different individuals, public and private space , can be understood differently. Private spaces can be liberating for some, frightening and dangerous for others (Whitzman, 2007).

Social and political theories in addition to accentuating the separation of public and private activity have devalued the private sphere (Yeoh and Huang, 1998). Perpetuating women’s exclusion from and marginalization in public spaces, gender violence, especially violence in private or semi-private spaces, remains underreported. Semi-private refers to a space that is a piece of the urban environment that tends to be private and which a member of the general public only enter if they have a reason, for example, a front garden, yard or home daycare center.

Most gender violence occurs in the private and semi-private spheres. Moreover strategies applied to the public sphere assume that most crime is opportunistic and
that most offenders respond predictably to environmental stimuli. Yet, violence against women is often regular, systematic and fostered by deep-rooted social inequalities (Dobash and Dobash, 1992).

The planning profession has promoted alternative approaches to crime prevention. In the 1970s, urban planners espoused ‘Crime Prevention through Environmental Design (CPTED), for the built environment and public spaces. The main elements of CPTED are: natural surveillance, fostering territoriality, maintenance of public areas, reducing areas of conflict, controlling access, and promoting alternative routes. These 7 planning strategies have been criticized for addressing only crime in public spaces by strangers; thus, ignoring most crimes against women or any analysis directed to violence against women in private spaces (Whitzman, 1995), (Wekerle and Whitzman, 1995).

In the 1990s, cities began to develop ‘Safer Cities’ programs that assume fear of crime is as important as crime itself, and that citizens are experts on urban violence. Safer Cities’ programs promote partnerships among national government, cities, neighborhoods and citizens, to prevent crime not only through environmental design, but also through community development and education. Nevertheless, they function only in the public sphere and rarely include a gender perspective. (Wekerle and Whitzman, 1995).

2.8 Domestic Violence in Rural Area and the Lack of Individual Women Space in the Rural Sphere

Rural communities are frequently characterized as being conservative and harmonious, yet these images mask the diversity within communities and conceal the negative consequences if individuals are perceived to challenge the dominant rural ideology (Soraya, Violence against Women in Urban Areas).

For rural and poor women, the situation has in fact gotten worse, as the rising rates of inflation that have occurred in the past few years have made their burden even more difficult as they struggle with the effects of political insecurity and financial instability (Gazmararian, J.A., M.M. Adams, and E.R. Pamuk. 1996).
In Kurdish society the rural women and girls are much more likely to be illiterate and less likely to attend school than their urban peers. In rural areas honor killings and mutilations, forced marriages, and female circumcision persist on a much greater scale than in urban centers (MPs, in-depth interview, 2012).

Social isolation has been shown to be associated with domestic violence. Severely abused women tend to be extremely socially isolated, and have no one in their limited social network that can provide the types of support listed above. It was hypothesized that higher education can contribute to the presence of social networks.

In abusive relationships, the abuser will often slowly work to isolate the abused partner socially by not allowing her to work, not allowing her to have a car, or not allowing her to leave the home (Tjaden, P., Thoennes N. 2000).

This may explain part of the correlation between lack of social support and severe abuse. This also limits the woman's access to all resources, both practical and social, which makes her less likely to eventually leave the abusive partner.

The social isolation component can also be intensified of women living in rural areas. There is a belief that domestic violence occurs more often in urban areas than rural and the reason for this is that violence among rural women is vastly under reported. Are fewer resources, such as shelters and social service programs, available? Access to their everyday resources can be limited too. There may be fewer job opportunities, quality child care, housing opportunities and health care, and access to what resources are available can be confounded by distance or poor roads.

Responses to domestic violence by law enforcement and medical services can be slow or inadequate. Most women experiencing domestic violence deal with isolation across all areas, but for women in rural areas being isolated geographically makes it even worse. They may not have neighbors for miles, which mean there is no chance of a neighbor or passer by suspecting trouble and calling for help. It may be more difficult for a rural abused woman (Gordon, M. 2000).
Shame or guilt about abuse may represent another reason abused women, do not have adequate social support, and thus may indirectly influence their inability to their awareness about abusers. Economic reasons were the most often reported for why women stay in abusive relationship. If a woman is cut off socially and not allowed to work, her partner is her only mean of financial support. Rural woman who were mentioned above may be leaving their abusers and face new challenges in accessing recourses and managing her own life. Rural farm families are often one-income families, most of their income is coming from the farm; thus, women whose family finance are tied up in land and equipment may choose to stay in abusive relation or leaving with no means of income since she may be kept apart from farm business. (Kigali, July 2011)

She may also have strong emotional ties to the farm land and animals farm and fear that the animals may be neglected or harmed in some way if she leaves them. Additionally restraining orders against abusers are less viable for women living on rural farms because the abusive partner cannot keep away from the family if it’s their only source of income. The need for sex-disaggregated data has been stressed in numerous international conventions and declarations, including the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the 1985 Nairobi Forward looking Strategies for the Advancement of Women, the 1993 Declaration on the Elimination of Violence against Women, the 1995 Platform for Action of the Fourth UN World Conference on Women in Beijing, and the 1995 Commonwealth Plan of Action on Gender and Development Alston (1997) identified several factors compounding difficulties for rural women who experience violence (Kigali, July 2011).

These include:

1. Geographic isolation
2. The lack of public transport
3. The lack of crisis accommodation
4. The lack of financial support
5. The prevalence of guns
6. A perception that violence must be physical
7. Uninformed workers
8. The normalization of violence
9. Fears of breaches of confidentiality if violence is disclosed
10. Complicated financial arrangements in farming families.
11. An unwillingness to leave the farming lifestyle.

There are practical difficulties in maintaining a regional perspective when towns are 300-400 kilometers away. This raises implications regarding the participation and engagement of people within communities that are a significant distance away from the service location: So factors of geography are also important, distance and time influence decisions about (Kigali, July 2011).
1-The location and frequency of regional meetings
2-Participation in project development and implementation
3-Whether projects develop a local or regional perspective

The question remains, why under these circumstance, risk factors and impacts on them and the family accept violence and do not leave their abusing husband.

2.9 Why Women Accept Violence?

Every woman who stays in a violent relationship might have her own reasons to do so. Her abuser could have made threats to her or her children, she could be facing poverty if she leaves, she may have been out of the workforce for years and lacks skills and experience necessary to be employed, she may be a rural woman with few resources, or a recent immigrant dealing with a language barrier; she may have reported out to police or clergy in the past and found them not to be helpful. She may focus on daily survival instead of focusing on how to escape. She may feel ashamed of what she has endured, or guilty for leaving her partner.

Whatever the real reasons, there is no universal answer why women stay in abusive relationships, it may be for multiple reasons, and it is much more complicated than just leaving. (www.who.int).

The specific reasons that individual women give for why they eventually leave their abusive partners are as diverse and numerous as the women who give them. Every one of them can be summed up in one quotation: “There was no other choice”.

27
Risk factors for being a perpetrator include low education, past exposure to child maltreatment or witnessing violence between parents, harmful use of alcohol, attitudes accepting of violence and gender inequality. Most of these are also risk factors for being a victim of intimate partner and sexual violence.

The summary below shows that all factors as mentioned before influence domestic violence: Culture, Society, Economy, but also the legal, political and the spatial conditions all together have an impact on this phenomenon (www.who.int).
Table (1): Causes of Violence against Women

<table>
<thead>
<tr>
<th><strong>Cultural</strong></th>
<th><strong>Legal</strong></th>
<th><strong>Economic</strong></th>
<th><strong>Physical</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Gender specific socialization</td>
<td>- Lesser legal status of women either by written law and/or by practice</td>
<td>- Women’s economic-dependence on men</td>
<td>- Urban planning and design are based on male norms and needs neglecting the higher vulnerability and fear of crime and violence as well as the differing urban needs of women and as such contributing to higher risks</td>
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<tr>
<td>- Cultural definitions of appropriate sex roles</td>
<td>- Laws regarding divorce, child custody, maintenance and inheritance</td>
<td>- Limited access to cash and credit</td>
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<tr>
<td>- Belief in the inherent superiority of males</td>
<td>- Legal definitions of rape and domestic abuse</td>
<td>- Discriminatory laws and practices regarding inheritance and property rights</td>
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<tr>
<td>- Values that give men proprietary rights over women and girls</td>
<td>- Low levels of legal literacy of women</td>
<td>- Limited access to employment</td>
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<tr>
<td>- Notion of the family as the private sphere beyond state but under male control</td>
<td>- Insensitive treatment of women and girls by police and judiciary</td>
<td>- Limited access to education</td>
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<tr>
<td>- Customs of marriage (dowry, wife inheritance)</td>
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<tr>
<td>- Acceptance of violence as a means to resolve conflict</td>
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<tr>
<td>- Fear of and control over female sexuality</td>
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<tr>
<td>- Changing roles of men and women as a result of the urbanization process: adverse effects of women’s empowerment in male dominated Societies.</td>
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**Source:** *Innocent Digest No.6, June 2000, UNIC*
Chapter Three
Chapter Three

The Situation of Women and Policies against Domestic Violence
In Kurdish Region of Iraq

In Kurdistan Iraq, Domestic Violence against women at the home is a major problem that prevents women’s full participation in society. One in every 5 women (21%) in Kurdistan aged between 15-49 has suffered physical violence by her husband. 14% of women who suffered physical violence was pregnant at the time of abuse. 33% have suffered emotional violence and 83% have been subjected to controlling behavior by their husbands (figures from a survey conducted in Kurdistan Government and central government in Baghdad).

Early marriages still occur, but are decreasing. 4% of young women aged between 15-19 were married before they turned 15 compared to 11% among those aged between 15-49 years. Marriage before the age of 15 is illegal in Iraq, and marriage between the ages of 15-18 requires special authorization from a judge.

Evidence shows that many Iraqi women and girls are not fully aware of their rights. 59% of women aged 15-49 believe that it is acceptable for a man to beat his wife under certain circumstances. These numbers are higher in rural areas (70%) and among women with no formal education (71%). Women aged between 15-24 years are just as likely to tolerate abuse as older generations.

In spite of legal barriers to early marriage, one in ten young women aged between 12-30 years believe that it is best for a girl to marry before she reaches the age of 18. Forced marriages are entirely illegal but one third of young women believe that a girl must marry her relative if it is her guardian’s wish.

