

# SELECTED INTERNATIONAL HUMAN RIGHTS MATERIALS ADDRESSING ‘CRIMES OF HONOUR’

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## Preface

This collection of international human rights materials is an update of the collection of the same name of 2003, which was produced by the Project on “Strategies of Response to ‘Crimes of Honour’ Against Women” jointly co-ordinated by CIMEL (Centre of Islamic and Middle Eastern Law) and INTERIGHTS (International Centre for the Legal Protection of Human Rights). The original document remains on this website and includes a full introduction to the document: see <http://www.soas.ac.uk/honourcrimes/resources/file55416.pdf>

This document has been compiled by selecting and extracting relevant human rights materials generated by the United Nations system and the Council of Europe as of 2003.

Please note that due to limited time and human resources, this update contains only materials that directly address ‘crimes of honour’ employing this term, and does not at this stage include all treatment of distinct manifestations of violence against women – such as forced marriage - that the Project has included in previous updates of these materials.

The collection, like the original document, is divided in two main parts: international materials and regional materials.

The first one consists of two sections: treaty-based bodies materials and charter-based bodies materials. In the first section a set of concluding observations by the monitoring bodies of international human rights treaties, addressing ‘crimes of honour’, are presented, and in the second section the most relevant documents which have been generated by the political bodies of the United Nations system can be found.

The second main part of the collection focuses, like the original document, on the Council of Europe’s work, by providing the documents in which the regional organisation has addressed ‘crimes of honour’.

Please note that footnotes from extracted materials have not been included in this collection. Please refer to the actual document for these.

Links for all documents have been provided. (If you experience any problems in opening the links to the documents of the UN bodies, please go to <http://www.un.org/en/documents/index.shtml> - “Search by symbol” in the blue box. Documents symbols are also included in this collection).

This document is not intended to be exhaustive. Any suggestion for additions, updates or changes are therefore welcome. Please send any suggestion by email to [cimelhcp@soas.ac.uk](mailto:cimelhcp@soas.ac.uk), citing “IHRM” as the subject title.

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## **I. INTERNATIONAL MATERIALS**

### **A. Treaty-Based Bodies Materials - Concluding Observations**

#### **a) Human Rights Committee**

##### **Turkey, 13/11/2012 CCPR/C/TUR/CO/1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/475/98/PDF/G1247598.pdf?OpenElement>

Para 13 While noting the abolition of the de facto reduction of sentences for perpetrators of “honour killings”, the Committee is concerned at the prevalence of high rates of such crimes (arts. 6 and 7).

The State party should under no circumstances tolerate “honour killings”. In this perspective, the State party should ensure the inclusion of such killings within the scope of article 82 of the Penal Code to classify them as aggravated homicides. It should pursue its efforts to guarantee the effective investigation and sanction of all allegations of “honour killings” and widely disseminate information on the gravity of such crimes.

##### **Yemen, 23/04/2012 CCPR/C/YEM/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/421/12/PDF/G1242112.pdf?OpenElement>

Para 10 (...) The Committee notes that the State party has still not abolished the legislation providing for lower sentences for men accused of honour crimes. (...)

In line with its previous concluding observations (CCPR/CO/84/YEM, para. 9; CCPR/CO/75/YEM, paras. 7-11), the Committee urges the State party to ensure equality between men and women in the enjoyment of all the rights enshrined in the Covenant, which necessitates abolishing all discriminatory provisions in matters of marriage, divorce, testimony and inheritance. In this regard, the State party should inter alia (a) set a minimum age for marriage that complies with international standards; (b) abolish article 23 of the Personal Status law; (c) eradicate the use of temporary marriage for the sexual exploitation of children, and (d) ensure that honour crimes are punished in accordance with their gravity. (...)

##### **Jordan, 18/11/2010 CCPR/C/JOR/CO/4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/467/05/PDF/G1046705.pdf?OpenElement>

Para 3 The Committee welcomes the legislative and other measures taken, such as:

(...) (b) The amended Criminal Code, 2010, which ensures that perpetrators of so-called “honour” killings can no longer benefit from mitigating circumstances; (...)

