



Photo credit: A Muslim woman in the city of Makhachkala in Dagestan, Russia: SaidR, Shutterstock, March 2017

Harmful Traditional Practices in the North Caucasus, Russia

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OVERVIEW

In the North Caucasus region of Russia, violence against women and children is widespread. In this area, it is often more systematic and integrated into social and family structures, including in the form of harmful traditional practices such as honor killings and female genital mutilation (FGM) of girls.

Russia's national government has not provided any specific information about harmful traditional practices in the region, citing the absence of "concrete evidence of the violation of the rights of women and/

or girls in the North Caucasus." The government has indicated that "the conduct of procedural checks and preliminary investigations into crimes against women is carried out in a general manner." Contrary to the government's assertions, there is abundant and growing evidence of the prevalence of harmful practices in the North Caucasus that threaten the health and lives of thousands of women and girls every year. In addition, harmful traditional practices are often carried out in connection with other gender-based violence crimes.

About the Series

Gender-based violence (GBV) affects one in three women worldwide, making it an urgent and important policy challenge. Many countries around the world have passed laws intended to protect women from violence, yet violence persists. Over the past year, the COVID-19 pandemic has raised awareness of the perils women face from gender-based violence—what has come to be known as the “shadow pandemic”—but it has also aggravated risk factors while increasing barriers to protection, support, and justice.

This publication aims to focus on the intersection of gender-based violence and the rule of law by examining how legal frameworks, judicial system responses, and public policy contribute to the ways in which gender-based violence is—and is not—addressed around the world. Each piece addresses the complicated challenge of gender-based violence and the successes and failures of various public policy responses globally, and offers recommendations for a path forward.

FEMALE GENITAL MUTILATION

In 2016, we published the first contemporary report on the practice of FGM¹ in Russia, based on interviews conducted with 25 survivors in nine of Dagestan's high mountain districts, as well as with 17 religious, medical, and legal experts. The report found that FGM is mostly performed on girls before the age of 3, at home, with the use of regular household implements such as knives or shears. Practices vary depending on the village and ethnic group, with the most common types being incision and bloodletting and partial removal of the clitoris. Regardless of the type of FGM, the aim of the procedure is to control women's sexuality and behavior both before and after marriage.

In a second report in 2018,² we estimated the approximate minimum number of potential victims in Dagestan at 1,240 girls per year, based on statistics about births in the practicing districts, disaggregated by gender. The actual figure is likely to be higher, as anecdotal and expert accounts indicate that FGM is also practiced in other districts in the south of Dagestan, where no studies have been conducted to date.

While many of the respondents cited religion as the basis for the practice, it is more likely rooted in pre-Islamic customary law (adat). Currently, however, certain influential local Islamic leaders support the practice with reference to religious doctrine in the Shafi'i school of Sunni Islam. Social and ethnic traditions in practicing villages—which are by nature extremely remote and closed to outsiders—also play a strong role in perpetuating a practice that

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reaffirms one's belonging to a particular community, in which women bear responsibility for preserving family honor and reputation.

The report generated media coverage due to incendiary comments made by a prominent imam, who not only confirmed the existence of the practice but also spoke of it as an efficient and harmless way of tamping down women's sexuality. In August 2016, following the publication of the report, a draft bill criminalizing FGM was introduced in the Duma. However, the bill was never passed, and neither federal nor regional authorities have made any efforts to eliminate the practice, except for highly superficial actions, such as a check carried out by the prosecutor's office in Dagestan following the report's publication. The prosecutor's office requested the personal information of the survivors interviewed for the report, which our organization Stichting Justice Initiative declined to disclose; subsequently, the prosecutor's office found “no evidence” of the practice.

In recent years, evidence has emerged of the “medicalization” of FGM in Russia, with the practice performed and even advertised in private medical clinics. In 2019, a 9-year old girl was taken by her father and stepmother to the private Aibolit clinic in Ingushetia in order for a doctor to perform FGM. The doctor is being prosecuted for causing “minor harm to health,” and the authorities refused to open criminal proceedings against the father and stepmother. In June 2020 the Federal Service for Surveillance in Healthcare (Roszdravnadzor) in Ingushetia replied that “all violations at the ‘Aibolit’ clinic had been eliminated” and no measures were being taken to annul its medical license. Moreover, it gave no assessment of the facts pointing to the performance of FGM at the clinic. It did not address whether Roszdravnadzor considers FGM an unacceptable practice in principle or whether it should be considered a serious legal violation. Thus, the government agency responsible for control over the safety of medical assistance could not guarantee that the



Photo credit: An Ingush woman wearing a traditional costume and headdress walks by the Tkhaba-Yerdy temple in Ingushetia, Russia: Igor Stomakhin, Shutterstock, April 2015

practice of FGM is unacceptable or that it should not be performed in medical establishments.

