



Pakistan – Researched and compiled by the Refugee Documentation Centre of Ireland on 22 February 2013

Honour killings in Pakistan. Revenge due to a non family consented marriage in Pakistan. Any records? Family opposition to a love marriage, consequences? Internal relocation in Pakistan for a family with three girls that have been rejected by their own family? Do they have to register with the authorities? Can they be located? Is there any kind of police or state protection against honour killings available in Pakistan? Is it effective?

An Immigration and Refugee Board of Canada response to a request for information on honour killings in Pakistan, in a section titled “Background”, states:

“Sources indicate that women in Pakistan are considered to be the carriers of the honour of their entire family or the village. Honour killings usually take place when a man claims that a woman brought dishonour to the family or the community. The rationale is that the woman needs to be killed to ‘restore’ that honour. 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’. 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. 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.” (Immigration and Refugee Board of Canada (15 January 2013) *PAK104257.E – Pakistan: Honour killings targeting men and women*)

See also Immigration and Refugee Board of Canada response which states:

“There is an extensive amount of information on honour killings in Pakistan, primarily focusing on female victims. Honour killings are described as a custom in which mostly women and some men are murdered after accusations of sexual infidelity. The killers seek to avenge the shame that victims are accused of bringing to their families. However, even girls and, on a smaller scale, boys are victims of the practice. Honour killings are known by different names depending on the area in Pakistan in which they are practised. In Sindh province they are referred to as karo kari, where karo refers to the ‘blackened’ or dishonoured man and kali to the ‘blackened’ woman; they are called tor tora in the North-West Frontier Province (NWFP), where tor refers to the accused man and tora to the accused woman; kala kali in Punjab province, where kala refers to the accused man and kali refers to the accused woman; and sinyahkari in Balochistan.” (Immigration and Refugee Board of Canada (24 January 2007) *Pakistan: Honour killings targeting men and women, especially in the northern areas (2001-2006)*)

In a section titled “Justification and Motives” this response states:

“Honour killings are often carried out by men who believe their honour has been breached by the sexual misconduct of female family members, even when it is only an allegation. The tribal justice system, for example, makes it incumbent upon husbands and male relatives to restore family honour damaged by allegations of a woman's sexual misdeed, usually by killing the woman and her alleged lover. The NCSW indicates that it is not just honour killings but all forms of domestic violence that are ‘frequently intended to punish a woman for a perceived insubordination supposedly impacting on male honour’. The media in Pakistan reports stories indicating that the male companion of the accused female will also be killed in the name of protecting family honour, or for marrying a woman from another tribal group without the consent of her parents, to restore the honour of her tribe.” (ibid)

This section also states:

“Demonstrations of attempts to control and punish women are evident in NCSW case stories, which show that between 1997 and 2003, women who attempted to chose their own husbands were either killed or detained under the Hudood Ordinances.” (ibid)

The 2012 US Department of State country report on Pakistan, in a section titled “Women”, states:

“Hundreds of women reportedly were victims of honor killings. Many cases went unreported and unpunished. The Aurat Foundation reported 382 honor killings between January and June and estimated that less than 2 percent of all honor killings were reported. The practice of ‘karo-kari’ continued across the country. (Karo-kari is a form of premeditated honor killing that occurs if a tribal court or jirga determines that adultery or some other ‘crime of honor’ occurred. Karo-kari means ‘black male’ (karo) and ‘black female’ (kari), metaphoric terms for someone who has dishonored the family or is an adulterer or adulteress.) Once a woman is labeled as a kari, male family members have the self-authorized justification to kill her and any co-accused karo to restore family honor. In many cases the karo is not killed or is able to flee.” (US Department of State (24 May 2012) *2011 Human Rights Reports: Pakistan*)

An appeal from the Asian Human Rights Commission, in a section titled “Additional Information”, states:

“The term Karo Kari is used for honour killings and every year more than 300 persons are made a victim of ‘honour’. However, there is no official record of honour killings as the family members of the victims avoid registering the cases because of more revenge and murders from the perpetrators, who always have good patronage with the local police and lower judiciary, which is also biased against the women. It is very rarely that perpetrators of honour killings are punished by the courts. Rather, in the majority of cases, a settlement is reached outside the court with the connivance of the lower courts. The settlements are more horrible than the honour killings, as minor girls are exchanged in the settlements. The honour killing perpetrators use the cover of an illegal feudal court, named a Jirga, which consists of elders from the tribe, and orders the killings of the accused persons and couples. The higher courts have declared the Jirgas illegal but there is no law to ban

them. Most of the cases of honour killings are based on the sharing or distribution of property and, when property issues are not settled, then the woman is accused of destroying of honour of the family. The accused woman is then linked with some man. After the honour killing, the murderer is treated as the hero who saved the honour of the family. This crime is very common in southern Punjab and Sindh, where the feudal and centuries old tribal system is used.” (Asian Human Rights Commission (23 January 2013) *Pakistan: A journalist cum human rights defender has been implicated in an honour killing and police refused to protect him*)