Men and boys play an important role in eradicating violence against women. 57% of young Iraqi men believe that violence should not be used to solve problems. In general, 63% believe that a woman is no less than a man rising to 75% among those with a university education. However, 68% believe that it is acceptable to kill a girl
for damaging a family’s honor and 50% believe that wife beating is acceptable. See figure bellow.

Figure (1): Experience and acceptance of domestic violence among women aged 15-49

Source: CSO, Iraq Woman Integrated Social and Health Survey (I-WISH), 2011

In Kurdistan, many Kurdish women suffer from domestic violence and are abused in silence. Kurdish society, in spite of considerable progress toward modernization, continues to hold to the traditional, patriarchal relations of domination where women’s rights are regulated by a complex web of cultures, religion, and nationalist practices. These regulations include moral regulations as well as women’s rights of divorce, marriage, inheritance, and custody.
Familial efforts to enforce these culturally ascribed gender roles can rise to domestic violence, including honor crimes and forced marriage, whilst the closed nature of society can make it difficult for women to escape abusive situations.

Kurdish women have been living in a patriarchal society which gives authority to men to make decisions on behalf of women. Moreover, Kurdish women have been sensitive to the difficult situations that male Kurds encountered in times of war and conflict with Iraqi authorities and between themselves.

Most of Kurdish people identify the influence of religion to this way of thinking; one man says that religion has an influence, in addition old tribal custom and education…we are Muslim and in Islam honor is holy so any small problem about honor is very large in our minds.

“Religion is the source of this kind of thinking. A 38 years old woman says because religion forbids any relationship between male and female outside marriage and there are many clear verses of Quran on this. Religion also made it easier for tribes and families to commit violence in this patriarchal society” (UNAMI, 2009).

One of the most notorious and widely publicized honor killings occurred on 7 April 2007 in Ba’ashion in the north of Nineveh Governorate, an area with an 80% Yezidi population and under the control of Kurdish authorities. 17-year-old D’waa Aswad Khalil allegedly had a relationship with a Muslim man from outside the Yezidi community and was planning to marry him and move to Mosul, which met with disapproval from her community. The situation escalated until a mob of 200 people, including some of the women’s relatives, forcibly removed her from a safe house, dragged her into the street, partly undressed her, kicked her and beat her with rocks till death.

The invisibility of women’s conditions could also be attributed to the fact that the Kurds have been living under oppressive regimes. These regimes have encouraged violence oppressed women and covered up statistics so violence was invisible. In addition, the patriarchal structure of Kurdish society is an important factor.
3.1 The General Situation of the Kurdish Women before and after 1991

Before 1991, Iraqi Kurdish women experienced fear, displacement, and violence along with the restrictions and occasional brutality of this male-dominated society. After 1991, male dominance persisted, but women in the autonomous region gained more freedom of movement and speech and basic human rights than many women in the other regions of Iraq.

Like other restrictive societies, Kurdish women and girls navigated the space available to them towards self-expression and self-sufficiency. They initiated women’s groups that frequently operated underground and in urban areas.

According to the UNAMI Human Rights Office, those convicted of honor-related killings in the Kurdistan Region were generally charged with premeditated murder under article 406 of the Iraqi Penal Code (UNAMI, 2007).

In 2002, the Kurdistan National Assembly (KNA) promulgated legislation authorizing criminal courts to “disregard” Iraqi legislation allowing the imposition of reduced sentences for killings committed in the name of defending honor. (Law No. 14 of 2002, passed on 14 August 2002)

However, UNAMI has observed that this is not consistently implemented in practice, illustrating that between 2000 and 2007, in Duhok Governorate only ten persons were convicted from this ten, five received sentence of 15 years of imprisonment. In one case, one man received a two-year sentence in 2007 for killing his wife, while the remaining men received custodial sentences ranging between five and ten years for killing their female relatives(UNAMI, 2007).

The Iraqi Penal Code No 11/1969 contains articles that seek to justify honor-related crimes. Furthermore, other provisions in the Penal Code that condone violence and discriminate against women exists; article 398 contradicts a rape victim’s right to justice by allowing the offender to lawfully marry the victim, and also articles 128 to 132, which consider “honorable motives” a “mitigating excuse”.
Article 409 stated that “Any person who finds out his wife in the act of adultery or finds his girlfriend in bed with her lover and kills them immediately or one of them or assaults one of them so that he or she dies or is left permanently disabled is punishable by a period of detention not exceeding 3 years”.

However, some progress has been made to prohibit honor-related killings in Kurdistan Region. In April 2000, Kurdish authorities controlling the Governorate of Sulaimani issued Decree No.59 which gave the courts discretion to ignore articles 130 and 132 of the Iraqi Penal Code making it clear that “the killing or abuse of women with the pretext of cleansing the shame is not considered to be a mitigating excuse.” In 2002 the Kurdistan National Assembly in Erbil issued Law No. 14 which states: “The perpetration of a crime with respect to women under the pretext of honorable motives shall not be considered an extenuating legal excuse for the purposes of applying the rules of articles 128, 130 and 131 of the Penal Code, number 111, 1969 amended” (UNAMI, 2009).

There is a failure in reinforcement of these laws; for example, Article 9 of the amended Iraqi Personal Status Law No. 188 of 1959 prohibits marriage without consent and codifies the right to freedom of choice in marriage. Violators may be punished up to ranging from a five to ten years in prison.

In 2007 the Women Affairs Committee of the Kurdistan National Assembly had proposed the law of “Elimination of Violence against Women” criminalizing all forms of violence and discrimination against women, including under-aged and forced marriages, threats of death and offering women as compensation in tribal reconciliation. However, at time of writing, the draft law has yet to be approved. An individual charged with a crime has the right to be presumed innocent until proven guilty according to the law (ICCPR Art. 14(2)). The Iraqi Constitution also guarantees this right under Section 2, Article 19(5).

After the invasion of Iraq and even later in 2007, attention was also drawn to the problem by the brutal killing of the young girl D’waa by stones. The case was known internationally through a video that showed her death in the presence of police and hundreds of peoples around her but it is to mention that in some respects women’s situations have improved.
There is little information to direct judges on how they may or should question defendants and witnesses; however, under the Criminal Procedure Code Article 179, “The court may ask the defendant any questions considered appropriate to establish the truth before or after issuing a charge against him. A refusal to answer will be considered as evidence against the defendant.” There were cases in which judges questioned criminal defendants in an abusive manner, including the use of derogatory language directed at the suspect. In other cases, they may pursue a line of questioning that is irrelevant but that seeks to undermine the reputation of the defendant that may imply guilt, and that deprives the defendant of the right to a fair hearing. Still in other cases, judges refused to pursue a line of questioning that could be relevant to the case at hand; in the context of gender-based violence, judges may find a history of gender-based violence unimportant when, in fact, such information could prove useful (Heartland Alliance for Human Needs & Human Rights 2011).

The KRG is currently considering anti-domestic violence legislation which is a critical step towards addressing this problem more comprehensively. The bill continues to be debated and revised by Parliament Members. There is no comparable law being proposed or considered by the Government of Iraq at the time this report is issued.

In 2000, before the invasion a Kurdish woman would not drive alone on the motorway or could visit another city alone and live there, She could not even go abroad to finish her studies. This would have been considered shameful and abnormal. It is now becoming more acceptable for a woman to travel to a different city by herself to study, to work outside the home, and even to go to the gym.

After years of campaigning by women’s organizations, the Kurdish Parliament has finally passed a tough anti-domestic violence law that will create a special court to address domestic violence cases.

Those laws shouldn’t be kept on paper; they should be applied and enhanced by means that help woman to go through this tough experience; as the Prime Minster Nechirvan Barzani’s speech at presentation of Women’s Rights Award on 25th of November 2007 had said:
"First, we need to develop a culture of respect and admiration for the role women play in our society: in our families, in our schools and in professional fields"…"A society which does not respect all of its citizens cannot be expected to advance, we cannot achieve full progress using only half of our population, skills and abilities Together we can make big steps towards solutions and successes” (www.krg.org).

3.2 Cases and Reports about Domestic Violence in Kurdistan/Iraq until 2011

Many cases of Domestic Violence have been reported by police stations. Statistics from the Emergency unit in a hospital recorded an increasing number in victims. Every year the number of victims increases rapidly according to hospital records.

The government registered 3,766 cases in 2011. 76 women were killed or committed suicide while 330 had either been burned or self-immolated a common method of suicide by women in the region. But women’s activists say the numbers are severely under-reported. In Sulaimani, the region’s largest province, 1,673 cases were registered compared with 1,322 in Erbil and 771 in Duhok (www.rudaw.net).

After mounting numbers of minor complainants of ill-treatment by their husbands and male family members, the statistics of 2011 showed witnessed systematic torture being used as the most frequent physical abuse committed against women in the region. In Sulaimani province, out of the percentage of women registered to have been abused, 720 of them had been subjected to systematic torture, the department said. Self-immolation was also all too common.

The number of reports of women attempting to kill themselves increased from thirty-six (36) in 2005 to one hundred thirty three (133) in 2006; the number of women murdered for honor offenses moved from (4) to (17) for the same period of time (www.rudaw.net).
The UN estimates that violence against women in the autonomous Iraqi Region of Kurdistan has increased by eighteen percent (18%) between March and May of 2007 (Vitoshka, Diana Y, 2010).

Furthermore, in December 2006 UNAMI (United Nations Assistance Mission for Iraq) reported that the latest monthly report from the Kurdistan Regional Government's Ministry of Human Rights stated that 239 women had burned themselves in the first eight months of 2006. Most of these cases have been investigated as ‘accidents’ or ‘suicide attempts’.

However, according to UNAMI, most of the women suffer horrific injuries which are unlikely to have been accidentally caused whilst cooking or refueling heaters, thus suggesting that they have in fact been victims of ‘honor-related’ crimes (www.uniraq.org).

The following suggestions considered steps to resolve the honor killing violence:
- Amend the IPC Articles 128(a), and 130-13 which permit legal excuses or mitigated sentences in honor related crimes of violence (applies in Iraq outside the KRG);
  ensure uniform application of KRG amendments to these articles to fully prosecute and impose maximum sentences in honor killing cases.
- Expand protective shelters throughout Iraq to protect women threatened with honor killing.
- Improve existing shelters to provide adequate protection and to meet long term needs for women who cannot safely reintegrate into their families or society (Heartland Alliance for Human Needs & Human Rights 2011).

