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Pakistan: Honour killings targeting men and women [PAK104257.E]

Immigration and Refugee Board of Canada : 19-25 minutes

1. Background

Sources indicate that women in Pakistan are considered to be the carriers of the honour of their entire family (AHRC 10 Dec. 2012, Sec. J6; *International Business Times* 22 Mar. 2012) or the village (ibid.). Honour killings usually take place when a man claims that a woman brought dishonour to the family (AF Nov. 2011, 22-23; AHRC 10 Dec. 2011, 91) or the community (*International Business Times* 22 Mar. 2012). The rationale is that the woman needs to be killed to "restore" that honour (AHRC 10 Dec. 2012, Sec. A7; AF Nov. 2011, 22). According to Deutsche Welle (DW), a German news source, perpetrators also kill the woman because they are "forced by social pressure" and because honour killings are recognized as a way to "protect family honour" (ibid.). In a report on honour killings, Agence France-Presse notes that honour and the preservation of a family's good name are "highly valued" in Pakistan (6 Nov. 2012). Sources cite an "influential" religious cleric as stating that killing in the name of honour is "a local custom and a religious practice" in Kohistan (*Dawn* 6 May 2012; Equality Now Aug. 2012).

1.1 Terminology

Honour killings are included in the wider term "honour crimes" which includes, among others, assault, acid throwing (UN n.d.), confinement, imprisonment, interference with a choice of marriage, burning, and nose-cutting (AF Nov. 2011, 17, 34). Honour killings are known by different names in Pakistan depending on the region (DW 20 Mar. 2012; UN n.d.). In Sindh province they are called *karo kari* (Pakistan [2008], 84; DW 20 Mar. 2012) which means "black man - black woman," and is a metaphoric term for someone who has brought dishonour (UN n.d.; US 24 May 2012, 44). *Karo kari* also refers to the adulterer and the adulteress (ibid.; HRCP Mar. 2012, v). In Punjab province, honour killing is known as *kala kali*; in Balochistan, *siyah kari* (Pakistan [2008], 84; DW 20 Mar. 2012); and in Khyber Pakhtunkhwa, *tor tora* (ibid.).

1.2 Societal Attitudes toward Women

According to the Asian Human Rights Commission (AHRC), an NGO that promotes human rights in Asia (AHRC n.d.), women face discrimination and violence in "all facets of life in Pakistan" (ibid. 10 Dec. 2012, Sec. A7). Patriarchy is very entrenched in the country and women are seen as "commodities" (ibid., Sec. J and J4; DW 7 Nov. 2012; Pakistan [2008], 85-86). According to the AHRC, the concept of women as property and source of honour is deeply rooted in the social, political, and economic fabric of the country (10 Dec. 2011, 91). Sources also report that women are regarded as "second-class citizens" (AFP 6 Nov. 2012; AHRC 10 Dec. 2012, Sec. J4). The AHRC indicates that fundamentalist religious groups are influential in the country, dictate norms for women in society, and are "accustomed to beat and flog women, and kill them in open places with the intent of scaring other women" (ibid., Sec. J). According to the Aurat Publication and Information Service Foundation, there is the belief that if women are harassed, killed, or raped in the street or at home "it was

because [they] had provoked these attacks by their speech, action or just their very presence" (Nov. 2011, 13). The Aurat Foundation is a civil society organization that works for "women's empowerment and citizens' participation in governance" established in Pakistan since 1986 (AF n.d.).

2. Prevalence

Sources indicate that honour killings remained a "serious" (US 24 May 2012, 1) and persistent problem in Pakistan (AHRC 10 Dec. 2012, Sec. A7). Sources indicate that rural areas are most affected (AFP 6 Nov. 2012; Pakistan [2008], 85), although it has been reported in urban areas and among the "elite" (ibid.).

Precise statistics regarding honour killings are difficult to obtain (AF Nov. 2011, 37), especially in rural areas (AHRC 10 Dec. 2011, 91). Based on local and national media, AHRC indicates that 215 honour killings occurred between 1 January and 20 November 2012 (10 Dec. 2012, Sec. A7). According to the US *Country Reports on Human Rights Practices for 2011*, hundreds of women were victims of honour killings in 2011 in Pakistan (US 24 May 2012, 44). The Human Rights Commission of Pakistan (HRCP), an independent, non-political NGO that promotes human rights in the country (HRCP n.d.), indicates in its *State of Human Rights in 2011* report that at least 943 women were victims of honour killings, including 557 married women and 93 minors (ibid. Mar. 2012, 167). The Aurat Foundation indicates in another report based on media reports that, during 2011, 705 cases of honour killings occurred in the country (AF [July 2012], 2). The breakdown by province is: 322 cases in Punjab, 266 in Sindh, 30 in Khyber Pakhtunkhwa, 86 in Balochistan, and 1 in Islamabad (ibid., 4). The same report indicates that honour killings represented 8.25 percent of the total number of crimes against women during that year (ibid., 5). The Aurat Foundation reports that there were 557 cases in 2010, 604 in 2009 and 475 in 2008 (ibid., 2). On the other hand, statistics from the Pakistani Ministry of Women Development indicates that, from 2005 to 2008, 50 cases of honour killings were reported in the country (Pakistan 24 Sept. 2011, Annex A).

