

Across Borders

A comparative legal study on preventive
protection orders in cases of forced
marriage, transnational abandonment and
female genital mutilation

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RIGHT
TO RISE
Change Accelerator
for Women's Rights



Colophon

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Preface

With this report we conclude a valuable research project in which we – together with many stakeholders – explored how (potential) victims of forced marriage, transnational abandonment and female genital mutilation in the Netherlands can be better protected by through preventive protection orders. This research project was made possible thanks to the dedication and openness of many.

In the Netherlands, countless professionals are engaged each day in efforts to prevent forced marriages, transnational abandonment and female genital mutilation, and to protect (potential) victims. It was an honour to speak with many of them. Their knowledge, experience and dedication have been of great value to this research.

We are also deeply grateful to the experts from Belgium, Denmark, Norway and the United Kingdom who generously shared their valuable insights with us. Their openness and reflections were instrumental in the development of this report. We are likewise very thankful to the legal experts who advised on the applicability of foreign models to the Dutch legal framework. Their input was of great value to the legal depth of this research.

Our gratitude also goes to Pharos and the National Contact Point for Forced Marriage and Abandonment (LKHA), who offered us a platform to present and test preliminary research findings. These opportunities for exchange generated valuable practice-based insights.

We would also like to thank the Federation of Somalian Associations in the Netherlands (FSAN) for their collaboration in organising a focus group with experiential experts. We attach great value to participatory research, and thanks to this session, the perspectives of people with lived experience could be meaningfully incorporated into the analysis.

A special word of thanks is reserved for the experiential experts. Their courage and openness are a constant reminder of the importance of this study and provide an essential perspective on the realities behind the statistics and regulations.

We also wish to thank the members of the advisory committee for their critical eye, meaningful engagement and sharp questions. The open and constructive atmosphere of our meetings supported and inspired us as researchers.

Lastly, we would like to thank the Research and Data Centre (WODC) for their trust in us and for the opportunity to carry out this research.

This report invites readers to look beyond borders – geographical, legal and regulatory – both literally and figuratively, but always with respect for the boundaries of the communities within which these practices occur.

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Abbreviations

BHRC	Bar Human Rights Committee
DCC	Dutch Civil Code
EU	European Union
FGM	Female Genital Mutilation
FGMPO	Female Genital Mutilation Protection Order
FMPO	Forced Marriage Protection Order
FMU	Forced Marriage Unit
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
LEC EGG	National Expertise Centre for Honour-Related Violence
LKHA	National Contact Point for Forced Marriage and Abandonment
NGO	Non-Governmental Organisation
SDGs	Sustainable Development Goals
SIS	Schengen Information System
UK	United Kingdom
WHO	World Health Organization
WODC	Research and Data Centre

Executive Summary

Right to Rise conducted a comparative legal study on the use of preventive protection orders in cases of forced marriage, transnational abandonment and female genital mutilation (FGM). The study was commissioned by the Research and Data Centre (WODC) and carried out between October 2024 and May 2025.

Background and rationale

Forced marriage, transnational abandonment and FGM are internationally recognised as serious human rights violations. In the Netherlands, it is estimated that each year, hundreds to thousands of individuals are at risk of being subjected to these forms of violence. While girls and women are most affected, boys, men, and LGBTQI+ individuals may also face risks.

The Dutch government is committed to preventing these practices and ensuring effective protection for (potential) victims. However, the national Action Agenda on Harmful Practices acknowledges that the current Dutch approach remains inadequate:

“Our ambition is to prevent harmful practices, to combat them, and to support victims at an earlier stage. We do not accept the current shortcomings in prevention. It is essential that professionals are better equipped to recognise early warning signs, report concerns, and respond with the appropriate skills and tools.”¹

Against this backdrop, the study explores the extent to which preventive protection orders – as applied in Belgium, Denmark, Norway and the United Kingdom – could strengthen Dutch practice.

Research questions

This study addressed the following four research questions:

1. What preventive protection orders are currently available in the Netherlands, and what level of protection do they offer to (potential) victims of forced marriage, transnational abandonment and FGM?
2. What preventive protection orders are used in Belgium, Denmark, Norway, and the United Kingdom to prevent forced marriage, transnational abandonment and FGM?
3. Do these foreign preventive protection orders result in a higher level of protection than what is currently possible in the Netherlands?
4. What would be required to introduce similar preventive protection orders in the Netherlands?

¹ Ministry of Health, Welfare and Sport. (2020). *Harmful Practices Action Agenda*, p. 2. Accessed 1 May 2025, from <https://www.rijksoverheid.nl/documenten/beleidsnotas/2020/02/18/actieagenda-schadelijke-praktijken>

Research Design and methodology

To answer these questions, a qualitative research design was used, consisting of four consecutive phases:

- I. Desk research:** This phase involved a literature review and an analysis of relevant legal and policy frameworks relating to protection measures for (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands, Belgium, Denmark, Norway, and the United Kingdom.
- II. In-depth interviews:** A total of 45 in-depth interviews were conducted with 50 respondents, including 21 Dutch and 29 international experts. The interviews followed a semi-structured guide tailored to the national and international contexts (Annexes I and II). Respondents were selected based on their subject-matter expertise.
- III. Focus groups and Mentimeter polls:** Preliminary findings were tested and further explored in four focus groups (with 67 participants) and two interactive Mentimeter polls (involving a total of 187 participants), conducted during two national events in the Netherlands. Both professionals and individuals with lived experience shared practical insights and reflected on the emerging conclusions. Their input contributed to the validation and refinement of the analysis.
- IV. Consultation with legal experts:** To address the final research question, in-depth discussions were held with three legal experts regarding legal feasibility and implementation challenges within the Dutch context.

Legal Framework in the Netherlands

In the Netherlands, various legal instruments are available to protect (potential) victims of forced marriage, transnational abandonment and FGM. Chapter 2 provides an overview of these preventive protection orders. For minors, child protection measures – such as the (Provisional) Supervision Order, Out-of-Home Placement Authorisation, (Provisional) Guardianship Order, and the possibility of applying for a written instruction and having it sanctioned by the court — constitute the primary preventive instruments. For adults, civil and criminal protection orders are available, including restraining orders, contact bans, exclusion orders and area bans.

Use of preventive protection orders

In the Netherlands, no national, systematic data is available on the use of preventive protection orders, making it unclear how often they are applied in cases (or suspected cases) of forced marriage, transnational abandonment or FGM. GREVIO, the independent expert group monitoring compliance with the Istanbul Convention, highlighted this data gap in its baseline report on the Netherlands and urged authorities to collect annual data on the number, type, and duration of protection orders.

Interviews and focus groups suggest that the available legal instruments are used only to a limited extent in practice to protect (potential) victims of forced marriage, transnational abandonment and FGM. When a protection order is applied, it is typically a child protection measure. In suspected cases of FGM, respondents indicated that a Supervision Order is more commonly used, whereas in cases of forced marriage or transnational abandonment, a Provisional Guardianship Order is more often chosen. The proposal by the State Advocate to simultaneously request a written instruction and its confirmation when submitting a request for a (Provisional) Supervision Order has, to date, not been applied in practice. The limited use of existing protection orders in the Netherlands appears not to stem from a lack of willingness, but rather from a range of practical and procedural obstacles.

Challenges in Protecting (Potential) Victims

The study shows that the protection of (potential) victims of forced marriage, transnational abandonment and FGM in the Dutch context falls short in several key areas. Chapter 3 provides an in-depth discussion of the system-wide and legal obstacles. The main challenges identified are:

1. **Insufficient detection**

Only a small proportion of potential victims are identified. Available figures likely reflect just the tip of the iceberg. Warning signs are often detected too late, or not at all.

2. **Professional hesitation to act**

Even when warning signs are recognised, they are not always followed up. Professionals often find it difficult to raise and address these sensitive issues.

3. **Inaccurate risk assessments**

Time pressure can lead to hasty decisions, while in other cases, necessary interventions are delayed or absent. Misjudging risk may result in under- or overprotection, with serious consequences.

4. **Limited cooperation across the protection chain**

Chain partners often operate in silos. Information sharing is limited, and there is a lack of coordinated leadership.

5. **Legal gaps**

The current legal framework is perceived as inadequate to address the specific challenges posed by forced marriage, transnational abandonment and FGM. The options for exerting legal pressure on (potential) perpetrators are limited, shifting the burden of protection largely onto the victim. Protection measures also cease abruptly when a person turns 18. In addition, Dutch court decisions are often not recognised abroad, complicating efforts to facilitate repatriation.

6. **Nature of the issue**

The legal approach tends to focus on individual perpetrators, whereas these forms of violence are often driven by group pressure and collective norms. Measures such as out-of-home placements or shelter may provide temporary protection but do not sufficiently address the underlying dynamics.

Preventive Protection Orders Abroad

Chapter 4 outlines the legal frameworks and application of preventive protection orders in Belgium, Denmark, Norway and the United Kingdom. In all four countries, legal instruments exist to protect (potential) victims of forced marriage, transnational abandonment and FGM. While these measures serve broadly similar objectives, they differ significantly in legal form, target group, application, and frequency of use. The table below compares the key characteristics of these measures.

Table 1: Overview of preventive protection measures abroad

Country	Type	Protection order	Other measure	Application	Use	Registration
Belgium	Specific	Measures by family court under Article 387 bis of the Belgian Civil Code: <ul style="list-style-type: none"> Travel ban for parents travelling with their minor child Surrender of travel documents to the Public Prosecutor's Office 	Placing an alert in SIS/Interpol system (Articles 32 and 36 of EU Council Decision 2007/533/JHA) Oath of honour ("declaration of intent")	Only minors	Limited	No
Denmark	General	Contact, exclusion and restraining orders under the Danish Act on Restraining Orders, Exclusion Orders and Expulsion Orders (LOV no 112 of 03/02/2012)	- Section 215a of the Danish Penal Code: travel ban in case of risk to child health or development	Minors and adults	Limited	No
Norway	General	Restraining order under Section 222(a) of the Criminal Procedure Act Exclusion orders under Section 57 of the Norwegian Penal Code		Minors and adults	Limited	No
United Kingdom	Specific	Forced Marriage Protection Order (FMPO) Female Genital Mutilation Protection Order (FGMPO)		Minors and adults	Structural	Yes 4.263 FMPOs issued (2008-2024) 909 FGMPPOs issued (2015-2024)

In all countries studied, legal provisions are in place to protect (potential) victims. However, a national registration system is lacking in Belgium, Denmark and Norway, making it unclear how frequently these instruments are used. Interviews with experts and GREVIO reports suggest that the use of such measures in these three countries is limited.

Protection Level in Belgium, Denmark, and Norway

Although cross-country comparisons are complicated by national differences and the absence of a baseline measurement, experts from Belgium, Denmark, and Norway generally described the level of protection as "low" or "in need of improvement." Notably, Belgian respondents frequently referred to the Netherlands as a source of inspiration. It can be concluded that the level of protection for (potential) victims of forced marriage, transnational abandonment and FGM in these three countries is not significantly higher than in the Netherlands.

Level of Protection in the United Kingdom

The United Kingdom stands out as an exception due to the introduction of specific civil protection orders targeting forced marriage and FGM: the Forced Marriage Protection Orders (FMPOs) and Female Genital Mutilation Protection Orders (FGMPOs). These measures were developed in response to concerns about the limited effectiveness of existing legal instruments and pressure to meet international obligations. Since their introduction, these orders have been used on a structural basis: to date, more than 4,000 FMPOs and over 900 FGMPOs have been issued. According to British experts, these protection orders are considered an essential addition to the existing legal framework.

Distinctive Features of British Protection Orders

The analysis in Chapter 5 shows that these orders differ from the current Dutch legal instruments in ten important ways. Central to the UK approach are the protection and needs of the victim, with an emphasis on tailored solutions that allow the (potential) victim to remain in their own environment.

FMPOs and FGMPOs are explicitly designed to offer protection in situations involving group pressure and allow for action against multiple potential perpetrators. The orders are accessible to both minors and adults, and the right to apply is broad: third parties such as social workers, teachers, or family members can also submit a request. Protection can be granted as soon as danger is imminent, without requiring proven risk. A lower standard of proof and the ability to act swiftly are considered major advantages.

Violating an order constitutes a criminal offence, punishable by up to five years' imprisonment. According to British experts, this has a strong deterrent and normative effect. The duration of an order is tailored to the individual case and can range from a few weeks to several years, something that experts view as enhancing both its effectiveness and its preventive impact.

A key difference with the Dutch context is that FMPOs and FGMPOs fall under one clear legal framework. According to respondents, this clarity strengthens legal certainty and improves visibility of available protection measures.

Lessons learned from the UK

The introduction of civil protection orders such as FMPOs and FGMPOs in the UK offers valuable lessons for the Netherlands, as discussed in Chapter 6. The study shows that these orders are particularly effective when applied at an early stage, as part of a broader support strategy. At the same time, there are important points of concern. Imposing such an order may lead to stigmatisation, discrimination (for example, based on residence status), and increased risks of honour-based violence. Judges and legal professionals are not always sufficiently trained in applying these instruments, and post-order monitoring remains a challenge. Effective protection therefore requires an integrated approach and sustained professional engagement.

The potential of a hybrid approach

Civil courts in the Netherlands have the authority to issue protection orders, but violations cannot be enforced under criminal law. Chapter 7 demonstrates that Dutch law already includes several hybrid legal constructions, such as the temporary domestic exclusion order, administrative emergency ordinances, and the compensation order.

A hybrid approach also aligns with a broader trend already emerging in Dutch legal practice: the boundaries between civil, administrative and criminal law are increasingly blurred, creating space for innovative, cross-jurisdictional solutions. Interviews and practical examples – such as the integrated domestic violence approach used by the Rotterdam District Court – further illustrate that combining criminal and civil law measures adds value. Professionals in the field also responded positively, citing the expected effectiveness and practical applicability of such an approach.

Conclusions and recommendations

The study concludes that a hybrid approach has the potential to strengthen the protection of (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands. For successful implementation, it is essential that such protection orders are firmly embedded in both legislation and practice.

Based on the findings, four key recommendations are made:

- 1. Improve detection, risk assessment and cooperation within the protection chain**
Invest in community outreach, enhance the knowledge and skills of professionals, and promote sustainable collaboration between chain partners.
- 2. Make a hybrid protection order legally possible**
Introduce a civil protection order that – following the example of the UK – can be enforced under criminal law in the event of a violation.
- 3. Ensure a robust framework for support, protection and enforcement**
Guarantee the necessary conditions, such as appropriate support services, structural training for judges, legal professionals, police and the Public Prosecution Service. Ensure consistent monitoring and adequate enforcement in case of violations. A well-coordinated, integrated approach increases the effectiveness of protection measures.
- 4. Promote inclusion and prevent stigmatisation**
Ensure that protection measures do not result in exclusion, mistrust or discrimination. Actively engage with communities to promote awareness, shared responsibility and lasting change.



1. Introduction

In this introductory chapter we outline the background, the study's objectives and the policy context. We present the research questions, discuss the methodology and key concepts used and conclude with a reading guide to the rest of the report.

1.1 Background and rationale

Forced marriage, transnational abandonment and female genital mutilation (FGM) are internationally recognised as serious human rights violations. These practices violate the physical, psychological and sexual integrity of victims. The Dutch government has committed itself, both nationally and internationally,² to preventing these forms of violence and protecting the (potential) victims. These commitments align with the United Nation's Sustainable Development Goals (SDGs), in particular target 5.3 of SDG 5, which calls for the elimination of forced marriages and FGM.³

Over the period 2020-2022, the National Action Agenda on Harmful Practices⁴ was implemented in the Netherlands as part of the larger programme No Place for Violence.⁵ This Action Agenda made it clear that the current approach used in the Netherlands is inadequate:

“Our ambition is to prevent harmful practices, to combat them and to support victims at an earlier stage. We do not accept the current shortcomings in protection. It is essential that professionals are better equipped to recognise early warning signs, report concerns, and respond with the appropriate skills and tools.”⁶

Each year in the Netherlands, hundreds to thousands of people are at risk of becoming victims of forced marriage, transnational abandonment and FGM. While girls and women are most affected, boys, men and LGBTIQ+ people can also be victims. The risk is highest during holiday periods. According to estimates published by the Verwey-Jonker Institute, Maastricht University and Femmes for Freedom, each year between 340 and 1,000 people in the Netherlands face the threat of forced marriage;⁷ additionally, an estimated 150 to 800 people become victims of transnational abandonment.⁸ A study by Pharos into the prevalence of FGM predicts that, over the next 20 years, 4,200 girls in the Netherlands will be at risk of being subjected to FGM.⁹ Various researchers emphasise that the actual scale of the problem is probably far greater than these figures suggest.¹⁰

2 Committee on the Elimination of Discrimination against Women & Committee on the Rights of the Child. (2019). *Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women / general comment No. 18 of the Committee on the Rights of the Child on harmful practices (CEDAW/C/GC/31/Rev.1 - CRC/C/GC/18/Rev.1)*. United Nations. Accessed on 1 May 2025 via <https://www.ohchr.org/en/documents/general-comments-and-recommendations/joint-general-recommendation-no-31-committee>.

3 Centraal Bureau voor de Statistiek. (2021). *Vijf jaar implementatie van de SDG's in Nederland (2016–2020): Monitoring en reflectie*. CBS. Accessed on 1 May 2025 via https://www.cbs.nl/-/media/_pdf/2021/07/vijf-jaar-implementatie-van-de-sdg-s-in-nederland-2016-2020-monitoring-en-reflectie.pdf.

4 Ministerie van Volksgezondheid, Welzijn en Sport. (2020). *Actieagenda Schadelijke Praktijken*. Accessed on 1 May 2025 via <https://www.rijksoverheid.nl/documenten/beleidsnotas/2020/02/18/actieagenda-schadelijke-praktijken>.

5 Ministerie van Volksgezondheid, Welzijn en Sport. (2021). *Geweld hoort nergens thuis – Eindrapportage*. Accessed on 1 May 2025 via <https://www.rijksoverheid.nl/documenten/rapporten/2021/12/16/geweld-hoort-nergens-thuis-eindrapportage>.

6 Ministerie van Volksgezondheid, Welzijn en Sport. (2020). *Actieagenda Schadelijke Praktijken*, pp. 2. Accessed on 1 May 2025 via <https://www.rijksoverheid.nl/documenten/beleidsnotas/2020/02/18/actieagenda-schadelijke-praktijken>.

7 Smits van Waesberghe, E., Sportel, I. D. A., Drost, L., van Eijk, E., & Diepenbrock, E. (2014). *Zo zijn we niet getrouwd: Een onderzoek naar omvang en aard van huwelijksdwang, achterlating en huwelijksgevangenschap*. Verwey-Jonker Instituut, Maastricht University, Femmes for Freedom, p. 127. Accessed on 1 May 2025 via <https://repository.uubn.ru.nl/bitstream/handle/2066/201680/201680.pdf>.

8 Ibid.

9 Kawous, K., van den Muijsenbergh, M. E. T. C., Geraci, D., van der Kwaak, A., Leye, E., Ortensi, L. E., & Burdorf, A. (2019). *Vrouwelijke Genitale Verminking (VGV) – Omvang en risico in Nederland*. Pharos. Accessed on 1 May 2025 via <https://www.pharos.nl/kennisbank/vrouwelijke-genitale-verminking-omvang-en-risico-in-nederland>.

10 Elsinga-Dam, A., Noteboom, F., & van Duuren, P. (2023). *(On)zichtbare slachtoffers van schadelijke praktijken – Op Chat met Fier van 2018 t/m 2021*. Fier. Accessed on 1 May 2025 via <https://www.zonmw.nl/sites/zonmw/files/2023-11/Fier---Chatrapport-schadelijke-praktijken.pdf> and <https://www.fier.nl/schadelijke-praktijken/>.

The 2021-2025 government coalition agreement of then prime minister Rutte's fourth cabinet (VVD, D66, CDA and ChristenUnie), "Looking Out for Each Other, Looking Ahead to the Future," contained the following statement:

“We expect newcomers to endorse our democracy, rule of law and constitutional rights, and respect our fundamental values. [...] We will protect victims of forced marriage, transnational abandonment or genital mutilation by, for example, enabling a judge to issue a preventive protection order.”¹¹

The current government programme of Schoof's cabinet (PVV, VVD, NSC, BBB) also states that the approach to honour-related violence will be strengthened as part of ongoing efforts to combat domestic violence and child abuse. Within existing financial frameworks, forced marriage and female genital mutilation are also addressed.¹²

This policy ambition is in line with international and European obligations. Article 53 of the Council of Europe Convention on preventing and combatting violence against women and domestic violence (referred to as the Istanbul Convention) obliges Member States to take measures to ensure appropriate and immediately enforceable protection orders are available.¹³ The Convention also stipulates that those who breach such orders must be punished by effective, proportionate and dissuasive criminal or other legal sanctions.¹⁴ This has also been included in Article 19 of the recently adopted EU Directive 2024/1385 on combating violence against women and domestic violence.¹⁵

1.2 Objective and research questions

The aim of this study is to explore the extent to which Dutch practice could be strengthened by adopting the use of preventive protection orders as applied in Belgium, Denmark, Norway and the United Kingdom to protect (potential) victims of forced marriage, transnational abandonment and female genital mutilation (FGM). The focus of the study is therefore on prevention and the protection of victims, and not on prosecution and punishment of perpetrators.

The study has not been set up around one central question, but rather seeks to answer four interrelated research questions:

1. What preventive protection orders are currently available in the Netherlands, and what level of protection do they offer (potential) victims of forced marriage, transnational abandonment and FGM?

11 Rijksoverheid. (2021). *Omzien naar elkaar, vooruitkijken naar de toekomst – Coalitieakkoord 2021–2025*, p. 30. Accessed on 1 May 2025 via [\t " _new](https://www.rijksoverheid.nl/documenten/publicaties/2022/01/10/coalitieakkoord-omzien-naar-elkaar-vooruitkijken-naar-de-toekomst).

12 Rijksoverheid. (2024). *Regeerprogramma: Uitwerking van het hoofdlijnenakkoord door het kabinet*, pp. 103-104. Accessed on 1 May 2025 via <https://www.rijksoverheid.nl/documenten/publicaties/2024/09/13/regeerprogramma-kabinet-schoof>.

13 Raad van Europa. (2011). *Verdrag inzake het voorkomen en bestrijden van geweld tegen vrouwen en huiselijk geweld* (Istanbul, 11.V.2011), Article 53. Accessed on 1 May 2025 via <https://rm.coe.int/1680462530>.

14 Ibid.

15 Europese Unie. (2024). *Richtlijn (EU) 2024/1385 van het Europees Parlement en de Raad van 14 mei 2024 ter bestrijding van geweld tegen vrouwen en huiselijk geweld*. *Publicatieblad van de Europese Unie*, L 1385, para. 43-47 and Article 19. Accessed on 1 May 2025 via https://eur-lex.europa.eu/legal-content/NL/TXT/HTML/?uri=OJ:L_202401385.

2. What preventive protection orders are used in Belgium, Denmark, Norway, and the United Kingdom to prevent forced marriage, transnational abandonment and FGM?
3. Do these foreign prevention protection orders result in a higher level of protection than what is currently possible in the Netherlands?
4. What would be required to introduce similar preventive protection orders in the Netherlands?

In order to properly assess the protection provided by the legal instruments currently available in the Netherlands (question 1), it is important to look beyond their legal effect. This is because the level of victim protection is influenced by more than the presence or absence of legal instruments alone. A broader context helps us gain insight into what is going wrong in practice in the Netherlands, and hence forms a necessary basis for answering the first research question. For this reason, the present study analyses systemic as well as legal obstacles inhibiting adequate protection (see Chapter 3).

1.3 Methodology

Voor dit onderzoek is gekozen voor een kwalitatieve onderzoeksopzet. Om de onderzoeksvragen te beantwoorden, is het onderzoek uitgevoerd in vier opeenvolgende fasen: (I) desk-research, (II) diepte-interviews, (III) focusgroepen en Mentimeter-peilingen en (IV) consultatie van juridische experts. In deze paragraaf worden deze fasen van het onderzoeksproces nader toegelicht.

1.3.1 Phase I: Desk research

During the first phase, extensive desk research was conducted. This involved, first, a literature review of existing publications on forced marriage, transnational abandonment, FGM, and the application of protection measures in the Netherlands, Belgium, Denmark, Norway and the United Kingdom. In addition to academic publications, reports of civil society organisations were also reviewed.

Second, the relevant legal and policy frameworks were analysed with a focus on the instruments available under both civil and criminal law designed to protect (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands, Belgium, Denmark, Norway and the United Kingdom. We examined national laws and regulations, policy documents, guidelines, protocols and case law.

1.3.2 Phase II: In-depth interviews

During the second phase of the study, 45 semi-structured in-depth interviews were conducted with a total of 50 respondents. This method is highly suited to collecting personal experiences, perspectives and contextual insights. The interviews took place online via Microsoft Teams between November 2024 and February 2025.

An interview guide was developed prior to the interviews, with topics and questions that were addressed during our discussions. The interview guide for Dutch respondents has been included as Annex I; the interview guide for foreign respondents as Annex II.

A total of 18 interviews were conducted with 21 Dutch experts, while 27 interviews were conducted with 29 foreign experts: 9 from Belgium, 8 from Denmark, 3 from Norway and 9 from the United Kingdom. In a few instances, two respondents were interviewed at the same time. This was done at the request of the respondents themselves, for example when two colleagues had complementary expertise, such as knowledge

of specific practices or legal expertise. These duo-interviews contributed a broader perspective on the subject. The table below provides an overview of the number of interviews and interviewed experts by country.

Table 2. Number of interviews and respondents by country

Country	Interviews	Experts
The Netherlands	18	21
Belgium	7	9
Denmark	8	8
Norway	3	3
United Kingdom	9	9
Total	45	50

Selection criteria

Dutch and foreign respondents were selected for this study based on their expertise in the fields of forced marriage, transnational abandonment and FGM, and/or their experience with the use of protection measures in actual or suspected cases of forced marriage, transnational abandonment and FGM. In the selection process, an effort was made to achieve a balanced group composition, with representation from hands-on practitioners, social assistance providers, civil society actors, knowledge and expertise centre staff, criminal law experts and academic researchers. Annex III contains a list of the Dutch experts interviewed, and Annex IV lists the foreign experts. All respondents explicitly provided their written consent.