The Women’s Information and Cultural Centre (WICC) suspects that the bodies of victims of honor killings’ have been hidden or mutilated to conceal their identities. The Centre has reported recent cases where women have died in suspicious circumstances, and relatives have claimed that the deaths were accidental.

One man for example, who had killed his daughter-in-law, Gulestan, in June 2001 in the Balisan area, told the Centre in August 2002“We killed this woman to end the problem. If we did not kill this woman two families would have got into a fight and
may be 15 people would have died over this. We have tribal customs and we do not take such cases to court. If I did not kill her, I may have been told many times that I did not keep my honor. If I did not kill her whenever I will have a family problem, the issue will be mentioned again “. (Kurdish Human Rights, June, 2007).

According to a UNAMI report (23-10. 3-11-2007) “women are burned in bathrooms, and are shot at home and at remote places, where there are secretly buried. The situation of honor-related violence is very alarming” (Maamoon Alsayid Mohammed, 2007-2009).

Nevertheless, the majority of women remain in their violent relationship with the abusers. Every woman who stays in a violent relationship will have her own reasons to do so. Her abuser could have made threats to her or her children:

- She could be facing poverty if she left,
- She may have been out of the workforce for years and lack skills and experience necessary to obtain employment,
- She may be a rural woman with few resources,
- She may have reached out to police or relatives in the past and found them not be helpful,
- She may survive day to day instead of focusing on escape,
- She may feel ashamed of what she has endured, or guilty for leaving her husband.

The specific reasons individual women give for the reasons they eventually leave their abusive partners are as diverse and numerous as the women who give them. Every one of them can be summed up in one quotation: “There was no other choice”

Risk factors for being a perpetrator include low education, past exposure to child maltreatment or witnessing violence between parents, harmful use of alcohol, attitudes accepting of violence and gender inequality. Most of these are also risk factors for being a victim of intimate partner and sexual violence; however, the majority of the abused women accept the situation. (Grovert, Amanda J., 2011).

Not all Kurdish women choose to stay in abusive marriages. In fact, there is an increase rate of divorce throughout Kurdish regions; it is possible that these women
are more resilient than the past generation in facing societal attitude towards divorced women. Gulag is a young adult, who fell in love with a young Kurdish man, and after 6 months their marriage turned sour. Her husband became verbally abusive, and she ended her marriage without hesitation because she was capable of making the choice through the support of her family (Woman issues activate, 2012).

The societal stigma and shame attached to divorce seems to be on the decline, but this has not stopped the common perception of divorced as ‘second hand goods’ and their chances of re-marrying are significantly reduced. So, ending an abusive relationship is not just about escaping, it’s about being able to face a society that does not look kindly at those divorced, or families that aren’t always welcoming to assist their daughter in a divorce (Duhok, court official records 2007).

However, the problems that women in general still face make it necessary to raise awareness in society. As revealed from the theoretical frame and the experience in other countries, health, education and services for women play a role. Less access to those services and especially education, as can be seen are part of the problem of domestic violence as shown before.

3.3 Women Access to Health Care in Kurdistan, Iraq

Kurdish women being women of a stateless nation have always been subsumed under the categories of the dominant state authorities. Therefore, figures on Kurdish women’s health and their access to healthcare are hardly available. As a result of discriminative state policies towards the Kurds, the state authorities did not show any interest in investing in the infrastructural development of the Kurdish region – including health services (MPs, in-depth interview, 25th, 2012).

Along with difficulties in receiving appropriate medication for common diseases, Kurdish women face even more severe problems in finding treatment for disorders resulting from violence, displacement, war and torture. Gender violence and generally high levels of insecurity continue to prevent access to healthcare for women (Director of health in Duhok, in-depth interview, 12th, 2012).
Lack of freedom of movement for women, combined with other restrictions on women's human rights, had adverse health consequences for women and girls.

One survey found out that less than half of women have access to a health care provider in Kurdistan when giving birth or when they are in need of prenatal care; in addition to the maternal and infant mortality rates and malnutrition which remains high (Data obtained from Azadi hospital, Duhok).

Recently it has been reported that health centers specializing in maternal and post-natal care are available ‘all over Kurdistan’, and that care received at these centers is free for Iraqi citizens.

The greater level of mobility and security enjoyed by women in the Kurdish regions means that health care is more accessible to them than the case in other regions of Iraq. Despite these improvements significant problems remain in particular in relation to resources and equipment (Directorate of Health in Duhok).

Availability of mental health care is almost non-existent and women treated for attempted suicide are often considered crazy or on return to their families are physically abused or even killed (Head of Mental department, at Azadi Hospital, Duhok).

Many NGOs reported that the notion of sensitivity training for health care workers dealing with domestic abuse is entirely foreign and many health care workers compound emotional distress telling victims about abuse and suffering in silence.

3.4 Women Access to Education in Kurdistan/Iraq

Many girls and young women are prohibited by their families from attending or continuing their education and/or are required to drop out when they reach a ‘marriageable’ age.
In a survey conducted by (UNESCO's Institute for Statistics in 2004), worldwide almost 800 million people (1 in 6) were illiterate; more than 65% of those were women.

Like other public services, there is a limited access to education for those living in rural areas. Limitations are greater when discussing secondary or higher education. Many schools are in a state of repair; for example, a survey in 2003-2004 noted that in the entire Governorate of Salamania there were no primary or secondary schools that were NOT in need of rehabilitation. However, it also observed that at the primary level it is generally accepted that girls should go to school and in some secondary schools and higher institutions of learning female is not allowed to continue studying. (www.mop-krg.org)

Under the former Iraqi regime, Kurdistan was prevented from developing either culturally or politically. Because of this, people in Kurdistan lost the opportunity to educate themselves and many left school with the hope to find a source of income(UNDP report,2006).


The fast-track literacy system is for those young people who quit school under every political, social and economic condition. It is an international effort to decrease illiteracy rates everywhere in the world (Kurdish Globe, issue no 123).

The illiteracy rate was 34% in all Kurdistan. The illiteracy rate has dramatically decreased to 16 %; and through the fast-track system some 350,000 people in Kurdistan being literate from 2000. Of these, 60 % are women. Families are more likely to pressure girls to leave school.Women in Kurdish society often face obstacles to studies, such as lack of family support and many responsibilities at home. There is no childcare option in the program. The ministry has to think about this because mothers cannot always leave their children with parents, friends and family members since it is not safe for women to walk unescorted in that area at
evening. Transportation is another barrier for women if they decide to attend evening classes (IHSES, 2007).

In the past, it was the fathers who forced their daughters to leave school, but more recently, some husbands forbid their wives to attend evening classes or mixed-gender classes. Away to clear the obstacles women face in getting education must be founded.

3.5 Women’s Access to Legal Services and the Refugee Problem

The Women’s Ministry and the Committee for the Protection of Women’s rights are both bodies that can address women’s issues as a whole but for the individual women; she has very little recourse for equalization or liberation (Sullivan, C.M., Basta, J., Tan, C., & Davidson, W.S. n., 1992).

Member States should ensure that there are no legal provisions preventing women from direct and autonomous access to the courts and that women may give evidence as witnesses on the same terms as men. (Human Rights Committee General Comment) It is, therefore, imperative to establish and strengthen judicial and administrative mechanisms designed to protect rights of women (UNAMI, 2009).

Law enforcement and judiciary are not trained in gender sensitivity and often return victims of abuse to their homes.

The mission learned of one highly educated woman in her thirties, with full-time reasonably paid employment who had divorced her abusive husband only to find that she had to live with her parents because her father would not give his permission for her to rent her own accommodation.

Medical and police authorities lack adequate training on caring for and protecting survivors of violence leaving women vulnerable to stigmatization and reprisals from family members for reporting their cases (Sullivan, C.M., Basta, J., Tan, C., & Davidson, W.S. n., 1992).

The lack of a strong legal framework for prosecuting perpetrators and supporting victims means that mediation between the victim and her family is often preferred to
prosecution of the perpetrator. Many people in Kurdistan of Iraq continue to prefer to solve personal matters outside of the court either because they prefer to keep these matters private, they do not trust the courts, or they do not want to be held legally accountable.

Furthermore, children were not allowed accompany escaping women. (Tjaden, P., Thoennes, N. 2000) Overall, KHRP’s team members (Kurdish Human Rights Project) found out that most public services, the judicial system and law enforcement, not only they pay lacks specific attention to women, but is actually weighted against them making it incredibly difficult for them to access justice.

In rural areas, women’s access to legal assistance is frequently limited to traditional local community leaders that often are not aware of women’s rights and are not inclined to protect them. Especially outside major cities, legal personnel are unavailable to provide counsel and assistance (Menard, A. 2001).

There are very limited professional training and development opportunities for defense lawyers to bring them up to date on constitutional mandates and the rights of women guaranteed by law. Furthermore, armed political groups have strategically targeted traditional and customary justice systems throughout rural Kurdistan in an attempt to control local populations.

In many instances, these predatory forces have successfully positioned their loyalists within these groups, thus undermining this avenue of justice for women. Killing women in the name of honor was lawful before 2001. Men would kill women in public and women were killed and buried secretly or left unburied in remote areas. Although the law was changed in 2001, many women’s organizations state that the enforcement of the law came only after the U.S. invasion in 2003 (Kurdish Glob, 2010).

In Iraqi Kurdistan, the Kurdish Regional Government has shown willingness to support structures to support abused women, and protect women from further violence, but there is not yet a unified approach in systematically addressing the issues. Discourse around women’s rights is mostly restricted to combating violence.
against women, but not about what happens when the violence stops (Parliament of KRG, official reports, 2009 -2010).

For example, there have been several shelters that have been opened but most have closed, and the mission found that this was mostly because of lack of strategic planning and awareness of women’s rights.

Women’s rights activists and shelters have been threatened and attacked by armed groups and family members of those they seek to protect. Few shelters are available to provide a haven for victims.

