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Pakistan: Honour killings, including prevalence in different regions of the country and the profiles of individuals targeted; legislation; police and state response; state protection for survivors and surviving family members (2020-December 2023) [PAK201758.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Overview

A 2022 country report on Pakistan by the Australian Department of Foreign Affairs and Trade (DFAT) states that "'honour killings', in which family members murder relatives perceived to have brought dishonour on the family are common in Pakistan" (Australia 2022-01-25, para.3.96). The same source indicates that honour crimes can be triggered by actions such as rejecting arranged marriages, being in an "unapproved" romantic relationship, or displaying behaviour deemed "'immodest'," including through attire or social media presence (Australia 2022-01-25, para. 3.96). A Freedom House report states that, "[d]espite attempts to abolish the practice, 'honor killings' of those accused of breaking social and sexual taboos remains common, and most incidents go unreported" (2023-03-09, Sec. G3). The annual Human Rights Watch (HRW) report on Pakistan notes that according to estimates by human rights defenders, "roughly 1,000 women" lose their lives annually due to honour killings (HRW 2023-01-12, 468). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In correspondence with the Research Directorate, a senior research fellow at Sheffield Hallam University whose research includes a focus on honour-related violence in South Asia, stated that the term "honour crime"

encompasses a broad spectrum of "harmful" practices carried out under the guise of preserving honor, and that such practices include domestic abuse, violence or death threats, economic abuse, sexual and psychological abuse, acid attacks, forced marriage and child marriage, forced suicide and forced abortion, female genital mutilation and assault, being held against one's will, and honour killings (2023-12-04).

2. Legislation

The *Criminal Law (Amendment) (Offences in the Name or on Pretext of Honour) Act, 2016*, which amends the *Pakistan Penal Code, 1860* and the *Code of Criminal Procedure, 1898*, provides the following on honour killings:

WHEREAS it is expedient further to amend the Pakistan Penal Code, 1860 (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898) in order to deter and prevent offences in the name or pretext of honour in Pakistan, which claim the lives of hundreds of victims every year;

...

2. Amendment of section 299, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), hereinafter referred to as the Penal Code, in section 299, after clause (e), the following new clause shall be inserted, namely:-

"(ee) *"fasad-fil-arz"* includes the past conduct of the offender, or whether he has any previous conviction, or the brutal or shocking manner in which the offence has been committed which is outrageous to the public conscience, or if the offender is considered a potential danger to the community, or if the offence has been committed in the name or on the pretext of honour;"

...

6. Amendment of section 311, Act XLV of 1860.- In the Penal Code, for section 311, the following shall be substituted, namely:-

"311. *Ta'zir* [1] after waiver or compounding of right of *qisas* [2] in *qatl-i-amd* [3],- Where all the *wali* [4] do not waive or compound the right of *qisas*, or if the principle of *fasad-fil-arz* is attracted, the court may, having regard to the facts and circumstances of the case, punish an offender against whom the right of *qisas* has been waived or compounded with death or imprisonment for life or imprisonment of either description for a term of which may extend to fourteen years as *ta'zir* :

Provided that if the offence has been committed in the name or on the pretext of honour, the punishment shall be imprisonment for life."

...

9. Amendment of Schedule-II, Act V of 1898.- In the Code, in Schedule-II, in column (1), against section 311, for the entry in column (7), the following shall be substituted, namely:-

"Death or imprisonment for life or imprisonment of either description for a term which may extend to fourteen years as *ta'zir*, or if the offence has been committed in the name or on the pretext of honour, imprisonment for life.". (Pakistan 2016, emphasis in original)

On its website, the Punjab Commission on the Status of Women, an oversight body implemented by the Punjab Assembly to ensure that laws, policies, and programs of the Government of Punjab promote women's empowerment (Pakistan n.d.a), summarizes the legislative amendments in the *Criminal Law (Amendment) (Offences in the Name or on Pretext of Honour) Act, 2016* as the following:

1. Fasad-fil-arz, a concept used to decide severity of punishment awarded, including the offender's past convictions, extreme nature of the offence, and the offender being a danger to the community, now includes offences committed in the name of honour. The application of this concept automatically gives rise to severe punishments for honour crimes.
2. Murder committed in the name of honour is punishable with death or imprisonment for life.
3. For murder committed in the name of honour, even if the accused is pardoned by the Wali or other family members of the victim, the Court will still punish the accused with imprisonment for life. (Pakistan n.d.b)