The Human Rights Commission of Pakistan report for the events of 2011, in a section titled “Women (paragraph headed “Cultural justification of violence: the “honour” crime chart”), states:

“Throughout the year, women were callously killed in the name of ‘honour’ when they went against family wishes in any way, or even on the basis of suspicion that they did so. Women were sometimes killed in the name of ‘honour’ over property disputes and inheritance rights. According to media monitoring and field reports from HRCP volunteers, at least 943 women were killed in the name of honour, of which 93 were minors. The purported reasons given for this were illicit relations in 595 cases and the demand to marry of their own choice in 219 cases.” (Human Rights Commission of Pakistan (March 2012) *State of Human Rights in 2011*, p.167)

In an appendix titled “HRCP stands” (paragraph headed “Rights of women”) this report states:

“HRCP called upon the Punjab government to ensure an immediate and transparent investigation of an alleged incident of honour killing of a young woman in a village of Bahawalpur district. The young woman, Saima, had left her parents house in November 2010 and went away to Karachi with a man named Dilawar she wanted to marry as her family wanted her to marry someone else. Saima’s family had then taken Dilawar’s father to Karachi with them and brought Saima back to Bahawalpur three days later and assured her that she would be married to Dilawar. However, she was confined in her house for the next two months, where she died in unexplained circumstances early on January 22. In a letter to the Punjab government, HRCP said: ‘The family claims that Saima has committed suicide by consuming a poisonous substance and for obvious reasons wants that version to be accepted. No report is yet available to determine the cause of death but the doctor who had conducted the post mortem examination says that there were visible marks of torture on her body and that the cause of death could be determined only from findings of a chemical laboratory test report.’ HRCP expressed concern over reports that the police were not taking interest in the investigation and one of the rich accused was being pampered by police. It expressed the apprehension that crucial evidence in the case may be destroyed unless prompt action was taken to investigate the matter properly. HRCP also feared for the safety of the persons who had highlighted the case and demanded adequate protection for them and an assurance of safety to any witnesses who may want to come forward.” (ibid, pp.307-308)

An extract from a Human Rights Commission of Pakistan report in a section titled “Limits of free will”, states:

“In January, media reports highlighted the murder of a girl and a boy by the girl's family in a village of Mian Chunnu sub-district of Punjab. The girl, Sonia, and the boy she wanted to marry were clubbed to death and their bodies publicly hanged for the villagers to see that the family had redeemed its honour. The girl had tried to run away from home after her parents arranged her marriage with a man against her will. Police registered a case against eight accused.” (Human Rights Commission of Pakistan (13 April 2011) *State of Human Rights in 2010 (Chapter V Rights of the disadvantaged: Women, Children)*)

In a section titled “Bargaining chips” this document states:

“Girls and women continued to be forced into marriage against their will, killed or intimidated for asserting their right to choose their spouse or generally to make decisions about their own life.” (ibid)

A report published by the Aurat Foundation, an Islamabad-based women's rights organisation, in a section titled “Honour Killings in Pakistan: Criminal Law (Amendment) Act 2004 & Provisions of Qisas and Diyat in PPC”, refers to legislation regarding honour killings as follows:

“The Government contends that the Criminal Law (Amendment) Act 2004 that makes honour killings punishable is one of its greatest successes. While the recognition accorded in the law to the crime of murdering women on the pretext of family honour is appreciated it has to be pointed out that not only is the law flawed, it is rarely implemented. The cases mentioned in the Country Report are only a few in number, and it is interesting to note that all the judgments cited are by the Lahore High Court and not any other provincial court. Along with these there are a large number of cases recorded in the last year alone that continue to be biased in favour of the perpetrators of ‘honour’ crimes. In one case, no compensation was given to the legal heirs of the deceased, as the victims who were murdered in the middle of the night were not ‘*masoom-ud-dam*,’ i.e. without guilt, because they were found in a ‘compromising position’. In other cases, ‘honour’ was considered a mitigating factor and the sentences were reduced.” (Aurat Foundation (November 2012) *Pakistan NGO Alternative Report on CEDAW – 2005-2009 (With Updated Notes - 2009-2012, p.96)*)