A commonly used legal provision is used to detain women and girls who are not charged with crimes but who are at risk; it is Article 240 of the IPC (Iraqi Penal Code). Article 240 is a legal provision that applies to persons who fail to comply with officially issued orders and is unrelated to cases involving gender-based violence, “Any person who contravenes an order issued by a public official or agent, municipal council or official or semiofficial body in accordance with their legal authority or who disobeys an order issued by those entities in accordance with their legal authorities is punishable by a period of detention not exceeding 6 months or by a fine not exceeding 100 old Iraqi dinars.” The following are examples of the types of cases where individuals have been detained under Article 240 for protection:

- In Kurdistan Region, a twenty-one years old woman was raped and became pregnant. The perpetrator was sentenced to one year and the woman was detained indefinitely under Article 240 to protect her from being murdered by her family. She gave birth to her child in detention center and she was moved to a women’s shelter.

- In Kurdistan Region, a couple ran away and married. The 20-year old woman’s father killed her husband and tried to kill her, but she managed to escape and sought help from a women’s shelter. She remained in shelter for three months; however, when her family surrounded the shelter and threatened to kill her, the police moved her to detention center where she was held under Article 240.
In Duhok a 16-year old girl was raped by her neighbor and became pregnant. She was arrested and detained under Article 395. Pursuant to Article 295, “Any person who seduces a woman over the age of 18 with a promise of marriage, has sexual intercourse with her and subsequently refused to marry her is punished by detention.” The lawyer convinced the judge to change the legal charge from Article 295 to Article 240 since the victim was charged with the offence of the perpetrator. Article 240, though irrelevant, was used to keep the woman in detention center to protect her from being killed by her family despite the fact that there is a protective shelter in Duhok for this purpose.

Several NGOs discussed the failure of several shelters designed for women escaping domestic abuse asserting that not only did the women did not often receive necessary protection or care, but eventually they were forced to return to their abusive situation.

In an effort to combat this violence, local NGOs with the support of the Regional Government in Kurdistan has established shelters in Sulaimani and Erbil; however, they have been filled with problems and there is only one which was started by the NGO Australian Agency for International Development – AusAID, now run by the local government. According to all of the NGOs which were interviewed, lack of funding, lack of training and qualified staff and the inability to keep the location secret from the abuser have caused them to question the foundation for such structures. Furthermore, they complained that the shelters made the women leave after ‘2 or more years’ meaning they had to return to their families and often suffered worse abuse or death for leaving in the first place.

The mission repeatedly heard that women needed shelters that were permanent and that ‘the problem with the shelters is that women have to leave in 1 year or 2 years’. It was explained that women must either return to their abusive families or to their parents because adult women, even well-educated professional, women are not allowed to live alone without parental permission.

There are limited instances of organizations assisting women to move to other villages or to leave the region entirely but this type of repatriation is rare and faced with difficulties. It became clear during the course of the mission that discussion of women’s rights had been limited, almost exclusively, to that of combating violence.
but not about women’s rights in their entire life (Kurdish Human Rights Project, 2007).

3.6 Iraq/Kurdistan Regional Government Policy against Domestic Violence

In the light of the disproportional impact of conviction of women, the Government of Iraq is taking steps to address violence against women in a comprehensive manner starting with the introduction of a domestic violence bill that is being developed both at the national level and in the KRG.

At the national level, the State Ministry of Women’s Affairs (SMWA), despite its limited capacities, has played a key role in promoting gender equality through direct interventions and a dialogue with civil society actors and organizations.

There is a state’s obligation to protect woman against violence under international law. Under article 2(1) of the International Covenant on Civil and Political Rights (ICCPR) ratified by Iraq (with reservations) in 1976, each State party undertakes “to respect and to ensure” the enjoyment of the rights recognized in the Covenant (UNAMI, 2009).

The duty to prevent human rights violations is inherent in the duty to protect them. Preventive measures may be of a legal, political, cultural, social, educational, remedial or other nature and entails a duty not to place a person in circumstances where he or she is at risk of disappearing, being tortured, arbitrarily killed, or exposed to other grave violations of his or her rights, even if such acts are committed by private individuals (Ibid).

In 2000, the Committee on the Elimination of Discrimination against Women requested Iraq to provide a comprehensive picture regarding violence against women including information on legislation, statistical data on the types and incidence of violence against women and the responses to such violence by law enforcement
officials, the judiciary, social workers and health-care providers. (Tanyel B. Taysi, 2009)

In 2007, the KRG authorities established a Directorate to Follow-up Violence against Women in Sulaimani. Later, this same year a department was opened in Erbil and Duhok city. Also in 2007 the KRG Prime Minister, Nechirvan Barzani established high-level Ministerial Commission comprising representatives from eight KRG ministries and other entities to address all forms of violence against women at the policy level (UNAMI, 2009).

3.7 Existing Laws and Procedural Gaps towards the Efforts to Address Violence against Women and Girls in Iraqi Kurdistan Region

“In order for women to access justice, laws have to be implemented, and the law must be viewed as a tool for protection, not harm.” (Senior Legal Expert, IRC- Erbil, Iraq).

Iraq and Iraqi Kurdistan law provides many of the protections necessary for women to enjoy safety and security in their own country; those laws are often ignored or not implemented. All too often law enforcement officials fail to exercise their oaths to uphold the law, further harming survivors of violence and making it less likely that women will report abuse.

Iraq has ratified or acceded to several international treaties that provide a framework and standards responding to violence against women and girls including the Convention on the Elimination of Discrimination against Women, the Convention on the Rights of the Child, and the International Covenant on Civil, Cultural and Political Rights.

The Constitution also guarantees the rights to life, personal security, liberty and dignity, and prohibits “all forms of violence and abuse within the family”.

Iraqi and Iraqi Kurdistan laws stipulate that anyone arrested has the right to a defense attorney in all phases of the investigation and trial. Likewise, every person must be treated with justice in judicial and administrative proceedings, and the Court is required to provide a lawyer at the expense of the State for any person accused of a crime who cannot afford one.

Iraqi law discriminates against women by holding them responsible for adultery committed anywhere, whereas men are only liable for acts of adultery committed in the marital home. In 2001, the Kurdistan Regional Government amended Article 377 in Law No. 9 to hold men liable to the same extent as women; thus, a married man may be charged and convicted of committing adultery whether the act is committed inside or outside the home (IPC Article 377).

Article 16 of CEDAW requires that States take measures to “eliminate discrimination against women in all matters relating to marriage and family relations.” The provision further provides that there should be no discrimination between the right of men and women to choose to enter into a marriage and to choose their marriage partners.

Iraqi law protects against child and early marriage by setting the minimum age for marriage at 18 years; however, with permission from parents and courts children can legally marry as young as 15 years of age, or 16 years in the KRG.

The Kurdish National Assembly (KNA) in 2008 rose the minimum age of marriage to 16-years. (Act. No.15, Personal Statute Law No.188 of the year 1959, Art. 5)

The KRG has made important amendments to the criminal code (No. 111 of 1969) to bring it in line with the constitution and international standards, and has made efforts to protect and promote the rights of women and girls. For example, in 2001 the physical discipline of women by “male caretakers” was outlawed. A “male caretaker” may be a father, brother, uncle husband or any other male considered to hold authority within the family or community. (UNAMI Human Rights, 2011)

Likewise, in 2004 the Kurdistan parliament passed laws prohibiting reduced sentences for “honor killings”. Previously, the penalty (Article 409 of the Penal Code) was
extremely lenient providing that a man who kills his wife or female relative for adultery receives no more than a three-year prison sentence.

In another important step ahead the KRG established the General Directorate for Tracing Violence against Women within the Ministry of Interior (MOI) in 2007. GDTVAW (General Directorate for Tracing Violence against Women) has offices in the provinces of Erbil, Sulaimani and Duhok, which have three primary tasks:

- Collection of data and statistics on violence against women cases;
- Following up on cases of violence against women that enter the legal process;
- Raising awareness of violence against women within the community.

The GDTVAW also conducts outreach work and operates hotlines for women to report abuse. While the GDTVAW statistics are somehow incomplete and the process of collecting and reporting cases of violence against females must be strengthened, GDTVAW makes an important contribution to raising awareness, bringing the issue into the public realm, and supporting efforts to address it.

According to UNAMI and the GDTVAW, the number of women who reported abuse increased from the last half of 2009 to the first half of 2010 rising from 1,486 to 2,040.

Likewise, in June 2011, the Kurdistan parliament passed a domestic violence law (No 8 in 2011), which specified the following:

- Defined violence against women;
- Articulated types of violence;
- Outlawed female genital mutilation;
- Outlined procedures for reporting cases of violence against women and girls and for maintaining confidentiality;
- Directed the creation of a special domestic violence court to hear such cases.

The law is comprised of seven articles addressing prevention, protection and prosecution of domestic violence and represents an important step forward for the Kurdistan parliament, law enforcement, and victims of violence. Despite this progress, several laws violating widely accepted international standards and treaties...
remain in place including the controversial “rape law,” whereby a rapist can avoid punishment if he offers to marry his victim. And while the domestic violence law has been signed, it is not yet fully implemented. In an interview with the IRC in December 2011, one Kurdish Judicial Council (KJC) judge said “According to the new domestic violence law, there will be a special domestic violence court to address these cases, but the court is still not established, so until it is, there is only one judge in Erbil who will see domestic violence cases”

Likewise, despite the reversal of reduced sentences for perpetrators of honor-based killings, for example, men continue to receive soft sentences or in some cases avoid prosecution altogether. Indeed, according to Heartland Alliance, female victims continue to be assessed even post-mortem, to determine their actions and whether such violence was legitimate, if not understandable.

Like Iraqi Procedural Law enshrining the right to legal representation for the accused and investigations of crimes by judicial investigators, the domestic violence law represents yet another case whereby laws protecting women exist but are not fully implemented. And while there are laws in place to protect females from violence, there are few, if any, accountability mechanisms to ensure that law enforcement implements the law to the benefit of women.

