



COI QUERY

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Main subject	<u>Honour killings in Pakistan, with a focus on Punjab province</u>
Question(s)	<ol style="list-style-type: none">1. <u>Prevalence of honour killings targeting women and men, with a focus on Punjab province (2020-2021)</u>2. <u>Legal framework and implementation of the law on honour-related crimes in Pakistan, with a focus on Punjab province</u>3. <u>Support system for victims of honour-related crimes (2020-2021)</u>
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The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 17 January 2022. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE - Pakistan

Honour killings in Pakistan, with a focus on Punjab province

1. Prevalence of honour killings targeting women and men, with a focus on Punjab province (2020-2021)

The so-called honour killing, also referred to as an ‘offence committed in the name or on the pretext of honour’, is defined in Pakistani legislation as ‘an offence committed in the name or on the pretext of *karo kari*, *siyah kari* or similar other customs or practices’.¹ According to a 2019 report by Pakistan’s National Commission for Human Rights, ‘the word honour is not gender specific in itself and has a neutral dictionary meaning’.² In a 2019 report, the Australian Department of Foreign Affairs and Trade (DFAT) explained that:

‘Family members carry out honour killings against relatives perceived to have brought dishonour on the family by refusing an arranged marriage, forming a romantic attachment not approved by the family or, in the case of girls, for dress or behaviour deemed insufficiently modest.’³

Writing in 2021, non-governmental organisation Human Rights Commission of Pakistan (HRCP) explained that:

“Karo” and “kari” were originally terms for “adulterer” and “adulteress”, but this term 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 family honour.’⁴

The same source added that ‘antiquated - and lethal - notions that “honour” resides in women’s bodies and actions, still prevail across Pakistan’.⁵

A report by the Punjab Commission on the Status of Women, and cited in a 2021 article by Dawn, reported that between 2019 and 2020, there was an increase of 20 % in honour killing cases in Punjab province.⁶

Based on press reports, HRCP said to have recorded 430 cases of honour killing in Pakistan during 2020, involving 148 male and 363 female victims.⁷ Of those, 189 cases of honour killings, ‘involving 226 victims—37 male and 189 female victims’, were recorded in Punjab province.⁸ According to figures released by the Punjab police, in 2020 the reported case of honour killings in Punjab province were 237, however the number of victims was not specified. The figure is higher than in 2019, when 197 cases of honour killings were recorded by the Punjab police in the province.⁹ While similar data by the above-mentioned sources was not available for 2021, a member of the Punjab Provincial

¹ Pakistan, National Commission for Human Rights, A Study On Honour Killings In Pakistan And Recommendatory Checks Through Law, January 2019, [url](#), p. 3; Pakistan: Penal Code, 6 October 1860, [url](#), Section 299

² Pakistan, National Commission for Human Rights, A Study On Honour Killings In Pakistan And Recommendatory Checks Through Law, January 2019, [url](#), p. 3

³ Australia, DFAT, Country Information Report Pakistan, 20 February 2019, [url](#), para. 3.203

⁴ HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), Glossary

⁵ HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 234

⁶ Dawn, Rape cases down, honour killings increased in Punjab: report, 24 December 2021, [url](#)

⁷ HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 16

⁸ HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 33

⁹ Pakistan, Government of the Punjab, Punjab Police, Honour Killing Reported Cases (2011-2020), n.d., [url](#)

Assembly stated on 14 July 2021 that, by that date, around 81 women had been victims of honour killings in Punjab province during 2021, without providing data regarding men who had been victims of such crimes during the same period.¹⁰

Some of the indicative incidents that took place during the reference period include:

- On 26 March 2020, a man from Toba Tek Singh city, Punjab province, was ‘tortured’ and had his arms and legs cut off, ‘for allegedly marrying a girl without the consent of her family’. According to the report, the perpetrators were five people related to the girl’s family.¹¹
- On 8 October 2020, a young woman in a village in Punjab province was shot and killed by her brother in ‘a suspected case of honour killing’, after she ‘eloped with a boy’ from a neighbouring village.¹²
- On 29 June 2021, a man was killed by a woman’s father in Gujranwala, Punjab province, after ‘expressing a desire to marry a woman and asking her family for her hand’.¹³
- On 11 July 2021, a woman in Lahore, Punjab province, was killed by her stepbrother, who claimed that she had ‘had relations with different men and she was a “stain on the family’s honour”’.¹⁴
- On or around 4 October 2021, two brothers in Maru Bhatian village of Chiniot district, Punjab province, ‘attacked a man and gouged out his eyes’ for being in a relationship with their sister. According to a police official quoted in the report, the two brothers had earlier ‘tortured’ their sister for continuing the relationship with the man.¹⁵
- On 17 October 2021, a man in Muzaffargarh district, Punjab province, set fire to a house and killed seven members of his family¹⁶, ‘including his two daughters and four grandchildren, because one of the women married against his wishes’.¹⁷

2. Legal framework and implementation of the law on honour-related crimes in Pakistan, with a focus on Punjab province

Legal framework

The Criminal Law (Amendment) Act 2004, also referred to as law on honour killings,¹⁸ along with the 2016 Criminal Law Amendment (Offenses in the Name or Pretext of Honour) Act criminalise honour killings in Pakistan.¹⁹

As observed by the 2021 United States Department of State (USDOS) report, all cases which involve the application and interpretation of the Hudood Ordinances are under the exclusive appellate jurisdiction of the Federal Shariat Court (FSC).²⁰ Enacted in 1979, the Hudood Ordinances are a set of

¹⁰ Express Tribune (The), 81 women killed for ‘honour’ across Punjab, 14 July 2021, [url](#)

¹¹ Hindu (The), Man brutally tortured, maimed in suspected honour incident in Pakistan, 28 March 2020, [url](#)

¹² News Now (The), Pakistan: 17-year-old girl killed by brother after she elopes with boy, 9 October 2020, [url](#)

¹³ ANI, Honour killings continue in Pakistan as man brutally killed after asking for marriage, 29 June 2021, [url](#)

¹⁴ Indian Express (The), Pakistani model killed by stepbrother for ‘honour’, 16 August 2021, [url](#)

¹⁵ New Indian Express (The), Two brothers brutally attack man in suspicion of having relationship with their sister in Pakistan, 7 October 2021, [url](#)

¹⁶ Independent (The), Wanted Pakistani man allegedly killed seven family members because his daughter married against his wish, 19 October 2021, [url](#); Sun (The), Monster dad ‘burns his two daughters alive alongside four grandchildren in honor killing’ after one ‘married for love’, 18 October 2021, [url](#)

¹⁷ Independent (The), Wanted Pakistani man allegedly killed seven family members because his daughter married against his wish, 19 October 2021, [url](#)

¹⁸ Khan, A., ‘Honour’ Killings in Pakistan: Judicial and Legal Treatment of the Crime: A Feminist Perspective, in LUMS Law Journals Vol. 7, 2020, [url](#), p. 74; USDOS, 2020 Country Report on Human Rights Practices: Pakistan, 30 March 2021, [url](#);

¹⁹ USDOS, 2020 Country Report on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

²⁰ USDOS, 2020 Country Report on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

laws combining Pakistan Penal Code with Hudud Laws based on Islamic Hanafi jurisprudence,²¹ and implement a strict interpretation of Islamic law 'by punishing extramarital sex, false accusations of extramarital sex, theft, and alcohol consumption'. Further, the FSC has power to revise legislation if this is seen as inconsistent with sharia law. People can appeal FSC decisions to the Shariat Appellate Bench of the Supreme Court, and a full bench of the Supreme Court may grant a further appeal.²²

On 24 February 2016, the Punjab Assembly passed the Punjab Protection of Women against Violence Act of 2016 in order to protect women from various kinds of violence. The law was meant to serve as an addition to existing laws and would provide remedies in the form of protection, residence or monetary order for all the offences covered by it.²³ The law includes provided the establishment of Violence Against Women Centres, that are 24-hour all women run facilities.²⁴ The Punjab Women's Protection Act prompted controversy due to its progressive and faced resistance by the religious parties.²⁵