Para 8 The Committee is concerned at the persistence of domestic violence against women in the State party. It is further concerned at the policy of placing women who risk becoming victims of so-called “honour” crimes in a form of involuntary “protective” custody comparable to detention under the provisions of the Law on Crime Prevention (1954) (arts. 3, 7 and 26).

The State party should strengthen the legal framework for the protection of women against domestic violence, sexual violence and other forms of violence to which they are subjected. The State party should also take all appropriate measures to ensure that victims fleeing an abusive partner or husband have access to assistance and can take refuge in crisis centres. The State party should immediately terminate its practice of placing women in “protective” custody and instead provide women at risk of violence with protection and support in a way that does not violate their rights.

**Russian Federation, 24/11/2009**  
**CCPR/C/RUS/CO/6**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/465/50/PDF/G0946550.pdf?OpenElement>

Para 10 (...). The Committee is also concerned about allegations of honour killings in Chechnya of eight women whose bodies were discovered in November 2008. (arts. 3, 6, 7 and 26)

The Committee urges the State party to strengthen its efforts to combat violence against women, including by adopting specific criminal legislation in this regard. The State party should promptly investigate complaints related to domestic violence and other acts of violence against women, including honour killings, and ensure that those responsible are prosecuted and adequately punished. Sufficient funding should be allocated for victim assistance programmes, including those run by non-governmental organizations, and additional shelters should be made available across the country. The State party should also ensure mandatory training for the police to sensitize them with regard to all forms of violence against women.

**Sweden, 07/05/2009**  
**CCPR/C/SWE/CO/6**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/422/07/PDF/G0942207.pdf?OpenElement>

Para 8 The Committee notes the efforts made by the State party to eliminate violence against women, including through the adoption of a national action plan 2007-2010 to combat men’s violence against women, family-based violence that misuses the idea of “honour”, and violence in same-sex relationships, and amendment of the Social Services Act (2001:953) to provide support to women and children who are victims of violence. The Committee remains concerned, however, about the high prevalence of violence against women, particularly domestic violence. The

Committee is also concerned that the State party has not provided consistent financial assistance to the shelters for victims of violence which are run by non-governmental organizations and that shelters are not available in all municipalities (arts. 3, 6, 7 and 26).

The State party should intensify its efforts towards the elimination of violence against women, inter alia through awareness-raising campaigns and effective implementation of the action plan 2007-2010 and the special package of measures to increase initiatives for the rehabilitation of men convicted of sexual violence and violent offences in close relationships. The State party should also ensure the availability of a fully adequate number of shelters for women and children subjected to domestic violence, including those with special needs, in particular women and children with disabilities.

**Syrian Arab Republic, 09/08/2005**  
**CCPR/CO/84/SYR**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G05/435/11/PDF/G0543511.pdf?OpenElement>

Para 16 The Committee reiterates its previous concern that, despite article 25 of the Constitution, discrimination against women continues to exist in law and practice in matters related to marriage, divorce and inheritance, and that the Penal Code contains provisions discriminating against women, including providing lesser penalties for crimes committed by men in the name of honour. It notes the statement by the delegation that a commission is currently considering amendments to the personal status laws and that the provisions of the Penal Code with regard to honour crimes are currently being revised (arts. 3, 6 and 26).

The State party should review its laws in order to ensure equality between men and women in matters of personal status, and to eliminate any discrimination against women in the Penal Code.

**Yemen, 09/08/2005**  
**CCPR/CO/84/YEM**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G05/434/73/PDF/G0543473.pdf?OpenElement>

Para 12 The Committee notes with concern that domestic violence remains persistent in Yemen and that the law provides for lower sentences for husbands who have murdered their wives caught in the act of adultery than is generally provided for in cases of murder (arts. 3, 6 and 7).

The State party should actively combat domestic violence through awareness-raising campaigns as well as the enactment of appropriate penal legislation. Detailed information should be provided in the next periodic report regarding proceedings instituted against perpetrators of domestic violence and assistance provided to the victims. The State party should abolish legislation providing for lower sentences in case of “honour killings”.