For example, no official code of conduct or operational procedure exists for warning and disciplining police. Likewise, there is no official policy regarding the breakdown of duties between the GDTVAW officials and police officers. GDTVAW officers have not allocated adequate monitoring powers over the police stations, and although many GDTVAW officers have ranks above police at station-level, there is no official policy allowing them to monitor and supervise police investigating cases of violence against women. While the police are often the first respondents in cases of violence against women and girls, their role in investigations, crime scenes, and interviewing suspects remains unclear. This has obvious negative implications for survivors, who must navigate a complex law enforcement system that relies entirely on the decisions of individual officers, who may not be aware of Iraqi laws protecting women, including laws to protect her privacy, or who may interpret them incorrectly.
Chapter Four
Chapter Four

The Case of Duhok – Field Research

This chapter analyzes the figures and statistics of the field work and focuses on the hidden problems of violence against women from the experience of the women themselves; it addresses the gaps of information that persist on this vital issue. Furthermore, it dedicates a considerable profile to study the characteristics of the interviewed women. This chapter examines Duhok city as a sample case study. A detailed analysis of the city's patterns of development and social characteristics is set out in this chapter, successive to that, the chapter presents the main findings which provide the basis for conclusion and recommendations. The specific objectives of the field research include:

- Types of violence against women observed in Duhok governorate;
- The socio-economic characteristics of both the victims and the perpetrators;
- The impacts of abuse on the victims;
- The types of services and assistance that victims turn to; their suggestions to improve these services; and government policies.

4.1 Methodology of Field Research

The research depends on the results of figures and statistics from Duhok ‘Combating Violence Office’ and its sub – offices in Zakho, Akre, Sheikhan, and Nawa shelter in Duhok city as well as police records. The study focused on one form of gender-based violence and did not assess the gender-based violence such as violence against men. As a result the findings identified explain only the violence against women as an issue in Duhok governorate.

The research was conducted in Duhok governorate with population approximately 350000 . The research was done between April and July of 2012. It included the responses and experiences of 95 abused women. This sample has been interviewed as a representative sample of women. To reach a sample of women who have been victims
of abuse, the networks of women’s non-governmental organizations were utilized to reach related victims. Some of them were identified by women’s organizations, Nawa shelter records, Office of Combating Violence in Duhok governorate. The samples have different socioeconomic and spatial distribution. The interviews carried out were of qualitative character and conducted for an in-depth analysis of the characteristics of domestic violence against women in Duhok governorate.

The interviews were carried out in a face-to-face mode so to include open questions. As well the persons interviewed had to be hold anonym as there were some difficulties in understanding terms and special forms of talking and questioning were necessary. For example many respondents were not familiar with the terms “economic”, “physical”, “emotional” and “sexual abuse”. Therefore, the introductory questions aimed to clear what type of abuse they know and understand as such and assess whether or not the respondent has suffered that type of abuse. This was done using real examples of possible ways in which the abuse can manifest itself. For instance, it was asked if anyone ever forced her to hand over her money, to check for example victimization of economic abuse. These questions were followed by a request to share the most serious incident of that form of abuse in a story in order to focus the interview for the subsequent questions.

The respondents were asked to narrate the abuse of which they felt was the most serious incident. The definition of what is “serious” was left to the interpretation of the respondents in order to ensure they would discuss the abuse that affected them most so that the impacts and need for support services could be assessed. The questions thereafter enquired about the circumstances, perpetrators and impacts of that specific most serious incident. For the majority of respondents, it was the first time to disclose an experience of abuse and for many women the narration of it overwhelmed their emotions after the interview.

After discussing the incident and the characteristics of the abusers, the victims were asked how they felt after the abuse took place, in what ways they were affected and whether they talked about the abuse to other people or institutions.

These questions were asked to identify the ways in which abuse affects women in their daily, economic and social lives, the reasons that prevent these women from reporting
and ways to improve reporting. Some of the respondents broke down in tears while answering these questions. The interviews were aborted if necessary in order to proceed some other time if approved by the respondent. The results, analyses and conclusions in this publication are those of the researcher and do not necessarily represent the views of the governmental institutions or any associated organization.

4.2 Status and Main Characteristics of the Interviewed Women

The research strongly suggests that women from all socio-economic backgrounds and all areas in Duhok are considered to be equally at risk of becoming victims of violence against.

1. Geographical Distribution:

Most of the respondents were from Zakho (40 women) followed by Duhok (31 women), Sheikhan (8 women), Semil (6 women), Shengal (5 women), Bardarash (3 women) and Amedy (2 women).

Figure (2) Geographic distribution of the Sample

2. Place of Living:

From all interviewed women 81 (90%) were living with their families (husbands, children, parents, uncles, aunts etc.).
3. Marital Status:

More than half (55) (58%) of the respondents were married, 28 women (30%) were single and 12 women (12%) were divorced. See the following figure:

Figure (3) marital status of interviewed women

4. Age:

The ages of the respondents ranged from 15 to 49 years. More than half (51%) of the respondents were younger than or equal to 22 years. The mean age of the sample was 25 years. See the following figure:

Figure (4) Age representation
5. Level of Education of the Respondents:

Nearly 12 (13%) of the respondents had completed secondary education, 18 (19%) had completed primary education, while the highest ratio of the abusers were non-educated 43 (46%). See the following figure:

Figure (5): Level of education of the Respondents

6. Occupation

More than a quarter of the respondents were unemployed at the time of the interview, while 19 (20%) were formally employed, 24 (26%) were informally employed and 27 (29%) of the respondents depended on family support as they were either housewives 19 (20%) or students 8 (9%). See the following figure:

Figure (6): Occupation
7. Monthly income:

Almost half of the respondents 54 (52%) did not enjoy any monthly income at the time of the interview. 16 (15%) earned less than 300,000 Iraqi Dinar monthly and nearly quarter 25(24%) earned less than 150,000 Iraqi Dinar a month. See the following figure:

Figure (7): Monthly income of the respondents.

overviews show, that on the one hand violence and/or abuse of women can be found in all segments of society, if they are educated or not, are employed or not, have income or not. However, if we can consider the chosen sample as representative women who live at home in the family (90%), are married (45%), are young between the age of 20 and 30, who are unemployed (36%) or supported by the family (29%) or with no personal income (52%) and those who are ‘uneducated’ or did not even finish primary school are the most affected from domestic violence. Obviously also young singles are in danger of abuse of men. This may also allow the interpretation that the home is not at all a safe shelter against domestic violence and that economic problems may be one cause of abusing women at home as well as tradition that keeps women out of the public sphere.
Chapter Five
Chapter Five

Conclusions and Recommendations

The closing chapter here aims at identifying the prerequisite conditions to enable environment for ending the violence against women within Iraqi Kurdistan context. The presented concluding remarks herein address the fact that despite introducing new laws and regulations by the government and a slowly rising awareness within the community, violence against women still exists widely and seems to be socially, culturally, and/or politically. The recommendations offered along with the theoretical framework aim at bridging the gap between the existing legal frameworks and areas of action in the light of spatial planning. Needless to say, a set of recommendations are indispensable toward achieving the research objectives ending the violence against women and strengthening the planning and legal system.

There is an immense need for exposition at this stage that domestic violence against women is a widespread problem that endangers the lives of many women and children who are often exposed to multiple forms of domestic violence. Within the patriarchal society (male dominance over women), violence against women and domestic violence are believed to be a private family matter which should remain beyond the government organization control. To this effect, women and their needs and perceptions remain socially, politically, economically and culturally paralyzed and excluded.

5.1 Main findings about type, frequency and evaluation of abuse types of the interviewed Women

The study about violence against women until now assessed types of gender-based abuse of women, to ensure the definitions used in this study conform to the understanding and perceptions of the respondents, the women were asked to define women abuse and to provide examples of ways in which women can be abused. Violence against women is clearly understood as human rights violations against a woman’s physical, economic, emotional and sexual integrity. The types of women abuse and what is the meaning of women abuse was answered in the following way.
Meaning of Women Abuse

- Emotional abuse: insults, humiliation, lack of respect (42 women)
- Anything done to a woman against her will, use of force against women (20 women)
- Violation of human and women’s rights (58 women)
- Physical abuse (42 women)
- Sexual abuse (24 women)

Types of women Abuse they Suffer

- Physical abuse (60 women)
- Emotional abuse, infidelity, lack of respect (66 women)
- Rape and sexual abuse (7 women)
- Violation of human and women’s rights (32 women)
- Exploitation (5 women)

Experienced Abuse

The results of the violence against women and victimization study show that

- More than three-quarters of abused women suffer from multiple forms of abuse;
- One in every four women in Duhok suffer from economic, physical or emotional gender based abuse;
- Three in every five victims of violence against women suffer from physical abuse;
- Three out of every five experience emotional abuse;
- More than half of women victims of gender-based violence experience economic abuse and one in every three suffer sexual abuse.

Financial Abuse

- Half of all economically abused women are victims of nonpayment of family maintenance by the (ex-) husband;
- One in every four economically abused women is forced to hand over their money, as well as the benefits and access to it, to their husband or family member.
- Approximately three in every four economically abused women suffer the abuse frequently.
- Especially Emotional Abuse and Frequency
- Two-thirds of emotionally abused women experience the abuse on an ongoing basis.

-Sexual Abuse

- 12% consider themselves under sexual abuse

Abuse in front of children

- Four in every five physically abused women are being beaten or hit with an object often whilst children are watching and
- Nearly half of them experience this abuse frequently.
- Two in every five emotionally abused women are insulted and humiliated by their husband or other family members (father-in-law, mother-in-law, brother-in-law), which most of the times occurs in the presence of children.

Rating Abuses

In their rating women named:

- Physical abuse as the most serious followed by
- Economic abuse as the second most serious form of violence against women.
- In the third place emotional and sexual abuse were classified equally serious.
- By assessing the four forms of abuse, the study takes the victims’ own main concern into account.

Types of Abuse which the Respondents Suffered from in %

- 80% of the respondents suffered from more than one form of abuse;
- 57% of the respondents suffered physical abuse;
- 41% of the respondents sustained beatings from their husbands while the children are watching;
- 60% suffered emotional abuse;
- 23% of the respondents are insulted and humiliated by their husbands and family members in the presence of their children;
- 53% suffered economic abuse;
- 27% of the respondents sustained neglect of their family and/or the family upkeep by the husband;
- 12% suffered sexual abuse

Figure (8) Main findings about the most suffered abuse by respondents

During the interviews and when women remembered their suffering more details came out worth to present here; it shows the complexity and interdependency of what happens when women are abused by their intimate partners and in their own home.