Recruitment of respondents

Respondents were recruited via persons identified during the desk research phase, the Right to Rise network, and contacts of the advisory committee. In the Netherlands, there was a high level of willingness to participate in the study: 21 of the 27 experts approached accepted our invitation.

Outside the Netherlands recruitment was considerably more difficult. Although over 100 individuals were approached, we were pleased to have 29 experts ultimately participate in the study. Respondents were selected solely on the basis of their expertise on the subject; no concessions were made to acquire greater numbers. However, this strict selection process required substantial time and effort. The snowball method, where those interviewed suggested new respondents, ultimately proved the most effective way of reaching suitable foreign interviewees.

1.3.3 Phase III: Focus groups and Mentimeter Polls

Four focus groups

During the third phase of the study, we organised **four focus groups**, in which a total of **67 individuals** took part. The purpose of these sessions was to validate preliminary findings from the previous phases of research and to acquire additional insights from daily practice. Many case studies were shared during these meetings, which provided a valuable context for identifying the underlying dynamics and obstacles affecting protection of (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands.

The focus groups were set up as follows:

- **Two physical focus groups during the national ‘Harmful Practices’ inspiration day** on 14 January 2025, organised by Pharos in Utrecht. A total of 34 professionals took part in these two sessions, including staff from Blijf Groep, COA, Fier, FSAN, GGD, the National Working Group Mudawwanah, Movisie, the Ministry of Foreign Affairs, the Ministry of Education, Culture and Science, Nidos, Nisa for Nisa, Refugee Team, Victim Support Netherlands, Sterk Huis, Voice of All Women Foundation and Safe at Home.
- **One online focus group with experiential experts** organised in collaboration with FSAN. The researchers attach great importance to participatory research involving people with lived experience. In its evaluation report on the Netherlands, GREVIO, the independent committee of experts tasked with monitoring compliance with the Istanbul Convention, emphasised that policies are often made for minority groups instead of with them: *“GREVIO is concerned that this results in policies being implemented on minority groups rather than being designed with and for them.”*¹⁶ Given the impact of protection orders on the lives and families of those directly affected, the perspective of people with lived experience was deliberately included in the analysis. The group consisted of 14 participants (12 women, 2 men), aged 45 to 65, originating from Eritrea, Egypt, Iraq, Sudan, Somalia and Togo. They have been living in the Netherlands for between 20 and 36 years.
- **One online focus group with 19 (of the 21) Dutch experts** who were interviewed during Phase I of the study.

Format and approach

Both the online and in-person sessions had a semi-structured interactive format. Participants were presented with several preliminary findings at a general level and given time to reflect, offer critique and suggest alternative perspectives. The researchers facilitated dialogue using thematic questions, partly inspired by the interview guide for Phase II. This method ensured continuity with the analysis of the expert interviews, while group dynamics allowed for greater depth, recognition and dissenting voices.

Mentimeter polls

During two national events in 2025, the researchers used Mentimeter Polls to test broader resonance and recognition of preliminary research findings. These events took place on 14 January 2025, during the national ‘Harmful Practices’ inspiration day, organised by Pharos in Utrecht, and on 3 April 2025, during the tenth anniversary of the National Contact Point for Forced Marriage and Abandonment (LKHA) in Amersfoort.

By posing interactive questions to the audience, we allowed participants – mostly experts, experiential experts and chain partners – to respond anonymously. In total, **113 and 74 participants**, respectively, took part at the two events. The input we collected from them provided additional insights into the degree to which the specific obstacles and solutions suggested by the study are recognisable practice. The results of these polls were used for triangulation within the broader data collection.

1.3.4 Phase IV: Consultation with legal experts

During the fourth phase, additional expertise was obtained from legal experts to answer the last research question. The consultation focused on the legal feasibility of a hybrid approach in Dutch legislation and implementation practice.

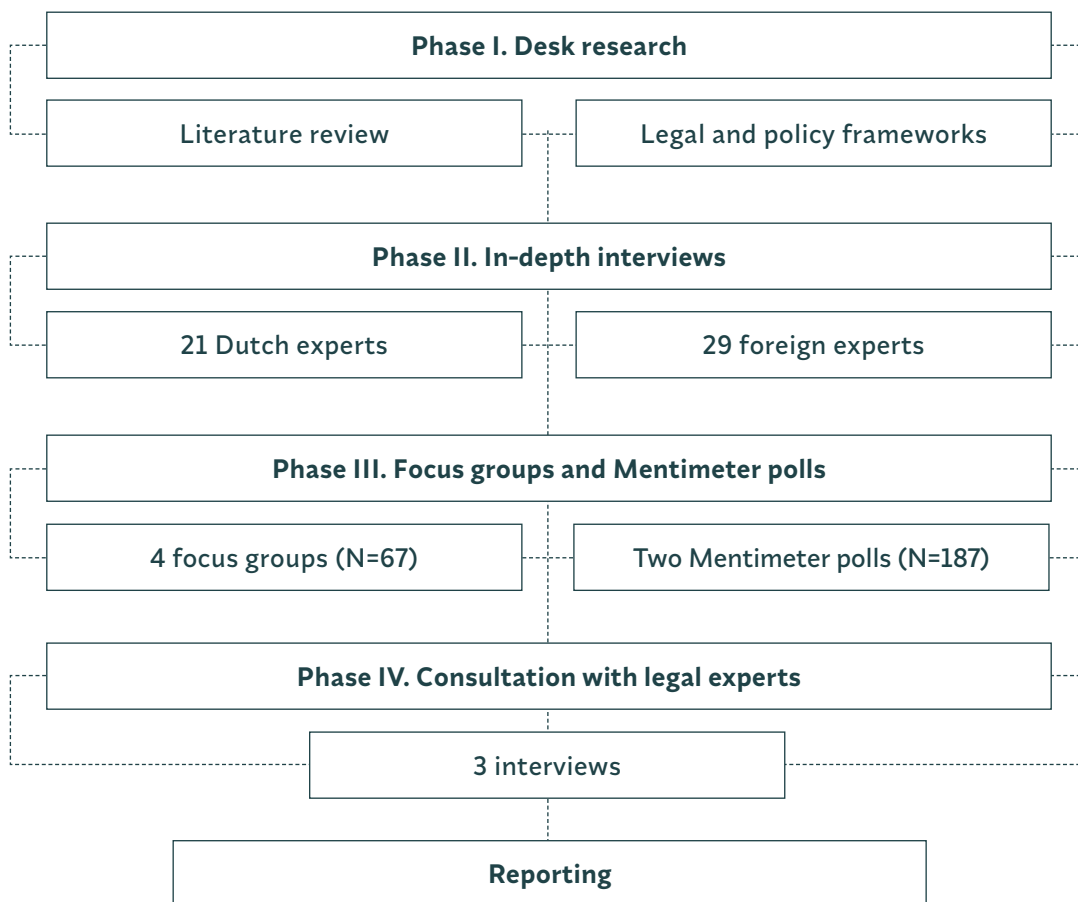
16 Group of Experts on Action against Violence against Women and Domestic Violence. (2020). *Baseline Evaluation Report Netherlands*. GREVIO/Inf(2019)19. Accessed on 1 May 2025 via <https://rm.coe.int/grevio-report-on-netherlands/1680997253>

Fifteen experts were approached; three of them took part in an in-depth interview in February and March 2025. They were selected on the basis of their specific expertise in the area of protection orders and/or hybrid legal models. No selection was made based on viewpoint, however only a few explicitly critical noises were heard during the discussions.

The consultation delivered valuable insights into the applicability of foreign models within the Dutch legal framework, and contributed to testing and refining the final analysis. An overview of the consulted experts is included in Annex V. All participants explicitly consented to this.

The figure below provides a visual overview of the research design.

Figure 1: Research design



1.4 Ethical considerations

In view of the sensitive nature of the subject of this research, particular care has been given to the ethical aspects of the study. Prior to agreeing to take part, all participants and respondents were fully informed about the objective, design and methodology of the study, as well as about their rights as participants. It was explicitly pointed out that participation was voluntary, and that they could refuse or withdraw their participation at any time, without giving reasons.

In the selection and recruitment of respondents, care was given to the potential burden it might place on respondents, in particular when involving experiential experts. In such cases, extra attention was given to creating a safe setting, avoiding re-traumatisation and safeguarding anonymity. Respondents were informed of the possibility for aftercare, if needed. As it turned out, no one made use of this option. Participation was voluntary in all cases, based on mutual trust and respect.

All participants and respondents received a consent form (see Annex VI), which explicitly solicited their consent for:

- audio recording and transcription of the interview;
- the (anonymised) citation of their statements in the report; and
- the inclusion of their name, position and/or organisation in the list of respondents.

After signing, the participants received a copy co-signed by the lead researcher.

In the interest of confidentiality, audio recordings were made of interviews and focus group discussions solely with explicit consent of the respondents concerned. These recordings were transcribed verbatim and destroyed immediately after transcription. The transcripts were anonymised, stored securely and exclusively accessible to the researchers. Research data will be stored for a period of 20 years after completion of the study, at which time it will be permanently destroyed.

Names, positions and identifying data have only been included if explicit written consent has been given for this purpose. Quotations that appear in the report were presented to the relevant respondent in advance, in the interests of accuracy and confidentiality.

1.5 Analysis

The transcripts of interviews and focus group discussions were imported into ATLAS.ti, a software program for qualitative data analysis.

Analysis was broken down into several phases. The first phase involved open coding: relevant text fragments were assigned preliminary codes. This was an exploratory phase used to make connections between data and identify as many categories, patterns and themes as possible. During the second phase, these codes were grouped into overarching themes and sub-themes. We partly drew on the interview guide for this phase and partly worked inductively on the basis of repeating patterns revealed by the data. The provisional coding system was discussed a number of times within the research team, and where necessary refined to enhance reliability.

Throughout the analysis process, findings were continually referred back to the four research questions, and assessed in terms of relevance, coherence and nuance. This stage of work explicitly involved attention to the

variety of perspectives offered by the different countries and groups of respondents, while also maintaining material consistency.

Based on thematic clustering, we organised the most important insights for each topic and compared them with each other. This made it possible to reveal both similarities and differences, while at the same time exposing underlying contextual factors. In parallel, we identified overarching themes and key challenges, which were later discussed in the report.

The resulting insights formed the basis for the analytical framework of the report. Quotations were selected to illustrate broader findings, while keeping an eye on representativeness, nuance and diversity of perspectives.

1.6 Definitions

1.6.1 Harmful practices

In both the literature and policy practice, the term “harmful practices” is interpreted in divergent ways.¹⁷ The interviews and focus groups revealed that experts, including experiential experts, interpret the term differently and at times see it as problematic, among other reasons because it suggests an assumed normativity and carries cultural connotations. Diverse interviewees commented that use of the term “harmful practices” may give the impression that certain forms of violence are more harmful than others. This raises the question of whether other forms of violence are then implicitly regarded as “normal.” Several experts indicated that they saw this as fundamentally problematic.

At present, there is no generally accepted or established legal definition of the term “harmful practices,” which makes it difficult to delineate a specific target group or designate applicable situations.¹⁸ Given this lack of clarity, as well as objections to the term mentioned above, we decided not to use “harmful practices” as an overarching concept in this report. Instead, the terms forced marriage, transnational abandonment and female genital mutilation (FGM) are always individually named and discussed.

1.6.2 Protection order

In this study, we use a broad working definition of the concept “protection order,” taking our inspiration from the existing legal frameworks of the European Union (EU). More particularly, we sought to maintain consistency with the definition of “protection measure” as given in Directive 2011/99/EU on the European protection order¹⁹ and Regulation No 606/2013 on mutual recognition of protection measures in civil matters.²⁰

17 Butter, E., & Omlo, J. (2021). *Een verkennend onderzoek naar de preventieve aanpak van schadelijke praktijken in Nederland: Over witte vlekken in het beleid en effectieve interventies*. Bureau Omlo, pp. 9-10. Accessed on 1 May 2025 via <https://www.bureauomlo.nl/wp-content/uploads/2022/01/verkenning-schadelijke-praktijken.pdf>

18 Elsinga-Dam, A., Noteboom, F., & van Duuren, P. (2023). *(On)zichtbare slachtoffers van schadelijke praktijken – Op Chat met Fier van 2018 t/m 2021*. Fier, p. 22. Accessed on 1 May 2025 via <https://www.zonmw.nl/sites/zonmw/files/2023-11/Fier---Chatrap-port-schadelijke-praktijken.pdf>

19 Europese Unie. (2011). *Richtlijn 2011/99/EU van het Europees Parlement en de Raad betreffende het Europees beschermingsbevel*, Article 2(2). Accessed on 1 May 2025 via <https://eur-lex.europa.eu/legal-content/NL/TXT/HTML/?uri=CELEX:32011L0099>

20 Europese Unie. (2013). *Verordening (EU) nr. 606/2013 van het Europees Parlement en de Raad betreffende de wederzijdse erkenning van beschermingsmaatregelen in burgerlijke zaken*, Article 3. Accessed on 1 May 2025 via <https://eur-lex.europa.eu/legal-content/NL/TXT/HTML/?uri=CELEX:32013R0606>

Each of these EU instruments is devoted to the protection of persons, but is limited to either the criminal or civil law context, respectively. Thus, for this study we chose an integrated working definition that better reflects the situation on the ground in the Netherlands and in the other countries reviewed, where protection orders can be issued under civil, criminal or administrative law.

In addition, this study's specific focus are preventive "protection orders" (and hence not "protection measures") that are issued by judicial bodies (and hence not by other authorities).

In order to do justice to the diversity of legal contexts in which protection orders can be issued, we chose the more capacious definition of Van der Aa et al.²¹ as our starting point. The existing definition was modified and expanded to take in the protection of minors as well. This is of crucial importance given that a considerable percentage of the (potential) victims of forced marriage, transnational abandonment and FGM are minors.

The working definition used in this study reads as follows:

“A decision, provisional or final, issued by a judicial body in the context of civil, criminal or administrative law proceedings that imposes rules of behaviour (as a prohibition or a command), with the aim of protecting a person – minor or adult – against an act that may endanger that individual’s life, physical or psychological integrity, dignity, personal liberty or sexual integrity.”

The granting of asylum on the grounds of the fear of forced marriage, transnational abandonment or FGM falls outside the scope of this study. Although asylum may provide protection in individual cases, it constitutes a form of international protection with a different legal nature and assessment framework.

1.6.3 Forced marriage

In the case of forced marriage, there is no free choice of partner and pressure is put on one or both marriage partners to enter into a marriage.²² A forced marriage is usually characterised by the following elements: a form of coercion is used; this coercion is exerted by a partner, family member, member of the community or a third party; the autonomy of at least one of the marriage partners has been compromised; there is a causal connection between the pressure exerted and entering into the marriage; and as a result of the foregoing, the marriage lacks the free and full consent of both partners.²³

21 Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving*. INTERVICT, p. 22-23. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/1972/2183-volledige-tekst-deel-i_tcm28-72403.pdf?sequence=2&isAllowed=y

22 Cornelissens, A., Kuppens, J., & Ferweda, H. (2004). *Huwelijksdwang: Een verbintenis voor het leven? Een verkenning van de aard en aanpak van gedwongen huwelijken in Nederland*. Beke Reeks, p. 27. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/1755/volledige-tekst_tcm28-70485.pdf

23 Rutten, S., Smits van Waesberghe, E., Blauwhoff, R., van Eijk, E., Kruiniger, P., Reches, L., Ramakers, E., & Rook, I. (2019). *Verboden huwelijken: Onderzoek naar de werking van de Wet tegengaan huwelijksdwang in de praktijk*. Verwey-Jonker Instituut, Maastricht University, p. 42. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/2459/3024_Volledige_Tekst_tcm28-419749.pdf

For this study, we sought to maintain consistency with the definition used by Maastricht University and the Verwey-Jonker Institute:

“Marriages that are concluded under the influence of coercion and against the free will of at least one of the marriage candidates.”²⁴

The term forced marriage can refer to both formal and informal marriages. Situations in which someone agrees to get married under physical or psychological threat also fall under this definition.²⁵

1.6.4 Transnational abandonment

Transnational abandonment refers to a person being left behind in a foreign country involuntarily. This typically happens during a family visit or trip back to the country of origin of the person concerned, the country of origin of (one of) the parents or grandparents, or to a country where relatives of the person concerned reside. The victim is often taken along under a pretext and misled about the purpose or duration of the stay.

The following working definition is used in this study:

“A situation in which someone is abandoned in a foreign country against their will.”

Transnational abandonment can take various forms. Young people are often abandoned by one or both parents, for instance with the aim to be “re-educated.”²⁶ In other cases, adult women or men are abandoned by their partner or spouse, sometimes along with their underage children. Travel and residency documents are often confiscated in order to prevent a return to the Netherlands.²⁷ Characteristic of this practice is that the person performing the act of abandonment usually returns to the Netherlands, while the victim remains behind in the foreign country.

24 Rutten, S., Smits van Waesberghe, E., Blauwhoff, R., van Eijk, E., Kruiniger, P., Reches, L., Ramakers, E., & Rook, I. (2019). *Verboden huwelijken: Onderzoek naar de werking van de Wet tegengaan huwelijksdwang in de praktijk*. Verwey-Jonker Instituut, Maastricht University, p. 20. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/2459/3024_Volledige_Tekst_tcm28-419749.pdf

25 Adviescommissie voor Vreemdelingenzaken. (2005). *Tot het huwelijk gedwongen. Een advies over preventieve, correctieve en repressieve maatregelen ter voorkoming van huwelijksdwang*. ACVZ, p. 2. Accessed on 1 May 2025 via <https://www.adviesraadmi-gratie.nl/publicaties/publicaties/2005/9/8/tot-het-huwelijk-gedwongen>.

26 Smits van Waesberghe, E., Sportel, I. D. A., Drost, L., van Eijk, E., & Diepenbrock, E. (2014). *Zo zijn we niet getrouwd: Een onderzoek naar omvang en aard van huwelijksdwang, achterlating en huwelijkse gevangenschap*. Verwey-Jonker Instituut, Maastricht University, Femmes for Freedom, p. 26. Accessed on 1 May 2025 via <https://repositoryubn.ru.nl/bitstream/handle/2066/201680/201680.pdf>

27 Landelijk Knooppunt Huwelijksdwang en Achterlating (n.d.). *Wat is achterlating?* Accessed on 1 May 2025 via <https://www.huwelijksdwangenachterlating.nl/ik-heb-hulp-nodig/wat-is-achterlating>.

The case study below²⁸ illustrates how transnational abandonment of a woman and her children can take place under everyday circumstances, and how complex the situation becomes when travel documents are missing and the abandoning parent refuses to cooperate in the victims' return.

Transnational abandonment in Tunisia

Fatima (8) and Amir (5) were born in the Netherlands. Both their parents are Tunisian. There were tensions in the family because the father thought the mother had become too westernised and did not keep their traditional values. He announced that he wanted a divorce.

During the Christmas holidays, the family travelled to Tunisia for a family visit. When they arrived at the airport in Carthage for the return flight, it appeared that the passports for the mother and children were missing. This meant that they could not leave the country. The father flew back to the Netherlands alone, leaving his wife and children behind at the airport.

Fatima and Amir were taken in by their grandmother. Afterwards, the father refused to cooperate in their repatriation to the Netherlands. He stated that he was acting in the interests of the children, because, he said, they would be better off in Tunisia.

Transnational abandonment is often associated with a stay abroad in conditions of dependency and isolation; it often involves an involuntary break with the social environment in the Netherlands, restricted freedom of movement, few social contacts, psychological pressure and/or (the threat of) physical violence.²⁹

1.6.5 Female genital mutilation

Female genital mutilation is the term used by the World Health Organization (WHO), abbreviated as FGM.³⁰ This study makes use of the authoritative definition of the WHO, which reads as follows:

28 The names used in the case study are fictional, but it is based on a published legal case: District Court of The Hague, (2011). ECLI:NL:RBSGR:2011:BT6889. Accessed on 1 May 2025 via <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBSGR:2011:BT6889>.

29 Gremmen, M. D. (2020). Achterlating en huwelijksdwang: juridische mogelijkheden. *FJR*, 2020(47). Accessed on 1 May 2025 via <https://www.kinderbescherming.nl/themas/huwelijksdwang/documenten/publicaties/2020/09/25/huwelijksdwang-en-achterlating-fjr-2020-47>.

30 Pharos. (z.d.). *Algemene informatie over meisjesbesnijdenis*. Accessed on 1 May 2025 via <https://www.pharos.nl/infosheets/algemene-informatie-over-meisjesbesnijdenis/>.

“Female genital mutilation (FGM) comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.”³¹

The WHO has classified four types of FGM, based on the degree to which the external genitalia are removed or injured. These vary from a small incision or pricking to full infibulation, which refers to the removal of the visible part of the clitoris and/or labia and stitching the vaginal opening together. This procedure only allows a small opening for passing urine and menstrual blood. FGM is usually performed on young girls, often before they reach the age of 15.³²

1.7 Complex interconnected problems

Forced marriage, transnational abandonment and FGM are complex phenomena that differ in their origins, motives, and manifestations. These practices are often embedded in broader gender norms and beliefs about honour, marriage and family.³³

These practices are typically sustained by the community and reinforced by social control, group pressure and loyalty. Unequal power relations and deeply rooted gender stereotypes also play an important role.³⁴

A defining feature of these practices is the strong social control exerted by the (potential) victim's immediate community. Those targeted often find themselves in a highly dependent situation – financially, legally, emotionally – and pressured to conform to imposed norms.³⁵ Although girls and women are most often affected, boys, men and LGBTIQ+ people are also put under pressure to meet these expectations.³⁶

Feelings of loyalty to family or community inhibit openness, while the violence does not always manifest itself in physical or visible forms. Victims often experience psychological pressure, threats or coercive control.³⁷ These problems are, for the most part, played out behind closed doors. The hidden nature of these

31 World Health Organization. (2025). *Female genital mutilation: Key facts*. Accessed on 1 May 2025 via <https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation>.

32 World Health Organization. (2025). *WHO guideline on the prevention of female genital mutilation and clinical management of complications*. WHO/RHR/15.17. Accessed on 1 May 2025 via <https://www.who.int/publications/i/item/9789240107281>.

33 United Nations Population Fund & United Nations Children's Fund (2019). *Global Programme to Accelerate Action to End Child Marriage and Female Genital Mutilation – Annual Report 2018*. UNFPA & UNICEF, p. 30. Accessed on 1 May 2025 via <https://www.unfpa.org/sites/default/files/pub-pdf/UNFPA-UNICEF-Annual-Report-2018.pdf>.

34 Committee on the Elimination of Discrimination against Women & Committee on the Rights of the Child. (2019). *Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women / general comment No. 18 of the Committee on the Rights of the Child on harmful practices (CEDAW/C/GC/31/Rev.1 - CRC/C/GC/18/Rev.1)*. United Nations. Accessed on 1 May 2025 via <https://www.ohchr.org/en/documents/general-comments-and-recommendations/joint-general-recommendation-no-31-committee>.

35 Smits van Waesberghe, E., Sportel, I. D. A., Drost, L., van Eijk, E., & Diepenbrock, E. (2014). *Zo zijn we niet getrouwd: Een onderzoek naar omvang en aard van huwelijksdwang, achterlating en huwelijkse gevangenschap*. Verwey-Jonker Institute, Maastricht University, Femmes for Freedom, p. 30. Accessed on 1 May 2025 via <https://repositoryubn.ru.nl/bitstream/handle/2066/201680/201680.pdf>.

36 Butter, E., & Omlo, J. (2021). *Een verkennend onderzoek naar de preventieve aanpak van schadelijke praktijken in Nederland: Over witte vlekken in het beleid en effectieve interventies*. Bureau Omlo, p. 56. Accessed on 1 May 2025 via <https://www.bureauomlo.nl/wp-content/uploads/2022/01/verkenning-schadelijke-praktijken.pdf>.

37 Janssen, J. (2017). *Focus op eer. Een verkenning van eerzaken voor politieambtenaren en andere professionals*. Den Haag: Boom-criminologie.

practices, in combination with feelings of shame and the fact that these topics are difficult to discuss, makes it all the more challenging to protect (potential) victims in a timely and effective manner.

In many cases, parents are acting in the belief that they are doing what is best for their children.³⁸ For instance, FGM is wrongly considered as a prerequisite for social acceptance within the community, or it is believed that marriage secures the future for a child. Not infrequently the perpetrators lack any understanding of the physical, psychological and sexual health risks associated with these practices.

Furthermore, in actual practice, it appears that forced marriage, transnational abandonment and FGM cannot be strictly separated. Interwoven cases sometimes arise, where different practices are carried out simultaneously or sequentially. For example, a minor may be forced into marriage in a foreign country and then abandoned there, or a girl can be subjected to FGM and then left behind with family due to fear of criminal prosecution in the Netherlands. It also happens that a forced marriage is preceded by FGM as a precondition for acceptance within the family.

The complexity of these issues is further compounded by an international dimension: many situations develop in part outside the national borders of the Netherlands.

1.8 Reading guide

This report is structured as follows. Chapter 2 provides an overview of preventive protection orders currently available in the Netherlands to protect (potential) victims of forced marriage, transnational abandonment and FGM. Chapter 3 describes the most detrimental obstacles within current Dutch practice. Chapter 4 contains an overview of the operational legal frameworks in Belgium, Denmark, Norway and the United Kingdom. Chapter 5 presents a more detailed analysis of the protection orders available in the United Kingdom, with particular attention to their distinctive features and potential added value for the Dutch context. Chapter 6 outlines the key lessons learned from British practice. Building on this international analysis, chapter 7 explores the extent to which the “hybrid approach” could also offer the Netherlands a viable means to protect (potential) victims. Finally, Chapter 8 presents the main findings of the study, and formulates recommendations for policy and practice.

38 United Nations Population Fund (2020). *State of World Population 2020*. UNFPA, p. 4. Accessed on 1 May 2025 via <https://www.unfpa.org/publications/state-world-population-2020>.

2. Current preventive protection orders in the Netherlands

In this chapter we describe the Dutch legal framework and provide a concise³⁹ overview of the preventive protection orders that are currently available in the Netherlands to protect potential victims of forced marriage, transnational abandonment and FGM. We also outline how frequently these preventive protection orders have been issued.