This section continues with:

“Though there were a few cases where there were convictions at the High Court level, media and police records show that honour crimes are committed regularly across the country. There have been highly controversial and blatant incidents of honour killings and honour crimes across the country in the last 3 years alone. These crimes and murders were not only instigated by illegal *jirgas* but also, murderers and criminals were subsequently granted impunity. What is even more shocking, a Senator who, on the floor of the House, defended the horrific crime of killing women on pretext of family honour, on the grounds that it was a local time honoured tradition, was not asked to issue an apology, or penalized in any way, but was later made a Minister in the Cabinet and member of a Constitutional Committee. The Government's readiness to overlook, even condone, such crimes and reward, rather than penalize a person who supports honour crimes demonstrates that it does not

take the issue seriously, and is willing to sacrifice the rights of women for political expediency.” (ibid)

A Refugee Review Tribunal of Australia country advice document, in response to the question “What is the current position in Pakistan where a family opposes a love marriage?”, states:

“Arranged marriages within a person’s own ethnic community tend to be the norm. This is very much the case across Pakistan as a whole. Western observers are often surprised to discover that affluent urban Pakistani families (who may otherwise seem outwardly no different to a Western family in their dress and behaviours) will nonetheless still expect their children to meet the expectation of entering into an arranged marriage with a partner from their own ethnic community... Moreover, love marriages which transgress family expectations can result in considerable family pressure being brought to bear. Again, violence could be a part of such pressure. In instances where the male partner to the marriage was from an ill-regarded community or caste then he, as much as the female partner to the marriage, could likely find himself the subject of a violent reprisal.” (Refugee Review Tribunal of Australia (17 November 2010) *Pakistan – PAK37665 – Punjab – Love marriages – Family violence – Protection orders – State protection – Political violence*)

In response to the question “Is there evidence of violence against the parties to the marriage in these circumstances?” this document states:

“Multiple sources indicate that parties to love marriages have been subjected to significant pressures, threats, and violence from their families. The most extreme example of harm against parties entering into a love marriage is the act of honour killing. An honour killing is the culturally acceptable murder of a woman who marries without consent or who refuses to marry a chosen partner.” (ibid)

In response to the question “Do the relevant authorities provide protection to parties in these circumstances?” this response states:

“Authorities in Pakistan frequently do not provide adequate protection to love marriage partners. While some examples were located indicating that police did take protective measures in some instances, there were many examples of police aiding and abetting families seeking to punish or harm love marriage partners. Other examples were located indicating that the justice system also sometimes failed to protect love marriage partners from disapproving families.” (ibid)

An Ethics in Action article states:

“The issue of love marriages is highly contentious in Pakistan, a traditionally patriarchal and feudal-based society. According to prevalent social and cultural norms, women are objects under the control and protection of male family members. Their rights and freedoms are severely restricted. Such a society sees marriage as a trade or business deal between different families. The idea of women choosing their own marriage partners is considered outrageous and unacceptable behavior.” (Ethics in Action Vol 3 No. 5 (October 2009) *Love marriages, women and rule of law in Pakistan*)

This article comments on the ineffectiveness of police protection as follows:

“It is common for legal authorities, particularly the police to mishandle cases involving love marriages or other ‘family issues’. For this reason, violence against women in Pakistan (including violence against women in love marriages) remains very high. Furthermore, the country’s social infrastructure and institutions are largely operated and staffed by men, most of whom carry various cultural and gender biases. Cases involving women—whether at police stations or in the court system—are inevitably prejudiced, prone to violence, and illegal. A pregnant woman in Punjab province for instance, was severely beaten by the police in August 2007 for secretly marrying and living with a man despite her parents having already chosen her bridegroom. Her husband was falsely charged with her abduction, while she was ‘punished’ by being raped by her intended bridegroom.” (ibid)

An Agence France Presse report states:

“Pakistan's parliament last year adopted tougher penalties for acid attacks, increasing the punishment to between 14 years and life, and a minimum fine of one million rupees (\$11,000). But attacks to save what is seen as family honour remain a particular problem in poor and rural areas of Pakistan. In the absence of material wealth, concepts of honour and preserving the family's good name are highly valued. Women are often treated as second-class citizens and even the slightest transgression that might bring the family's name into disrepute can lead to brutal punishment.” (Agence France Presse (6 November 2012) *Pakistan acid attack parents speak of remorse*)

A report published by the Asian Human Rights Commission, in a section titled “Violations of Women’s Rights”, states:

“The government remains unwilling to challenge fundamentalist Islamic groups and traditional practices. The government rejected key recommendations in the first cycle of the Universal Periodic Review (UPR), concerning the need to repeal the Hadood and Zina Ordinances, to decriminalise adultery, and to prohibit the use of Qisas and Daiyat law in cases of honour killings. The grave problem of honour killings persists in Pakistan, with AHRC continuing to document cases.” (Asian Human Rights Commission (10 December 2012) *The State of Human Rights in Pakistan in 2012*)

An Immigration and Refugee Board of Canada response to a request for information on police protection for women in Pakistan, in a section titled “Implementation of the PWA”, states:

“Several sources indicate that the implementation of the PWA has reduced the number of women accused of or charged with adultery. A study undertaken by the NCSW finds that a ‘radical drop in charges of zina against women’ was observed among all survey respondents, which ‘included session judges, police officials, [prison] authorities, and lawyers...’. Sources have also noted a decrease in the number of female prisoners. The NCSW also reports that more women have been reporting rape to the police. In contrast, numerous sources report that the PWA has not been implemented effectively, or is not being implemented at all. In correspondence with the Research Directorate, a representative of Shirka Gah states that, since the

FSC's ruling, 'implementation is not possible'." (Immigration and Refugee Board of Canada (30 November 2011) PAK103864.E – *The Protection of Women (Criminal Laws Amendment) Act, 2006 and its implementation*)

This section of the response also states:

"Several sources also note that there are challenges to implementation within institutions, including the police and the judiciary, which are reported to lack awareness of the law. In its study assessing the implementation of the PWA, the NCSW found that none of the police officers and judges surveyed received briefings on the new legislation. According to the Daily Times, a Lahore-based newspaper, a local non-governmental organization (NGO) was unable to find any copy of the law in the police stations it surveyed. The NCSW also reports that a 'patriarchal bias' exists in law enforcement agencies and the judicial system, which means that 'there is not a genuine acceptance of the PWA' among these groups. Similarly, the Shirkat Gah representative indicates that a lack of sensitivity to gender issues among the police and the judiciary is a barrier to effective implementation of the law. According to the NCSW, some members of the police and the judiciary believe that the PWA has led to an increase in 'honour killings' and in crimes committed by women because punishments for women have been reduced and it is now easier to obtain bail. Additionally, a representative of the Social Policy and Development Centre (SPDC), an 'independent and non-partisan research organization' working on development issues, including gender, stated that there has been an increase in the reporting of kidnapping cases against men, as a means of punishing couples who marry without the consent of their families and who can no longer be prosecuted for zina. The representative of Shirkat Gah also states that people are generally opposed to the PWA because they consider it to be 'un-Islamic'." (ibid)

A Deutsche Welle article states:

"The Sindh Police, with the help of the United Nations agency UNDP, has recently launched a campaign in these four districts to put an end to Karo Kari. Abbasi describes the programs his organization conducts to rescue possible victims: "We register Karo Kari cases and take them to the courts. To help the affected persons, a panel of lawyers has been created in each district. They work with us without charging any fees. We have launched a sufficient number of training programs and trained the investigating officers and the clerks as to how to tackle these cases and spread awareness among masses against honor killing." Abbasi believes this program has been fairly successful. So far, 17 women who were about to be killed by their families have been rescued. However, a lot needs to be done for the nearly 500 women slain in the name of honor every year in Pakistan." (Deutsche Welle (20 March 2012) *Women in Pakistan face the brunt of honor killings*)

A Refugee Review Tribunal of Australia country advice document, referring to failed asylum seekers rather than victims of honour killings, comments on the possibility of internal relocation in general as follows:

"Specific information was not located on relocation for failed asylum seekers in Pakistan. In relation to relocation generally, Article 15 of the Constitution of Pakistan indicates that '[e]very citizen shall have the right to remain in and, subject to any reasonable restrictions imposed by law in the public interest,

enter and move freely throughout Pakistan and to reside and settle in any part thereof.' It is reported that the law in Pakistan provides for freedom of movement within the country, emigration, foreign travel and repatriation, although the government reportedly limits these rights in practice. During 2009, restrictions were placed on politicians, religious leaders and political workers to prevent them from moving freely within Pakistan. The movement of ordinary citizens who resided in insurgency affected areas of Malakand, Swat and the Federally Administered Tribal Areas was also reported to be seriously affected. (Refugee Review Tribunal of Australia (20 December 2012) *Pakistan – PAK37896 – Asylum seekers – Returnees from the West – Internal relocation*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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