Sources report that the true number is believed to be higher (AP 5 Nov. 2012; *The Telegraph* 22 Mar. 2012; *The Atlantic* 28 Sept. 2011). According to sources, many cases of honour killings go unreported (US 24 May 2012, 44; AF Nov. 2011, 37). The London-based newspaper the *Telegraph* reports that "[m]any cases are covered up by relatives and sympathetic police officers" (22 Mar. 2012). Sources also indicate that honour killings are often "passed" as suicides (*The Atlantic* 28 Sept. 2011; AFP 6 Nov. 2012). Freedom House, in its report *Freedom in the World 2012* for Pakistan, indicates that women victims of sexual crimes are sometimes pressured by police not to file charges and are sometimes "urged by their families to commit suicide" (2012). The *Telegraph* reports that police rarely investigate incidents of women deaths presented as suicides by family members and usually "take the [family's] account at face value" (22 Mar. 2012). The Human Rights Commission of Pakistan 2011 report indicates that during that year, 701 women committed suicide and 428 attempted to commit suicide (Mar. 2012, 168). Among the reasons cited are denials of the right to choose a life partner and maltreatment by a partner (HRCP Mar. 2012, 168).

3. Motives

According to AHRC, honour killings are committed primarily against women who are thought to be engaging in pre-marital or extra-marital relations (AHRC 10 Dec. 2012, Sec. A7). The HRCP highlights that, according to media monitoring and field reports from HRCP volunteers, out of the 943 honour killings committed in 2011,

595 were because the woman was having an "illicit relation," and 219 because she demanded to marry a man of her choice (Mar. 2012, 167). Other reasons for honour killings also include the following:

- woman going against family wishes; property disputes; inheritance rights (ibid.);
- woman marrying a man without family approval (AP 6 Nov. 2012; US 24 May 2012, 47; *International Business Times* 22 Mar. 2012);
- woman demanding a divorce; woman being raped (ibid.; Pakistan [2008], 90-92);
- woman talking to a man (DW 20 Mar. 2012; *International Business Times* 22 Mar. 2012; DW 20 Mar. 2012) or smiling or sitting next to a man (ibid.); and
- woman perceived has having "somehow dishonoured" her family (AP 6 Nov. 2012).

Sources indicate that perpetrators are mostly husbands, brothers (HRCP Mar. 2012, 167) and fathers of the victims (*International Business Times* 22 Mar. 2012; Pakistan [2008], 84). According to the National Commission on the Status of Women of Pakistan, "[i]n rare cases, however, due to social and emotional pressures women are forced to commit 'honour' killing" (ibid.). Honour killings can take place because of suspicions (DW Mar. 2012) or misunderstandings (AHRC 10 Dec. 2011, 92).

Sources indicate that *jirgas*, or local councils, sentenced women death for honour-related crimes (US 24 May 2012, 16; HRF 22 Dec. 2011, 12). The AHRC indicates that these councils ensure "the persistence of violence against women" (10 Dec. 2012, Sec. A7). A report produced by the Human Rights Foundation (HRF), a New York-based "nonprofit nonpartisan organization that promotes and protects human rights globally," indicates that *jirgas* are particularly influential in rural areas (HRF 22 Dec. 2012, 2, 12). The *US Country Reports for 2011* indicates that *jirgas'* decisions are recognized as "legal" by their communities in spite the fact that they are considered illegal by Superior Courts (US 24 May 2012, 7, 16). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Methods Used in Honour Killings

The National Commission on the Status of Women in Pakistan indicates that the methods for killing in the name of honour vary according to the region (Pakistan [2008], 84-85). For example, in the Sindh province, the victim may be cut to pieces with an axe; and in Punjab, the killing is usually carried out by shooting the victim (ibid.). The HRCP also indicates that the methods used include the use of firearms, blunt weapons and strangulation (Mar. 2012, 167). According to the *Independent*, acid attacks are also "commonplace" in cases related to honour in Pakistan (6 Nov. 2012). Sources report the killing of a 15 year-old girl in November 2012 by her parents with acid after she was "looking at boys" (ibid.; AFP 6 Nov. 2012; DW 7 Nov. 2012).