39 For a comprehensive analysis of the legal instruments available in the Netherlands that can be applied in cases of forced marriage, transnational abandonment and FGM, the researchers refer to Esser, L. B., ten Voorde, J. M., & van Nieuwenhuizen, N. M. J. (2020). *De aanpak van schadelijke praktijken: een juridisch perspectief*. Universiteit Leiden. Accessed on 1 May 2025 via https://www.huiselijkgeweld.nl/binaries/huiselijkgeweld/documenten/rapporten/2020/06/05/de-aanpak-van-schadelijke-praktijken/De_aanpak_van_schadelijke_praktijken_een_juridisch_perspectief.pdf.

2.1 Child protection measures

When there is a suspected case of forced marriage, transnational abandonment or FGM affecting a minor, the civil courts are empowered to issue child protection measures. This section discusses the relevant child protection measures available.⁴⁰

2.1.1 (Provisional) Supervision Orders

When the development of a minor is seriously threatened, and the parent or parents do not accept (or only insufficiently accept) the necessary care to avert this threat,⁴¹ the juvenile court may, pursuant to Article 1:255 of the Dutch Civil Code (DCC), issue a supervision order. A supervision order gives a certified institution⁴² the mandate to maintain supervision of the upbringing and development of the child. The certified institution ensures that the minor and the parents receive the help and care they need, so that the real threats to the development of the child are removed. The certified institution's efforts are aimed at enabling the parent(s) to continue to bear responsibility for the care and upbringing of their child to the extent possible (Article 1:262 of the DCC). In principle, the parents retain parental authority, but are obliged to cooperate with the guidance and instructions of the family guardian and/or child protection officer.

In situations involving (the risk of) forced marriage, transnational abandonment or FGM, a supervision order can be issued if there are well-founded indications that the child is in danger. An important advantage of this measure is that it aimed at creating a safe situation for the child's development, without immediately requiring a separation between the parents and child. In principle, parental authority remains with the parents, but their ability to act is restricted.

A supervision order is temporary,⁴³ valid for a maximum period of 12 months. This term can be continually extended by the juvenile court⁴⁴ for a maximum period of 12 months. However, a supervision order cannot be extended perpetually. When it is no longer likely that the parents will be able to again carry responsibility for the care and upbringing of the child within a reasonable period, the supervision order is no longer regarded as a suitable instrument.⁴⁵ Moreover, the supervision order ends automatically when a child reaches the age of 18.

In urgent cases, the juvenile court may, at the request of the Child Care and Protection Board, issue a provisional supervision order pursuant to Article 1:257 of the DCC. A provisional supervision order is valid for a maximum of three months. Should continued protection be deemed necessary, a request for a regular supervision order has to be submitted within this time period. If the juvenile court determines that a provisional supervision order is necessary, the minor will be assigned a family guardian straightaway. During the period of the provisional supervision order, a home study will be conducted by a child welfare investigator to determine what kind of assistance is needed.

40 Gremmen, M. D. (2020). Achterlating en huwelijksdwang: juridische mogelijkheden. *FJR 2020/47*. Accessed on 1 May 2025 via <https://www.kinderbescherming.nl/themas/huwelijksdwang/documenten/publicaties/2020/09/25/huwelijksdwang-en-achterlating-fjr-2020-47>.

41 Or the parent(s) who exercise parental authority.

42 Article 1.1 of the Youth Act defines "certified institution" as "a legal entity which holds a certificate or temporary certificate, as referred to in Article 34, and implements a child protection measure or youth rehabilitation order."

43 The expectation is that the parents will be capable of taking responsibility for the care and upbringing of their child within a timeframe that is acceptable given the minor's personality and current state of development (Article 1:255(1)(b) of the DCC).

44 Raad voor de Kinderbescherming. (n.d.). *Welke maatregelen van kindbescherming zijn er?* Accessed on 1 May 2025 via <https://www.kinderbescherming.nl/voor-kind-en-ouder/beschermingsonderzoek/welke-maatregelen-van-kinderbescherming-zijn-er>.

45 Bruning, M.R., Van der Zon, K.A.M., Smeets, D.J.H., & Van Boven, H.J. (2022). *Eindevaluatie van de Wet herziening kindbeschermingsmaatregelen*. Universiteit Leiden, p 63. Accessed on 1 May 2025 via <https://repository.wodc.nl/bitstream/handle/20.500.12832/3194/3169-eindevaluatie-wet-herziening-kinderbeschermingsmaatregelen-volledige-tekst.pdf>.

2.1.2 Authorisation for Out-of-Home Placement

If the home situation is deemed unsafe for a child, in addition to a (provisional) supervision order, the juvenile court can be requested to issue an out-of-home placement authorisation. This is an intrusive child protection measure that can be issued when it is considered necessary, in the best interests of the minor, for them to reside (temporarily) somewhere else than with their own parents or caregivers. The legal basis for this measure is Article 1:265(b) of the DCC. It is issued in combination with a (provisional) supervision order.

A request for an authorisation for out-of-home placement can be submitted by the certified institution that is implementing the (provisional) supervision order, the Child Care and Protection Board or the Public Prosecution Service. The juvenile court assesses whether the measure is necessary and proportionate, given the circumstances of the case.

In situations involving (the risk of) forced marriage, transnational abandonment or FGM, an out-of-home placement may be considered necessary when a minor is in immediate danger at home, or when there is a real risk that the child will be taken out of the country.

Out-of-home placement might mean staying with a foster family, in a group home or accommodation offered by a youth care provider (e.g. crisis shelter, treatment group, room training counselling) closed youth care institution or network. An out-of-home placement is always issued for a fixed term of one year, and can be extended for as long as the supervision order remains in effect.

2.1.3 (Provisional) Guardianship Order

When parental authority has been terminated, parents can no longer make decisions about their child. Termination of parental authority is a far-reaching measure, but may at times be deemed necessary in order to prevent continuing harm to the child. The juvenile court can terminate parental authority under Article 1:266 of the DCC. This requires that two legal grounds be met:

1. The situation involves a serious threat to the development of the child, and it is unlikely that the parent will be capable of bearing responsibility for the care and upbringing within a timeframe that is acceptable for the child (Article 1:266(1)(a) of the DCC);
2. The parent has abused their parental authority (Article 1:266(1)(b) of the DCC).

If one or both of these grounds have been met and the measure is deemed necessary to avert an acute and serious threat to the minor, the juvenile court is authorised to appoint the certified institution as guardian. The certified institution then takes over the legal and actual responsibility for the child.

In the context of forced marriage, transnational abandonment and FGM, this measure is particularly indicated when a supervision order would not provide sufficient protection or when parents structurally refuse to cooperate.

In acute situations, the juvenile court can issue a Provisional Guardianship Order at the request of the Child Care and Protection Board pursuant to Article 1:268(2) in conjunction with 1:268(1) of the DCC. A provisional guardianship order is valid for a maximum of three months. Within this period, the Board must submit a request to terminate parental authority through the regular procedure, although in practice this does not always happen.

As with the supervision order, under a guardianship order, the certified institution has the right to make decisions, without parental consent, concerning, among other things, the child's place of residence, medical care, education and travel.

2.1.4 Written instruction

When a minor is placed under supervision, the certified institution is able to compel the parents to follow specific directions issued as a written instruction. The legal basis for this measure is Article 1:263 of the DCC. The purpose of a written instruction is to ensure the effective implementation of the supervision order, and to remove the threats to the development of the minor.

With a written instruction, a certified institution can decide such things as what kind of visitation arrangements, security agreements or care plans have to be observed. The parent or parents who hold parental authority and the minor are required to obey a written instruction (Article 1:263(2) of the DCC). If the parents disagree with the contents of a written instruction, they can petition the juvenile court to declare it void in whole or in part under Article 1:264 of the DCC.

In situations involving the risk of forced marriage, transnational abandonment or FGM, a written instruction can be an important instrument allowing swift intervention to safeguard a child's safety. Such an instruction could for example demand that the minor's passport be handed over to the authorities.⁴⁶ The written instruction thus forms an easily accessible but legally enforceable measure within the framework of the supervision order. If the parents fail to comply with the written instruction, the certified institution can petition the juvenile court to sanction the document and, if necessary, attach a coercive measure to ensure compliance (Article 1:263(3) of the DCC).

In 2021, the State Advocate's Office handed down an opinion, at the request of the Ministry of Justice and Security, on how existing civil law instruments could be more effectively applied in combating forced marriage and transnational abandonment.⁴⁷ This opinion highlighted, among other things, the possibility of petitioning straightaway for a written instruction and its sanctioning by the court when applying for a provisional supervision order. If the parent(s) then refuse to comply with the instruction, the juvenile court can impose a fine or have them taken into custody for failing to obey a judicial order. One important caveat here is that a written instruction is usually only deployed once a supervision order is in effect, and only when the parent's cooperation has been withheld after consultation and persuasive means have been tried and failed. For these reasons, the State Advocate's Office noted in its opinion that the legal feasibility of this possibility in practice is questionable.⁴⁸ For further discussion, see section 2.6.

2.2 Criminal protection orders

Criminal law offers the possibility of issuing protection orders during different stages of the criminal proceedings, such as restraining orders, no-contact orders, location bans and area bans.⁴⁹ As the research of

46 Ministerie van Volksgezondheid, Welzijn en Sport. (2021). *Voortgang actieagenda schadelijke praktijken*, p. 8. Accessed on 1 May 2025 via <https://open.overheid.nl/documenten/ronl-20f544b4-22c3-4897-8815-6abba1278445/pdf>.

47 Ibid.

48 Ibid.

49 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving*. INTERVICT, p. 25-26. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/1972/2183-volledige-tekst-deel-i_tcm28-72403.pdf?sequence=2&isAllowed=y.

Van der Aa et al. has clearly shown, the Netherlands has a wide range of modalities available which can be used as the basis for issuing protection orders.⁵⁰ The primary purpose of these measures is to protect the victim from violence by the (suspected) perpetrator.

The conditions for granting such orders, maximum duration, immediate enforceability and consequences of breaching an order depend on the legal basis on which the order rests.⁵¹ For example, an order may be issued as a special condition for suspending pre-trial detention, as part of a conditional sentence, as a behavioural measure, or as a special condition for (conditional) dismissal or penal order.

If the order is violated, the Public Prosecution Service has various options available, from issuing a warning to initiating legal proceedings against the suspect.⁵²

2.3 Civil protection orders

Civil courts in the Netherlands are also competent to issue protection orders, such as restraining and no-contact orders. In practice, civil protection orders are almost⁵³ exclusively issued in connection with interim relief proceedings (Articles 254-260 of the Dutch Code of Civil Procedure).⁵⁴ The legal basis for a civil protection order is usually a wrongful act, in combination with a judicial injunction (Article 6:162 in conjunction with 3:296 DCC).

Courts usually attach a fine to a protection order in order to compel the restrained party to comply (Article 611 ff. of the Dutch Code of Civil Procedure).⁵⁵ In exceptional cases, courts can also seek effective enforcement by attaching a custodial penalty (Article 585 ff. of the Dutch Code of Civil Procedure), although in practice this seldom occurs.⁵⁶

Enforcement of civil protection orders is in the hands of bailiffs. If a protection order is violated, the bailiff can proceed to collect the imposed penalty payment.

2.4 Administrative protection orders

There are two paths to obtaining a protection order under administrative law: under the Temporary Domestic Exclusion Order Act and under the Psychiatric Hospitals (Compulsory Admissions) Act.⁵⁷ But in situations involving the risk of forced marriage, transnational abandonment or FGM, most of the time neither

50 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving*. INTERVICT, p. 64. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/1972/2183-volledige-tekst-deel-i_tcm28-72403.pdf?sequence=2&isAllowed=y.

51 Ibid, p. 10.

52 Ibid, p. 10-11.

53 In theory, it is also possible to obtain a protection order through proceedings on the merits of the case.

54 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving*. INTERVICT, p. 73. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/1972/2183-volledige-tekst-deel-i_tcm28-72403.pdf?sequence=2&isAllowed=y.

55 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland: Deel 2: Aard en omvang*. INTERVICT, p. 12. Accessed on 1 May 2025 via https://repository.wodc.nl/bitstream/handle/20.500.12832/1971/deelrapport-2-aard-en-omvang_tcm28-72398.pdf?sequence=2&isAllowed=y.

56 Snijders, J. H., Klaassen, C. J. M., & Meijer, G. J. (2007). *Nederlands burgerlijk procesrecht*. Kluwer, p. 475-480.

57 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving*. INTERVICT, p. 57. Accessed on 1 May 2025 via https://repositorywodc.nl/bitstream/handle/20.500.12832/1972/2183-volledige-tekst-deel-i_tcm28-72403.pdf?sequence=2&isAllowed=y.

of these instruments can provide the level of protection needed or there are other reasons preventing its use. The Temporary Domestic Exclusion Order Act is primarily aimed at creating calm in cases dominated by (the threat of) violence, and facilitating the activation of support services. The Psychiatric Hospitals (Compulsory Admissions) Act enables unilateral intervention by the government in the interests of averting danger caused by a patient with a mental disorder, and targets situations where the seriousness of the danger is directly related to the mental condition of the person concerned.

2.5 Other preventive protection measures

In the Netherlands, other preventive measures are also used in practice to prevent forced marriage, transnational abandonment and FGM. Although, strictly speaking, these measures do not fall under the definition of “protection order” as explained in section 1.6.2 of this report, the measures outlined below were frequently mentioned in the interviews and focus groups. For this reason, we decided to include the following two measures in this study.

2.5.1 Entering an alert in the Schengen Information System

The Schengen Information System (SIS) is the most important instrument for exchanging information within the Schengen area and enables countries to collaborate in the areas of security and border control. The system allows the Royal Marechaussee (military police) and other competent authorities to enter and consult alerts regarding, among other things, missing persons, persons sought for security reasons and vulnerable persons in need of protection.

In the context of forced marriage, transnational abandonment and FGM, SIS can be used preventively to ensure that potential victims do not travel abroad. Pursuant to Article 32(1)(d) of the Regulation (EU) 2018/1862, alerts for minors can be entered in SIS when there is a situation involving “a concrete and apparent risk of them being removed from or leaving the territory of a Member State,” and further under subsection (i): “becoming victims of trafficking in human beings, or of forced marriage, female genital mutilation or other forms of gender-based violence.”⁵⁸ In such cases, the competent authorities can use an assessment form to request⁵⁹ that an alert be entered in the system in order to inform border security in the Schengen zone.

2.5.2 Declaration of Intent against FGM

In situations involving actual or suspected increased risk of FGM occurring during a planned trip abroad, Safe at Home is increasingly making use of what is referred to as a “Declaration of Intent against FGM.” This instrument was developed collaboratively by the police, the Public Prosecution Service, Probation Services and Safe at Home for the purpose of protecting potential victims of FGM.

In this document, parents give Safe at Home a declaration in writing⁶⁰ that they will protect their daughters against FGM. The declaration states, among other things, that the parents are aware of the serious consequences of FGM, that they know the practice is a criminal offence in the Netherlands, and that they will actively prevent their daughter(s) from being cut, for example by keeping them under constant supervision. They

58 Europese Unie. (2018). *Verordening (EU) nr 2018/1862 van het van het Europees Parlement en de Raad betreffende de instelling, de werking en het gebruik van het Schengeninformatiesysteem (SIS)*, Artikel 32, lid 1, sub d(i). Accessed on 1 May 2025 via <https://eur-lex.europa.eu/legal-content/NL/TXT/HTML/?uri=CELEX:32018R1862>.

59 This form is in the possession of the researchers.

60 This form is in the possession of the researchers.

also provide consent for their daughter(s) to undergo a physical examination upon their return from abroad. This declaration of intent must be differentiated from the “Female Genital Mutilation and Cutting Protection Document,” which was developed by the Ministry of Health, Welfare and Sport.⁶¹ The latter declaration, in the form of a flyer, is intended for girls and young women from high-risk countries and their parents who are planning to take a holiday or visit family in their country of origin together. The flyer can be issued by professionals and its purpose is to create awareness within the family circle in the country of origin. It emphasises that FGM is prohibited in the Netherlands and seen as a criminal offence.

2.6 Use of preventive protection orders

The Netherlands lacks nationwide systematic data on the use of preventive protection orders.⁶² It is therefore impossible to ascertain how often preventive protection orders are issued in the Netherlands in cases of actual or suspected forced marriage, transnational abandonment and FGM. GREVIO, the independent body that oversees compliance with the Istanbul Convention, observed this lack of data in its baseline report on the Netherlands.⁶³ The committee encouraged the Dutch authorities to start collecting data on the number, type and duration of protection orders issued each year.⁶⁴

The interviews and focus groups revealed that preventive protection orders are only used to a limited extent in practice to protect actual and potential victims of forced marriage, transnational abandonment and FGM. And when authorities do enact a measure, it is almost always a child protection measure.

Based on the interviews with Dutch experts, preventive protection orders seem to be issued somewhat more frequently when there are signs of forced marriage and transnational abandonment than for suspicions of FGM. This finding was confirmed by the results of a Mentimeter Poll among professionals during the 10-year anniversary conference of the National Exchange on Forced Marriage and Transnational Abandonment. Of the attendees (N=87), a majority (57%, N=50) had never applied for a protection order. Of those who had used it, the order was primarily deployed in cases involving a high risk of forced marriage or transnational abandonment.

The interviews with Dutch experts further indicated that in situations involving a high risk of FGM, a supervision order is usually imposed, whereas in cases of forced marriage or transnational abandonment a provisional guardianship order is more often applied. This difference seems to be connected to the purpose of the measure: transnational abandonment often requires repatriation of the minor, while cases involving FGM mostly focus on organising the right kind of support in the Netherlands and preventing travel abroad (by using an out-of home placement authorisation).

The recommendation of the State Advocate’s Office to petition immediately a written instruction and its sanctioning by the court when applying for a provisional supervision order have, up to the present time, not been

61 Ministerie van Volksgezondheid, Welzijn en Sport. (2024). *Verklaring tegen meisjesbesnijdenis in verschillende talen*. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/publicaties/publicaties/2019/06/30/verklaring-tegen-meisjesbesnijdenis-in-verschillende-talen>.

62 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland: Deel 2: Aard en omvang*. INTERVICT, p. 8. Accessed on 1 May 2025 via https://repository.wodc.nl/bitstream/handle/20.500.12832/1971/deelrapport-2-aard-en-omvang_tcm28-72398.pdf?sequence=2&isAllowed.

63 Group of Experts on Action against Violence against Women and Domestic Violence. (2020). *Baseline Evaluation Report Netherlands*. GREVIO/Inf(2019)19, para. 69. Accessed on 1 May 2025 via <https://rm.coe.int/grevio-report-on-netherlands/1680997253>.

64 Ibid., para. 292.

applied in practice. According to the Dutch experts interviewed, there are both legal and practical obstacles. One significant obstacle is the requirement that at least one custodial parent must be physically present in the Netherlands. In cases involving forced marriage and transnational abandonment, however, this is often not the case: parents are out of sight or consciously sidelined out of fear that they would obstruct contact with the National Contact Point for Forced Marriage and Abandonment (LKHA) and the child would disappear from view.

In addition, the State Advocate's proposal does not align with the systematics of Dutch child protection law, where, generally speaking, a written instruction is only issued in cases where consultation and persuasive tactics have not led to cooperation. In the initial phase after the issuing of a supervision order, professionals usually invest time in building a working relationship between the parents and the children's guardian, and only when there is a lack of cooperation do they consider issuing an instruction.

A legal advisor with the Child Care and Protection Board put it this way:

“There are indeed some caveats. [...] The aim of the law is, in the first instance, to issue a supervision order. If that is not sufficient, a written instruction by the certified institution may follow, and subsequently judicial confirmation, with or without a coercive measure. A written instruction is generally not intended as an emergency measure. It is also very much the question whether a judge would confirm a written instruction sanctioned with a fine or civil detention at the stage of a provisional supervision order. We're open to the notion and would like to try it out sometime, but a suitable case hasn't come along yet.”

Legal Advisor – Child Care and Protection Board

2.7 Use of preventive protection measures

Although in theory entering an alert in the [Schengen Information System](#) can be used to prevent forced marriage, transnational abandonment and FGM, in practice it seems these options are only used to a limited extent in the Netherlands. According to several respondents, an important reason for this is the lack of awareness among professionals of the existence of this instrument.

Interviews with Dutch experts showed that, over the past year, SIS alerts have been submitted for a number of cases where there was a fear that a minor girl would be taken abroad to undergo FGM. One respondent was involved in a case where a family was actually stopped at the airport.

The Declaration of Intent against FGM is regularly used by Safe at Home as a preventive protection measure in situations where there is an increased risk of FGM. In interviews and focus group discussions, there were divergent opinions on this measure. On the one hand, the declaration of intent is regarded as a useful preventive instrument, partly because parents are required to explicitly state that they will not have their daughter to undergo FGM and give their consent for a medical examination upon return. Knowing that this exam will actually take place is seen by some professionals as an effective deterrent.

At the same time, Dutch experts also expressed concerns about the legal and ethical aspects of this measure. Various respondents cited uncertainty about the underlying legal basis and questioned how voluntary the signing of a Declaration of Intent is for the girl or her parents. Concerns were also raised about possible violations of physical integrity and human rights, the risk of re-traumatization, and the potential stigmatising effect on affected communities.

In addition, several respondents expressed the fear that a mandatory medical examination could be counterproductive, for example because parents might decide to abandon their daughter in a foreign country out of fear of legal consequences upon return. For these reason, professionals tend to be cautious in using this measure in situations involving a suspicion of risk without solid indications that FGM has already taken place.

To conclude, it appears that the limited use of existing protection orders and protection measures by professionals in the Netherlands is not so much a question of not *wanting* to apply these measures, but rather that they encounter all kinds of reasons why they feel *unable* to do so. The next chapter will provide a more detailed analysis of these obstacles.





3. Obstacles to the protection of potential victims in the Netherlands

This chapter contains a detailed analysis of the obstacles experienced in practice when trying to protect (potential) victims of forced marriage, transnational abandonment or FGM. There are both system-wide obstacles as well as obstacles in the legal instruments. Where relevant, we also briefly address leads for pursuing solutions suggested by the respondents.

3.1 Insufficient Detection

One precondition of effective protection is that warning signs are promptly recognised and acted upon in a timely manner. This is not self-evident in practice: signals of risk are often detected too late, or not at all. In the following sections we discuss two underlying obstacles: limited visibility of potential victims and the failure to recognise warning signs in time.

3.1.1 Limited visibility of potential victims

The first obstacle concerns the limited visibility of potential victims of forced marriage, transnational abandonment and FGM. As one of the experiential experts effectively put it:

“How can you protect someone if you don’t see them?”

Experiential expert from Sudan

In the interviews, Dutch experts repeatedly referred to “the tip of the iceberg.” This observation has been confirmed by previous studies. For example, Askari et al. concluded that, despite receiving increased social and political attention, groups at risk are still insufficiently identified.⁶⁵ The available figures on individuals at risk of forced marriage, transnational abandonment and FGM – for example as reported by service providers or government agencies – probably represent only a small fraction of the actual numbers involved. Elsinga-Dam et al. also concluded that many social groups at risk still remain under the radar.⁶⁶ These issues are therefore largely hidden in nature, where in some cases even the potential victim is not aware of the risk. This is illustrated by the following quote:

“Many of the cases that we receive, including those involving transnational abandonment of, for example, a wife and children. If a man wants to leave his wife, he takes her to one of the countries of origin. Very often this kind of problem is completely unknown to us. They have never been on our radar. A man like this takes a decision with his family or alone – we are going back to Afghanistan. By this time, they all hold the Dutch nationality. He takes away their identity documents and then he goes back. And then the case ends up at the National Contact Point for Forced Marriage and Abandonment. And then they ask us: What do you know about this family? And then we see that, very often, we actually don’t know anything about it at all.”

Head – National Expertise Centre for Honour-Related Violence

Experiential experts who participated in the focus groups also recognised the situation where professionals often only become involved when the problem has escalated. The key question, therefore, is how potential victims can be identified at an earlier stage.

65 Askari, L., Dekkers, M., Van Eeden, Q., & De Nooijer, A. (2019). *Verkenning ‘schadelijke traditionele praktijken’*. Andersson Elffers Felix, p. 5 and p. 21. Accessed on 1 May 2025 via <https://open.overheid.nl/documenten/ronl-b98ecdee-eb39-484a-b1d2-a7568a260b53/pdf>

66 Elsinga-Dam, A., Noteboom, F., & van Duuren, P. (2023). *(On)zichtbare slachtoffers van schadelijke praktijken – Op Chat met Fier van 2018 t/m 2021*. Fier, p. 3. Accessed on 1 May 2025 via <https://www.zonmw.nl/sites/zonmw/files/2023-11/Fier---Chatraport-schadelijke-praktijken.pdf>

In the focus groups, both experts and experiential experts emphasised the **importance of awareness-raising** within the communities. Information and education can contribute to awareness, to making taboo subjects discussable, and to strengthening resistance to family pressure. Because these practices are often accompanied by social control and psychological pressure – and mainly take place out of sight – awareness-raising can help to lower the threshold for seeking help.

Dutch experts endorse the approach set out in the Multi-Year Plan on Self-Determination 2022-2025,⁶⁷ which puts the focus on prevention and efforts to raise awareness within communities in order to stimulate a “change in mentality.” Simultaneously, respondents indicated that the current policy has limitations in terms of its scope. The focus is mainly on women who have a migration background, while other groups are also at risk. For example, a recent study by Butter et al. demonstrates that forced marriage and transnational abandonment also occur among other closed communities where there is little room for sexual diversity, choice of religion or individual self-determination.⁶⁸

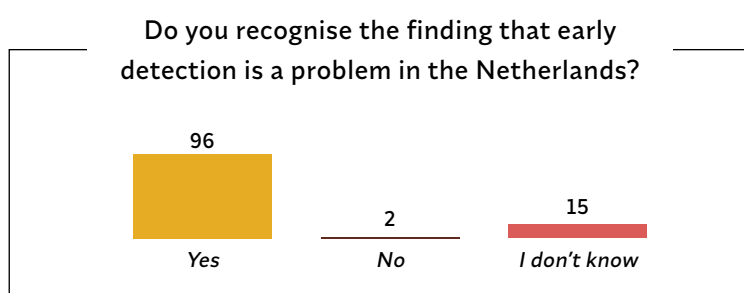
Experts in the focus groups emphasised that women and girls who do not have a migration background, as well as boys, men and LGBTIQ+ people, can also be at risk. Therefore, it is important that awareness campaigns and other preventive interventions be expanded so that these groups too are brought into view and can be given protection.