The DFAT report notes that legislation addressing domestic violence, including criminalizing honour killings, exists in Punjab, Sindh, Balochistan, and Khyber Pakhtunkhwa, though the implementation and efficacy of these laws differ across regions (Australia 2022-01-25, para. 3.91). Corroborating information on the existence and implementation of provincial laws on honour killings could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Prevalence of Honour Killings

The senior research fellow stated that while the prevalence of honour crimes in Pakistan has become a "subject of national debate," there is no official record-keeping by government agencies, resulting in a lack of accurate data on the prevalence of such crimes in the country (2023-12-04). The same source noted that the districts of Kohistan in Khyber Pakhtunkhwa, as well as Lahore, Rajanpur, and Rahim Yar Khan in Punjab, and Kashmore, Larkana, and Jacobabad in Sindh, and Nasirabad in

Balochistan, exhibited a higher prevalence of honour killings targeting women and girls (Senior research fellow 2023-12-04).

The information in the following paragraph was provided by the Human Rights Commission of Pakistan (HRCP), an independent, nonpartisan non-profit organization aiming to ensure human rights for all citizens (HRCP n.d.), in its annual report *State of Human Rights in 2022*:

Nationally a total of 384 incidents of honour killings took place, while data from police reports indicates that the country documented 316 cases of honour crimes (19, 23). Statistics from the Punjab Police indicate there were 183 incidents of honour killings in the province of Punjab in 2022 and that honour killings, among other crimes, "show a marginal decrease" compared to 2021 (37). According to figures provided by the Sindh Police, 98 cases of honour killings were registered in the province (71). In contrast to the figures provided by the Sindh police, HRCP's data [5] shows 215 cases of honour killings were recorded in the province of Sindh, with the city of Larkana having the greatest number of reports with 132 cases (80). The Khyber Pakhtunkhwa police reported 103 cases of honour killings in that province (107). The Balochistan police recorded a total of 35 cases of honour killings in the province, with the HRCP noting that these figures "likely underrepresent the situation significantly" because of underreporting of gender-based violence (140). The Islamabad Capital Territory police reported zero incidents of honour killings in 2022 (155) (HRCP 2023).

In a fact-finding mission conducted by HRCP on 8 June 2022 in Gilgit-Baltistan, the Commission made note of an increase in female suicide cases across the region and "has reason to believe that some cases of honour killings have been labelled suicide and thus 'forgotten'" (2023, 259). The same source notes that, according to Gilgit-Baltistan police figures, there were 29 suicide cases in 2022, but that 5 of these cases were found to be murders after a police investigation (HRCP 2023, 207). HRCP further notes that in Gilgit-Baltistan "[t]here is no forensic lab or medico-legal expert to deal with criminal cases such as suicides, honour crimes, murders or violence against women" (2023, 201).

According to police figures obtained by the Sustainable Social Development Organization (SSDO), a non-governmental research-based advocacy group working on issues of peace and sustainable development in Pakistan (SSDO n.d.), the provinces and capital territory of Islamabad recorded the following numbers of honour killings of women:

- 197 cases of honour killings in Punjab in 2021,
- 106 honour killing incidents in Sindh in 2021,
- 50 cases of honour killings in Khyber Pakhtunkhwa from January to June of 2021,

- 28 cases of honour killings in Balochistan from July to December of 2021,
- 0 case of honour killings in Islamabad in 2021 (SSDO 2022-03-10, 14, 16, 24, 28, 33).

4. Profiles of Individuals Targeted

4.1 Women

The senior research fellow indicated that while honour crimes can impact men, boys, and persons with diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC), honour killings of women and girls, particularly those residing in rural areas where the tribal system of social organization holds great influence, are "more common" (2023-12-04). The DFAT report states that "most" honour killing victims are females, though young men can also be subjected to honour killings (Australia 2022-01-25, para. 3.96). The senior research fellow added that the rise in mobile phone and internet accessibility has heightened the vulnerability of young women and girls who use social media, making them "increasingly susceptible" to honour crimes (2023-12-04). A May 2022 article by the English-language Pakistani newspaper *Dawn* reports that two sisters with Spanish citizenship were murdered for refusing to process Spanish visas for their cousins, whom they had been forced to marry (2022-05-23). According to the article, the police arrested six suspects including two brothers of the victims and the cousins they were forced to marry (*Dawn* 2022-05-23).