HONOR KILLINGS

In the North Caucasus, especially in Chechnya, Dagestan, and Ingushetia, honor killings are still a common practice. The term refers to the commission of murder by close male relatives for the purposes of rehabilitating family honor as a result of real or suspected “misconduct” or “inappropriate” behavior. In our first report in 2019,³ we documented 58 cases from various sources involving 73 victims from Chechnya, Dagestan, and Ingushetia between 2009 and 2020. The vast majority of the victims were women, mostly young, single, or divorced, between the ages of 20 and 30 years, and were the daughters, sisters, wives, nieces, or stepdaughters of the perpetrators.

An analysis of honor killings shows that these crimes are not based on traditions, customs (adat),

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or Sharia law, but rather on self-righteous and willful maintenance of personal and family ambitions, reinforced and incited by public opinion, gossip, rumors, and slander. In 100 percent of the cases, the accused cited the immoral behavior of the victim as the motive for the crime. They believed that the murdered women (victims) had by their actions (immoral behavior, licentiousness) either insulted them personally or their relatives, acquaintances, family, or clan, or the “honor” of the family or clan, and that due to their “actions” the women must be punished.



Photo credit: An Avar family in a small village in Dagestan, Russia, plow the field with a wooden plow: Kirill Skorobogatko, Shutterstock, May 2007

“In 100 percent of the cases, the accused cited the immoral behavior of the victim as the motive for the crime.”

In our second report,⁴ published in 2020, we analyzed 43 court criminal judgments of honor killings. It was the first comprehensive analysis of the scale and prevalence of such crimes in the region, including the perception of these crimes by the relatives and fellow villagers of those killed, their justifications for these murders of women, the problem of investigating and conducting criminal cases of honor killings in court, the prospects for changing the situation in the near future, and possible steps to eradicate the practice.

The study found that from 2008 to 2017, there were 33 cases, as a result of which a total of 39 people were killed, of whom 36 were women and three

were men. Of these, in Ingushetia there were two cases, in the Chechen Republic nine cases, and in the Republic of Dagestan 22 cases. Only 14 cases went to trial: In 13 cases the accused were convicted; in one they were acquitted. And this is only a small fraction of the identified problem. In practice, very few of these crimes receive publicity and become the subject of legal investigation and media attention.

In one out of every three cases, the court commuted the punishment for the accused, referring to “the immorality of the victim’s behavior as the reason for the crime.” The court considered that the (murdered) victims had, by their actions—“sexual promiscuity”—provoked the accused to commit murder. And those “actions” need not even be taken consensually. For example, in the North Caucasus, being a victim of sexual violence incurs a possibility that the victim will be subjected to honor-based violence. The first research clearly showed that “the overwhelming number of murders remained hidden and not revealed during the study. Hidden murders, mur-

ders that did not receive wide publicity, for which there was no criminal prosecution, no charges were brought, are practically not discussed by the respondents. In addition, there are practically no value judgments on their part in relation to those convicted of such crimes. In conditions of concealment of such crimes, unwillingness to discuss this topic not only with researchers, but also with close relatives, an ambiguous public assessment of such acts, it is extremely difficult to get a complete picture of honor killings in Russia.”

In order to change the situation, we recommend conducting further research on FGM and honor killings in the North Caucasus region and developing a comprehensive strategy to eliminate them, including education and awareness-raising campaigns, effective mechanisms for prosecuting and convicting the perpetrators, and systems of remedies and support services for victims. It’s also necessary to strengthen the capacity of law enforcement authorities to protect women and girls from violence, to ensure that the victims can report cases without having to fear retribution or stigma and can have access to legal, psychological, medical, and social support.

NOTES

1. Julia Antonova and S. Siradzhudinova, "Female Genital Mutilation of Girls in Dagestan (Russian Federation)," Russian Justice Initiative, 2016, https://www.srji.org/upload/iblock/52c/fgm_dagestan_2016_eng_final_edited_2017.pdf.
2. Julia Antonova and S. Siradzhudinova, "The practice of female genital mutilation in Dagestan: strategies for its elimination," Project "Justice Initiative," 2018, <https://www.srji.org/en/about/annual/the-second-fgm-report-based-on-the-results-of-a-study-in-russian-federation/>.
3. Julia Antonova and S. Siradzhudinova, "Killed by gossip. 'Honor killings' of women in the North Caucasus," Project "Justice Initiative," 2018, <https://www.srji.org/upload/medialibrary/a3d/PPI-2018-12-18-Honor-killings-Eng-final.pdf>.
4. Julia Antonova and S. Siradzhudinova, "Killed by gossip 2. Analysis of court sentences in criminal cases related to honor killings in the republics of the North Caucasus," Project "Justice Initiative," 2020, <https://xn--80abdnmdd8ddgec3d.xn--p1ai/reports/ubitye-spletnyami-2-analiz-sudebnykh-prigovorov-otchet-2020-goda/%22>.



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