3.1.2 Warning signs detected too late or not at all

In addition to awareness-raising within communities, adequate detection by professionals is of crucial importance in order to identify potential victims at an earlier stage. In all the interviews with Dutch experts, the importance of early detection was explicitly mentioned. According to them, it is essential that warning signs of (possible) cases of forced marriage, transnational abandonment and FGM are recognised at an early stage and followed up, but they said that currently this is insufficiently the case.

That this finding is widely shared is also evident from the Mentimeter Poll conducted during the national ‘Harmful Practices’ inspiration day on 14 January 2025, organised by Pharos in Utrecht. The vast majority of those present (85%, N=113) indicated that early detection is a problem in the Netherlands (see Figure 2).

Figure 2: Mentimeter Poll from Pharos national inspiration day



67 Ministerie van Sociale Zaken en Werkgelegenheid. (2022). *Kamerbrief Meerjarenplan Zelfbeschikking*. Rijksoverheid, p. 5. Accessed on 1 May 2025 via <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/11/04/kamerbrief-meerjarenplan-zelfbeschikking>.

68 Butter, E., & Omlo, J. (2021). *Een verkennend onderzoek naar de preventieve aanpak van schadelijke praktijken in Nederland: Over witte vlekken in het beleid en effectieve interventies*. Bureau Omlo, p. 56. Accessed on 1 May 2025 via <https://www.bureauomlo.nl/wp-content/uploads/2022/01/verkenning-schadelijke-praktijken.pdf>.

A study by Van Duijneveldt et al. also shows that warning signs of FGM are not always recognised in practice.⁶⁹ Professionals are often insufficiently aware that there is a threat of FGM or that it has been carried out. Askari et al. also emphasise that the ability of professionals to detect warning signs can be strengthened, and in particular they see room for improved early detection in schools.⁷⁰

3.2 Reluctance to act among professionals

When warning signs of forced marriage, transnational abandonment or FGM are recognised, it is important that they are also actually followed up. The interviews with the Dutch experts showed, however, that in practice professionals feel a hesitation to act. Raising and addressing suspicions of these sensitive issues is perceived as difficult. A youth healthcare counsellor described it as follows:

”I think that youth healthcare professionals are able to detect warning signs, but there is still a certain taboo or hesitation to act in their mind, sort of like ‘Gosh, can I really ask this? Am I allowed to ask this? And then assessing the risk. I think in general that they are well able to do this, but then raising it in a conversation, that this is really quite challenging. But then again, I think to myself: the rights of the child come first. So you have to use all the tools that you have. But of course it is easy to say that from behind my desk. I’m not sitting with them in the consulting room.’”

Youth Healthcare Counsellor – GGD GHOR Nederland

This finding was confirmed by previous studies. Askari et al., for example, found that professionals in schools experience a reluctance to act, and they recommend making targeted investments in capacity building.⁷¹ Van Duijneveldt et al. also identify this reluctance as a major obstacle hindering discussions about FGM.⁷² The report *Eindrapportage Verkennergroep: Versterking aanpak huwelijksdwang en achterlating* (Final Report of the Explorers’ Group: Strengthening the Approach to Forced Marriage and Transnational Abandonment) also explicitly stated that a reluctance to act among professionals is common.⁷³

Dutch experts indicated during the interviews and focus group discussions that professionals do not always possess the right knowledge and (culturally-sensitive) skills for raising and addressing the issue of forced marriage, transnational abandonment or FGM. One of the interviewees explained it as follows:

69 Van Duijneveldt, I., Groen, L., Knapp, M., & de Nooijer, A. (2021). *Signaleren en melden van vrouwelijke genitale verminking*. Andersson Elffers Felix, p. 41. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/binaries/huiselijkgeweld/documenten/rapporten/2021/05/10/signaleren-en-melden-van-vrouwelijke-genitale-verminking/signaleren-en-melden-van-vrouwelijke-genitale-verminking.pdf>.

70 Askari, L., Dekkers, M., Van Eeden, Q., & De Nooijer, A. (2019). *Verkenning ‘schadelijke traditionele praktijken’*. Andersson Elffers Felix, p. 41. Accessed on 1 May 2025 via <https://open.overheid.nl/documenten/ronl-b98ecdee-eb39-484a-b1d2-a7568a260b53/pdf>.

71 Ibid, p. 43.

72 Van Duijneveldt, I., Groen, L., Knapp, M., & de Nooijer, A. (2021). *Signaleren en melden van vrouwelijke genitale verminking*. Andersson Elffers Felix, p. 41. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/binaries/huiselijkgeweld/documenten/rapporten/2021/05/10/signaleren-en-melden-van-vrouwelijke-genitale-verminking/signaleren-en-melden-van-vrouwelijke-genitale-verminking.pdf>.

73 Eerste Kamer. (2013). *Eindrapportage Verkennergroep: Versterking aanpak huwelijksdwang en achterlating*, p. 4. Accessed on 1 May 2025 via <https://zoek.officielebekendmakingen.nl/blg-232096.pdf>.

“It’s a lack of knowledge, a lack of skills. Not knowing when you can and should raise the topic. But another problem is that these cases don’t come along so often. So professionals also don’t have enough ‘flight hours’ for getting experience to be able to tackle this properly.”

Senior Researcher – Pharos

To strengthen the knowledge and skills of professionals, diverse e-learning courses have been developed in recent years, among others by Pharos.⁷⁴ These digital teaching materials were mentioned during the interviews and focus group discussions by multiple respondents as valuable support instruments in practice. At the same time, respondents indicated that their reach remains limited because it is primarily professionals who are already interested in these topics who are making use of the training materials. Mandatory or more systematic training is therefore considered necessary. As a senior programme manager for the Federation of Somalian Associations in the Netherlands aptly put it:

“I trained professionals for years. Some have never encountered it yet, or they don’t see it. [...] Everyone talks about hesitation to act and lack of knowledge, but how can we pool our knowledge? Right now it’s fragmented. That’s not good for the target group. It’s not good for professionals. Protection is a two-way street.”

Senior Programme Manager – Federation of Somalian Associations in the Netherlands

3.3 Inaccurate Risk Assessment

Next, a careful risk assessment is required to assess whether the use of protection orders is necessary. The interviews and focus groups showed that, in practice, assessing risks does not always take place with due care.

3.3.1 Panic reactions

A number of respondents indicated that protection orders were sometimes too hastily applied when there were suspicions of forced marriage, transnational abandonment or FGM. In this context, respondents spoke of “pressing the panic button” or situations where professionals “jumped the gun.” These respondents expressed their concern that protection measures were precipitately applied in certain cases. This assessment was reconfirmed by multiple experiential experts during the focus group discussions.

3.3.2 Lack of careful consideration

In addition to haste, respondents pointed out the lack of careful consideration when warning signs of forced marriage, transnational abandonment and FGM were encountered. Decisions are regularly taken without conducting a sound risk assessment or investigation first.

⁷⁴ Pharos. (2019). *E-learning ‘In gesprek over meisjesbesnijdenis’*. Accessed on 1 May 2025 via <https://www.pharos.nl/nieuws/e-learning-in-gesprek-over-meisjesbesnijdenis/>.

Particularly in situations involving time pressure – for example, in the case of scheduled departures – there is a risk that decisions about applying measures are taken without adequate consideration of the relevant circumstances. Respondents emphasised that this can have far-reaching consequences.

On the one hand, the risk may be underestimated, resulting in a failure to take necessary measures. In the focus group with experiential experts a case was shared involving an investigation that was concluded on the basis of the statement of one parent claiming there was no risk. Later on it turned out that the mother and her daughters had been abandoned abroad and there were indications that the two daughters had undergone FGM.

On the other hand, the risk may be overestimated, which can lead to invasive measures that retrospectively seem unjustified. In the interviews with Dutch experts, an example that was raised multiple times concerned an out-of-home placement authorisation due to a suspected risk of FGM, although afterwards it turned out that the risk assessment had been faulty. A project lead on harmful practices with GGD IJsselland illustrated this situation with a personal experience:

”Yes, three years ago we had the threat of a girl being circumcised. I was asked to become involved because a doctor from Safe at Home called me for a consultation. [...] I knew the family concerned personally from the asylum seekers’ centre. From that perspective, I was pleased to be consulted, although all decisions had already been made by that point. It had all already happened. There was time pressure, because the family was about to leave the country. As a result, the doctor acted without prior consultation. Or maybe had sought advice but didn’t find it. So, she went right to the Child Care and Protection Board. I noticed that she didn’t have sufficient knowledge about the steps that should first be taken within the Reporting Code. [...] The passports of the entire family had already been confiscated. They were prohibited to leave the country for three months. [...] During the process, all kinds of assumptions had been made. [...] That was a shocking experience for me. Especially because the mother had come to the FGM aftercare consultation and she had clearly stated that she would not be having her daughters circumcised. All of that information was available, but it was not accessible to the doctor of Safe at Home. As a result, the family suffered. This had a profound impact on the woman involved. [...] After three months, they regained their passports and eventually left.”

Project Lead on Harmful Practices – GGD IJsselland

In either situation, the effectiveness and legitimacy of the protective framework may be at risk. Respondents mentioned various consequences of inaccurate risk assessments:

- Limitation of fundamental freedoms, such as the right to travel;
- Medical examinations of girls without a clear indication of risk (e.g. for the use of a declaration of intent);
- Stigmatisation and feelings of discrimination experienced by the families involved;
- Erosion of trust in support services, which decreases the willingness to report risks or seek help;
- Fear within communities that children will be placed out-of-home, leading to greater reluctance to engage with authorities.

Various respondents emphasised that key figures or cultural mediators within communities can fulfil a bridging role when making risk assessments. They possess context-specific knowledge, are able to identify warning signs and play an important role in creating trust between support services and families. A careful and timely involvement of such experts can contribute to better substantiated and proportionate risk assessments. It is, however, important that they are specifically trained to enable them to act effectively, including in crisis situations.

3.4 Limited cooperation within the protection chain

Diligent follow-up of early warning signs and sound risk assessment require effective cooperation between the various partners within the protection chain. The interviews and focus groups, however, revealed that such cooperation frequently falls short in practice. Information is fragmented, professionals act within their own purview and fail to coordinate sufficiently with each other. Respondents noted that the relevant parties evidently do not know how to find each other when there are warning signs or reports of concern. They spoke about “islands” within the protection chain, with each party operating independently, and oversight is lacking.

During the interviews and focus group discussions, Dutch experts indicated that the protective potential of cooperation within the protection chain is not yet being fully utilised. Valuable information remains dispersed, and a complete, reliable picture cannot be formed. This makes it more difficult to perform a sound risk assessment, which can lead to the unjustified application of protection orders or conversely to a failure to have them justly imposed.

According to respondents, it is essential that professionals know who they should approach for consultation, advice or referrals, and that handover between protection chain partners take place with due care. Technical and legal obstacles to data sharing were also mentioned, such as differences in working methods, systems, terminology and privacy laws.

Multiple respondents called for one central independent hub for knowledge and expertise, a place professionals could go to for information, case consultation and support. The National Expertise Centre for Honour-Related Violence (LEC EGG) was cited as valuable, but due to its connection with the police there is also a need for a more easily accessible alternative.

In addition, one respondent recommended developing a joint handbook with protection chain partners that would contain an overview of the network, concrete courses of action, and collaboration pathways. Such a handbook would contribute to quicker and better implementation of protection measures in practice.

3.5 Legal gaps

3.5.1 Need for a specific instrument

The interviews with Dutch experts revealed that a number of respondents consider the current legal framework as too general and inadequate for the specific challenges related to forced marriage, transnational abandonment and FGM. The protection orders described in Chapter 2 are of a general nature and, according to these professionals, insufficiently tailored to the complex realities of these practices.⁷⁵

⁷⁵ See also section 1.7.

Respondents said that, in practice, they often “had to put together different measures” in order to provide adequate protection. According to these experts, this regularly leads to delays and uncertainty about the appropriate course of action. The absence of a clear and specific legal instrument was cited by them as an obstruction in situations requiring swift and effective intervention. Additionally, multiple respondents pointed out that the people involved do not always know that forced marriage, transnational abandonment and FGM are criminal offences. Making these acts explicit criminal offences, they believe, would increase public awareness.

A legal advisor with the Child Care and Protection Board put it this way:

“I think there really is a need for more specific measures to prevent people leaving the country. You now have a general measure, but it would be good to introduce a specific measure, one that is really tailored to harmful practices.”

Legal Advisor – Child Care and Protection Board

3.5.2 Rulings by Dutch courts not recognised abroad

A significant legal obstacle inhibiting an effective approach to forced marriage, transnational abandonment and FGM is the limited recognition of Dutch court decisions abroad.

The interviews revealed that orders issued by Dutch courts, such as guardianship measures or out-of-home placement, are often not recognised or enforced abroad. This inhibits the protection of minors who are abandoned outside the borders of the Netherlands, and in many cases makes repatriation particularly difficult.

These problems are not limited to the recognition of court orders, but also affect their practical enforceability. In some countries, women have no access to the legal system, or they are legally dependent on their husbands. In this context, a woman will only be able to return to the Netherlands after she is officially divorced and has been able to acquire her own passport – a process that often takes months if not years and which requires the cooperation of her (ex-)partner.

3.5.3 Put more pressure on (potential) perpetrators

An often-cited obstacle in interviews and focus groups is the lack of legal and practical means for putting pressure on the (potential) perpetrators of forced marriage, transnational abandonment and FGM. Respondents said that the responsibility for protection and taking legal steps is more or less wholly placed on the victim’s shoulders.

Various respondents expressed their concerns about this distorted dynamic. Victims often have to go to extreme lengths to protect themselves, while perpetrators refuse to cooperate in finding solutions, without facing legal consequences. This leads to feelings of powerlessness, injustice and secondary victimisation. As a GZ psychologist explained:

“Something we notice very often is that our girls say: ‘I have to give up so much of my freedom. So much is expected of me, but what happens on the other side?’ The girls and women who are staying with us often tell us that they feel like they are not being treated fairly because of how unfair it is that they have to leave their house and home and the others can just keep living their lives as if nothing had happened. And that they for example are not allowed to have contact any more with people who are good to them, because they are linked to others, or because due to that link their location could become known to someone who we don’t want to know it. [...] This has a big impact on many areas of life and actually on the choices they can make or the steps they can take. And for their whole future. [...] This is the complexity that I see my clients going through. And on top of that the police investigation often goes no further because there is insufficient evidence. [...] When girls and women staying with us hear: we can’t really do anything about your father, your uncle, your brother, then I sometimes think to myself, and in many cases they then say: but why am I doing it at all? Because I have to leave my whole life behind and I have to make all kinds of other choices, but who will actually protect me from everything that has been done to me?”

GZ psychologist – Sterk Huis

Respondents pointed to specific situations in which, for example, fathers consistently refused to give permission for children to return to the Netherlands, held on to their passports or refused to cooperate in repatriation – even when there was a situation involving shared parental authority. If the perpetrator is outside the borders of the Netherlands or a place where Dutch jurisdiction is not recognised, civil protection measures often prove ineffective in practice. A staff member at the National Contact Point for Forced Marriage and Abandonment (LKHA) summarised it the following way:

“We have to continually twist ourselves into all sorts of contortions, while the perpetrator doesn’t have to do anything. They can just sit back and relax. And they do exactly that: nothing. [...] For example, in many cases of transnational abandonment of minors, we don’t even go to the Child Care and Protection Board to request a guardianship order. Because that country does not recognise rulings by the Dutch courts. And then there’s really nothing we can do. It would be so helpful if we could just put more pressure on the perpetrator.”

Protection Chain Manager – National Contact Point for Forced Marriage and Abandonment

Added to that, according to the respondents, the existing instruments lack a credible preventive effect. What’s referred to as a “cease and desist warning” (an oral communication from the police or social assistance to would-be offenders) is experienced in practice as having little effect. A variety of respondents stated that victims often do not feel protected, certainly when nothing has been put in place to protect them.

In the current situation, victims not only feel the harmful effects of the practices, but also shoulder the burden for seeking and obtaining protection. A number of respondents therefore called for legal measures that are more tailored to exerting pressure on the perpetrators, including in the international context. In their view, this would contribute to a more balanced sharing of responsibility and more effective protection of the victim.

3.5.4 Protection of minors vs adults

In the interviews and focus groups, respondents repeatedly pointed out the difference between legal protection options for minors and adults. As explained in Chapter 2, various child protection measures are available for minors, such as the Supervision Order, Authorisation for Out-of-Home Placement and the Provisional Guardianship Order. In the Netherlands, such measures are non-existent for adults. As soon as someone reaches the age of 18, legal child protection options automatically cease.

In practice, the transition from child to adult forms an obstacle because the protection level for young adults is considerably lower than for minors. Multiple respondents said that this legal age limit is problematic, particularly in the case of vulnerable young adults for whom the threat of forced marriage, transnational abandonment and FGM does not automatically disappear when they reach the age of 18. One of the respondents emphasised the desirability of "extended protection measures":

"I was just discussing this with a colleague, you would maybe want some kind of extended protection measure up to the age of 21, for example. And certainly not for everyone, and not every 18-year-old is the same, but there are just really vulnerable young people in our society who you lose sight of when they turn 18. [...] You don't need to change the age limit for adulthood. You just have to do something about the age until which a protection order can be handed down."

GZ psychologist – Sterk Huis

Respondents also indicated that the protection orders that are currently available for adults do not sufficiently target the nature or dynamic of forced marriage, transnational abandonment and FGM.

3.6 Nature of the issue

3.6.1 Group pressure

A recurring obstacle cited by several respondents is that the current legal instruments are primarily directed at individual perpetrators. For example, restraining orders and exclusion orders are imposed on one specific person. This may work well in cases of domestic violence, which usually involves a clearly identifiable perpetrator and victim within an interpersonal dynamic.

An important characteristic of forced marriage, transnational abandonment and FGM, however, is that these practices often stem from collective norms and beliefs within families and communities. There is rarely a situation involving a single perpetrator; usually several relatives or family members are convinced of the need or desirability of the practice in question.

This collective dimension means that the potential victim needs to be protected from several potential perpetrators, co-perpetrators or accomplices. As one of the respondents effectively put it:

“Look, within the police we naturally work with exclusion orders, restraining orders and contact bans. But with these forms of honour-related violence, and that plays a role in for example transnational abandonment and forced marriage, then are dealing with the collective. So, then you can issue a contact ban to the father of the young woman or young man. Or a restraining order if he has committed an act of violence or is threatening. But if his older brother is of the same mind, he’ll arrange things. So yes.”

Head – National Expertise Centre for Honour-Related Violence

Previous studies have also shown that thinking in terms of individual perpetrator-victim relationships, which is usually the case with domestic violence, insufficiently targets the realities of forced marriage, transnational abandonment and FGM. Thus, Askari et al. concluded that solutions aimed at the collective aspect of these practices are more likely to be effective in preventing them.⁷⁶

3.6.2 Temporary protection

During the interviews and focus group discussions, various Dutch experts said that placing minors in care or housing women in a shelter is, in many cases, the only practical option in the Netherlands for providing protection when there is an acute risk of forced marriage, transnational abandonment or FGM. At the same time, it was emphasised that these are often temporary solutions, which contribute little or not at all to addressing the underlying set of problem.

A legal advisor with the Child Care and Protection Board illustrated it this way:

“The out-of-home placement authorisation is sometimes the only option that you have to prevent a child from leaving the country. You can do this for a short period of time. But the difficulty, of course, is that you naturally can’t keep a child confined for a long time just to prevent it from happening. Because six months later, the threat may will be there. So that makes it very complicated. It’s just a temporary solution.”

Legal Advisor – Child Care and Protection Board

⁷⁶ Askari, L., Dekkers, M., Van Eeden, Q., & De Nooijer, A. (2019). *Verkenning ‘schadelijke traditionele praktijken’*. Andersson Elffers Felix, p. 68. Accessed on 1 May 2025 via <https://open.overheid.nl/documenten/ronl-b98ecdee-eb39-484a-b1d2-a7568a260b53/pdf>

Professionals also noted that out-of-home placement is an invasive measure, with potentially long-lasting consequences on the child and the family situation. It may cause harm in relation to family honour or to the restoration of family relationships. For that reason, professionals emphasized that they tried to avoid this measure as much as possible.

Similarly, for adults at risk of forced marriage or transnational abandonment, placement in a safehouse offers only a limited effect. It emerged from the interviews that women are sometimes reluctant to go to a shelter, and take a conscious decision to remain in their home situation. According to various Dutch experts, there is a need for more tailored solutions, as well as legal instruments that are better aligned with the nature and dynamic of these forms of violence.



4. Preventive protection orders in Belgium, Denmark, Norway and the United Kingdom

This chapter describes the legal frameworks of Belgium, Denmark, Norway and the United Kingdom. For each country, the available instruments to protect (potential) victims of forced marriage, transnational abandonment and FGM are outlined. It also examines how often these instruments are applied and – where possible – how the level of protection compares to the situation in the Netherlands.

4.1 Belgium

A variety of specific legal instruments are available in Belgium for protecting potential victims of forced marriage, FGM and honour-related violence. Details of these preventive measures are contained in the Circular COL 06/2017, a directive issued by the Minister of Justice and the Board of Procurators General. The circular explains that it is possible to apply for preventive measures to the family court or the chair of the court of first instance.

On the grounds of *Article 387 bis* of the Belgian Civil Code, the Public Prosecutor may unilaterally submit a request to the family court in the interests of a minor. This is possible even in cases where there is no dispute between the parents regarding parental authority. The court is empowered to hand down a variety of measures, including:⁷⁷

- **A travel ban** preventing parents from leaving the Schengen zone with their minor child for a specified period, or enabling or facilitating the departure of the child with a third party.
- **Surrender of travel documents**, where the passport and/or the identity card of a minor under the age of 15 is temporarily held by the Public Prosecutor's office. If the child has more than one nationality, the court may order that foreign documents are also surrendered.

Compliance with these measures is monitored by the magistrate of the public prosecution service. In the event of non-compliance, the authorities may proceed to question the parents or place an alert in the Schengen Information System (SIS). Additionally, a penalty payment may be attached to these protection orders to ensure compliance, which is forfeit to the Belgian State if there is a violation.

Another measure to prevent someone leaving the country when there is a threat of forced marriage, transnational abandonment or FGM is entering an alert in the **Schengen Information System (SIS) and the Interpol Databank**. This is possible in Belgium just as it is in the Netherlands.⁷⁸ Potential perpetrators may be flagged by the Public Prosecutor under Article 36 of EU Council Decision 2007/533/JHA.⁷⁹ Minor (potential) victims can also be the subjects of alerts on the grounds of Article 32 of EU Council Decision 2007/533/JHA, provided that there is an actual case of disappearance. Such alerts can result in the individuals concerned being stopped at the border.

Finally, in Belgium just as in the Netherlands,⁸⁰ regular use is made of what is referred to as a written **oath of honour** ("declaration of intent"). In certain situations, the magistrate from the Public Prosecution Service is able to invite the parents to sign this document, in which the parents formally declare that they will not perform FGM or proceed with a forced marriage.⁸¹ This document has to be signed in duplicate, with one copy added to the public prosecution case file. The magistrate of the Public Prosecution Service then instructs the parents about their legal obligations and is responsible for monitoring the situation to

77 Openbaar Ministerie. (2017). Omzendbrief COL 06/2017. Accessed on 1 May 2025 via https://igvm-iefh.belgium.be/sites/default/files/downloads/col06_2017_col_nl.pdf.

78 See section 2.5.1 of this report.

79 Openbaar Ministerie. (2017). Omzendbrief COL 06/2017, p. 16-17. Accessed on 1 May 2025 via https://igvm-iefh.belgium.be/sites/default/files/downloads/col06_2017_col_nl.pdf.

80 See section 2.5.2 of this report.

81 Openbaar Ministerie. (2017). Omzendbrief COL 06/2017, p. 19-20. Accessed on 1 May 2025 via https://igvm-iefh.belgium.be/sites/default/files/downloads/col06_2017_col_nl.pdf.

ensure compliance. This may take the form of a hearing attended by the parents or the child, or a medical examination of the child. If the declaration is violated, “this warrants a summons before the criminal court.”⁸²

4.2 Denmark

In comparison with Belgium, Denmark has more general legal instruments available for protecting potential victims of forced marriage, transnational abandonment or FGM.