In an interview with the Research Directorate, an associate professor at a Canadian university who specializes in honour-related violence in the South Asian Diaspora stated that in a country where patriarchy shapes the community, women have historically been more susceptible to honour-related violence (2023-12-04). According to the same source, the concept of honour is shaped by "the value of seeing family as interconnected beings," which may result in the patriarch resorting to acts of gender-based violence to uphold the family's honour (Associate Professor 2023-12-04). The Associate Professor noted that though honour killings represent the "most extreme version" of an honour crime, "the fear of honour-related violence can be quite debilitating" because "historically women know that it can be a possibility, and this can shape a women's view of the ... violence" (2023-12-04).

The BBC reports that, according to authorities from Kohistan in Khyber Pakhtunkhwa province, an 18-year-old woman was murdered in the name of honour by her father and uncle on orders from elders of a tribal council in November 2023 (2023-11-28). The same source further notes that the victim and a man appeared together in pictures which were widely shared on social media and which authorities indicated had been "photoshopped" (BBC 2023-11-28).

4.2 Persons of Diverse SOGIESC

The DFAT report cites "frequent" media reports of incidents in which transgender individuals face targeted violence, including being victims in cases of honour killings (Australia 2022-01-25, para. 3.104). According to a UK Home Office report on sexual orientation and gender expression in Pakistan, persons of diverse SOGIESC generally are hesitant to openly disclose their sexual orientation due to the potential risks of encountering abuse, coerced marriages, or being targets of honour killings (UK 2022-04, 2.4.8). An article by *The Guardian* writes that despite the 2012 Pakistan Supreme Court ruling allowing individuals to identify their gender on their national identity cards and the passing of the Transgender Persons Act in 2018, honour killings among other crimes remain "rife" in the transgender community (2022-11-20).

A 2018 article in *Dawn* newspaper, cites Peshawar's police chief as noting that, if family members are believed to be involved in a murder, "one could term it an honour killing," but that transgender individuals being murdered in the name of honour by their "male friends" represents a "new phenomenon," against which he "promised the police's action" (2018-08-28). In a 2022 article, *Dawn* reports a transgender woman was shot dead by "[a] man she had previously been romantically involved with," after she asked him to return money he had borrowed; the article adds that the victim's family refused to accept the body and take part in her burial (2022-03-27).

For more information on the treatment of persons with diverse SOGIESC in Pakistan, please see Response to Information Request PAK106219 of January 2019.

5. Police and State Response

According to the HRCP's annual report covering 2021, the challenge of eliminating honour crimes persists within "a culture of impunity and the government's inability to deliver justice" for survivors of gender-based violence (2022, 39).

According to the Associate Professor, "fear" has existed concerning "male-dominated" environments such as the police (2023-12-04). Additionally, the Associate Professor noted that there is a possibility for authorities to align with the family's perspective rather than supporting the victim's account, creating a sense of skepticism that reporting to the police will turn out the way one hoped (2023-12-04).

The senior research fellow noted that generally responses to honour killings by enforcement agencies have increased, and attributed the increase to social media reporting and activism (2023-12-04). However, the same source added, this is "temporary to calm down the public or until the activism fades away from the social media platforms" and noted that despite the existence of the [*Criminal Law (Amendment) (Offences in the Name or on Pretext of Honour) Act, 2016*], the prosecution rate for those

responsible for honour killings remains "nearly zero" (Senior research fellow 2023-12-04). According to the senior research fellow, police response is contingent on the severity of the "brutality" involved; the police response is "swift," in cases where a woman or girl is subjected to acts like stoning, being buried alive, or public killing, while in other cases the police might perceive the incidents as "routine crimes" (2023-12-04). The same source noted that when honour killings occur "in a big city or urban centre or in an elite or upper-class family," the police response in terms of apprehending the perpetrators tends to be quicker (Senior research fellow 2023-12-04).

The information in the following paragraph was provided in the DFAT report:

When the threat of honour killing is identified, the targeted individual remains in jeopardy even if they choose to relocate; there have been instances where victims faced fatal consequences years after the initial perceived transgression. Instances of gender-based violence are "often" unreported due to the stigma attached to such incidents and the absence of privacy for victims. For instance, victims of rape, "often" refrain from reporting out of "fear they will be blamed or killed for 'dishonouring' their family." Additionally, the prospect of encountering further violence after "attending police stations" may dissuade victims from seeking police assistance. "[E]xtremely low conviction rates" for rape and other forms of gender-based violence also act as a deterrent to reporting, compounded by the scarcity of female police officers (Australia 2022-01-25, para. 3.94, 3.9.6).

According to sources, domestic violence is "often" (AFP 2022-05-06) or "commonly" (Australia 2022-01-05) perceived as a private family matter (AFP 2022-05-26; Australia 2022-01-25, para. 3.94); the DFAT report adds that law enforcement is "often" reluctant to intervene (Australia 2022-01-25, para. 3.94).