The HRCP reports that, out of 943 honour killings in 2011, 19 women were first raped, 12 were gang-raped before being murdered, and "only" 20 women received medical attention before they died (Mar. 2012, 167). According to the National Commission on the Status of Women report,

a *kari* woman remains dishonoured even after death. Their dead bodies are thrown in rivers or buried in special hidden *kari* graveyards without giving them a bath before burial, and nobody mourns for them or honours their memory by performing relevant rites. *Karos*, who are men, by contrast are reportedly buried in the communal graveyard. (Pakistan [2008], 85)

The report also indicates that in some tribes where women are not killed, they are banished from the community by being married into faraway tribes and can "never come to visit her family" (ibid.).

5. Treatment of Males

According to a representative of HRCP, 70 percent of the victims of honour killings are women, while 30 percent are men (qtd. in *The Atlantic* 28 Sept. 2011). A senior police officer told DW that in 2011 in Sindh Province, 73 women and 30 men were victims of honour killings (DW 20 Mar. 2012). Sources indicate that, in many cases, males who had "illicit" relationships are able to flee (US 24 May 2012, 44; DW 20 Mar. 2012). In some cases, males who were in illicit relationships have the option of negotiation, including paying the family of the victim with cash (ibid.; US 24 May 2012, 44) or with a woman-in-marriage from his own clan (DW 20 Mar. 2012). The Aurat Foundation indicates that jirgas in Balochistan sometimes let males live in exchange for "heavy amounts" of money as compensation ([July 2012], 1-2).

6. Legislation and State Response

The Criminal Law (Amendment) Act 2004 included a provision in the Pakistani Penal Code that indicates that the "'offence committed in the name or on the pretext of honour' means an offence committed in the name of karo kari, siyah kari or similar customs" and prescribes punishments (Pakistan 1860, Art. 299(i), 302(c)). The Senate passed the Acid Control and Acid Crime Practice Bill 2010 which criminalizes hurting a person with a corrosive substance (US 24 May 2012, 45) and prescribe imprisonment for life or at least 14 years of jail and a fine of RS 1 million minimum [CAD\$10,109 (XE 14 Jan. 2013)] (*The Express Tribune* 12 Dec. 2011). *The Independent* reports that sentences for such crimes can be of up to 20 years imprisonment (*The Independent* 6 Nov. 2012). Sources report that in Kashmir, the government made acid attacks punishable with life imprisonment (ibid.; *National Post* 2 Nov. 2012).

The report for 2011 by the AHRC notes, however, that the enforcement of this particular legislation is "inadequate" and the implementation of policies and guidelines is "very limited" (AHRC 10 Dec. 2012, Sec. J3). According to the Aurat Foundation, the amendment of 2004 "falls short of providing actual protection to survivors/victims and ensuring punishment for the perpetrators," which is not mandatory (Nov. 2011, 5, 33). The National Commission on the Status of Women in Pakistan indicates that in cases of honour killings, "offenders are either acquitted or they get away with minimum possible punishments" (Pakistan 2011, 12). *The Telegraph* quotes a representative of Bolo Bhi, an NGO that does advocacy, policy and research in various areas, including in gender rights (Bolo Bhi 6 Feb. 2012), as indicating that implementation of these laws will be a problem as long as relatives are "able to pardon killers" (*The Telegraph* 22 Mar. 2012). The Aurat Foundation similarly indicates that the implementation of the legislation is hindered by the fact that "the murderers are given protection and impunity from within the community, which extends to the police, courts and other implementing agents" (Nov. 2011, 5). The AHRC reports that perpetrators of honour killings have the possibility, according to the amendment of 2004, to bargain with the victim's family "through intimidation, coercion and threats through the law enforcement agencies" (10 Dec. 2011, 91). According to the AHRC, the victim's family can also pardon the perpetrator, in which case the state "has no further writ on the matter" (ibid.). It is estimated that 70 percent of perpetrators are not punished (UN 26 July 2012, Sec. 31; AHRC 10 Dec. 2012, Sec. A7).

The Telegraph reports that police "largely" treat honour killings as "private, family affairs" (22 Mar. 2012). The AHRC indicates that the police have been "complicit" with perpetrators of honour crimes to avoid filing cases or

destroy evidence "in the name of the honour of the family and [the] victim" (10 Dec. 2011, 81). The AHRC also reports on a 2011 case for which autopsies of the three victims' bodies were not carried out and that there were delays in the registration of honour crime cases by law enforcement officials (ibid., 92). The US *Country Reports for 2011* further notes that the criminal justice system is "weak" and lower courts lack judicial independence (24 May 2012, 1). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. The AHRC indicates that "several" governmental institutions remain highly corrupted (AHRC 10 Dec. 2012, Sec. J3). It also indicates that courts remain biased in cases of violence against women and judges "tend to adopt sexist behaviours during trials (ibid., Sec. J, J6). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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