Civil protection orders can be issued on the grounds of the **Danish Act on Restraining Orders, Exclusion Orders and Expulsion Orders** (Lov om tilhold, opholdsforbud og bortvisning).⁸³ This law provides for the imposition of restraining orders, exclusion orders and barring or expulsion orders. Although these measures are primarily intended for the protection of victims of domestic violence and stalking, they can in principle also be applied in situations where there is a risk of forced marriage, transnational abandonment or FGM.⁸⁴ These protection orders can be issued by law enforcement agencies at the request of the victim, or if required by the public interest.⁸⁵ Non-compliance with these protection orders is a criminal offence and may be punished by a fine or imprisonment for up to two years.⁸⁶

Article 215(a) of the Danish Criminal Code⁸⁷ is also relevant in the context of forced marriage, transnational abandonment and FGM. Introduced in 2018, this provision prohibits parents from sending their child abroad if it would seriously endanger the health or development of the child. Violations of this order may be punished with a prison sentence of up to four years. The primary focus of this instrument is to enable post facto prosecution, and it does not provide any specific measures for preventing leaving the country prior to departure. Although this criminal provision has not been specifically designed as a preventive protection measure, in practice, according to some of the Danish experts interviewed, it could have a preventive effect and thus play a role in preventing forced marriage, transnational abandonment and FGM.⁸⁸

4.3 Norway

In Norway, just as in Denmark, no specific protection measures exist for potential victims of forced marriage, transnational abandonment or FGM. However, general protection orders are available. For instance, the Public Prosecution Service can issue a **restraining order** on the grounds of Section 222(a) of the Nor-

82 Openbaar Ministerie. (2017). Omzendbrief COL 06/2017, p. 20. Accessed on 1 May 2025 via https://igvm-iefh.belgium.be/sites/default/files/downloads/col06_2017_col_nl.pdf

83 Danish Act on Restraining Orders. (2012). *Exclusion Orders and Expulsion Orders* (Lov om tilhold, opholdsforbud og bortvisning), LOV nr 112 af 03/02/2012. Accessed on 1 May 2025 via <https://www.retsinformation.dk/eli/ta/2012/112>

84 Group of Experts on Action against Violence against Women and Domestic Violence (2017). *Baseline Evaluation Report Denmark*. GREVIO/Inf(2017)14, para. 204. Accessed on 1 May 2025 via https://levudenvold.dk/media/zxsc3ibb/grevio-inf-2017-14-dnk_eng-pdf.pdf

85 Danish Act on Restraining Orders. (2012). *Exclusion Orders and Expulsion Orders* (Lov om tilhold, opholdsforbud og bortvisning), LOV nr 112 af 03/02/2012, Article 14. Accessed on 1 May 2025 via <https://www.retsinformation.dk/eli/ta/2012/112>

86 Ibid, Chapter 5.

87 Danish Criminal Code (Straffeloven). LBK nr 1360 af 28/09/2022, Article 215(a). Accessed on 1 May 2025 via <https://www.retsinformation.dk/eli/ta/2022/1360>

88 In the Netherlands we have a similar provision: Article 285(c) of the Dutch Criminal Code. This legal provision covers “crimes against personal freedom” and was introduced for the implementation of the obligation under Article 37 of the Istanbul Convention in order to make the preparations for forced marriage also punishable by law. See also: Tweede Kamer. (2015). *Memorie van toelichting, Uitvoering van het op 11 mei 2011 te Istanboel tot stand gekomen Verdrag van de Raad van Europa inzake het voorkomen en bestrijden van geweld tegen vrouwen en huiselijk geweld* (Kamerstuk 34 039, nr. 3). Accessed on 1 May 2025 via <https://zoek.officielebekendmakingen.nl/kst-34039-3.html>

wegian Criminal Procedure Act.⁸⁹ This legal provision is primarily intended to protect victims of domestic violence from further violence, threats and intimidation, but could in principle also be applied in cases involving forced marriage, transnational abandonment and FGM. Just as in Denmark, victims can apply for this restraining order, or it can be imposed by the authorities. The restraining order is considered a preventive protection measure and not a criminal sanction, although in practice such orders are often only imposed after criminal offences have been committed and reported to the police.⁹⁰ The order is effective for a maximum period of one year and may be extended. Under Article 168(b) of the Norwegian Penal Code, violation of a restraining order is a criminal offence, punishable by a fine or imprisonment for up to one year.

In Norway, **exclusion orders (barring orders)** only exist as a criminal sanction that may be imposed by a court. This is laid down in Section 57 of the Norwegian Penal Code.⁹¹ This means that they can only be imposed on individuals who have committed a criminal offence and only if a criminal procedure is pending. Under special conditions, however, they can be imposed for an indefinite period. It is generally required that the victim has provided a statement and is willing to testify before the protection order is issued. Under Article 168(a) of the Norwegian Penal Code, violations of an exclusion order is a criminal offence, punishable by a fine or imprisonment for up to one year. There are no procedures in Norway for something like a civil protection order.

4.4 United Kingdom

The United Kingdom introduced the **Forced Marriage Protection Order (FMPO)**, under Section 63(A) of the Family Law Act 1996, in 2007. The aim of this civil instrument is to protect potential victims against (the risk of) forced marriage. In 2015, the **Female Genital Mutilation Protection Order (FGMPO)** followed, based on Section 5A and Schedule 2 of the Female Genital Mutilation Act 2003 and modelled on the existing framework of the FMPO.

4.4.1 Legal framework

The FMPO and FGMPO are civil protection orders that can be issued by the family court, or, in complex cases, by the High Court.⁹² When the circumstances require it, these protection orders can also be issued on an emergency basis. The aim of this civil instrument is to protect a person from being subjected to a forced marriage or FGM, or from the risk of such harm.

4.4.2 Who can apply?

The (potential) victim, a local authority or another person who has the permission of the court may apply for either an FMPO or an FGMPO. This might be a family member, friend, teacher, volunteer, representative

89 Ministry of Justice and Public Security (2013). The Criminal Procedure Act with subsequent amendments, the latest made by Act of 21 June 2013 No. 84, Section 222(a). Accessed on 1 May 2025 via https://legislationline.org/sites/default/files/documents/30/Norway_Criminal_Procedure_Act_1981_am2013_en.pdf

90 Dullum, J. (2019). *Besøksforbud – straffeprosessloven § 222a En evaluering av praktiseringen av bestemmelsen i saker om vold i nære relasjoner*. OsloMet, p. 7-8. Accessed on 1 May 2025 via <https://oda.oslomet.no/oda-xmlui/handle/20.500.12199/1284>

91 Norwegian Penal Code. Section 57. Accessed on 1 May 2025 via https://lovdata.no/dokument/NLE/lov/2005-05-20-28/KAPITTEL_111#KAPITTEL_111

92 UK Government. (2021). *Female Genital Mutilation (FGM) protection orders*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/female-genital-mutilation-protection-orders-fgm700/female-genital-mutilation-fgm-protection-orders>

of an NGO, or the police.⁹³ The law accommodates a wide circle of potential applicants who can initiate a protection order. Applications can be filed by both adults and minors (under the age of 18). Children can ask to be represented by a “next friend” or another friend or relative, but this is not necessary if they have a legal representative or if the court agrees to the application being made by the child directly. Where necessary, the contact details of the applicant may be treated confidentially to ensure the safety of those involved.

4.4.3 Against whom can the order be made?

The court order contains legally binding prohibitions, restrictions and/or requirements and instructions aimed at stopping or changing the behaviour of those who want to subject a person to a forced marriage or FGM, or who have already done so.⁹⁴ These court orders can also be imposed on persons who are not specifically mentioned in the application. This recognises the complexity of these issues and the number of people who may be involved within the wider community.⁹⁵

4.4.4 Flexible contents of the order

An important feature of FMPOs and FGMPOs is the tailored approach that is central to these protection orders. The content of these orders are not strictly defined but is adapted to the circumstances of the case. The court weighs the different interests involved, while also assessing both the severity of the risk and the proportionality of the measure. Therefore, each protection order is unique and contains whatever the court deems necessary to protect the potential victim.⁹⁶ For example, the order may contain instructions to surrender passports or other travel documents. Or it might contain a prohibition on leaving the United Kingdom. In addition, the order might state that preparations for a forced marriage or FGM are prohibited, or that contact with persons who have been identified as high risk is prohibited. Other possible measures include supervision of school attendance, mandatory information provision to parents and/or children regarding forced marriage, FGM and the available protection measures. In situations where there is suspicion that the girl has already undergone FGM, the order may also provide for a medical (paediatric) examination.

FMPOs often include instructions demanding the repatriation of the (potential) victim to the territory of the United Kingdom,⁹⁷ as occurred in the following case.⁹⁸

93 UK Government. (2020). *Multi-agency statutory guidance on female genital mutilation*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation/multi-agency-statutory-guidance-on-female-genital-mutilation-accessible-version>.

94 Home Office. (2023). *The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage and Multi-agency practice guidelines: Handling cases of forced marriage*. GOV.UK, p. 8. Accessed on 1 May 2025 via https://assets.publishing.service.gov.uk/media/6447fdc2814c6600128d064b/English_version_contents_page_updated_14.04.23.pdf.

95 Crown Prosecution Service. (2024). *Female Genital Mutilation. Legal Guidance*. Accessed on 1 May 2025 via <https://www.cps.gov.uk/legal-guidance/female-genital-mutilation>.

96 UK Government. (2020). *Multi-agency statutory guidance on female genital mutilation*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation/multi-agency-statutory-guidance-on-female-genital-mutilation-accessible-version>.

97 Noack-Lundberg, K., Gill, A. K., & Anitha, S. (2021). Understanding forced marriage protection orders in the UK. *Journal of Social Welfare and Family Law*, 43(4), p. 371–392. Accessed on 1 May 2025 via <https://doi.org/10.1080/09649069.2021.1996083>.

98 Walker, P. (2008). *NHS doctor saved from forced marriage gets court safeguards*. The Guardian. Accessed on 1 May 2025 via <https://www.theguardian.com/world/2008/dec/19/humayra-abedin-forced-marriage>

The repatriation of Humayra Abedin

Humayra Abedin (32) was a British doctor from Bangladesh, living in London. She was in a relationship with a man from London who worked as a software engineer. Her family rejected this relationship and made several attempts to pressure her into marrying a partner they had chosen for her.

In August 2008, Humayra Abedin was lured by her parents into travelling to Bangladesh on false pretences. She had been told that her mother was seriously ill. Once she arrived, she was held against her will, and her telephone, passport and airline tickets were confiscated. In November 2008, she was forced to marry a man her parents had chosen for her.

Colleagues and friends in Britain were extremely worried about her sudden disappearance and contacted support organisations. In response to her abduction, the High Court in London issued a Forced Marriage Protection Order (FMPO).

The case received widespread media attention and led to intensive cooperation between the British authorities, the British diplomatic representation in Bangladesh and the Bangladeshi judicial system. In December 2008, a court in Dhaka ordered that Humayra be returned to the United Kingdom. A few days later she safely arrived in London.

This was the first case in which an FMPO was issued successfully in an international context. Since that time, the case has been treated as an important precedent for extraterritorial protection in cases involving forced marriage.

4.4.5 Violation as a criminal offence

Initially, violation of an FMPO was not designated as a criminal offence; a breach of the order was enforced through civil mechanisms, including contempt of court. But this changed with the entering into force of Section 63(CA) of the 1996 Family Law Act on 16 June 2014. Since then, a violation of an FMPO has been considered a criminal offence, punishable by a maximum prison sentence of five years.⁹⁹ Likewise, a violation of an FGMPPO is also a criminal offence, carrying the same maximum penalty of five years' imprisonment.¹⁰⁰

4.4.6 Duration of the order

Both the FMPO and FGMPPO remain in effect for as long as the court deems necessary to protect the (potential) victim. This can vary from a short period of a few weeks to several years. The duration of the

⁹⁹ UK Government. (2020). *Forced marriage protection orders*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/forced-marriage-protection-orders-fl701/forced-marriage-protection-orders>.

¹⁰⁰ UK Government. (2003). *Female Genital Mutilation Act 2003*. GOV.UK. Accessed on 1 May 2025 via <https://www.legislation.gov.uk/ukpga/2003/31/schedule/2>.

order is tailored to the specific circumstances of the case. At the same time, the order remains flexible: it can be amended or discharged at any time if the situation requires it. If, for example, it is evident that a formerly identified risk is no longer present, the court may decide to terminate the order. If there is a change in circumstances, for example a change in the family situation or repatriation of a minor, the order may be reviewed. This ensures that the measure remains flexible and adaptable to evolving circumstances.

4.4.7 Combination of FMPO and FGMPO

It is also possible to apply FMPOs and FGMPOs jointly to protect potential victims. The case below illustrates how a combination of the two protection orders were used to protect a young woman from forced marriage and FGM.¹⁰¹

Risk of both forced marriage and FGM

A young woman from the West Midlands was about to enter into an arranged marriage with the approval of both families. Shortly before the wedding, however, the groom's family suddenly withdrew after discovering that the young woman was not circumcised.

Following the breaking of the engagement, pressure was placed on her family. Her father was confronted with accusations and threats from relatives, who reproached him for not having his daughter undergo FGM. The woman stated that several previous marriage proposals had fallen through for the same reason, and that she was regarded as "disrespectable" within her community.

The pressure continued to increase. In an attempt to be accepted by the community, the woman made an appointment with her General Practitioner (GP) and requested to be subjected to FGM. Her GP immediately alerted the police.

During the subsequent interview with the police, the woman explained that she feared her father would force her into marriage and that she might be taken abroad to undergo FGM. The police applied to the court for a combined Forced Marriage Protection Order (FMPO) and FGM Protection Order (FGMPO).

The court laid down a range of terms in the order to ensure the young women's protection. Thus the order directed the father to change his phone number and email address so that he could not be contacted by family members who were pressuring him to have his daughter cut or forced to marry. It was also ordered that the young woman's passport be surrendered to prevent her from being taken abroad. In addition, a so-called "Port Alert" was issued: a warning system at border checkpoints that alerts authorities as soon as an attempt is made to leave the country.

¹⁰¹ Five St Andrew's Hill. (2016). *First person to be protected with a Joint Order against Forced Marriage and FGM*. Accessed on 1 May 2025 via <https://www.5sah.co.uk/knowledge-hub/articles/2016-06-23/first-person-to-be-protected-with-a-joint-order-against-forced-marriage-and-fgm>.

This was the first time both protection orders were jointly issued. In this case, it is important that it was the police who applied for the joint protection orders. This alleviated pressure on the victim since the police could explain to the court the young woman's circumstances so that she didn't have to give evidence against her family.

4.4.8 No protection orders for transnational abandonment

Finally, it is important to note that currently in the United Kingdom there are no specific protection orders for cases of transnational abandonment. In situations where transnational abandonment is linked to the risk of forced marriage, an FMPO is usually applied for. Potential victims of transnational abandonment who do not fall within this context thus remain outside the scope of this civil protection framework.

4.5 Use of Preventive Protection Orders

4.5.1 Limited use in Belgium, Denmark and Norway

Although a variety of legal options exist in Belgium, Denmark and Norway which allow for the application of preventive protection measures when there is a threat of forced marriage, transnational abandonment or FGM, these countries do not have a national registration system where issued orders, compliance and enforcement of these measures are systematically recorded. As in the Netherlands, no statistics on the number of protection orders issued are available at the national level, nor is there data about the specific use of protection orders in cases involving suspected or actual forced marriage, transnational abandonment or FGM. As a result, it is not possible to provide a complete and reliable overview of the actual use of preventive protection orders in these countries.

The interviews with experts revealed that the use of these legal instruments in practice is limited. The application of protection orders was described by respondents as "not very much," "very little," "occasional" and "sporadic." This limited use is similar to the situation in the Netherlands.

The limited use of preventive protection orders in Belgium, Denmark and Norway was confirmed in the reports of GREVIO, the independent committee of experts tasked with monitoring compliance with the Istanbul Convention. In numerous country reports, GREVIO explicitly expressed its concern about the low use rate of protection measures, their insufficient enforcement, and the lack of systematic registration.

- In its baseline report on **Belgium**¹⁰² (2020), GREVIO noted that *"the legislation in question is used very little, if at all, in some judicial districts."*¹⁰³ In the assessment of the implementation of the Circular COL 06/2017, moreover, it emerges that this directive is little known to police and the prosecution service, and is only limited applied in practice.¹⁰⁴ For this reason, GREVIO called on the Belgian authorities to increase efforts to encourage the wider use of protection orders, including by actively promoting them,

102 At the time this report was concluded (May 2025), GREVIO had not yet published its first thematic evaluation report on Belgium.

103 Group of Experts on Action against Violence against Women and Domestic Violence. (2020). *Baseline Evaluation Report Belgium*. GREVIO/Inf(2020)14, para. 199. Accessed on 1 May 2025 via <https://rm.coe.int/grevio-report-on-belgium/16809f9a2c>.

104 GAMS Belgium & End FGM European Network. (2025). *Alternative report submitted by GAMS Belgium and End FGM European Network 1st cycle of thematic evaluation: building trust by providing support, protection and justice*, p. 7. Accessed on 1 May 2025 via <https://rm.coe.int/alternative-report-submitted-by-gams-belgium-and-end-fgm-european-netw/1680b435b6>.

stricter enforcement and the removal of legal and/or operational barriers.¹⁰⁵

- In its baseline report on **Denmark** (2017), GREVIO expressed its appreciation for the existence of protection orders, but at the same time noted concerns about “*their low level of practical use in Denmark*.”¹⁰⁶ GREVIO flagged a striking lack of awareness among the Danish National Police of the importance and potential effectiveness of protection orders.¹⁰⁷ In 2017, the Danish authorities were called upon to increase the use of available protection orders and to enforce them more strictly. In its thematic evaluation report (2024), GREVIO concluded that, in the intervening years (2017-2022), no significant steps had been taken to remove these obstacles. They found hardly any indications of progress: the number of protection orders issued annually remains, according to GREVIO, “extremely low.”¹⁰⁸ They again called on the Danish authorities to make greater use of protection orders, monitor implementation more actively and improve enforcement.¹⁰⁹
- In its baseline report on **Norway** (2022), GREVIO finds that the Norwegian authorities are currently acting in breach of Article 53 of the Istanbul Convention because protection orders are solely available as a criminal measure.¹¹⁰ The thresholds for obtaining protection orders are also too high, and violations of such orders are frequent in Norway.¹¹¹ Although additional tools such as electronic wristbands have been available since 2013, their use remains extremely limited. In the report, GREVIO emphasised that the limited use of protection measures undermines the rights and safety of victims, and calls on the Norwegian authorities to introduce civil protection orders, improve the use and enforcement of existing protection orders, and actively remove obstacles in legislation and practice.¹¹²

To sum up, these findings demonstrate that, although protection orders are legally available in Belgium, Denmark and Norway, their use in practice remains limited.

4.5.2 Widespread use in the United Kingdom

The situation is fundamentally different in the United Kingdom. FMPOs and FGMPOs are not only used on a structural basis, but the number of protection orders issued is also systematically registered. The British Ministry of Justice publishes quarterly statistics on the number of orders issued, which makes the use of these instruments clear and transparent.¹¹³

105 Group of Experts on Action against Violence against Women and Domestic Violence. (2020). *Baseline Evaluation Report Belgium*. GREVIO/Inf(2020)14, para. 203. Accessed on 1 May 2025 via <https://rm.coe.int/grevio-report-on-belgium/16809f9a2c>.

106 Group of Experts on Action against Violence against Women and Domestic Violence. (2017). *Baseline Evaluation Report Denmark*. GREVIO/Inf(2017)14, para. 206. Accessed on 1 May 2025 via https://levudenvold.dk/media/zxsc3ibb/grevio-inf-2017-14-dnk_eng-pdf.pdf.

107 *Ibid.*, para. 208.

108 Group of Experts on Action against Violence against Women and Domestic Violence. (2024). *First thematic evaluation report Denmark*. GREVIO(2024)5, para. 156. Accessed on 1 May 2025 via <https://rm.coe.int/first-thematic-evaluation-report-building-trust-by-delivering-denmark/1680b2d30b>.

109 *Ibid.*, para. 158.

110 Group of Experts on Action against Violence against Women and Domestic Violence. (2022). *Baseline Evaluation Report Norway*. GREVIO/Inf(2022)30, para. 249. Accessed on 1 May 2025 via <https://rm.coe.int/grevio-inf-2022-30-report-norway-eng-pour-publication/1680a923f8>.

111 *Ibid.*, para. 243-244.

112 *Ibid.*

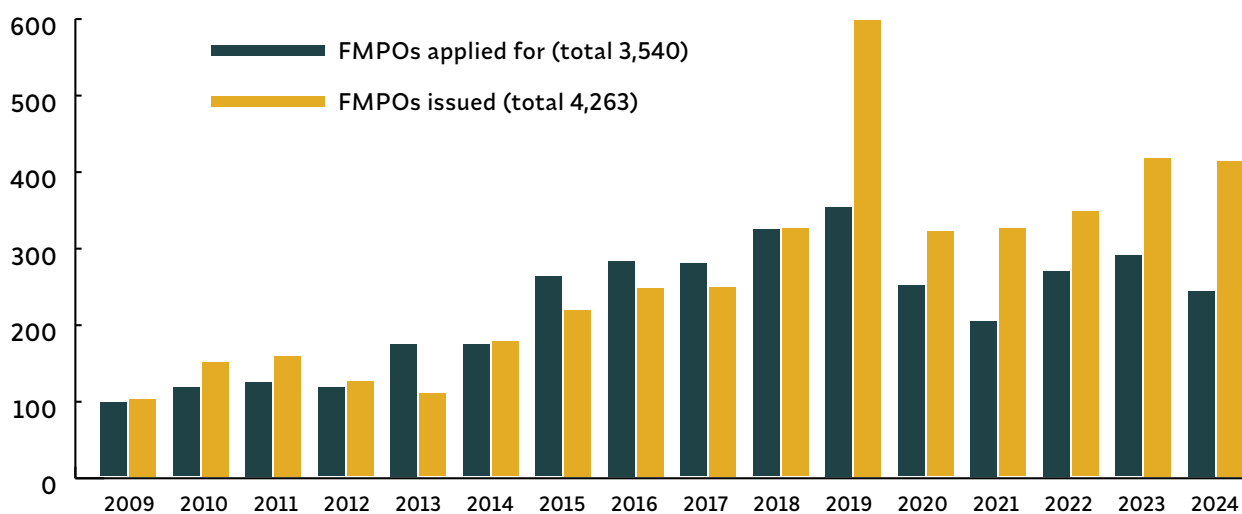
113 UK Government. (2025). *Accredited official statistics. Family Court Statistics Quarterly: October to December 2024*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2024>.

Use of FMPOs

Since their introduction, FMPOs have been used on a structural and ongoing basis. Between 2008 and 2024, a total of 3,540 applications for an FMPOs were submitted, and 4,263 FMPOs were issued.¹¹⁴

Notably, the number of orders issued is consistently higher than the number of applications. This can partly be explained by the fact that one application often concerns multiple persons, for whom individual orders are issued. Additionally, extensions or amendments to existing orders may be registered as new orders, without the requirement of submitting a new application.¹¹⁵ Figure 3 presents a detailed overview of the data on an annual basis.

Figure 3: Use of FMPOs in the United Kingdom



Although the number of applications and issued FMPOs varies per year, a long-term upwards trend is evident starting from its introduction until 2019. One explanation of the peak in 2019 is that the British government organised awareness-raising sessions in that year and invited local authorities, police corps, civil society organisations and others to increase knowledge of FMPOs. Additionally, information about relationships and sex education was made compulsory in the English school system, which also led to increased attention to the issue of forced marriage.¹¹⁶

Furthermore, the statistics reveal that the majority (50-75%) of persons for whom an FMPO is requested are younger than 17 years of age.¹¹⁷ Although female victims are overrepresented (69% in 2023), the data also shows that a substantial number of victims are male (31%).¹¹⁸

114 UK Government. (2025). *Family Court Statistics Quarterly: October to December 2024*. GOV.UK. Accessed on 1 May 2025 via https://assets.publishing.service.gov.uk/media/67e5914f33afcd62e4ca4ce6/Family_Court_Statistics_Quarterly_Oct-Dec_2024 ods.

115 UK Government. (2025). *Family Court Statistics Quarterly: October to December 2024*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2024/family-court-statistics-quarterly-october-to-december-2024>.

116 Ibid.

117 Ibid.

118 UK Government. (2024). *Forced Marriage Unit statistics 2023*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2023/forced-marriage-unit-statistics-2023>.

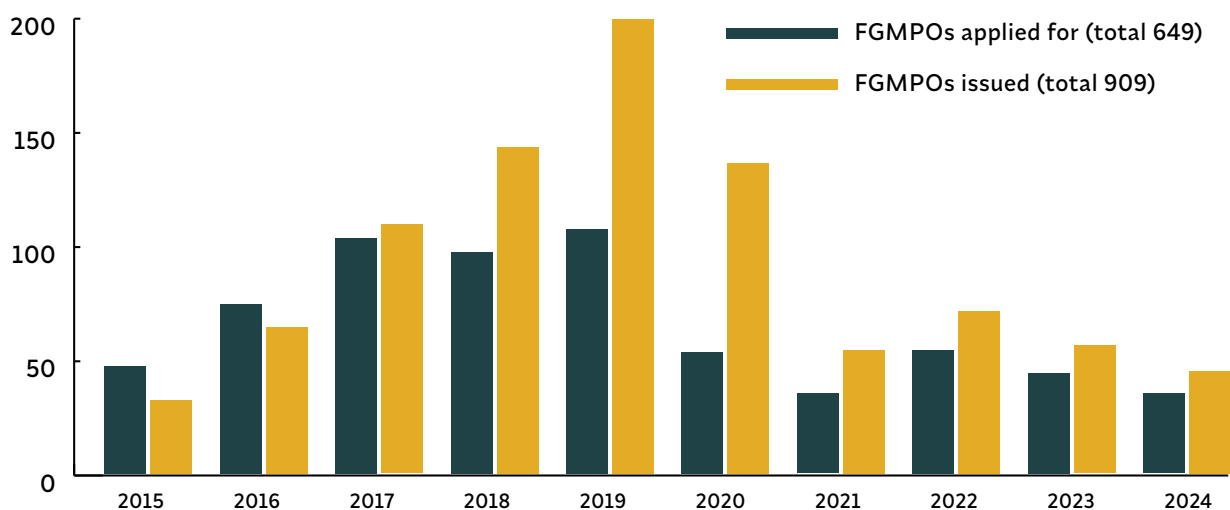
The British Forced Marriage Unit (FMU) emphasises that forced marriage is not a phenomenon confined to one specific country, religion or culture. In 2022, the FMU handled cases involving 25 so-called “focus countries” across six continents.¹¹⁹ These focus countries refer to a country where there is either a risk of forced marriage, a forced marriage has been performed or the (intended) spouse resides. The majority of cases concerned Pakistan, Bangladesh, Afghanistan and India.¹²⁰

In 2022, 78% of the (potential) victims were in the United Kingdom at the time reporting;¹²¹ in 2023 this percentage had risen to 85%.¹²² In 2023, ten cases were reported in which the forced marriage was to take place within the United Kingdom.¹²³ This underscores the fact that forced marriage does not strictly occur in a transnational context, but can also occur within the borders of the United Kingdom.

Use of FGMPOs

Since the introduction of FGMPOs in the UK they have grown to become a major instrument of protection. From July 2015 up to and including December 2024, a total of 649 FGMPOs were applied for and a total of 909 were issued.¹²⁴ Figure 4 presents a detailed overview of the data on an annual basis.

Figure 4: Use of FGMPOs in the United Kingdom



119 UK Government. (2023). *Forced Marriage Unit statistics 2022*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2022/forced-marriage-unit-statistics-2022>.

120 UK Government. (2024). *Forced Marriage Unit statistics 2023*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2023/forced-marriage-unit-statistics-2023>.

121 UK Government. (2023). *Forced Marriage Unit statistics 2022*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2022/forced-marriage-unit-statistics-2022>.

122 UK Government. (2024). *Forced Marriage Unit statistics 2023*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2023/forced-marriage-unit-statistics-2023>.