According to a 2023 annual report by Freedom House, "[p]erpetrators of gender-based violence and sexual harassment or discrimination often enjoy impunity"; there is "often" reluctance on the part of the police to investigate complaints related to crimes against women, including honour-related crimes (2023-03-09, Sec. F4).

6. State Protection

According to the DFAT report, both federal and provincial governments have made efforts to enhance official responses to gender-based violence by instituting gender-based violence courts and women's police stations in some major cities (Australia 2022-01-25, para. 3.94). *The Nation*, a newspaper from Pakistan, states that in November 2019 the National Judicial Policy Making Committee ordered provincial high courts to institute gender-based violence courts "in an effort to provide speedy

justice to victims of SGBV [sexual and gender-based violence] on a priority basis and in a gender-sensitive manner" (2021-02-12). HRCP's 2023 report states that after conducting a fact-finding mission in March 2022 to South Punjab, the Commission observed that women living in the tribal areas of Dera Ghazi Khan and Rajanpur are still subject to "'harmful'" traditional customs," as *karo-kari* [6] and *wani* [7] are "'still entrenched in the fabric of their society—to the extent that even the Border Military Police does not provide the protection that victims are entitled to'" (2023, 49).

The DFAT report indicates that in May of 2021, police in Islamabad launched a Gender Protection Unit equipped with a 24-hour hotline, which processed over 500 complaints within its initial three months (Australia 2022-01-25, para. 3.94) According to an article by *Arab News*, an English-language newspaper owned by the Saudi Research and Media Group (SRMG) (*Arab News* 2021-07-11), a "Saudi Arabia stated-backed media group" (*Financial Times* 2023-05-10), the new Gender Protection Unit serves as a specialized division responsible for handling cases on "gender violence, domestic and child abuse, and harassment" (*Arab News* 2021-05-21). The article reports that the Gender Protection Unit and its associated helpline is overseen and operated by female police staff to make it easier for women to come forth and make reports, and the team also includes female doctors and psychologists tasked with "provid[ing] assistance to complainants with greater efficiency and sensitivity" (*Arab News* 2021-05-21).

According to the senior research fellow, survivors do have the option to seek protection at government-operated shelters, but individuals are reluctant to seek support from authorities since "most of the perpetrators" are family members (2023-12-04). The senior research fellow added that there have been instances in which women- and girl-survivors of attempted honour killings have sought protection from local law enforcement agencies, only to have the police treat the incidents as "family matters" and "han[d] the survivors over" to the families against whom they were seeking protection, resulting in their death (2023-12-04). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

An article by *Dawn* reports that the Peshawar High Court ordered provincial authorities to "provide security" to a couple in response to the woman's male relatives "task[ing] certain persons to eliminate her the moment she left the shelter home," after she married of her own free will (2022-01-22). According to the same source, "senior police officers" had stated that the couple could not be afforded full-time security, while tribal elders had refused to assume responsibility for the safety of the couple, forcing her to live in a shelter home (*Dawn* 2022-01-22).

According to a 2023 article in *The Guardian*, a man in Khyber Pakhtunkhwa province tried to enforce "ghag," "an outdated and illegal custom" which "allows another man to forcibly claim a woman as his wife," which he had proclaimed on a 25 year-old-woman when she was twelve-years-old (2023-12-19). The article explains that the man attempted to enforce the ghag on the woman who was attempting to marry by choice, despite a 2013 ban on ghag forced marriages in the province and the woman's family's refusal, when she was a child, of the marriage proposed by the ghag (*The Guardian* 2023-12-19). According to the article, the man attempting to enforce the ghag was arrested along with his brothers in 2021, and he signed an affidavit stating "he would not claim ghag again" (*The Guardian* 2023-12-19). However, the article reports, citing the woman's brother, that later in the same year, the man contacted her fiancé and his family and instructed them to break off the engagement due to his ghag, and they complied (*The Guardian* 2023-12-19). The woman's brother indicated that his family returned to court demanding further action be taken after the engagement was broken off, but that he has "received death threats" and that "everyone in the tribal district fears approaching his sister" (*The Guardian* 2023-12-19).