## **b) Committee for Economic, Social and Cultural Rights**

**Afghanistan, 07/06/2010**

**E/C.12/AFG/CO/2-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/428/76/PDF/G1042876.pdf?OpenElement>

Para 31 The Committee is deeply concerned at the alarming levels of violence against women, in particular domestic violence and so-called honour killings, despite the adoption of the Law to Eliminate Violence against Women in 2009. The Committee is also concerned at the fact that perpetrators of such crimes remain unpunished (art. 10).

The Committee recommends that the State party: (a) take effective measures to eradicate practices that are harmful to women and girls by enacting legislation and policies, in line with article 54 of the Constitution; (b) review all national legislation, including the Penal Code, the Civil Code and the Marriage Act to ensure compliance with the Constitution and international human rights law; (c) ensure that women are able to register complaints with the police without fear of reprisals, that all cases are duly prosecuted without delay, and that perpetrators of violence against women are sanctioned; and (d) launch awareness-raising campaigns to combat harmful traditional practices against women, and educate parents, particularly mothers and children, as well as the community leaders.

**Sweden, 01/12/2008**

**E/C.12/SWE/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/455/96/PDF/G0845596.pdf?OpenElement>

Para 9 The Committee welcomes the steps taken to combat violence against women, in particular the adoption of an 'action plan to combat men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships'.

**India, 08/08/2008**

**E/C.12/IND/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/436/08/PDF/G0843608.pdf?OpenElement>

Para 25 The Committee is deeply concerned about the lack of progress achieved by the State party in eliminating traditional practices and provisions of personal status laws that are harmful and discriminatory to women and girls, including *sati*, *devadasi*, witch-hunting, child marriages, dowry deaths and honour killings, in spite of the legal prohibitions such as the 2005 Domestic Violence Act, the 1961 Dowry Prohibition Act, the 1982 Prohibition of Dedication Act, the 1939 Child Marriage Restraint Act and the 2006 Prohibition of Child Marriage Act.

## c) Committee on the Elimination of Discrimination Against Women

**Pakistan, 27/03/2013**  
**CEDAW/C/PAK/CO/4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/422/89/PDF/G1342289.pdf?OpenElement>

Para 21 The Committee is concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes concerning women's roles and responsibilities that discriminate against women and perpetuate their subordination within the family and society, all of which have recently been exacerbated by the influence of non-State actors in the State party. It expresses serious concern about the persistence, among others, of child and forced marriages, "karo-kari", stove burning and acid throwing, marriage to the Koran, polygamy and honour killing. It is concerned that despite the provisions in the Criminal Law (Amendment) Act of 2004 that criminalize offenses in the name of so-called honour, the Qisas and Diyat ordinances continue to be applied in these cases, resulting in perpetrators being given legal concessions and/or being pardoned and not being prosecuted and punished. The Committee expresses its concern at the high prevalence of domestic violence and marital rape and at the absence of clear legislation criminalizing such acts. It is also concerned about the paucity of information about the implementation of the standard operating procedures on the treatment of women victims of violence and at the scarce number of shelters for victims. It is further concerned at the inconsistencies in the collection of data on violence against women and about reports on the wide circulation of small arms and its impact on women's security.

Para 22 In line with its general recommendation No. 19 (1992) on violence against women, the Committee calls upon the State party:

(a) To ensure the proper implementation of the Prevention of Anti-Women Practices Act of 2011 and other relevant legislation, ensure uniformity in the application of the law and repeal the provisions of the Qisas and Diyat ordinances which discriminate against women;

(b) To address shortcomings in the Criminal Law (Amendment) Act of 2004 and repeal all provisions under which perpetrators of so-called honour crimes are allowed to negotiate pardon with victims' families;

(c) To strengthen support services for victims of violence, such as counselling and rehabilitation services, both medical and psychological; increase the number of shelters to ensure the implementation of the standard operating procedures for the treatment of victims in all provinces;

(d) To adopt a comprehensive strategy to eliminate all harmful practices and stereotypes, in conformity with article 2, and specifically 2 (f), and article 5 (a) of the Convention, which include awareness-raising efforts targeting the general public and the media, religious and community leaders, in collaboration with civil society and women's organizations;

(e) To ensure a robust and effective regulation of the arms trade as well as appropriate control over the circulation of existing and often illicit arms, in order to enhance the security of women and girls;

(f) To take appropriate measures to ensure the collection of disaggregated data on all forms of violence against women, including domestic violence, by the Gender Crime Cell.