123 Ibid.

124 UK Government. (2025). *Family Court Statistics Quarterly: October to December 2024*. GOV.UK. Accessed on 1 May 2025 via https://assets.publishing.service.gov.uk/media/67e5914f33afcd62e4ca4ce6/Family_Court_Tables_Oct-Dec_2024 ods.

As with FMPOs, the number of FGMPOs issued exceeds the number of applications. This difference can partly be explained by the fact that one application often targets multiple persons for whom individual orders are issued.¹²⁵

Available statistics show that the majority (49-64%) of persons on whose behalf applications are made for an FGMPO are younger than 17 years of age.¹²⁶ Further data about “focus countries” is not available for FGMPOs.

Compliance with FMPOs and FGMPOs

Although the number of FMPOs and FGMPOs applied for and issued are carefully registered and published by the Ministry of Justice, this is not the case for breaches of these protection orders. Therefore, it is unclear how often violations occur.

During the interviews, the British experts said that FMPOs and FGMPOs are generally complied with in practice. This observation has been confirmed by research into FMPOs, which refers to breaches occurring in “a substantial minority of cases.”¹²⁷ Noack-Lundberg et al. identified six cases in which parents breached the terms of an FGMPO.¹²⁸ The analysis shows that various strategies are used to circumvent the protection orders. Examples include the use of siblings’ passports, the use of a foreign passport in cases of dual nationality, requests to the court to lift the passport prohibition, or invoking family circumstances such as grandparent’s illness or a wedding as a justification for travelling abroad.¹²⁹

4.6 Level of protection

4.6.1 Belgium, Denmark and Norway

Although a direct comparison is difficult due to the absence of a baseline measurement and differences in national contexts, interviews with experts from Belgium, Denmark and Norway indicate that the protection level for (potential) victims of forced marriage, transnational abandonment and FGM in these countries is not substantially higher than in the Netherlands.

In all three countries the current level of protection was described as “low” or “in need of improvement.” None of the experts interviewed said that they were satisfied with the existing protection structures. They also emphasised that many potential victims remain out of sight. A Belgian expert described this as follows:

125 UK Ministry of Justice. (2025). *Family Court Statistics Quarterly: October to December 2024*. Government of the United Kingdom. Accessed on 1 May 2025 via <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2024/family-court-statistics-quarterly-october-to-december-2024>.

126 Ibid.

127 Noack-Lundberg, K., Gill, A. K., & Anitha, S. (2021). Understanding forced marriage protection orders in the UK. *Journal of Social Welfare and Family Law*, 43(4), p. 371–392. Accessed on 1 May 2025 via <https://doi.org/10.1080/09649069.2021.1996083>.

128 Ibid.

129 Ibid.

“What I really think is that we have no sense at all of how many people we are missing. We simply have no idea. Sometimes you only find out about it later, when someone ends up in social assistance through a different route. Then you think to yourself: how is it possible that you didn’t find your way here before?”

Psychotherapist – Centre for General Social Work

Interestingly, Belgian experts regularly point to the Netherlands as an inspiring example in the approach to forced marriage, transnational abandonment and FGM. Various respondents indicated that they were surprised to hear that this study was partly motivated by the assumption that other European countries were possibly better equipped for preventive protection.

Experts from other countries particularly mentioned the National Expertise Centre for Honour-Related Violence (LEC EGG), the National Contact Point for Forced Marriage and Abandonment (LKHA) and the organisation Fier as strong examples of how the Netherlands consolidates knowledge and invests in protection. These organisations regularly welcome foreign delegations who are seeking inspiration. A Belgian case director for Safe at Home who has been involved in the approach to forced marriage and transnational abandonment expressed it as follows:

“In fact, we mostly look to the Netherlands as the country that is already far more advanced in these matters. [...] We ourselves also went to Fier for a working visit. I thought it was a fantastic place. I think Belgium still has a lot to learn from them.”

Case Director – Safe at Home Rivierenland

Several Dutch experts confirmed this view, and noted that the Dutch approach stands out in comparison to other European countries:

“I think that we are unique in Europe when it comes to handling cases involving honour-related violence. The police in Sweden and Belgium actually call me for advice. Our methodology is rock solid. All the partners we work with are full of praise for our approach. [...] I would even say that the countries around us can learn from us.”

Head – National Expertise Centre for Honour-Related Violence

4.6.2 United Kingdom

The interviewed experts from the United Kingdom were unanimous in their assessment that FMPOs and FGMPOs are a valuable addition to the existing instruments used to protect (potential) victims of forced marriage and FGM. The civil protection orders were described as “something that was missing,” “an essential tool to have” and “an important tool in a larger toolkit of protection.”

Multiple respondents emphasised that the orders provide an “extra layer of protection” on top of existing measures. One British expert articulated it as follows:

“I think there was a real gap in the ability of both professionals and some parents to effectively protect their daughters from FGM. That’s why the introduction of the FGM Protection Order was so important, as it filled a crucial void by offering professionals a concrete legal tool to help safeguard girls. [...] For some parents, having the order in place provides a sense of reassurance. It gives them something tangible to show extended family members. It’s proof from the court that there are legal consequences if FGM takes place. In this way, the order offers an added layer of protection, making it clear that if FGM is carried out, it could result in criminal prosecution and even imprisonment. This strengthens their position and helps them protect their children more confidently.”

Chair of Trustees - Sundial: Centre for education on harmful practices

Another British expert pointed out that, particularly in cases of repatriation, these civil protection orders can be especially valuable:

“Generally, protection orders, I think, are really, really useful. [...] Particularly with repatriating, I mean, most of the things that you could ask for in an order are against the law anyway. But it’s that extra level of protection. It’s a clear direction to specific individuals: ‘You can’t do this, you won’t do that.’ It’s about controlling that behavior. It is not just ‘don’t commit FGM’ or ‘don’t force this person into a marriage. It’s about controlling their behavior, much like bail conditions when you’ve got somebody on police bail.”

Community Focus Officer – West Midlands Police

In answer to the question of whether the level of protection in the UK is higher than in the Netherlands, the British experts said that they lack a complete picture of the Dutch situation. They were therefore unable to comment on potential differences in the protection levels between the two countries. They did confirm that the introduction of FMPOs and FGMPOs in the UK has contributed to a higher level of protection compared to the situation before these instruments were introduced.

Numerous examples were shared during the interviews which showed that FMPOs and FGMPOs offered effective protection – not only to girls and women, but also to boys and men.



5. Distinguishing features of British Protection Orders

This chapter examines the specific features and advantages of Forced Marriage Protection Orders (FMPOs) and Female Genital Mutilation Protection Orders (FGMPOs) as applied in the United Kingdom. It also discusses the reflections of Dutch respondents on these elements, with particular attention to their potential relevance and added value within the Dutch context.

5.1 Introduction of protection orders in the United Kingdom

In 2007, the United Kingdom introduced the Forced Marriage Protection Order (FMPO), followed by the Female Genital Mutilation Protection Order (FGMPO) in 2015. The introduction of these protection orders was prompted by political concerns regarding whether existing legal instruments provided sufficient protection for potential victims.¹³⁰ According to the Bar Human Rights Committee (BHRC), the United Kingdom was at that time failing to meet its international obligations:

“The BHRC has grave concerns about the efficacy of the UK’s response to FGM, and has concluded that the UK has been in breach of its international law obligations to protect young women and girls from mutilation. During the period of the UK’s breach, thousands of British girls and young women have been unnecessarily exposed to the risk of mutilation and have suffered irreparable physical and emotional damage. Many could – and should – have been saved. This constitutes a serious breach of the state’s duty of care. Immediate remedial action must be taken.”¹³¹

Against this background, both activists and representatives of communities in which these practices occur advocated strongly for the introduction of civil protection orders. They emphasised that such orders are better aligned with the needs of (potential) victims than criminal sanctions alone, partly due to their preventive character.¹³²

The FGMPO is consciously modelled on the existing legal framework of the FMPO, which at that time had already been applied for several years in civil proceedings. According to the British experts, the positive experience with FMPOs played an important role in this decision.

Based on an analysis of the legal framework, policy documents, evaluations, research reports and interviews with British experts, this chapter identifies a number of distinctive features of these protection orders. These features are discussed in the following sections of this chapter.

5.2 Victim-centred approach

A key feature of protection orders in the United Kingdom is their preventive character: the emphasis is on protecting the (potential) victim, rather than punishing the perpetrator. An FMPO or FGMPO can be issued without immediate criminal consequences attached, e.g. for parents or other family members. For this reason, these orders are also referred to as “positive legal remedies.”¹³³

130 Proudman, C. (2022). *Female Genital Mutilation: When Culture and Law Clash*. Oxford University Press, p. 144.

131 Bar Human Rights Committee. (2014). *Report of the Bar Human Rights Committee of England and Wales to the Parliamentary Inquiry into Female Genital Mutilation*, p. 2. Accessed on 1 May 2025 via <https://barhumanrights.org.uk/wp-content/uploads/2015/07/FGM-report.pdf>

132 Noack-Lundberg, K., Gill, A. K., & Anitha, S. (2021). Understanding forced marriage protection orders in the UK. *Journal of Social Welfare and Family Law*, 43(4), p. 371–392. Accessed on 1 May 2025 via <https://doi.org/10.1080/09649069.2021.1996083>.

133 UK Courts & Tribunals Service. (n.d.). *A Practical Guide to obtaining a Female Genital Mutilation (FGM) Protection Order Or Forced Marriage (FM) Protection Order*. West Midlands Police. Accessed on 1 May 2025 via <https://policeandschools.org.uk/onewebmedia/Guide%20to%20FGMPO.PDF>.

Although protection orders are sometimes seen by professionals or within communities as a sign of failure or as threatening, the British government emphasises that their primary purpose is protection. This applies not only to the (potential) victim, but also as a tool for parents to protect their child(ren) from external pressure.

The interviews with Dutch experts and focus group discussions with professionals and experiential experts showed that this victim-centered approach is regarded as a key difference between Dutch and British practice.

“What I really like about this measure is that the protection of victims is central. And that it takes a significant burden away from them. From having to say that they don’t want something. From having to stand up against their families. This measure removes that from them, placing the focus on their protection. And it means that action is taken when someone violates that protection. And then I think to myself: we don’t have a measure like that.”

Protection Chain Manager – National Contact Point for Forced Marriage and Abandonment

Several experts in the focus group noted that they particularly appreciated the recognition that the victim receives through this measure.

5.3 One specific instrument

An important advantage of the FMPO and FGMPO is that these protection orders provide one clear, specific and uniform instrument for cases involving (suspected) forced marriage or FGM. In contrast to current practice in the Netherlands – where professionals usually have to invoke a combination of available general measures – the FMPO and FGMPO offer a clear and recognisable legal route.

In the opinion of several Dutch experts interviewed, a specific measure, modelled on the United Kingdom, would contribute to greater clarity and oversight. This would benefit both implementing agencies as well as (potential) victims. For victims, moreover, it would also increase legal certainty; after all, it is important that they know where to go to and what kind of protection they might expect.

Furthermore, research in the UK has shown that a specific protection instrument increases the visibility of available protection options, which in turn contributes to promoting greater awareness of the issue.¹³⁴ In the focus groups, several respondents said that the existence of a specific instrument would be interpreted as a strong signal: the government protects *all* its citizens, including the potential victims of forced marriage, transnational abandonment and FGM.

134 Proudman, C. (2022). *Female Genital Mutilation: When Culture and Law Clash*. Oxford University Press, p. 182.

5.4 A tailored approach

Instead of relying on a standard set of measures, FMPOs and FGMPOs allow legal protection to be tailored to the specific circumstances and risks faced by the (potential) victim. This tailored approach was mentioned by all the interviewed experts from the United Kingdom as an important strength of the system. One British expert expressed it as follows:

“I believe the true strength of the FGM Protection Order lies not in the order itself, but in the specific conditions it sets out. What makes it so valuable is that it can be tailored to the unique risks and needs of each girl. That flexibility is crucial. It's not a one-size-fits-all approach. Yes, the order is granted, but what really matters are the detailed steps outlined within it to ensure the girl's protection.”

Chair of Trustees - Sundial: Centre for education on harmful practices

The experts and people with lived experience who took part in the focus group were also positive about the flexibility offered by FMPOs and FGMPOs. Multiple participants said that the current protection measures in the Netherlands do not allow enough scope for personalisation, which reduces their effectiveness in individual cases.

5.5 Protection against group pressure

FMPOs and FGMPOs are explicitly designed to provide protection in situations where group pressure is involved: they offer the possibility of providing protection against multiple potential perpetrators, including persons who are not explicitly named in the application. Anyone who violates the order is punishable under law. That means that these measures recognise the complexity and the wider social network that might be involved.¹³⁵

In addition, the British experts interviewed emphasised that protection orders can also fulfil a significant function within the dynamics of the family. In families where not all family members share the same opinion, a court order can strengthen the position of those who wish to protect the victim. As one expert explained:

“The families aren't homogenous [...] the protection order enables the father to assert himself – or the other way around. [...] It shifts the power balance between the perpetrator and those who might otherwise want to be supportive to the victim.”

Professor – University of Sheffield

¹³⁵ Crown Prosecution Service. (2024). *Female Genital Mutilation. Legal Guidance*. Accessed on 1 May 2025 via <https://www.cps.gov.uk/legal-guidance/female-genital-mutilation>.

Dutch experts and people with lived experience who participated in the focus groups in the Netherlands also identified this as a major advantage. During the consultation with legal experts, however, the importance of the principle of legality and clarity of norms was emphasized: potential perpetrators must be made aware that noncompliance with these orders constitutes a criminal offence.

5.6 Protection for both minors and adults

Another significant advantage of FMPOs and FGMPOs as used in the United Kingdom is that these protection orders apply to both minor and adult (potential) victims. No distinction is made; the same legal route is available to everyone. In this respect, the British model is more flexible and simpler than the cluster of measures that are currently available in the Netherlands. It also prevents victims from falling between the two systems due to age limits. This was considered an important benefit by the participants in the focus groups.

5.7 Broad range of potential applicants

Unlike many other civil measures in the United Kingdom, an application for an FMPO or FGMPO does not have to be submitted by the (potential) victim. Third parties – such as social workers, teachers or family members – can also initiate the application. This broad range of potential applicants was mentioned by all the British experts as a powerful and distinctive feature of these protection orders. According to them, it significantly enhances the accessibility of the instrument.

Dutch experts and people with lived experience also valued this broad application authority, as it enables a more proactive use of protection orders.

5.8 Lower standard of proof and immediate protection

Another distinctive feature of civil protection orders in the UK is that the standard of proof they require is lower than in criminal law. Whereas in a criminal procedure the case must be proved “beyond a reasonable doubt,” in civil proceedings it is sufficient for the court to be satisfied on “balance of probabilities.” This applies both in the Netherlands and the United Kingdom.¹³⁶

The court may therefore impose a protection order when the risk of forced marriage or FGM is sufficiently plausible. According to the interviewed experts from the UK, this lower standard of proof contributes to the preventive nature of the measure; intervention does not depend on conclusive evidence or waiting for actual harm to occur. This makes it easier for (potential) victims and professionals to seek protection in a timely manner.

The accessibility and the ability to obtain an order quickly in the UK were also viewed positively by Dutch respondents with lived experience.

136 Van der Aa, S., Lens, K. M. E., Klerx-van Mierlo, F., Bosma, A. K., & Van den Bosch, M. (2013). *Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving*. INTERVICT, p. 73. Accessed on 1 May 2025 via https://repository.wodc.nl/bitstream/handle/20.500.12832/1972/2183-volledige-tekst-deel-i_tcm28-72403.pdf?sequence=2&isAllowed=y.

“Yes, I think it’s really fantastic. What you then have is protection, immediate protection. That appeals to me a lot. [...] Today we have discussed so many cases and situations where families travelled abroad, had their daughters cut, and then did not return. It would be wonderful if we could use these for people we are worried about, so that action can be taken quickly.”

Experiential expert from Somalia

Because the emphasis is on protecting the (potential) victim rather than prosecuting perpetrators, this approach offers an additional advantage: (potential) victims are more inclined to act as witnesses.¹³⁷ They are not contributing to criminal convictions, but merely requesting their own protection.

5.9 Potential victim can remain in their home environment

Another significant advantage of FMPOs and FGMPOs is that they provide protection to the victim without automatically forcing them to be placed in care. Although out-of-home placement remains necessary in some cases, it often has far-reaching consequences: loss of one’s social network, school or employment and – in some situations – loss of contact with supportive family members.

British civil protection orders make it possible for a potential victim to remain in their familiar living environment and be protected there, provided doing so is safe and desirable. British experts regard this as less burdensome and more sustainable because the victim is not completely removed from their everyday life. One British expert expressed it this way:

“FMPOs are unique, because in any other injunction, the victim is separated from the perpetrator. [...] but they are available for young people who do not want to leave the family home but still want protection.”

Professor – University of Sheffield

Dutch experts and people with lived experience also see this as a significant benefit. It strengthens the position of the victim and helps reinforce a less onerous and more recovery-focused approach.

¹³⁷ Van Duijneveldt, I., Groen, L., Knapp, M. & de Nooijer, A. (2021). *Signaleren en melden van vrouwelijke genitale verminking*. Andersson Elffers Felix, p. 47. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/binaries/huiselijkgeweld/documenten/rapporten/2021/05/10/signaleren-en-melden-van-vrouwelijke-genitale-verminking/signaleren-en-melden-van-vrouwelijke-genitale-verminking.pdf>

5.10 Protection for as long as needed

The duration of an FMPO or FGMPO is tailored to the specific circumstances and can vary from a few weeks to several years. The order remains in effect for as long as the court considers protection to be necessary. Both the British and the Dutch experts regarded this flexibility as an important advantage that reinforces the preventive nature of the measure.

In practice, it also occurs that orders are withdrawn as soon as the risk has been removed. A retired British police officer who was involved in applying for numerous FMPOs and FGMPOs during her career, illustrated this with the following case:

“The last day of my career was fabulous. It was in February last year, and I was at court. We discharged the very first FGM Protection Order that I obtained in 2015. The girls came from Guinea and lived in the Netherlands for a while. Dad got a conviction there for an assault on somebody that had to do with driving. Then they came to the UK and dad wanted the girls to be cut. Mom didn’t. Dad hit the kids and I got the FGM protection order protecting mom as well because she was a protective factor. Dad went to jail for the assaults on the children and was deported to Morocco. Since he is now living in Morocco, the children are safe so there was no need for that order anymore. It was a really good and perfect way to end my career.”

Community Focus Officer – West Midlands Police

5.11 Deterrent effect

An essential element of an FMPO or FGMPO is that breaching the order constitutes a criminal offence. Persons who fail to comply with the conditions of an issued protection order risk a prison sentence of up to five years.

Although forced marriage and FGM are separate criminal offences in the United Kingdom – each carrying high maximum penalties – various experts emphasised that it is precisely the personal and direct imposition of a civil order, with clear conditions, that has a strong deterrent effect.

The interviews with British experts revealed that the explicit warning that violation could lead to criminal prosecution often proves effective in practice. As one British police officer put it:

“I find them to be very, very effective. I think that in most cases, people, they obviously know they’re breaking the law, but I think it’s that shot of ‘we are onto you’. And there’s going to be serious consequences if you don’t abide by this order. And I think that scares a lot of people. In my experience, it has been effective. I was quite sceptical when we got that first one. Because I thought, well, they’re in Pakistan. Why would they bother listening? But they did. And they have done. Each time we’ve put an order in place.”

Detective Inspector – Cambridgeshire Constabulary

According to the British experts interviewed, making it a criminal offence increases the effectiveness of the protection mechanism. The message is clear: the law actively protects the victim, and any violations will be taken seriously and punished accordingly. Particularly in situations involving group pressure or collective decision-making within families or communities, listing the legal consequences has an important normative function.

In this context, a British police officer shared the following case:

“I had a case where anonymous information came into the police. The information said that a woman was coming back from Somalia. This was in October, and she'd been in Somalia since July, together with her two daughters. She was coming back to the UK without her daughters. We knew the airport she was coming to. We knew the flight she was on. And she was coming back because her family had decided that her girls needed to be cut. The mother didn't want them to be cut, and we of course knew that that could possibly be the case. [...] I went to the court that afternoon to get a protection order. [...] The girls were in Somalia, but they were UK nationals, and we needed to get them back into the UK. Based on the anonymous information, I got the order. The judge issued an FGMPO which provided that they had to be repatriated back into the UK within five days uncut. And for them to have a medical examination. [...] So, we went to the airport the following morning. Mum was arrested. She then called her family to say: this is what the order says. If I don't do it, I could go to prison for five years, if the girls don't come back. So, the girls were brought back to the UK within those five days. They were medically examined, and they hadn't been cut thankfully. [...] And the important thing is that they're now protected by that order.”

Community Focus Officer – West Midlands Police

The Dutch experiential experts who participated in the focus groups also expressed their support for criminal enforcement of protection orders. Their expectation is that this would not only have a deterrent effect on potential perpetrators, but that it would make victims more willing to seek help.

6. Lessons learned from the United Kingdom

This chapter discusses the key insights obtained in the United Kingdom since the introduction of Forced Marriage Protection Orders (FMPOs) and Female Genital Mutilation Protection Orders (FGMPOs). Based on evaluations, practical experience and interviews with British experts, lessons have been identified that may be relevant to the Dutch context.

6.1 Risk of stigmatisation

In 2021, FORWARD UK, in collaboration with the University of Huddersfield, published a study¹³⁸ examining the impact of FGM safeguarding policies and procedures in Bristol. The study covered the full range of measures used in the United Kingdom, including the mandatory reporting requirement for professionals, interventions in schools, by healthcare and at airports.¹³⁹ Although FGMPOs were only discussed to a limited extent in the report, the findings are relevant to this study. In particular, the authors warned of the negative effects of the current, overly repressive approach used in the United Kingdom:

*“Their targeted and heavy-handed approach have increased the scrutiny, suspicion and stigmatisation experienced by parents and families in many areas of their lives, from school, to healthcare, to overseas travel.”*¹⁴⁰

This finding underlines the importance of maintaining a careful balance between protection on the one hand, and the prevention of stigmatisation and mistrust on the other.

6.2 Risk of discrimination

A range of different studies in the UK have shown that girls holding the British nationality are, in practice, better protected against FGM than girls who do not hold British nationality or residence status.¹⁴¹ This inequality also emerged in the PhD research conducted by Proudman. She argues that, when FGMPOs were introduced in 2015, it was initially not foreseen that they would be used in migration-related situations.¹⁴²

Although in the legal sense FGMPOs can in fact be used to protect girls and women without residence status, Proudman’s analysis shows that, in practice, family courts are reluctant to grant them. For example, travel bans are rarely imposed on members of this group:

*“The consequence is stark, girls without secure immigration status are afforded less, or second-rate protection from FGM than British children, which is arguably discriminatory.”*¹⁴³

Proudman highlighted that, in some cases, courts refrain from issuing an FGMPO when the case involves an ongoing immigration procedure. There is a concern that the protection order could be used to influence the outcome of the procedure. According to Proudman, civil courts are afraid of seeming to influence the

138 Abdelshahid, A., Smith, K., & Habane, K. (2021). ‘Do No Harm’: Lived Experiences and Impacts of FGM Safeguarding Policies and Procedures - Bristol study. FORWARD UK. Accessed on 1 May 2025 via <https://doi.org/10.34696/ercs-2v52>.

139 UK Government. (2020). Operation Limelight: instructions to police and Border Force staff. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/operation-limelight-instructions-to-police-and-border-force-staff>.

140 Abdelshahid, A., Smith, K., & Habane, K. (2021). ‘Do No Harm’: Lived Experiences and Impacts of FGM Safeguarding Policies and Procedures - Bristol study. FORWARD UK, p. 5. Accessed on 1 May 2025 via <https://doi.org/10.34696/ercs-2v52>.

141 Home, J., Rowland, A., Gerry QC, F., Proudman, C., & Walton, K. (2020). A review of the law surrounding female genital mutilation protection orders. *British Journal of Midwifery*. 28(7), p. 418-429. Accessed on 1 May 2025 via <https://hdl.handle.net/10536/DRO/DU:30145070>.

142 Proudman, C. (2022). *Female Genital Mutilation: When Culture and Law Clash*. Oxford University Press, p. 162.

143 Ibid, p. 144.

decision making of immigration courts.¹⁴⁴ These findings underscore the importance of equal access to protection. Especially in the context of preventive measures, it is imperative to be alert to the risk of treating (potential) victims of forced marriage, transnational abandonment and FGM differently based on their nationality or residence status. As the Dutch Minister of Social Affairs and Employment herself put it in the Multi-Year Plan on Self-Determination 2022-2025: “Any case is one too many and unacceptable.”¹⁴⁵

6.3 Vulnerable position of the victim

Imposing an FMPO or FGMPO is not without risk. A study by Anitha et al. shows that, in some cases, applications for protection orders carry an increased risk of honour-related violence or other forms of abuse. This applies in particular to (potential) victims that are still living with their families or are dependent on their immediate family circle.¹⁴⁶

Although it is positive that a person does not have to be immediately placed in care in order to receive protection, the situation may still be vulnerable – even once an order has been granted. The protection provided by the order can simultaneously lead to tensions or reprisals within the family.

This finding underscores the importance of careful risk assessments and monitoring when applying preventive protection orders. It is essential to remain alert to the possibility that the request for protection may itself lead to escalation of the problem within the family or community context of the person being protected.

6.4 Training of judges and legal professionals

The study by Noack-Lundberg et al. demonstrates that it is essential for judges and legal professionals to receive specific training on the subject.¹⁴⁷ Such training is required not only in order to ensure familiarity with protection orders and the kinds of cases that are relevant, but also to help the judiciary better understand the wider context in which these orders are requested. It is important that judges and legal professionals learn to recognise the prevailing socio-cultural myths and stereotypes, gain greater understanding of the effects of trauma on witnesses and witness behaviour, and become alerted to the role culture and traditions play in certain specific forms of violence.¹⁴⁸

The researchers observed that, in recent years, the standard of proof has been set unnecessarily high in cases involving FMPOs:

“The term ‘probability’ is fraught in domestic and sexual violence cases, as prevalent socio-cultural myths and stereotypes about gendered violence, consent/coercion, learning disabilities,

144 Proudman, C. (2022). *Female Genital Mutilation: When Culture and Law Clash*. Oxford University Press, p. 163-168.

145 Ministerie van Sociale Zaken en Werkgelegenheid. (2022). *Kamerbrief Meerjarenplan Zelfbeschikking*. Rijksoverheid, p. 2. Accessed on 1 May 2025 via <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/11/04/kamerbrief-meerjarenplan-zelfbeschikking>.