In October 2016, three months after a media celebrity, Qandeel Baloch, was strangled by her brother, the upper and lower houses of Pakistan's Parliament jointly approved the Criminal Law Amendment, Offences in the Name or Pretext of Honour Act (Anti-Honour Killing Act)²⁶, in order to address the 'loopholes and lacunae in the existing law and to prevent such crimes from being repeatedly committed'²⁷. One of the most significant changes that the new Act brought about was the amendment of article 311 of the Penal Code, making the crime of honour killing a non-compoundable offence and mandating minimum life imprisonment for convicted murderers even if the victim's relatives forgive them.²⁸ Although the Anti-Honour Killing Act was welcomed as 'a step in the right direction', it still reportedly has loopholes, as it is up to the judge's discretion to decide whether a murder was committed on the basis of honour or not²⁹, and whether to charge the perpetrator with the death penalty or life in prison.³⁰

Tariq Mehmood Jahangiri, a criminal law expert, explained that:

'The legislation on honour killings would not achieve the desired results as the accused may claim that he had committed the murder for other reasons such as a dispute over property etc. Hence, he may be charged with Section 302 of the PPC and the family members may pardon him under Section 309 of the PPC.'³¹

²¹ Hamza N., Introduction of Hudood Laws in Pakistan & Its Background, Assignment for Course in Shari'ah Law, Academic year 2019/2020, International Islamic University Islamabad, [url](#); Wasti, A.S., The Hudood Laws of Pakistan: A Social and Legal Misfit in Today's Society, 2003 12 Dalhousie Journal of Legal Studies 63, 2003, [url](#), pp. 65, 76

²² USDOS, 2020 Country Report on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

²³ CSCR, Punjab Women Protection Law, 2016, [url](#), p. 10

²⁴ CSCR, Punjab Women Protection Law, 2016, [url](#), p. 4; International News (The), Pakistan's first 'Violence Against Women Center' inaugurated in Multan, 29 March 2017, [url](#)

²⁵ Munshey, M., The Punjab Women's Protection Act: An ideological battle, 6 March 2016, [url](#); Dawn, Religious parties plan to table 'women bill' in NA, Senate, 3 April 2016, [url](#); Express Tribune (The), Women Protection Act: Religious bloc rejects TORs for amendments, 19 April 2016, [url](#)

²⁶ BBC, 'Honour killings': Pakistan closes loophole allowing killers to go free, 6 October 2016, [url](#); HRW, 'Honor' Killings Continue in Pakistan Despite New Law, 25 September 2017, [url](#); Hashmi, Z., Criminal Law (Amendment): Offences in the Name or Pretext of Honor Act, 2016 Passed by Majlis-e-Shoora (Parliament) of Pakistan, 18 May 2021, [url](#); Guardian (The), 'She feared no one': the life and death of Qandeel Baloch, 22 September 2017, [url](#)

²⁷ Senator Farhatullah, The Criminal Law (Amendment) (Offences in The Name Or Pretext Of Honour) Act: Statement of Objects and Reasons (2016),n.d., [url](#)

²⁸ Reuters, Pakistan parliament passes legislation against 'honour killings', 6 October 2016, [url](#); CNN, Pakistan passes legislation against 'honor killings', 8 October 2016, [url](#); Waqas, A., Fiasco of The Anti-Honour Killing Bill 2015/16, Courting the Law [Blog], 9 December 2016, [url](#); Khan, A., 'Honour' Killings in Pakistan: Judicial and Legal Treatment of the Crime: A Feminist Perspective, 2020, [url](#), p. 100; Hashmi, Z., Criminal Law (Amendment): Offences in the Name or Pretext of Honour Act, 2016 Passed by Majlis-e-Shoora (Parliament) of Pakistan, 18 May 2021, [url](#)

²⁹ Al Jazeera, Pakistan adopts new law to tackle 'honour killings', 6 October 2016, [url](#)

³⁰ Khan, A., 'Honour' Killings in Pakistan: Judicial and Legal Treatment of the Crime: A Feminist Perspective, 2020, [url](#), p. 100

³¹ Dawn, Loopholes persist in 'honour killing' bill, 24 July 2016, [url](#)

As expert Aleena Khan³² further explained:

‘Section 302 of the PPC lays down that a convict in a simple murder case may get the life imprisonment of fourteen years or a maximum of the death penalty. Perpetrators can easily alter the motive of their crimes by denying that their crimes were on the pretext of honour, and thus escape the mandatory term and hence be charged under section 302, PPC and pardoned under section 309, PPC, by the family members. So essentially, the crime has still not been made non-compoundable – a major loophole paving a way for perpetrators to go scot free’.³³

In July 2021, Syeda Zahra Naqvi, a Member of the Punjab Assembly, announced that the provincial government is going to introduce legislation specifically on ‘women’s murder in the name of honour’ wherein exemplary punishment will be proposed for the assailants.³⁴ No further information could be found regarding this legislation.

Implementation of the law on honour related crimes

Despite the existence of the laws, honour killings remained pervasive in Pakistan.³⁵ In an interview with the Guardian in 2019, an anonymous governmental official stated that: ‘It is government that is run by tribal lords and elites. And local police or administration refrain from making arrests in honour related cases. This happens in most rural areas of Pakistan’.³⁶

According to the aforementioned report by the Punjab Commission on the Status of Women, despite the 20 % increase in honour killings between 2019 and 2020, only 5.4 % of these cases resulted in convictions.³⁷

Citing a Sindh police study, the Dawn newspaper noted that between 31 January 2019 to 30 January 2020, 126 people, suspects of involvement in honour killings, had been arrested. According to the study ‘challans of 81 cases pertaining to honour killings were presented in courts while 32 are still being investigated. Challans of 81 cases pertaining to honour killings were presented in courts while 32 are still being investigated’. The courts at the time of the publication of the Sindh police report were hearing 73 cases of the crime, while three had been thrown out.³⁸

Citing human rights experts, Reuters noted, in a May 2020 article, that ‘enforcement of justice is often lax in cases involving violence against women, with proceedings at times being drawn out while accused killers were freed on bail and cases faded away’, especially in remote areas.³⁹ According to Freedom House, ‘police are often reluctant to proceed in the face of complaints of crimes against women, including so-called crimes of honour’.⁴⁰

In a report covering the human rights situation in Pakistan in 2020, USDOS noted that informal justice systems continued to be practised in Pakistan, especially in rural areas, with human rights abuses committed as a result. Within the framework of such informal/customary justice system, community leaders, including in Punjab province, held local council meetings (*panchayats* or *jirgas*),

³² Aleena Khan is an advocate of the High Court, B.A. LL.B from LUMS, and an LLM from the University of London. She holds a Postgraduate Certificate in Law and Development and a Postgraduate Diploma in Human Rights Law from the University of London. Khan, A., ‘Honour’ Killings in Pakistan: Judicial and Legal Treatment of the Crime: A Feminist Perspective, in LUMS Law Journals Vol. 7, 2020, [url](#), p. 74

³³ Khan, A., ‘Honour’ Killings in Pakistan: Judicial and Legal Treatment of the Crime: A Feminist Perspective, in LUMS Law Journals Vol. 7, 2020, [url](#), p100

³⁴ Express Tribune (The), 81 women killed for ‘honour’ across Punjab, 14 July 2021, [url](#)

³⁵ Dawn, Murder not honour, 9 October 2021, [url](#); USDOS, 2020 Country Report on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

³⁶ Guardian (The), Pakistan authorities record a dozen cases of ‘honour’ killing in a fortnight, 17 May 2019, [url](#)

³⁷ Dawn, Rape cases down, honour killings increased in Punjab: report, 24 December 2021, [url](#)

³⁸ Dawn, 108 women in Sindh ‘killed for honour’ in 2019 alone: police report, 31 January 2020, [url](#)

³⁹ Reuters, Pakistan police arrest three over ‘honour killing’ of teenage sisters, 18 May 2020, [url](#)

⁴⁰ Freedom House, Freedom in the World 2021 - Pakistan, 3 March 2021, [url](#)

outside of the formal court system. These local councils ‘often sentenced women to violent punishment or death for so-called honour-related crimes.’ The same source reported that:

‘In many cases officials allowed the male involved in the alleged crime of honour to flee. Because these crimes generally occurred within families, many went unreported. Police and NGOs reported increased media coverage enabled law enforcement officers to take some action against these crimes.’⁴¹

3. Support system for victims of honour-related crimes (2020-2021)

Among the sources consulted by EASO within time constraints, scarce information could be found regarding support system specifically for victims of honour-related crimes. However, the following information could be relevant.