5.2 Details and seriousness of women’s abuse:

It was necessary to go into more details to understand the kind of abuses women suffer. See the following:

- **Physical Abuse** The most common types of physical abuse from which the respondents in the study claim to have suffered are listed in the table below.
• The table shows the five concrete examples of physical abuse to which the highest numbers of women replied they have been a victim:

Table (2) Types of physical abuse in percentages

<table>
<thead>
<tr>
<th>Most common types of physical abuse</th>
<th>Percentage of the sample (N = 95)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slapping and hitting</td>
<td>45.2% (43 women)</td>
</tr>
<tr>
<td>Kicking</td>
<td>22.1% (21 women)</td>
</tr>
<tr>
<td>Punching</td>
<td>21.0% (20 women)</td>
</tr>
<tr>
<td>Pushing and shoving</td>
<td>31.5% (30 women)</td>
</tr>
<tr>
<td>Throwing objects</td>
<td>21.0% (20 women)</td>
</tr>
</tbody>
</table>

• Emotional Abuse

The most common types of emotional abuse from which the respondents in the study suffered are listed in the table below. The table shows the five concrete examples of emotional abuse to which the highest numbers of women replied they have been a victim.

Tables (3) Types of emotional abuse in percentage

<table>
<thead>
<tr>
<th>Most common types of emotional abuse</th>
<th>Percentage of the sample (N = 95)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Threatened to be physically hurt</td>
<td>68.4% (65 women)</td>
</tr>
<tr>
<td>Humiliated in front of others</td>
<td>45.2% (43 women)</td>
</tr>
<tr>
<td>Prevented from communicating and socializing with others</td>
<td>33.6% (32 women)</td>
</tr>
<tr>
<td>Help was denied when needed</td>
<td>31.5% (30 women)</td>
</tr>
<tr>
<td>Her movements outside the house were (being) limited/trailed</td>
<td>49.4% (47 women)</td>
</tr>
</tbody>
</table>
• **Economic Abuse**

The most common types of economic abuse from which the respondents in the study claim to have suffered are listed in the table below. The table shows the five concrete examples of economic abuse to which the highest numbers of women replied they have been a victim.

Table (4)  Types of economic abuse in percentage

<table>
<thead>
<tr>
<th>Most common types of economic abuse</th>
<th>Percentage of the sample (N = 95)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevented from knowing about or having access to the family income</td>
<td>61.0% (58 women)</td>
</tr>
<tr>
<td>Husband/father of her children refused to help with the family expenses</td>
<td>49.4% (47 women)</td>
</tr>
<tr>
<td>Forced to hand over her money</td>
<td>52.6% (50 women)</td>
</tr>
<tr>
<td>Prevented from earning an income</td>
<td>55.7% (53 women)</td>
</tr>
<tr>
<td>Other</td>
<td>13.2%</td>
</tr>
</tbody>
</table>

• **Sexual Abuse**

Most of the respondents of the questioner suffered from many types of sexual abuse. 70% confess their suffering. However details were not explained. To understand the complexity the women were also asked about causes they can mention according to the abusers, which they mainly know well.

*The profile of Abusers:*

The questionnaires inquired about age, gender, personal, social and economic characteristics of the abusers. For most victims it was not difficult to answer these questions as the majority of perpetrators were well-known to the victims. The main findings are listed below

- 95% of the abusers were known to the victims;
- 67% of economic, physical and emotional abuse victims still had regular contact or lived with the abusers,
On average, the abusers were eight years older than their victims;
- Economic, physical and emotional abusers were married (76%), employed (81%) and in their mid-30’s;
- 39% of the abusers were under the influence of alcohol at the time the abuse took place;
- Physical abusers were most likely to be under the influence of alcohol (49%);
- Abusers rarely got arrested or charged.

Moreover the interviews indicated that

- Men often do not consider women as equal human beings;
- Men can return to alcohol abuse and violence when they fail to economically provide for the family;
- Men can show abusive tendencies when a woman earns a higher salary, has economic assets and is economically independent;
- Men can behave in an irresponsible manner when it comes to impregnating a woman, having children and raising and maintaining a family.

5.3 Impacts of Domestic Violence on the Victims According to the Interviews

After discussing the incident and the characteristics of the abusers, the victims were asked about the impacts of the abuses on them. These questions were asked to identify the ways in which abuse affects women in their daily, economic and social lives cope with the suffering.

5.3.1 Suffering from Fear and Insecurity:

With respect to violence, the evidence is revealing and irrevocable: not only are women particularly affected by many forms of violence, but often these happen inside what should be the most secure environment - their own homes. Therefore the respondents were asked about their views of insecurity in place of residence. It is not only victimization that affects the behavior of people, but also the fear of becoming victimized, feelings of insecurity and the fear of crime and violence influence people’s behavior. Such feelings limit a person’s movements and freedom, and hence have a
negative impact on personal, social and economic development. The interviews indicate that

- 61% lived in fear of being abused again, which was generally perceived as the most serious impact:
- Abused women mostly do not report the abuse to the police although they know what was done to them was a crime;
- Most abused women feel forced to stay in the abusive relationship.

The feelings of insecurity and fear result from abuse and control and limit women in their social and economic activities. Feelings of insecurity and fear of violence are higher in urban areas. However, men and women experience their urban environment differently and have differing needs regarding urban services, management and design. The fear of violence experienced by women is a result of a series of cultural, social and political causes. It is deeply rooted in the inequality that exists between men and women in a patriarchal society like in Kurdistan/Iraq.

Traditionally, criminology concentrated on violence that occurs in the public sphere, because street violence is considered “real” violence. Domestic violence and violence against women, which mainly occur in the domestic sphere, have only recently received more recognition. Criminological analyses have thus ignored the link between safety in the public space and safety in private places, which makes it impossible to understand why men appear more frequently in criminal statistics while women have a greater feeling of insecurity, whatever is their social status, age or origin.

While men tend to abuse women who are close to them on a regular basis; women abuse seems to be socially, culturally and politically accepted as almost none of the abusers have been arrested or charged. Abused women consider their home less safe than their residential area, which indicates that most abuse takes place in the home. There are no differences in observations of insecurity between victims of different forms of abuse or from different communities.
5.3.2 Physical Suffering

Permanent stress and threat of being abused in the one or the other way lead to severe health problems. The interviews indicate that:

- 85% of the respondents suffered from anger as a result of the abuse;
- 74% suffered from changed sleeping patterns;
- 69% suffered from depression;
- 59% suffered from changed eating patterns
- 14% of sexually abused women faced unwanted pregnancies as a result.

5.3.3 Loss of Self Confidence

Concerning possible ways to change this situation, many abused women have lost confidence in society, the Government and in them. Two in every five abused women believe there is nothing they can do to make their lives better. This shows the complexity and seriousness of the problem. The main reasons for abused women not to tell anyone are satisfaction, as "Women are abused anyway” and shame. The interviews indicate that

- 61% lost self-esteem/self-confidence;
- 51% suffered from self-blame (guilt).

Also it was found, that

- Women in Duhok have limited awareness of their rights;
- Women in Duhok do not act against abuse because of complacency (“women are beaten anyway”) and isolation (“there is no one to turn to for help”);
- Children in Duhok grow up learning that women are lesser beings and abuse and violence against women is normal behavior, which perpetuates the cycle of violence.

To this end, it can be concluded that The more detailed information of the interviewed women who lived domestic violence, show that abuse means for them a complex threat that ranges from physical hurt like slapping and hitting, humiliation in front of
others, also children, and prevention of access to family income or preventing of earning money independently. Their dependence on their abusers is very clear, because they mainly have no income and now independent role in the area of the house and family.

They know their abusers and suffer longtime under the regime of their abusers who abuses them frequently in their own home. Alcohol plays a role mainly when physical abuse occurs. Causes are also in Kurdistan the same: economic problems have a role, but also socio-cultural tradition and male domination as accepted model.

However, affected women live in permanent fear and feel unsafe, especially because the majority of abusers even if published are not arrested or charged. This makes it also difficult for them to announce the abuse to the public, for example to the police and the abuses still remain unpublished and in the circle of the family or friends.

The research therefore had also to look at what the women did after abuse happened to them and what are the consequences for a public strategy and help to support abused women and finally to avoid it in the future.

5.4 Reaction of the Victims after Being Abused – Searching for Help

The violence against women study displays that many women in Duhok suffer from serious gender-based abuse, which are not recognized as crimes and human rights violations neither by society nor by the state, (if it is possible enumerate it) and which are mainly committed at home by their partners and family members thus exposing many children to abuse and violence which continues the cycle of violence and abuse of women in Duhok.

Violence against women occurs in all communities and amongst all socio-economic groups in Duhok. However, police reporting is very low. The police are the least-likely institution to which abused women will turn to. Especially, victims of economic and emotional abuse do not report the abuse to the police. Only 7% of physical abuse victims and report the incident. In addition to the low rate of reporting, it is unfortunate that only 12% of reported cases result in actual arrest.
Although survivors of violence against women know that what happened to them is a crime; they remain in the abusive relationship for social and economic reasons. The majority of victims talk about the abuse, although they mainly turn to informal support services, such as their friends and family. The interviews indicate that:

- 80% believed that what were done to them are a crime; yet the majority still live with the abusers.
- Three out of every four victims or 70% of economic, physical and emotional abuse told somebody about the abuse;
- None of the victims of economic and emotional abuse reported the abuse to the police;
- Only 25% of the sexually abused women told somebody about what happened;
- 43% of the respondents who told somebody talked to their family;
- 27% of the respondents who told somebody talked to their friends;
- 7% of the physical abuse victims went to the police;

The main reasons for not telling anyone has to do with the belief that it is useless to tell because nothing will happen as no one would believe it and as women are abused anyway (35%), and shame/embarrassment (32%). In total, only two of all the abusers had been arrested and charged. Therefore abused women mostly do not report to the police although they know what was done to them is a crime; abused women therefore mainly turn to their families and friends for emotional and practical support. (For more details see the following figures).
Figure (9) Reaction of the abused women according to types of abuse

Figure (10) Support services provided to abused women according to types of abuse
Informal support from the family was clearly favorable amongst all respondents (63.1%). The second most utilized support service was also informal: support sought from friends (31.5%)

5.5 Experience and Quality of Support in Details

The respondents were asked about their experiences with formal support services (the police, the medical care system, the court system, legal assistance, and counseling) and informal support services (from family and friends). These questions sought to establish the extent and kind of use of support services by abused women. The main types of help sought by the victims of violence against women are listed below:

Table (5): Findings of the interviews show the type of service and support in %

<table>
<thead>
<tr>
<th>Support service</th>
<th>Percentage of respondents (N = 95)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family</td>
<td>63.1% (60 women)</td>
</tr>
<tr>
<td>Medical service</td>
<td>30.5% (29 women)</td>
</tr>
<tr>
<td>Friends</td>
<td>31.5% (30 women)</td>
</tr>
<tr>
<td>Counseling service</td>
<td>10.5% (10 women)</td>
</tr>
<tr>
<td>Police</td>
<td>17.8% (17 women)</td>
</tr>
<tr>
<td>Legal service</td>
<td>9.4% (9 women)</td>
</tr>
</tbody>
</table>

1. Informal help from family and friends:

The main help that interviewed victims sought from their family and friends involved practical advice (37.3%) and emotional support (34.3%). Often the helping persons warned, counseled or talked to the abusers (14.7%). The vast majority of women (83.1%) were satisfied with the assistance received, because the person who assisted them was understanding and gave helpful and successful advice.