146 Anitha, S., Gill, A.K., Noack-Lundberg, K. (2023). *Understanding Protection and Prevention Responses to Forced Marriage in England and Wales*. University of Lincoln and University of Bristol, p. 8. Accessed on 1 May 2025 via https://research-information.bris.ac.uk/ws/portalfiles/portal/368179921/Anitha_Gill_Lundberg_FMPO_Full_Report_May_2023.pdf

147 Noack-Lundberg, K., Gill, A. K., & Anitha, S. (2021). Understanding forced marriage protection orders in the UK. *Journal of Social Welfare and Family Law*, 43(4), p. 371–392. Accessed on 1 May 2025 via <https://doi.org/10.1080/09649069.2021.1996083>.

148 Ibid.

physical disabilities and mental illnesses mean that victims are often not believed by either the public or the courts.”¹⁴⁹

The researchers found that FMPOs function more effectively when judges and legal professionals are adequately trained.

6.5 Importance of effective monitoring

During the interviews, all the British respondents emphasised the importance of proper monitoring after a preventive protection order has been issued. They said that, in the United Kingdom, considerable improvements could be made:

“One thing we're not good at in the UK is monitoring these orders.”

Community Focus Officer – West Midlands Police

Several respondents referred to the tragic case of Somaiya Begum, which received wide media attention in 2022.¹⁵⁰

The Murder of Somaiya Begum

Somaiya Begum was a 20-year-old biomedical sciences student at Leeds Beckett University in Bradford. She grew up in a traditional family, and she was expected to conform to cultural norms and strict gender roles.

After her father tried by violent means to force her to marry a cousin in Pakistan when she was age 16, she was placed in the care of her grandmother. From 2019 she was safeguarded under a Forced Marriage Protection Order (FMPO), which among other things prohibited her from leaving the United Kingdom or being forced to marry.

Despite the existence of this protection order, Somaiya was murdered by her uncle in 2022, after she had again refused to agree to the marriage. On the day she disappeared, her uncle attacked her in the house she was living in. The cause of death was a metal pin which penetrated her lungs. Eleven days later her body was found wrapped in a rug on waste ground.

Her uncle was given a life sentence for murder.

149 Noack-Lundberg, K., Gill, A. K., & Anitha, S. (2021). Understanding forced marriage protection orders in the UK. *Journal of Social Welfare and Family Law*, 43(4), p. 371–392. Geraadpleegd op 1 mei 2025 van <https://doi.org/10.1080/09649069.2021.1996083>

150 BBC News. (2023). *Man jailed for life for murder of niece who refused marriage*. Accessed on 1 May 2025 via <https://www.bbc.com/news/uk-england-leeds-64957852>.

This case dramatically demonstrates the value of an FMPO as a legal instrument, but also shows that additional efforts are required from social assistance, and that systematic monitoring and enforcement are essential to ensure real protection. Without continual professional involvement, signs of renewed risk may go unnoticed, with potentially very serious consequences.

6.6 Effectiveness of FMPOs and FGMPOs

The first academic study of the effects of FGMPOs appeared in 2021, five years after this legal remedy was first introduced. The researchers noted that there was insufficient empirical evidence available – partly due to the lack of any independent evaluation – to determine whether FGMPOs were effectively contributing to protecting girls and women against FGM at the population level:

“[...] there is insufficient evidence to show that, on a population basis, FGMPOs are effective in protecting women and girls from FGM. It remains unclear what impact, if any, FGMPOs are having upon the protection of women and girls at risk of FGM and further research in this area would be welcomed, particularly investigating to what extent an FGMPO actually protects an individual women or girl from FGM.”¹⁵¹

In this context, the researchers called for the appointment of an independent FGM Commissioner¹⁵² with the powers to evaluate the effectiveness of FGMPOs as a preventive measure. Such a commissioner has not been appointed up to the present time, nor has any such evaluation taken place.

In 2023, the first study of FMPOs in the UK was published, which has been referenced elsewhere in this report. Because up until that time little was known about the use and impact of FMPOs on (potential) victims, the aim of the study was to gain more insight into the effects of this protection measure and to formulate recommendations for improving the preventive response to forced marriage in the UK.¹⁵³

The findings show that civil protection orders are primarily effective when used at an early stage – more particularly when the (potential) victim is still in the UK. FMPOs have also been effective in many (but not all) cases in facilitating repatriation where there was a (risk of) forced marriage.¹⁵⁴

At the same time, it was noted that issuing an FMPO also entailed risks, as discussed previously in this chapter. Therefore, a holistic approach is crucial for effective protection, with the cooperation of multiple partners in the protection chain who remain attentive to the social and cultural pressures (potential) vic-

151 Home, J., Rowland, A., Gerry QC, F., Proudman, C., & Walton, K. (2020). A review of the law surrounding female genital mutilation protection orders. *British Journal of Midwifery*, 28(7), p. 418-429. Accessed on 1 May 2025 via <https://hdl.handle.net/10536/DRO/DU:30145070>

152 Home, J., Rowland, A., Gerry QC, F., Proudman, C., & Walton, K. (2020). Why it is time for an FGM Commissioner –practical responses to feminised issues. *Family Law Journal*, p. 1317-1327. Accessed on 1 May 2025 via <https://salford-repositoryworktribe.com/output/1354233>.

153 Anitha, S., Gill, A.K., Noack-Lundberg, K. (2023). *Understanding Protection and Prevention Responses to Forced Marriage in England and Wales*. University of Lincoln and University of Bristol, p. 6. Accessed on 1 May 2025 via https://research-information.bris.ac.uk/ws/portalfiles/portal/368179921/Anitha_Gill_Lundberg_FMPO_Full_Report_May_2023.pdf

154 Ibid, p. 7.

tims are facing. Where FMPOs formed part of a broader package of support, they contributed meaningfully to the safety and recovery of the victim. As the researchers concluded:

“Our research found that the injunctive remedy offered by FMPOs has great potential, but there remains much work to be done in order to realise this potential fully.”¹⁵⁵

In 2022, human rights lawyer Proudman concluded – based on her doctoral research, in which she analysed all published¹⁵⁶ FGMPPO cases – that FGMPPOs function well in practice and effectively contribute to the protection of girls and women in the UK who are at risk of undergoing FGM. She called on other European countries to consider introducing this legal remedy too:

“Whilst there are recommendations for change to FGMPPOs to make them more effective, they are a novel legal remedy that now have a proven trackrecord of success in protecting women and girls from the risk of FGM in England and Wales and abroad. Serious consideration should be given to rolling out FGMPPOs in other European jurisdictions, which would assist in raising awareness of FGM and it would provide a specific legal remedy to prevent FGM.”¹⁵⁷

This recommendation raises the question of how the Dutch legal system relates to this legal remedy, and which elements could potentially be adopted. In the following chapter, therefore, explores the possibilities and potential of a hybrid approach in the Dutch context: a combination of civil and criminal law instruments that reinforce each other.

155 Anitha, S., Gill, A.K., Noack-Lundberg, K. (2023). *Understanding Protection and Prevention Responses to Forced Marriage in England and Wales*. University of Lincoln and University of Bristol, p. 8-9. Accessed on 1 May 2025 via https://research-information.bris.ac.uk/ws/portalfiles/portal/368179921/Anitha_Gill_Lundberg_FMPO_Full_Report_May_2023.pdf

156 Publication of court rulings in these cases is at the discretion of the court appointed to handle the case, which means not all FGMPPO cases have been published.

157 Proudman, C. (2022). *Female Genital Mutilation: When Culture and Law Clash*. Oxford University Press, p. 182.



7. The potential of a hybrid approach

This chapter explores the potential of a hybrid approach to strengthen the protection of (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands. It also explains how the introduction of these hybrid protection orders could support developments that are already underway within the Dutch legal system.

7.1 Hybrid protection orders

Not only in the United Kingdom, but also in other common law jurisdictions, the use of so-called hybrid protection orders is common practice.¹⁵⁸ Australia, for example, has instituted a Domestic Violence Protection Order, which has a civil character although violations can be prosecuted under criminal law.¹⁵⁹ In the United States, civil protection orders form the main instrument for protecting victims of domestic violence.¹⁶⁰ There, too, violation of a protection order constitutes a criminal offence. In addition to the FMPO and FGM-PO, a variety of other protection orders are available in the United Kingdom, such as the Domestic Violence Protection Orders,¹⁶¹ Sexual Risk Orders, Non-Molestation Orders¹⁶² and Occupation Orders, Sexual Harm Prevention Orders and Stalking Protection Orders.¹⁶³

The aim of this hybrid approach is to strengthen civil orders by adding the possibility of criminal enforcement. The threat of criminal prosecution serves as a deterrent, which contributes to the actual protection of the victim.¹⁶⁴

In the Netherlands, there is currently no equivalent to such protection orders.¹⁶⁵ As described in section 2.3, a civil court can issue a protection order, but criminal enforcement of violations of a civil order is currently not possible under Dutch law.

7.2 “A foreign legal concept”?

The present study is not the first Dutch study to take a close look at the use of civil protection orders against forced marriage and FGM in the United Kingdom. In the past, researchers from Leiden University as well as the State Advocate’s Office examined the extent to which FMPOs and FGMPOs could add value within the Dutch approach.

In 2020, Esser, Ten Voorde and Van Nieuwenhuizen researched the legal instruments available in the Netherlands for combatting forced marriage, transnational abandonment and FGM.¹⁶⁶ They concluded, among other things, that:

158 Cleven, I. (2025). *Penal protection orders and (ex-)partner violence: Unravelling when and how survivors feel “empowered”*. Doctoral Thesis, Erasmus University Rotterdam, p. 28. Accessed on 1 May 2025 via https://pure.eur.nl/ws/portalfiles/portal/176892132/cleven4_-_6763e365b4ed9.pdf.

159 Douglas, H., & Fitzgerald, R. (2018). The Domestic Violence Protection Order System as Entry to the Criminal Justice System for Aboriginal and Torres Strait Islander People. *International Journal for Crime, Justice and Social Democracy*, 7(3), 41-57. Accessed on 1 May 2025 via <https://doi.org/10.5204/ijcsdv7i3499>

160 Fritsche, O. M. (2014). The role of enticement in a violation of a protection order. *Washington and Lee Law Review*, 71(2), p. 1473-1504. Accessed on 1 May 2025 via <https://scholarlycommons.law.wlu.edu/wlulr/vol71/iss2/25>.

161 UK Government. (n.d.). *Domestic violence protection orders*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/domestic-violence-protection-orders>.

162 UK Government. (n.d.). *Apply for a non-molestation or occupation order (Form FL401)*. GOV.UK. Accessed on 1 May 2025 via <https://www.gov.uk/government/publications/apply-for-a-non-molestation-or-occupation-order-fl401>.

163 Council of Europe. (2023). *Report submitted by the United Kingdom*. GREVIO/Inf (2023)11, p. 36. Accessed on 1 May 2025 via <https://rm.coe.int/state-report-uk-baseline-evaluation/1680abd6d3>.

164 Fritsche, O. M. (2014). The role of enticement in a violation of a protection order. *Washington and Lee Law Review*, 71(2), p. 1473-1504. Accessed on 1 May 2025 via <https://scholarlycommons.law.wlu.edu/wlulr/vol71/iss2/25>.

165 Esser, L. B., ten Voorde, J. M., & van Nieuwenhuizen, N. M. J. (2020). *De aanpak van schadelijke praktijken: een juridisch perspectief*. Universiteit Leiden, p. 12. Accessed on 1 May 2025 via https://www.huiselijkgeweld.nl/binaries/huiselijkgeweld/documenten/rapporten/2020/06/05/de-aanpak-van-schadelijke-praktijken/De_aanpak_van_schadelijke_praktijken_een_juridisch_perspectief.pdf

166 Ibid, p. 139.

“All in all, the added value of an FGMPO seems to be limited, because most of what can be done on the basis of a protection order is already possible in the Netherlands. Moreover, a proper evaluation is still lacking to date, which means that we don’t know how effective the protection order actually is. This makes us reluctant to adopt a legal instrument what for us is a foreign legal remedy.”¹⁶⁷

And further::

“Based on the present study, this report concludes that this kind of protection order is not necessary in the Netherlands; the protection that can be provided through a protection order is already available in numerous ways under Dutch law. This applies particularly to the child protection measures discussed in Chapter 4, including the provisional guardianship order and the placement in care order for minors.”¹⁶⁸

In 2021, the Ministry of Justice and Security requested the State Advocate’s Office to hand down an opinion on the question of to what extent existing civil instruments, based on the example of the FMPO, could be more effectively deployed to combat forced marriage and transnational abandonment. The State Advocate’s Office concluded, among other things:

“First, the State Advocate’s Office observes that the powers of the civil court are much less far-reaching than those of a British court. In addition, the English system is set up in a different way than in the Netherlands. Thus, adopting such a measure is not really feasible.”¹⁶⁹

They added:

“Given the right to self-determination, the State Advocate’s Office does not see any opportunities within the current civil legal framework for strengthening the position of young adults and mothers. There are already sufficient possibilities within the current (legal) framework. A solution for them can primarily be found in strengthening the practical support provided by the National Contact Point for Forced Marriage and Abandonment and our diplomatic missions.”¹⁷⁰

167 Esser, L. B., ten Voorde, J. M., & van Nieuwenhuizen, N. M. J. (2020). *De aanpak van schadelijke praktijken: een juridisch perspectief*. Universiteit Leiden, p. 139. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/publicaties/rapporten/2020/06/05/de-aanpak-van-schadelijke-praktijken>

168 Ibid, p. 15.

169 Ministerie van Volksgezondheid, Welzijn en Sport. (2021). *Voortgang actieagenda schadelijke praktijken*, p. 8. Accessed on 1 May 2025 via <https://open.overheid.nl/documenten/ronl-20f544b4-22c3-4897-8815-6abba1278445/pdf>

170 Ibid.

Several observations can be made regarding the quotations cited above. As outlined in Chapter 3, there is evidence of legal gaps in the protection of (potential) victims of forced marriage, transnational abandonment and FGM. The objections raised seem partly to arise from a reticence regarding legal innovation, but also fail to do justice to the legal obstacles that emerged from this study.

Among others, these obstacles include the need for a specific legal instrument that better aligns with the nature of forced marriage, transnational abandonment and FGM, which are often characterised by group pressure and collective social norms. Current legal instruments are primarily aimed at individual perpetrators, while this issue is embedded in a broader social context. In many cases, measures such as out-of-home placement or moving to a shelter offer only temporary protection and fail to target the underlying dynamics. Moreover, the options for putting legal pressure on (potential) perpetrators is limited, which means that the responsibility for safety is frequently placed on the victim's shoulders. In addition, legal protection abruptly ends when the victim reaches the age of 18. Finally, the rulings of Dutch courts are often not recognised in other countries, which in practice hampers repatriation.

Moreover, it may be questioned whether a hybrid protection order is inherently a "foreign" legal remedy within the Dutch legal system. In fact, Dutch law already includes a variety of examples of civil and administrative law interventions that can be enforced through criminal law. Some of these instruments are explained in more detail in the following sections.

7.2.1 Temporary Domestic Exclusion Order Act

One example of an instrument enforced under criminal law is the Temporary Domestic Exclusion Order Act. A temporary domestic exclusion order is an administrative law measure aimed at protecting victims of domestic violence which can be issued by a mayor (or delegated to the assistant public prosecutor). There is no requirement for alleged or proven criminal offences at the time of issue. It merely requires a situation involving a threat to the victim, as well as possible threats to children or others living in the same house.¹⁷¹ A domestic exclusion order is initially issued for a period of ten days. The perpetrator of domestic violence is required to leave the house immediately, and to avoid any contact with the persons listed in the order. Pursuant to Article 11 of the Temporary Domestic Exclusion Order Act, a person who violates the temporary domestic exclusion order runs the risk of incurring a prison sentence of up to 2 years or a fine of the fourth category.¹⁷²

7.2.2 Public Assemblies Act

A second example of measures enforced under criminal law are mayoral decisions based on the Public Assemblies Act. A mayor has powers to restrict, prohibit or terminate a demonstration, if deemed necessary.¹⁷³ If a demonstrator fails to comply, criminal enforcement is legally permitted on the grounds of Section 11 of the Public Assemblies Act.¹⁷⁴ Violations carry a maximum penalty of two months' imprisonment or a fine of the second category.

171 Beke, B., & Rullens, S. (2008). *Wet tijdelijk huisverbod: Een handreiking voor de burgemeester*. Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, p. 18. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/binaries/huiselijkgeweld/documenten/publicaties/2008/01/01/wet-tijdelijk-huisverbod-handreiking-voor-burgemeesters/wet-tijdelijk-huisverbod-handreiking-voor-burgemeesters-20080101.pdf>

172 Section 11, Temporary Domestic Exclusion Order Act.

173 Section 5, Public Assemblies Act.

174 Section 11, Public Assemblies Act.

7.2.3 Emergency regulations during the Covid-19 pandemic

A third example of measures enforced under criminal law are the emergency regulations issued during the coronavirus pandemic, which were frequently invoked at the time. These emergency regulations were laid down by the chairperson of the safety region¹⁷⁵ or a mayor.¹⁷⁶ Such emergency regulations were aimed at protecting public order and public health, for example prohibitions against private gatherings or public assemblies of more than a certain number of people. Violation of an emergency regulation is punishable under Article 443 of the Dutch Criminal Code. Violation of an official order is punishable under Article 184 of the Dutch Criminal Code. Both carry a maximum prison sentence of 3 months or a fine of the second category.

7.2.4 Compensation Order

A final example is the Compensation Order. This is a civil claim which can be enforced under criminal law, and is therefore also sometimes referred to as a “hybrid sanction.”¹⁷⁷ On the grounds of Article 36(f) of the Dutch Code of Criminal Procedure,¹⁷⁸ this measure may only be imposed if the suspect is liable vis-à-vis the victim under civil law for damage or injury caused by a criminal offence. The Compensation Order offers victims supplementary protection under criminal law because it is no longer the victim him or herself, but the state that is responsible for collecting the claim.¹⁷⁹

7.3 Combined sessions of the District Court of Rotterdam

The blurred lines between civil and criminal law are evident not only in the legal instruments, but also in practice. A striking example is the integrated approach to domestic violence taken by the District Court of Rotterdam. Since 2018, so-called “combined sessions,” have been held in which cases of domestic violence are dealt with integrally: criminal proceedings are combined with civil proceedings in one court session on domestic violence.¹⁸⁰

Although the number of cases handled in recent years is lower than initially expected, this integrated approach was cited in multiple interviews – by both Dutch and international respondents – as a positive example of different fields of law reinforcing each other. One public prosecutor explained it as follows:

“Yes, we have the combination sessions in Rotterdam. [...] But we have noticed recently that it is not always possible to make truly combined cases from them. This is partly due to conflicting procedural timelines, for example. Or lawyers are hesitant about the approach [...] But the idea behind it is really very good. And in many places, it is really embraced and seen as positive.”

Public Prosecutor – Rotterdam District Court Public Prosecutor’s Office

175 Section 39, Safety Regions Act.

176 Section 174, Municipalities Act.

177 Buisman, S. (2020). Schadevergoeding in de strafprocedure: De wederzijdse relatie tussen het strafrecht en het privaatrecht. *Delikt en Delinkwent*, 2020(6), p. 501. Accessed on 1 May 2025 via <http://deeplinking.kluwer.nl/?param=00D3AE4B&cpid=W-KNL-LTR-Nav>.

178 Article 6:4:2(6) of the Dutch Code of Criminal Procedure.

179 Buisman, S. (2020). Schadevergoeding in de strafprocedure: De wederzijdse relatie tussen het strafrecht en het privaatrecht. *Delikt en Delinkwent*, 2020(6), p. 502-503. Accessed on 1 May 2025 via <http://deeplinking.kluwer.nl/?param=00D3AE4B&cpid=W-KNL-LTR-Nav>.

180 Piepers, N., Buysse, W., & Bruning, M. (2020). *Evaluatie pilot geïntegreerde aanpak huiselijk geweld*. Raad voor de Rechtspraak. Volume 15, No 2. Accessed on 1 May 2025 via <https://www.huiselijkgeweld.nl/publicaties/rapporten/2020/02/01/evaluatie-pilot-geintegreerde-aanpak-huiselijk-geweld>.

According to the experts interviewed, the added value of this approach is two-fold: first, it encourages collaboration between partners in the protection chain, and second, it enables judges to pay more attention to family dynamics, the broader context and the underlying causes of the violence. These points were also evident in the evaluation of the pilot “Integrated Approach to Domestic Violence”:

“The pilot provided qualitative insight into what is required for an integrated hearing of domestic violence cases. Courts handle domestic violence cases with the awareness that, when you deal with domestic violence – even if no civil case is pending – there is often more at stake than the incident for which the suspect is standing trial. With that firmly in mind, during the pilot, judges who were presiding over domestic violence cases did more than just focus on collecting the information they need to rule on a criminal case; they also focused on the information they need to issue legal interventions that could contribute to a solution for reducing the underlying set of problems.”¹⁸¹

Several experts expressed support for this development where civil and criminal law reinforce each other in the interests of finding durable solutions.

7.4 Cross-fertilisation between civil and criminal law

In the literature, there have been calls for better integration of civil and criminal law instruments for some time now, with the goal of providing (potential) victims with more effective protection. Although civil and criminal legal instruments each have their own objective and character, in practice they could be used more to complement and reinforce each other.

In 2013, Van der Aa, Groenhuijsen and Pemberton proposed that – in view of the experience with protection orders under civil law – a “cross-fertilisation between civil and criminal law would really create a win-win situation.”¹⁸² In support of this assertion they mentioned the importance of increasing effectiveness, which would include decreasing the number of execution disputes and enforcement problems.¹⁸³

More recent publications, too, emphasise both the importance and increased use of overarching measures that bridge legal fields. Buisman found that combined legal remedies from different fields of law are increasingly being chosen in the approach to undesired behaviour.¹⁸⁴ The thinking behind this trend is that civil, criminal and administrative law measures can complement each other. The use of one field of law, therefore, does not preclude another, but can actually be complementary to it.¹⁸⁵

181 Piepers, N., Buysse, W., & Bruning, M. (2020). *Evaluatie pilot geïntegreerde aanpak huiselijk geweld*. Raad voor de Rechtspraak. Jaargang 15, Nr. 2. Accessed on 1 May 2025 <https://www.huiselijkgeweld.nl/publicaties/rapporten/2020/02/01/evaluatie-pilot-ge-integreerde-aanpak-huiselijk-geweld>

182 Van der Aa, S., Groenhuijsen, M. S., & Pemberton, A. (2013). Strafrechtelijke beschermingsbevelen en mediation binnen het strafproces: Over nieuwe privaatrechtelijke ondertonen in het strafrecht. *Ars Aequi*. Accessed on 1 May 2025 via <https://arsaequi.nl/product/strafrechtelijke-beschermingsbevelen-en-mediation-binnen-het-strafproces-over-nieuwe-privaatrechtelijke-ondertonen-in-het-strafrecht/>

183 Ibid.

184 Buisman, S. (2021). Naar een normatief kader voor hybride rechtspleging in Nederland en de Europese Unie. *Nederlands Juristenblad*, 2021(4), p. 296-303. Accessed on 1 May 2025 via https://research.vu.nl/files/236164331/NJB_2021_281_Naar_een_normatief_kader_voor_hybride_rechtspleging_in_Nederland_en_de_Europese_Unie.pdf.

185 Ibid, p. 296.

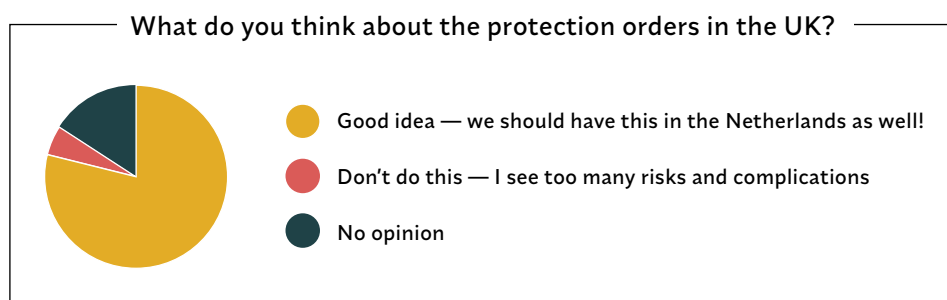
Moreover, several of the legal experts consulted pointed to the fact that the Dutch criminal law system has been struggling with serious capacity issues for quite some time. The police, Public Prosecution Office and the courts are all overburdened, which leads to lengthy processing times, dismissals of cases, backlogs and higher work pressure.¹⁸⁶ A hybrid approach – where civil orders can be enforced under criminal law – offers, in their view, the benefit of not putting further strain on the capacity of the criminal justice system.

The insights set out above form the foundation for the conclusion and recommendations of the following chapter. Thus, this chapter clearly demonstrates that a hybrid approach is not only legally feasible, but that it also fits well within broader current developments in Dutch legal practice.

7.5 Professionals react positively

This research shows that Dutch professionals are supportive of introducing of protection orders modelled on those used in the UK. During the ten-year anniversary of the National Contact Point for Forced Marriage and Abandonment (LKHA), an explanation was provided on how FMPOs and FGMPOs operate in practice. A Mentimeter Poll conducted among those present (N=74) revealed that more than 80% believed that a hybrid protection order like those used in the UK should also be made available in the Netherlands. Only 5% indicated that introduction of such measures would be undesirable, while 16% had no opinion (see Figure 5).

Figure 5: Mentimeter Poll at the ten-year anniversary of LKHA



A positive attitude to a hybrid approach also emerged from the focus group discussions with experts:

“Well, yes, I really have to say, I feel very enthusiastic. I have been very enthusiastic about this kind of protection order for years. [...] We ourselves at the Centre also have experience with Forced Marriage Protection Orders. For instance, when Dutch families have moved to Great Britain and from there have been forced into marriage. We noticed that for some of these minors or young women it was not always the case that they had a protection order. But when we were capable of applying for these, then it was clear that someone could return to Great Britain with remarkable speed within just a couple of days. [...] It provides us a much richer set of tools than we currently have.”