In a March 2020 report, the United Nations Committee on the Elimination of Discrimination against Women expressed concern about ‘the insufficient number and capacity of shelters for women and girls who are victims of gender-based violence, and the lack of medical and psychological rehabilitation services for them’, without providing any details about shelters for men or boys.⁴²

In its 2020 Country Report on Human Rights Practices, USDOS explained the following:

‘The Punjab Protection of Women against Violence Act provides legal protections for domestic abuse victims, including judicial protective orders and access to a new network of district-level women’s shelters. Centers provide women a range of services including assistance with the completion of first information reports regarding the crimes committed against them, first aid, medical examinations, post-trauma rehabilitation, free legal services, and a shelter home. The Punjab government funds four women’s career centers in Punjab universities, 12 crisis centers that provide legal and psychological services to women, and emergency shelters for women and children. The Punjab government established 16 women’s hostel authority in 12 districts to assist women in finding safe, affordable, temporary lodging while looking for work.’⁴³

USDOS also added that:

‘The government continued to operate the Crisis Center for Women in Distress, which referred abused women to NGOs for assistance. Numerous government-funded Shaheed Benazir Bhutto Centers for Women across the country provided legal aid, medical treatment, and psychosocial counseling. These centers served women who were victims of exploitation and violence. Officials later referred victims to *dar-ul-amans*, shelter houses for abused women and children, of which there were several hundred around the country. The *dar-ul-amans* also provided access to medical treatment.’⁴⁴

However, according to the same source, quoting the accounts of unnamed NGOs:

‘...the shelters did not offer other assistance to women, such as legal aid or counselling, and often served as halfway homes for women awaiting trial for adultery, but who in fact were victims of rape or other abuse.

Government centers lacked sufficient space, staff, and resources. Many overcrowded *dar-ul-amans* did not meet international standards. Some shelters did not offer access to basic needs such as

⁴¹ USDOS, 2020 Country Report on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

⁴² CEDAW, Concluding observations on the fifth periodic report of Pakistan, 10 March 2020, CEDAW/C/PAK/CO/5, [url](#), para. 31(d)

⁴³ USDOS, 2020 Country Reports on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

⁴⁴ USDOS, 2020 Country Reports on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

showers, laundry supplies, or feminine hygiene products. In some cases, individuals reportedly abused women at the government-run shelters, and staff severely restricted women's movements or pressured them to return to their abusers. There were reports of women exploited in prostitution and sex trafficking in shelters. Some shelter staff reportedly discriminated against the shelter residents, assuming that if a woman fled her home, it was because she was a woman of ill repute.⁴⁵

No information regarding any support or shelters potentially available to male victims was provided by USDOS in its report.⁴⁶

According to HCRP's May 2021 report, referring to the issue of the effects of the Covid-19 pandemic on women during 2020, the source wrote that:

'Complaints of domestic and online violence intensified between March and November 2020, pointing towards the particular vulnerability of women in an environment of isolation, closure of shelter homes, reduced access for victims of gender-based violence (GBV) to healthcare, and less than evident responses from the federal and provincial governments.'⁴⁷

No information regarding any similar potential effects of the Covid-19 pandemic on male victims was presented by HCRP in its report.⁴⁸

On 30 August 2021, Punjab police authorities announced that new 'anti-harassment and violence cells would be set up' in various areas in the province. The new cells 'would function as reporting centers for crimes', and would be coordinated with the work taking place in the 'six gender crime cells [already] operational in Lahore', where 'cases concerning harassment and violence against women' are investigated.⁴⁹

⁴⁵ USDOS, 2020 Country Reports on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

⁴⁶ USDOS, 2020 Country Reports on Human Rights Practices: Pakistan, 30 March 2021, [url](#)

⁴⁷ HRCR, State of Human Rights in 2020, 3 May 2021, [url](#), p. 33

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