2. Formal Help: medical care system, hospitals and private doctors

Only 41 women used medical help after abuse. The majority of these 41 women were either referred by the police or decided to go themselves (both 27.3%). The majority of victims arrived at the hospital at least two hours after the incident (54.3%). Most of these women did not have transport, money or anyone to take them to the service
(60.5%). The majorities were brought by family or friends (51.4%), or came by themselves (48.0%). A further 6.6% were brought by the police. The vast majority (71.4%) of the doctors was male and in 55.9% of the cases, nobody else was present. Not all of these women were satisfied with the service received from the hospital, because the treatment was not good enough and the doctors did not understand them, as they were all male.

3. Formal Assistance: Counseling services like social workers, women’s organizations

Counseling services were pursued by 18 women who turned to professional counselors, social workers, religious people and support groups. Like at the medical services, the majority of the responding women who went for counseling did not have to pay (75%). All women were given a case number.

Counseling services were used for long as well as short periods of time: some went once (18.8%), others went more than once (25.0%). The majority of women stopped going for counseling when it was no longer needed (73.7%). The vast majority (80.8%) of the women were unsatisfied with the counseling service they received, because they were not understood about their emotional suffering.


Nearly more than 70% of the victims were not informed of their rights and did not feel comfortable with the police. Most victims, 70.6%, were not offered any protection, although 86.4% felt they needed it. In only three cases, the abuser was arrested, and in another three cases the abuser was warned. The women expressed the need for more counseling centers in Duhok and the office of combating violence against women instead of police stations.

5. Formal Assistance: Lawyers and the Court

Eight women visited a private lawyer (45.5%) or a legal aid center (25%). In 23.5% of the cases, the advice was perceived to be successful, however in most of the cases the abuse did not actually stop. Three-quarters of the respondents who received legal assistance paid for this service. Only one respondent went to court. She did not meet
the prosecutor before trial, but the court procedure was explained to her, she was shown the statement beforehand and told that it was possible to make changes. She was not asked to pay. Neither the prosecutor nor the police informed her about the outcome of the trial. According to the respondent, the prosecutor treated her with insensitivity and the defense attorney accused her of wanting a divorce. The victim was not satisfied with the court procedure. She would like the government to enact laws that enable a quick divorce. (According to the strategy in Kurdistan they the process of establishing special court for violence against women is in progress).

### 5.6 Areas Demand Actions

<table>
<thead>
<tr>
<th>Key Stakeholders</th>
<th>Action Points</th>
</tr>
</thead>
</table>
| **Women**        | - Women should report abusers.  
                  | - Women and girls should be educated about human and women’s rights.  
                  | - Women should advocate for human and women’s rights.  
                  | - Women should openly discuss gender issues.  
                  | - Women should build and promote rights awareness and self-confidence among girls and daughters.  
                  | - Women should be economically empowered.  
                  | - Abused women should be offered counseling. |
| **Men**          | - Male abusers should be counseled on their behavior and on how to deal with their emotions.  
                  | - Men and boys should be sensitized on gender issues.  
                  | - Male should be trained on human and women’s rights.  
                  | - In all discussions on gender issues men should be involved. |
| **The Police**                                                                 | - The police must be trained on human and women’s rights.  
    |                                                                             | - The police need to be sensitized on gender issues.  
    |                                                                             | - The police need to recruit more police women and train more.  
    |                                                                             | - Female police officers to specifically work on women abuse and gender issues.  
    |                                                                             | - The police needs to establish a department specialized in dealing with women’s abuse cases.  
    |                                                                             | - The police needs to be brought closer to the public through community policing.  
    |                                                                             | - The police needs to offer protection and shelter to abused women.  
    |                                                                             | - The police needs to offer abused women services they might require, such as professional counseling and medical care. |
| **The Media**                                                                | - The media should contribute to public education and rights awareness creation through radio, television and the newspapers.  
    |                                                                             | - The media should facilitate a public discussion on gender issues and domestic violence.  
<pre><code>|                                                                             | - The media should facilitate in bringing the key stakeholders together to formulate strategies to address women’s abuse. |
</code></pre>
<table>
<thead>
<tr>
<th>Key Stakeholders</th>
<th>Action Points</th>
</tr>
</thead>
</table>
| **The Education System**  
(Ministry of Education and Directorate of Education in Duhok) | - Teachers should be trained and sensitized on gender issues, human and women’s rights.  
- Teachers should be trained so that they can identify cases of domestic violence and they should be enabled to act in order to prevent it.  
- Teachers should contribute to rights awareness amongst children and youths, especially girls.  
- Teachers should discuss domestic violence, women abuse and male and female rolemodels in the classrooms for purposes of sensitization and to allow children who experience violence or abuse to come forward.  
- Teachers should invite police officers and experts on gender issues and human rights to assist in the discussions and bridge the gap between the public and the police.  
- Teachers should stimulate girls to actively participate in the classroom and in additional activities to increase their self-confidence and self-reliance which are required in their future life.  
- Schools should facilitate discussions on the causes and the consequences of alcohol abuse. |
<table>
<thead>
<tr>
<th>Key Stakeholders</th>
<th>Action Points</th>
</tr>
</thead>
</table>
| **Non-Governmental Organizations** *(including Religious Groups)* | - NGOs should contribute to public education and rights awareness creation at the community and neighborhood levels.  
- NGOs should offer counseling, shelter, legal and other practical advice to abused women, also to men and married couples.  
- NGOs should cooperate with the media for purposes of public education and sensitization and bringing the key stakeholders together.  
- NGOs should sensitize the public on causes and consequences of alcohol abuse. |
Recommendations

1. Educating children and young people at school in such a way future generations know about healthy relations and are aware that domestic violence is a crime and is unacceptable.

2. Following the instructions issued by the Ministry of Education on hosting educational and awareness-raising events at all levels of teaching, so as to raise public awareness of and prevent all forms of violence against children.

3. Ensuring that all professionals and staff, primarily those involved in the health/social services, education and other sectors, receive the appropriate instruction and training to be able to identify victims of violence at an early stage and offer assistance and support.

4. Hosting public campaigns on an ongoing basis. Information on victims should be elaborated upon further so details concerning the support and assistance offered by different bodies are easily accessible to everyone.

5. Developing projects to target abusers aiding them to take responsibility for their actions and on how to modify their behaviors.

6. Eliminate Article 41 of the Iraqi Penal Code that empowers husbands to discipline their wives thereby encouraging domestic violence.

7. Remove Article 377 that criminalizes adultery as it is often used by abusive men to threaten, intimidate and otherwise abuse their wives.

8. Improve the application of penalties for individuals responsible for facilitating forced marriages; ensure that religious leaders responsible for violating the law are also held legally accountable.

9. Raise awareness in urban and rural areas about the minimum age of marriage, and the rights of Iraqis to choose their spouses and consent to marriage.

10. Establish mechanisms for victims of early and forced marriages to report and seek assistance to prevent these marriages.

11. Provide appropriate shelter protection and services including mediation support for girls who run away to avoid forced marriage.

12. Mediation assistance through the Personal Status Courts in divorce and separation cases should be optional, and should not be imposed on parties who file for divorce based domestic violence.
13. Utilize women’s shelters instead of criminal detention centers wherever possible.

14. Establish space at detention center specifically for women at risk to avoid placing them with suspected criminals.

15. Consult with victim as to her preference; judges should not place women in detention when there are viable shelter alternatives unless this is based on the request by and agreement of the person at risk.

16. Reinforce legislation that effectively targets perpetrators instead of targeting victims.

17. Improve and support the ability of shelters to provide protection and address long term needs of individuals at risk.
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Appendix
Interviews Structure

Two groups of interviews were made for this research, some with the directors or officers of some organizations and institutions. The other interviews were with some of the violated women.

The following interviews were held with some of the directors or officers of NGOs, institutions and shelter in Duhok in order to get some information and data about their role in helping the abused women and lessening the domestic violence in Duhok.

The role of VAW office is supporting violated women only, while the NGO's role is increasing the awareness among the people of community in Duhok through media. Similar to it, the Kurdistan Union for women which has a role in awareness to make women know their rights and how to defend themselves from the abuser. The Nawaz shelter's role is providing a safe place for violated women and their children where they can feel comfortable and safe. The Women Committee of Duhok Government Councils interested in improving the socio-economic condition of low status families. In contrast to these offices and organizations, the Municipality has no future plans for providing places for women in Duhok.

An interview in depth with Dr. Sami Jalal Faqi the director of VAW, Duhok Office

19.6.2012 11:30 am

What exactly are the main activities of the main office?

- Our job is supporting and helping the violated women only.

In your opinion, what are the main reasons behind VAW?

- First, the lack of awareness in the community which has been raised on special old values and traditions, the men cannot overcome them. Most of the girls (victims) are young teenagers, their husbands has experienced VAW on them.

What are the important or needed measures and plans to support the victims?

- Let’s be real, we don’t have the capabilities like developed countries and neighboring countries to make the quick intervention for helping and saving the victim. In great Brittan, exactly in Welz, they have quick measures to find a suitable home for the victim and her children, and change her identity. And of course finding a job…etc. all this going on with complete secrecy.

So here the role of planning, is important to provide the society with such services?
- Yes in the developed countries there are long term plans for these kinds of social problems.

What are your strategies for future?
- We have plans to make victims feel safe and ensuring their lives and their children’s, by allocating suitable and secret places for them. We gave these recommendations to KRG parliament; we hope to be valid in the near future.