Protection Chain Manager – National Contact Point for Forced Marriage and Abandonment

¹⁸⁶ Tweede Kamer. (2023). *Prestaties in de strafrechtketen: Eindrapport parlementaire verkenning*. Tweede Kamer der Staten-Generaal. Accessed on 1 May 2025 via <https://www.tweedekamer.nl/kamerstukken/rapporten/detail?id=2023Z11672&did=2023D28461>.

Furthermore, the proposed approach was also discussed in a focus group with lived-experience experts. They, too, responded positively, particularly regarding the deterrent effect of criminal enforcement. They also emphasised the importance of clear norm-setting, in which consequences are attached for certain behaviours. One of the experiential experts put it this way:

“Look, we have been dealing [with awareness] for years. Nowadays almost everyone knows that it is not good. People know a lot more now than before. They know that it is harmful. People know what is and what is not allowed. So, right, if you still want to do it, then they at least know that it can have consequences. They need to understand that here people cannot just do what they want to do. That’s why I think this is good.”

Experiential expert from Somalia



8. Conclusion and recommendations

This final chapter provides answers to the four research questions. Drawing on the findings in the previous chapters, a conclusion is formulated about the use and potential added value for the Netherlands of preventive protection orders, as applied in Belgium, Denmark, Norway and the United Kingdom. Next and last, we present a set of recommendations that offer guidance for policy and practice to strengthen the protection of (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands.

Forced marriage, transnational abandonment and female genital mutilation (FGM) are internationally recognised as serious human rights violations with profound and often lasting consequences. It is estimated that each year hundreds to thousands of people in the Netherlands are at risk of becoming victims of these practices. Under international human rights treaties, the Dutch government has a duty to provide effective protection to (potential) victims of these forms of violence. Preventive protection orders can be instrumental in accomplishing this.

Research question 1

What preventive protection orders are currently available in the Netherlands, and what level of protection do they offer (potential) victims of forced marriage, transnational abandonment and FGM?

Various preventive protection orders are available in the Netherlands that may be used to protect (potential) victims of forced marriage, transnational abandonment and FGM. Current laws maintain a strict distinction between minors and adults. For minors, child protection measures – such as the (Provisional) Supervision Order, the Out-of-Home Placement Authorisation, the (Provisional) Guardianship Order and the possibility of applying for a written instruction and having it sanctioned by the court – constitute the primary preventive instruments. For adults, civil and criminal protection orders are available, including restraining orders, contact bans, exclusion orders and area bans.

This study has demonstrated that, in practice, these preventive protection orders are only used to a limited extent in the Netherlands to protect (potential) victims of forced marriage, transnational abandonment and FGM. When a measure is applied, it is usually a child protection measure.

The current approach in the Netherlands falls short on a number of fronts. Potential victims often only become known to social assistance agencies when it is (too) late, and sometimes not at all; warning signs are not always recognised or followed up; and professionals are hesitant to act when raising these sensitive issues. In addition, in many cases risk assessments are not handled with due care, while system-wide cooperation and clear coordination are lacking in the protection chain.

Recommendation 1:

Improve detection, risk assessment and cooperation within the protection chain

Improving the level of protection in the Netherlands demands more than (adjusting) legal instruments alone. Invisible (potential) victims must be recognised and reached. This requires sustained investment in:

- Awareness-raising and prevention efforts in communities where forced marriage, transnational abandonment and FGM occur. These efforts should not focus solely on “women with a migration background,” but on all vulnerable groups (including girls and women without a migration background, as well as boys, men and LGBTIQ+ people).

- Strengthening the knowledge and skills of professionals so that they recognise warning signs more quickly, follow them up properly, know how to raise and address these issues, and therefore enabling a more accurate risk assessment.
- Sustainable collaboration between partners across the protection chain.

In addition to these structural obstacles, the Dutch legal framework also contains a variety of limiting factors. These include the lack of specific legal instruments; the lack of sufficient options for putting pressure on (potential) offenders; the abrupt cessation of protection when a victim turns 18; and the frequent failure of foreign jurisdictions to recognise the rulings of Dutch courts. Moreover, existing measures often target individual perpetrators, while the causes of this issue are usually group pressure and collective norms. Current interventions, such as the out-of-home placement or moving to a shelter, therefore offer only temporary protection, without addressing the root causes of the underlying problems.

Research question 2

What preventive protection orders are used in Belgium, Denmark, Norway, and the United Kingdom to prevent forced marriage, transnational abandonment and FGM?

In all four countries, preventive protection orders are available for protecting (potential) victims of forced marriage, transnational abandonment and FGM. However, their form, applicability and frequency of use vary considerably. Table 1 presents an overview:

Table 1: Overview of preventive protection orders abroad

Country	Type	Protection order	Other measure	Application	Use	Registration
Belgium	Specific	Measures by family court under Article 387 bis of the Belgian Civil Code: <ul style="list-style-type: none"> • Travel ban for parents travelling with their minor child • Surrender of travel documents to the Public Prosecutor's Office 	Placing an alert in SIS/Interpol system (Articles 32 and 36 of EU Council Decision 2007/533/JHA) Oath of honour ("declaration of intent")	Only minors	Limited	No
Denmark	General	Contact, exclusion and restraining orders under the Danish Act on Restraining Orders, Exclusion Orders and Expulsion Orders (LOV no 112 of 03/02/2012)	- Section 215a of the Danish Penal Code: travel ban in case of risk to child health or development	Minors and adults	Limited	No
Norway	General	Restraining order under Section 222(a) of the Criminal Procedure Act Exclusion orders under Section 57 of the Norwegian Penal Code		Minors and adults	Limited	No
United Kingdom	Specific	Forced Marriage Protection Order (FMPO) Female Genital Mutilation Protection Order (FGMPO)		Minors and adults	Structural	Yes 4.263 FMPOs issued (2008-2024) 909 FGMPOs issued (2015-2024)

In all countries studied, legal provisions are in place to protect (potential) victims. However, a national registration system is lacking in Belgium, Denmark and Norway, making it unclear how frequently these instruments are used. Interviews with experts and GREVIO reports suggest that the use of such measures in these three countries is limited.

Research question 3

Do these foreign prevention protection orders result in a higher level of protection than what is currently possible in the Netherlands?

Although cross-country comparisons are complicated by national differences and the absence of a baseline measurement, experts from Belgium, Denmark, and Norway generally described the level of protection as “low” or “in need of improvement.” Notably, Belgian respondents frequently referred to the Netherlands as a source of inspiration. It can be concluded that the level of protection for (potential) victims of forced marriage, transnational abandonment and FGM in these three countries is not significantly higher than in the Netherlands.

The United Kingdom forms a clear exception due to the introduction of specific preventive civil protection orders against forced marriage and FGM: the *Forced Marriage Protection Order* (FMPO) and the *Female Genital Mutilation Protection Order* (FGMPO). These were introduced because of concerns about the limited effectiveness of existing legal instruments and pressure to comply with international obligations. Since their introduction, they have been used systematically: more than 4,000 FMPOs and over 900 FGMPOs have now been issued.

The analysis of British protection orders demonstrates that these orders differ from the current Dutch legal instruments in ten important ways. The orders centre on the protection and needs of the victim, they can be tailored to individual situations, and the (potential) victim can remain in their own environment.

FMPOs and FGMPOs are explicitly designed to provide protection in situations where group pressure is involved, making it possible to provide protection against multiple potential perpetrators. Both minors and adults fall within the scope of these orders, and a wide range of people are eligible to apply for them, including third parties such as social workers, teachers and family members.

Protection can be imposed as soon as there is a threat, not after the risk has materialised; the standard of evidence is relatively low and the measure ensures immediate protection for as long as necessary. Violation of these orders is a criminal offence punishable by a maximum prison sentence of five years, which, according to the British experts, makes them effective deterrents with norm-setting effect. Finally, the fact that these orders have been laid down in one single legal framework provides greater legal certainty and visibility.

The experience in the United Kingdom shows that a combination of civil and criminal elements results in a broader and more effective legal toolkit. According to the British experts, these orders form an essential addition to other existing protection framework.

Recommendation 2:

Make a hybrid protection order legally possible

In the Netherlands, the civil courts are authorised to issue protection orders, but at the current time it is not possible to have such orders enforced under criminal law. Based on the present study, it is concluded that a hybrid approach, modelled on the *Forced Marriage Protection Orders (FMPOs)* and *Female Genital Mutilation Protection Order (FGMPOs)* in the United Kingdom, has the potential to strengthen the protection of (potential) victims of forced marriage, transnational abandonment and FGM in the Netherlands.

It is therefore recommended to make a hybrid protection order legally possible in the Dutch context. Such a hybrid approach also aligns with developments that are already ongoing in the Netherlands. With increasing frequency, the boundaries between civil, criminal and administrative law measures are becoming blurred, which creates a space for innovative approaches that bridge different fields of law.

Research question 4:

What would be required to introduce similar preventive protection orders in the Netherlands?

Simply making a hybrid protection order legally possible is insufficient to ensure effective protection of (potential) victims. A structural improvement in the level of protection requires more than changes to existing legal instruments alone. A hybrid protection order can only have real impact when embedded in a broader, coherent framework of support, protection and enforcement.

Recommendation 3:

Ensure a robust framework for support, protection and enforcement

In the United Kingdom, FMPOs and FGMPOs have now been in use for 18 and 10 years respectively. During this period, valuable insights have been acquired regarding the conditions under which such protection orders can operate effectively. These experiences provide important points of reference for Dutch practice. The research shows that the effectiveness of these orders increases when they are used at an early stage and form part of a broader approach to support.

In order to ensure that a similar measure functions well in the Netherlands, it is important that the use of protection orders is embedded in a comprehensive framework of support. This means, among other things, that there must be sufficient attention paid to appropriate support services. Without accompanying measures, there is a risk that the victim's safety will not be safeguarded in the long term, or that interventions inadvertently might lead to escalation, for example in the form of honour-related violence. Targeted training of judges, legal professionals, the police and the Public Prosecution Service is also essential. After a preventive protection order has been issued, there must be structural monitoring and effective enforcement in the case of violations.

A well-coordinated, integrated approach increases the likelihood of providing effective protection to (potential) victims.

Recommendation 4:

Promote inclusion and prevent stigmatisation

The protection of (potential) victims of forced marriage, transnational abandonment and FGM demands a careful balance between assertive intervention and meaningful engagement.

This research was conducted at a time when the public debate on migration, cultural identity and integration are highly polarised. Precisely for that reason, it is essential to reflect and closely consider how a preventive protection order will be implemented and to consider the effects these interventions may have on communities where these practices (may) occur.

Experiences in the United Kingdom show that a one-sided repressive approach can lead to unintended and counterproductive consequences. Although protection measures are intended to safeguard victims, the way they are used can also lead to stigmatisation, discrimination, ethnic profiling or mistrust towards the authorities and support services. According to FORWARD UK, this has, in some cases, paradoxically enough, undermined the effectiveness of prevention and protection efforts.¹⁸⁷

The Netherlands can learn from this. Preventive protection orders must be embedded in a broader, integrated approach that targets raising awareness, cultural change and community engagement. Ultimately, we are striving to create a situation where protection measures are no longer needed – where everyone can grow up in safety, without the risk of forced marriage, transnational abandonment or FGM. Achieving that requires genuine participation of communities themselves. Not for them or against them, but with them. Governments and professionals share a responsibility to invest in dialogue and building mutual trust. Only then can we create lasting change.

¹⁸⁷ Abdelshahid, A., Smith, K., and Habane, K. (2021). *'Do No Harm': Lived Experiences and Impacts of FGM Safeguarding Policies and Procedures - Bristol study*. FORWARD UK, p. 7. Accessed on 1 May 2025 via <https://doi.org/10.34696/ercs-2v52>.

Annex I Interview guide for Dutch experts

1. Introduction and background

- Could you briefly tell us something about your position and role within the organisation?
- To what extent have you in your work encountered situations involving forced marriage, transnational abandonment or female genital mutilation (FGM) or the threat of these practices?
- Can you give an estimation of how often you have been involved in these kinds of cases?

2. Preventive protection orders in the Netherlands – *What is available?*

[Interviewer's explanation: By "preventive protection orders" we mean a court ruling ordering someone to do or refrain from doing something, with the purpose of protecting a person.]

- What kind of preventive protection orders are you aware of in the Netherlands that can be or are used to protect (potential) victims of forced marriage, transnational abandonment and FGM?
 - Could you provide a case or example involving these orders?
 - Are these measures available for both minors and adults?
 - Who can apply for these orders?
 - Do you know what the legal grounds are for these measures?
 - Do you know if violations are penalised with legal sanctions?

3. Deployment and experience in practice – *How are they used?*

- Are these preventive protection orders actually used in the Netherlands to protect (potential) victims of forced marriage, transnational abandonment and FGM?
 - Do you know how often they are issued, for example statistics?
 - Do you have any experience of these orders in practice?
 - If not, what do you think the reason is that they are not used or not used very often?
- What is the process for applying for and issuing these orders?
- Which organisations or agencies are involved in applying for these orders?
- How good are the different people, agencies and services at cooperating with each other?
- In your opinion, what is going well with the implementation?
- What kind of problems do people encounter in practice?
 - For example: lack of information, coordination, funding, capacity?

4. Degree of protection – *Does it work?*

- How well do you think that (potential) victims of forced marriage, transnational abandonment and FGM are currently protected by existing preventive protection orders?
 - What is going well?
 - Where are there problems?
- What do you think are the causes of any current obstacles?
- What do you believe needs to be done to provide better protection to (potential) victims?

5. Need for an additional instrument – *Is something missing?*

- The Action Agenda on Harmful Practices states that the legal instruments do not sufficiently fit

the needs of practitioners. Is this something that you recognise?

- Why do you think the legal instruments don't fit these needs?
 - Can you think of a case where this occurred to you?
 - What in your opinion would be necessary to improve this situation?
- Do you feel there is a need for a new preventive protection order that would offer better protection to (potential) victims of forced marriage, transnational abandonment and FGM?

6. Final questions

- Is there something that we have not yet talked about but you feel is important for this study?
- Do you know of any colleagues, experts or stakeholders in the Netherlands or abroad (e.g. in Belgium, Denmark, Norway or the UK) that you think we really ought to talk to?

Annex II Interview guide for international experts

1. Introduction and background

- Could you briefly introduce yourself and your role within your organisation?
- To what extent do you come across cases involving (the risk of) forced marriage, transnational abandonment, or female genital mutilation (FGM) in your work?
- Could you give an estimate of how often you deal with such cases?

2. Preventive Protection Orders – *What is available?*

[Interviewer's note: With "preventive protection orders", we mean a court-issued order that imposes behavioural rules (obligations or prohibitions) with the aim of protecting a person.]

- Which preventive protection orders exist in your country to protect (potential) victims of forced marriage, transnational abandonment or FGM?
 - Can you share an example or case to illustrate how this works in practice?
 - Are these orders applicable to both minors and adults?
 - Who can initiate or apply for such orders (e.g. victims, police, public prosecutor, NGO)?
 - Do you know what the legal basis for these orders is?
 - Are violations of such orders punishable by law?

3. Application and practical experience – *How is it used?*

- Are these preventive protection orders being used to protect (potential) victims of forced marriage, transnational abandonment or FGM?
 - Are there any available statistics on how often these orders are issued specifically for these types of cases?
 - Do you have personal experience with their application in such cases?
 - If not: why do you think they are not (frequently) used?
- How does the process of requesting and issuing such orders typically unfold?
- Which institutions or stakeholders are involved in this process?
- How would you describe the cooperation between the involved actors?
- What do you think is going well in the implementation?
- What are the key challenges in practice?
 - For example: lack of awareness, poor coordination, limited resources or capacity?

4. Level of protection - *Does it work?*

- In your opinion, to what extent do the current preventive protection orders provide adequate protection for (potential) victims of forced marriage, transnational abandonment and FGM?
 - What is working well in the current protection system?
 - Where do you see gaps or areas of improvement?
- What are the prerequisites for preventive protection orders to be effective?
- What do you see as the main causes for any shortcomings?
- What would need to change to offer better protection to (potential) victims in your view?

5. Needs of potential victims

- To what extent do preventive protection orders in your view adequately meet the needs of potential victims of forced marriage, transnational abandonment and FGM?
- Is there, in your opinion, a good balance between ensuring protection and respecting the autonomy and rights of potential victims?

6. Awareness about protection orders

- To what extent is there awareness among professionals (such as police officers, social workers, health professionals, legal professionals, education professionals, NGOs, safeguarding charities and those working in the family and criminal courts) about the existence of preventive protection orders?
- To what extent is there awareness among community members and potential victims about the possibilities to seek protection via preventive protection orders?

7. Level of protection

- How do you assess the current level of protection for (potential) victims of forced marriage, transnational abandonment and FGM?
 - What is going well?
 - What is lacking?

8. Promising practice?

- Would you consider preventive protection orders in your country a practice that you would recommend other countries (e.g. the Netherlands) to implement? Why?
- What are important lessons learned to keep in mind when adopting this best practice in the Netherlands?

9. Closing questions

- Are there any final thoughts or insights you would like to share that are relevant to this study?
- Do you know of other relevant experts or stakeholders in your country (or in Belgium, Denmark, Norway or the United Kingdom) we should speak to for this study?

Annex III Overview of interviewed Dutch experts

1. **Bakker, Hilde** – Senior Advisor, Movisie
2. **Bartels, Edien** – Emeritus Professor in Cultural Anthropology, Vrije Universiteit Amsterdam
3. **Bas, Annemieke van der** – Confidentiality Doctor (MD specialised in child abuse and domestic violence), Safe at Home
4. **Bos, Marthine** – Project Lead on Harmful Practices – GGD IJsselland
5. **Elsen, Ingrid van den** – Senior Advisor, Pharos
6. **Flierman, Diny** – Protection Chain Manager – National Contact Point for Forced Marriage and Abandonment
7. **Gerritsen, Thessa** – Behavioural Scientist, Safe at Home
8. **God, Mandy** – Researcher, Safe at Home
9. **Gremmen, Rieke** – Legal Advisor and National Visibility Promoter for Foreign Nationals and Harmful Practices, Child Care and Protection Board
10. **Janmaat, Wilfred** – Head, National Expertise Centre for Honour-Related Violence
11. **Kawous, Ramin** – Senior Researcher, Pharos
12. **Klein Velderman, Albertine** – Youth Healthcare Counsellor, GGD GHOR Nederland
13. **Lith, Mascha van** – Manager (National) Division of Intercultural Mediators, Nidos
14. **Naleie, Zahra** – Senior Programme Manager, Federation of Somalian Associations in the Netherlands
15. **Schoonderwoerd den Bezemer-Wolters, Judith van** – National Public Prosecutor for Domestic and Sexual Violence, Public Prosecution Service
16. **Sleegers, Anke** – Senior Policy Advisor, Child Care and Protection Board
17. **Smits van Waesberghe, Eliane** – Senior Researcher, Verwey-Jonker Institute
18. **Snelders, Petra** – Strategic Advisor and Founder, Agency for Human Rights, Women and Migration
19. **Toerab, Sharina** – Project Coordinator, Voice Of All Women Foundation
20. **Verkuijlen, Joke** – Chairperson, National Working Group Mudawwanah Foundation
21. **Weel, Monika van der** – GZ Psychologist, Sterk Huis

Annex IV Overview of interviewed international experts

Belgium:

1. **Claes, Jessica** – Case Director, Safe at Home Rivierenland
2. **Cielen, Veerle** – First Substitute Public Prosecutor for Limburg, Public Prosecution Service
3. **Franck, Pascale** – Vice President, European Family Justice Center Alliance
4. **Konings, Jente** – Legal Advisor, GAMS Belgium
5. **Koster, Katrien de** – Activities Coordinator, GAMS Belgium
6. **Maat, Ingrid ter** – Coordinator, Helpdesk on Gender and Migration 'GemmA', City of Antwerp
7. **Taeymans, Margot** – Policy Officer, Department for Criminal Policy, Public Federal Justice Service
8. **Tobback, Kathleen** – Psychotherapist, Centre for General Social Work
9. **Vanvelthoven, Wendy** – Attorney General, Public Prosecution Service

Denmark:

1. **Gottschalck, Sarah** – Safety Consultant, Citizens' Center for Children and Youth
2. **Gregersen, Line Augusta** – Secretary, The Board of Equal Treatment
3. **Hellum, Lene Margrethe** – Manager, Reden International
4. **Kemp, Amalie** – Social Worker, Kvindehjemmet (women's shelter)
5. **Liversage, Anika** – Professor MSO, VIVE – The Danish Center for Social Science Research
6. **Petersen, Jesper** – Associate Professor, University of Copenhagen
7. **Vinding, Niels Valdemar** – Associate Professor, University of Copenhagen
8. **Yde, Mette Marie** – CEO, Danner

Norway:

1. **Dullum, Jane** – Researcher, Oslo Metropolitan University
2. **Johanson, Elise** – Researcher, Norwegian Centre for Violence and Traumatic Stress Studies
3. **Lidén, Hilde** – Research Professor Emeritus, Institute for Social Research

United Kingdom:

1. **Anitha, prof. Sundari** – Chair in Sociological Studies, University of Sheffield
2. **Bartholomew, dr. Leethen** – Chair of Trustees, Sundial: Centre for Education on Harmful Practices
3. **Bradley, prof. Tamsin** – Professor of International Development Studies, University of Portsmouth
4. **Gornall, Sema** – CEO, The Vavengers
5. **Neal, George** – Detective Inspector, Cambridgeshire Constabulary
6. **Okeniyi, Toks** – Head of Programmes and Training, FORWARD UK
7. **Portch, Luke** – Detective Sergeant, Devon & Cornwall Police
8. **Squires, Gillian** – Community Focus Officer, West Midlands Police
9. **Sylla, Mama** – Founder, La Fraternité Guinéenne

Annex V Overview of consulted legal experts

1. **Aa, prof. Suzan van der** – Professor of Criminal and Criminal Procedural Law, Maastricht University
2. **Buisman, dr. Sanne** – Associate Professor of Criminal Law, Vrije Universiteit Amsterdam
3. **Cleven, dr. Irma** – PhD student, Erasmus University Rotterdam
4. **Heemst, mr. Berte van** – Coordinating Public Prosecutor for Domestic Violence and Stalking, District of Rotterdam Public Prosecutor's Office, Public Prosecution Service

Annex VI Informed consent form

Project title	Preventive protection orders for harmful practices
WODC Project number	3447
Research contracted to	Right to Rise
Purpose of study	Explore whether and how the Netherlands can make greater use of preventive protection orders in cases of forced marriage, abandonment and Female Genital Mutilation (FGM). This study will examine the extent to which successful applications of such protection orders in Norway, Denmark, Belgium and the United Kingdom could contribute to Dutch practice.
Study procedures	<p>You will participate in an online interview lasting approximately 45-60. During this interview, you will be asked questions about preventive protection orders in your country that are issued to prevent potential victims of forced marriage, transnational abandonment and FGM. We will discuss in more detail whether they are effective in protecting potential victims and the level of protection in your country.</p> <p>The interview will be conducted by Dr Annemarie Middelburg. An audio recording will be made of the interview so that the interview can later be transcribed ad-verbatim (word for word). The audio recordings will be destroyed after transcription. The transcript will then be used in further research.</p>
Potential risks and discomforts	There are no physical, legal or economic risks associated with participating in this study. You do not have to answer any questions you do not wish to answer. Your participation is voluntary, and you are free to stop your participation at any time.
Compensation	You will not receive any compensation for participating in this study.
Confidentiality	<p>Your privacy is and will remain protected to the maximum extent possible. No confidential information or personal data from or about you will be disclosed in any way that would allow anyone to recognise you without your consent.</p> <p>Your data will be anonymised in the report and in additional forms of communication (such as an explainer video), unless you have given explicit permission in the consent form to include your name, position and/or organisation, for example when citing a quote.</p> <p>Audio recordings, forms and other documents made or collected as part of this study will be stored on the researchers' secure (encrypted) computers.</p> <p>This research project has been reviewed and approved by the Ministry of Justice and Security and the Scientific Research and Data Centre (WODC).</p> <p>The research data will be made available to the WODC if necessary (e.g. for a check on scientific integrity) and only in anonymous form.</p> <p>Right to Rise will retain the research data obtained for a period of 20 years after the completion of the research, after which the research data will be destroyed.</p>

Voluntary participation	<p>Your participation in this study is completely voluntary. As a participant, you can stop your participation in the study at any time or refuse to allow your data to be used for the study, without giving a reason.</p> <p>This means that if you decide to opt out of participating in this study prior to the study, this will not affect you in any way.</p> <p>If during the study you decide to discontinue your participation, this will also not affect you in any way.</p> <p>If you have any questions or complaints, or would like to raise your concerns, please contact the principal investigator and/or the WODC Scientific Integrity Confidential Advisors.</p> <p>Principal Investigator: Annemarie Middelburg: annemarie@right-to-rise.com</p> <p>WODC scientific Integrity Confidential Advisors: Pien van de Ven: pvan.de.ven@wodc.nl Klaus Drieschner: k.h.drieschner@wodc.nl</p>
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Statement of Consent

By signing this consent form, I acknowledge the following:

1. I have been adequately informed about this study. The purpose of my participation as an interviewee in this study is clear to me and I know what it means to me.
2. I have had the opportunity to ask questions. These questions have been sufficiently answered.
3. I am voluntarily participating in this research. There is no explicit or implicit coercion whatsoever to participate in this study. It is clear to me that I can terminate participation in the study at any time, without giving any reason. I do not have to answer a question if I do not want to.

In addition to the above, it is possible to give specific consent for different sections below. You can choose to consent or not for each section.

	YES	NO
4. I give permission to make an audio recording of the interview so that the interview can later be transcribed ad-verbatim.	<input type="checkbox"/>	<input type="checkbox"/>
5. I give permission for my answers to be used for quotes in the research report and explainer video.*	<input type="checkbox"/>	<input type="checkbox"/>
6. I give permission to mention my function/organisation in the quotes above.	<input type="checkbox"/>	<input type="checkbox"/>
7. I also give permission for my name to be mentioned with the quotes referred to above.	<input type="checkbox"/>	<input type="checkbox"/>
8. I give permission for my name, position and organisation to be included in the respondent list that will be appended to the final report	<input type="checkbox"/>	<input type="checkbox"/>

** Of course, these quotes will first be presented to you by the researcher.*

Name participant:

Name principal investigator:

Signature:

Signature:

Date:

Date:

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