The US Department of State's *Country Reports on Human Rights Practices for 2022* states that in rural regions in particular, the utilization of informal justice systems persists, "often" leading to human rights violations (US 2023-03-20, 13). According to the same report, in areas such as Sindh and Punjab, prominent landholders and community leaders, as well as tribal leaders in Pashtun and Baloch regions, sometimes convene local council meetings known as *panchayats* or *jirgas*, "outside the established legal system, at times with the support of local police officials," with the purpose of resolving disputes and imposing penalties (US 2023-03-20, 13). The same source notes that "[t]hese councils 'often' sentenced women to violent punishment or death for so-called hono[u]r-related crimes" (US 2023-03-20, 13). An October 2023 article by *Dawn* reports that police in the Kolai-Palas district [in Khyber Pakhtunkhwa province] provided protection to an 18-year-old woman who sought refuge at a police station because an "honour killing decree" that was issued against her by a jirga, for alleged contact with a stranger over the phone (2023-10-22). The article states that 11 people were arrested in relation to this incident, among them include the victim's father and brothers along with the local tribesmen (*Dawn* 2023-10-22). Another article published by *Dawn*, reports that four people were arrested by the Chowk Karam Dad Qureshi district police [in Punjab province] for organizing a council ordering the honour killing of a woman for "marrying a man of her own free will" (2020-11-16). The same article adds that the marriage had happened a year prior, and, without providing further details, that the husband "had already been killed a few months ago" (*Dawn* 2020-11-16).

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.

Notes

[1] Ta'zir refers to "punishment other than death penalty" (*Dawn* 2015-01-16).

[2] Qisas "in Islamic criminal jurisprudence means an equal retribution" (*Dawn* 2015-01-16).

[3] Qatl-i-Amd refers to "wilful murder" (*Dawn* 2015-01-16).

[4] Wali refers to "authorised legal heir" (*Dawn* 2015-01-16).

[5] In addition to official figures from Pakistani authorities in Punjab, Sindh, Khyber Pakhtunkhwa, Balochistan, Islamabad Capital Territory, and Gilgit-Baltistan, HRCP also considers the following sources for its report:

HRCP surveys, factfinding reports and communications from its correspondents and private citizens; official gazettes; economic and legal documents and other public releases and statements; reports in the national and regional press; and publications of international human rights and development agencies. (HRCP 2023, 4)

[6] According to the HRCP, *karo* and *kari* used to mean "adulterer" and "adulteress"; it is "now used for multiple forms of perceived immoral behaviour. It describes a traditional custom whereby a woman and a man found in, or more often suspected of, an illicit relationship, are killed by family members to restore the family 'honour'" (HRCP 2023, Glossary).

[7] According to the HRCP, *wani* is a "custom in some parts of Pakistan where forced child marriages take place, given as compensation to an aggrieved family to settle a dispute, often murder" (HRCP 2023, Glossary).

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Oral sources: AGHS Legal Aid; Asian Human Rights Commission; Associate professor at a Canadian university specializing in history; Aurat Publication & Information Service Foundation; Crisis Group; Human Rights Commission of Pakistan; Neengar Society; Pakistan – National Commission for Human Rights; Professor at a Pakistani university who specializes in gender studies; Professor at a Pakistani university who specializes in law; Professor at a university in the UK who specializes in criminology; Roshni Welfare Organization; Senior Research Officer of

Lahore High Court; UN Women Visiting lecturer at a Pakistani university who specializes in sociology; Youth Development Foundation Pakistan

Internet sites, including: Aahung; Al Jazeera; Amnesty International; Arrow; Asian Human Rights Commission; Associated Press; Aurat Publication and Information Service Foundation; Austrian Red Cross – ecoi.net; Belgium – Office of the Commissioner General for Refugees and Stateless Persons; Bertelsmann Stiftung; Centre for Research and Security Studies; Germany – Federal Office for Migration and Refugees; Girls Not Brides; International Labour Organization; Minority Rights Group International; National Commission for Human Rights; Pew Research Centre; Reuters; South Asia Terrorism Portal; Strategic Advocacy Human Rights; United States – Congressional Research Service; WION News.

Associated documents

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Pakistan

Query response on Pakistan: Honour killings (2020 - December 2023) (legislation; prevalence; profiles of individuals targeted; state response; state protection)

[Pakistan : information sur les meurtres d'honneur, y compris leur fréquence dans différentes régions du pays et les profils des personnes ciblées; les lois; la réponse de la police et de l'État; la protection offerte par l'État aux personnes survivantes et aux membres survivants de leurs familles \(2020-décembre 2023\) \[PAK201758.EF\] \(Response, French\)](#)

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Query response on Pakistan: Honour killings (2020 - December 2023) (legislation; prevalence; profiles of individuals targeted; state response; state protection)

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