What are the types of victims the office deals with? And which geographic area has more VAW than other areas?
- Victims who have been abused physically, sexually, emotionally and etc… From all areas of Duhok city and districts but Zakho still has highest rate of VAW.

Why Zakho exactly?
- That’s because Zakho is a closed tribal community, which women can’t have space or freedom, so desperation and deprivation generates VAW, and violence is used by mostly males in such conservative societies.

As a step forward, what is your plan to increase social awareness in this aspect?
- We’re working on this new generation (we start from 7th grade), through making seminars which insist women role in life, teaching them how to respect a woman and honor them, also through ministry of Education to add subjects which deal with this issue.

Are the centers recently opened in Qathas and districts sufficient enough?
- Not completely, but the existence of centers in those areas make the chances of saving the violated women increase. The last center have been opened in Shengal area, after we knew there are an increasing number of VAW there and also honor killings.

Does the Yazidi community with its traditions make violence as a habit or occasion and even have honor killings?
- Every religion has it’s specificity, but the Yazidi community a conservative too, and Yazidi women are uneducated, illiterate and ignorant, have a lack of awareness and also a bad economical state, 75% of Yazidi men are labor workers (construction workers)
An interview with Mr. Bahzad Ali Adam Vice mayor and responsible of NGO’s affairs in Duhok

What is NGO’s role who works for women issues in Duhok city?

- The NGO’s who work for women issues play a good rule, in opposite of what people think about them, they try and insist on increasing the awareness among the people of community in Duhok through media.

What do you mean by media?

- I mean TV programs, and radios. Also social communications online, through articles and stories about VAW in daily and weekly magazines, we have newspapers like Avro and War, which reveal the cases of sequences of VAW.

What does the “increasing awareness” mean?

- Means to make the community to be aware of human rights and women rights, and family democracy.

You mean NGOs which are interested in human rights and women issues have a role in decreasing the rate of VAW in Duhok?

- Yes, they have and I personally have noticed that, they are affective; we can’t deny it, like Dikonia, Nuzin, KCRO etc…

As a principal of NGOs, do you contribute in their projects in order to enhance the life style of women in Duhok?

- Yes, we do explain our vision, we know that our community in Duhok is a conservative community; we try to make a balance between our traditions of culture with democracy and women rights.

Can you explain to me how NGOs can make this balance?

- Through respecting the values of community, by giving laws, consultation, let the women know her rights, and limits through religion and society.

Do you think that you can change and lower the rate of VAW?
We are currently working on that, NGOs as I said focuses on consultation and creating awareness, we start from nothing and we can end our marathon race.

(Nawa shelter in Duhok)

This shelter was established in 2002 as a need to help the victims of domestic violence in Duhok city. The supporter of the shelter was ‘Diakonia’ the Swedish NGO. The funding was completely from this organization. The shelter receives the first case in 2002. Then the numbers increased in this shelter. Because it was the only safe refugee to the victims, and also in these years the numbers of honor killing were increased dramatically. But the attitude of the community to the shelter affects many women because they cannot reach the shelter as a result of this reputation. This situation continued till 2009 when Diakonia gave the responsibility of the shelter to governorate of Duhok officially. From that time, the shelters are in the hand of the government. Many reformations have been made to make the refugee comfortable and safe for victims, now days the community looks to the shelters with more respect. In the shelter the victims received all they need, and children, including medical supplies and treatment.

Numbers of cases which have been received since 2002:

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Interview in depth with the director of Nawa shelter
What are the main reasons behind the existence of women in the shelters?

- Most cases are victims of forcible marriage, young girls in very young ages, the early marriage, the socio-economic status of the family. The lack of awareness of women to choose the right person, who has good reputation and good faith, living with the husbands’ family in-law in a common house and many other reasons.

What are the other reasons?

- From my experience the majority of victims are married to men who are unemployed, with no sufficient education, almost from corrupted environment. These reasons generate the violence. The main reason of corruption is the addiction on alcohol.

So, the socio-economic factors are the main factors in which leading to violence?

- Yes it is a cycle, which consists of poverty, ignorance, bad environment, alcohol addiction, law income, and large numbers of children in small houses.

Do you think the numbers of cases are being increased or opposite?

- Yes, the cases are being increased.

**Interview with the Directorate of Municipality in Duhok 28.6.2012**

**11:00 AM**

What is your opinion about gender planning?

- I have no clear opinion about it; we are for all the community.

But if you and your staff try to put design for projects to woman only what do you think about that?

- It’s not a good idea because our traditions and costumes.

Are you satisfied with the design of Duhok to serve the woman and to offer them spaces to spend their time?

- We are not perfect, but I think now we have more spaces, so women in Duhok can spend her time like parks and stuff.
In the new master plan of the city, are there any new projects for women?

- No, we don’t have any.

**Interview with the head of Kurdistan Union for Women, Miss Shapal a KDP**  
**Member 19.6.2012 9:00 AM**

As a woman issues activator what is your opinion about increasing cases of domestic violence against women in Duhok city?

- I’m worried about the figures shows increased numbers and there are victims behind the closed doors more than the registered cases.

What are the measures which adopted from your union?

- We only do the awareness role, to make women know their rights and how to defend themselves from the abusive husbands or any other member of the family.

What is your opinion about open community conceptions?

- It’s really needed to know that making our government an open city in changing people’s attitude toward rigid, traditions, and conceptions, the need to create many open spaces is the demand of all community.

**The Principal of Women Committee of Duhok Government Council**  
**20.6.2012 1:00 PM**

What do you think about low socio-economic status of the family which led to VAW?

- We as the council of Duhok are interested in improving the socio-economic condition of low status families, new regulations and law from the parliament eradicated to solve this problem which affect the Kurdish families because you know all problems come out from poverty.

What about traditions and costumes?

- The new law of stopping violence against women puts a red line for honor killings. No tradition can prevent a woman from her rights, many women are victims of lack of awareness of their rights, and we have to stop this.

How can we stop this?

- By giving women the voice to claim her rights, sure.

What is the voice?

- Our community is a male dominated one, pushes the women to lose her youth, lives only by her traditions, we are working in the council to make Kurdish
women more comfortable through the programs of development in the governorate.

These are the other interviews which were made with the some violated women; they were asked to tell their stories and the type of abuse that they suffer from. There is no mention for their names for secrecy.

**Case of Emotional Abuse**

A 28 years old woman said "I'm in an emotionally abusive relationship, my husband always shout on me, call me bad names, telling me I'm an idiot or how annoying I'm. He makes me believe that I'm the one causing the problems in the relationship. He always threatens me that he will leave me. Most of the time, he would yell in private but sometimes he do that in front of his family, also he always humiliate me in front of them. With time I lost my self-confidence."

She said that she didn’t leave her husband because her self-esteem is so low that she would rather bear abuse than be alone.

**Case of Economical Abuse**

A 24 years old woman is married to a man who abuse her economically and physically, but she said that the economic abuse is worse than the physical one because it’s a continuous and a daily problem, while the physical may occur twice a week or less. Her husband is drunker and he uses the money to buy alcohol and never care about the family needs. She added that he even sell the house's furniture in order to get some money. She said that he prevent her from getting a job. Also take her money and make her ask for money either from her family or her friends. As a result she suffers from a depression.

**Case of Physical Abuse**

A 21 years old woman said that she was a victim of physical abuse. She said "At the beginning of our life together with my husband, he was very nice with me and respect me, but after that whenever we argue about something he threatens me to hit me. His threats then became a reality, he began to slap me, kick me and hit me with objects. He prevented me from visiting my family, especially when bruises are obvious on my body. He threat to beat me if I ever told anyone. As a result I was afraid to tell my family about that but soon they noticed and I was able to talk about everything." She added that she got divorced and she is living with her parents right now.
Case of Sexual Abuse

A 32 years old woman is living with a man that he sexually abuses her. He forces her to have sexual intercourse without her satisfaction; as a result she got pregnant twice without her contentment. She can't refuse because he would beat her and eventually she would submit to his order. She didn't tell anyone about this abuse and she can't leave her husband because she has no one to turn to and she also afraid the people's glance about the divorced woman.

Questionnaire

Women were asked about age, level of education, occupation, marital status, annual income of the family, number of the children, childhood history involving exposure to violence, presence of violence in the women’s parent’s house, type of violence, frequency of the violence, causes of the violence, type of the family and socioeconomic level.

Those are the questions that the women have been asked:

1. Your age is:
   A) 15-25 years
   b) 26-35 years
   c) 36-45 years

2. Your educational level is:
   a) None
   b) Primary
   C) Secondary
   d) Intermediate
   e) Higher (Diploma, Degree…)

3. You are:
   a) Single
2) Married
3) Divorced
4. **Your living status:**
   a) Living with my husband
   b) Living with my family
   c) Living with my husband's family

4. **The status of the house and its surrounding area:**
   A) Bad
   b) Good
   c) Very good

5. Is there any places that you can visit when you feel stressed or depressed (ex: Markets, Parks…?)
   a) Yes
   b) No

6. Is there any place that you can turn to in order to protect you?
   a) Yes
   b) No

7. **Your Socio-economic status:**
   A) Low
   b) Medium
   C) High

8. **Are you:**
   a) Employed
   b) Not Employed

9. **The abuser's age is:**
   a) Same as yours
   b) Older than you
   c) Younger than you
10. The abuser is:
   a) Formally employed
   b) Informally employed
   c) Not Employed

11. Does the abuser drink Alcohol?
   a) Yes
   b) No

12. If he do so, how often?
   a) Rarely
   b) Every week
   c) Every day

13. Did the abuser threaten you?
   a) Yes
   b) No

14. Did the abuser slapped you or hit you with an object?
   a) Yes
   b) No

15. Did the abuser hurt you with a knife or gun or other harmful things?
   a) Yes
   b) No

16. Does the abuser humiliate you in front others or call you with a bad words?
   a) Yes
   b) No

17. Does the abuser usually shout on you and prevent you from speak your mind?
   a) Yes
   b) No

18. Did the abuser isolated you or prevented you from seeing your family and friends?
19. Did the abuser take money from you without your satisfaction or knowledge?
   a) Yes
   b) No

20. Is the abuser care about the family needs?
   a) Yes
   b) No

21. Did the abuser ever force you to have sexual intercourse?
   a) Yes
   b) No

22. Did the abuser threaten you to have sexual intercourse?
   a) Yes
   b) No