**Mexico, 07/08/2012**  
**CEDAW/C/MEX/CO/7-8**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N12/455/36/PDF/N1245536.pdf?OpenElement>

Para 13 The Committee notes the State party's federal legislative advances, such as the constitutional reform on human rights (2011). However, it is concerned that the different levels of authority and competences within the State party's federal structure result in a differentiated application of the law depending on whether or not appropriate harmonization of the relevant legislation has been conducted at the state level, such as with respect to the principle of non-discrimination and equality between men and women. The Committee notes with concern that this situation results in discriminatory provisions against women or to different definitions and sanctions related to, inter alia, rape, abortion, forced disappearances, trafficking, injuries and homicide for reasons of so-called honour, as well as on adultery across the 32 states of the State party. (...)

Para 14 The Committee urges the federal authorities of the State party:

(...) (b) To take the necessary actions to eliminate the inconsistencies in the legal frameworks among the federal, state and municipal levels, including by integrating in relevant state and municipal legislation the principle of non - discrimination and equality between men and women and by repealing discriminatory provisions against women, in line with article 2 (g) of the Convention, and by providing consistent definitions and sanctions, related to, inter alia, rape, abortion, forced disappearances, trafficking, injuries and homicide for reasons of so-called honour, as well as on adultery; (...)

**Jordan, 23/03/2012**  
**CEDAW/C/JOR/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/414/26/PDF/G1241426.pdf?OpenElement>

Para 5 The Committee welcomes the adoption of several legislative measures aimed at eliminating discrimination against women, including:

(...) (d) The amendment of the Penal Code in 2010, which ensures that perpetrators of so called honour crimes cannot benefit from mitigating circumstances; (...)

Para 27 The Committee is concerned about the remaining discriminatory provisions in the Penal Code, such as articles 98, 99 and 308, as well as at the limited

protection, counselling, rehabilitation and reintegration assistance and services the State party provides to girls and women victims of violence, including the insufficient number of shelters for victims of domestic violence, and the lack of shelters for victims of sexual abuse and for women facing death threats on grounds of so-called family honour.

Para 28 The Committee calls upon the State party:

(a) To strengthen its efforts in training the judiciary, prosecution and police officials on the Penal Code amendments, in particular article 340, so as to ensure that so - called honour crimes are seriously investigated and that perpetrators do not benefit from mitigating circumstances, and thus are prosecuted and punished accordingly; (...)

**Kuwait, 08/11/2011**  
**CEDAW/C/KWT/CO/3-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/468/36/PDF/G1146836.pdf?OpenElement>

Para 30 (...) The Committee is also concerned about the so-called “honour crimes” and the extremely lenient penalties those acts attract under article 153 of the Criminal Code. Under that article, men suspected of murder for adultery can face a penalty of up to three years in prison or a fine of up to 3,000 rupees, as compared to women, who can receive a life sentence. (...)

Para 31 The Committee urges the State party:

(...) (g) To amend article 153 of the Criminal Code in order to remove diminished criminal liability and provide more stringent penalties for men who commit so - called “honour crimes”;

(h) To further amend the Criminal Code so as to provide equal sanctions for both men and women in relation to killings motivated by adultery ; (...)

**Albania, 16/09/2010**  
**CEDAW/C/ALB/CO/3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/485/20/PDF/N1048520.pdf?OpenElement>

Para 24 While noting the efforts of the State party to work towards the elimination of entrenched gender stereotypes in the family, the media and society at large, the Committee remains concerned about the persistence of such stereotypes. The Committee commends the State party for having a new Family Code that fully integrates gender equality standards regarding family relations, but nevertheless remains concerned about the limited measures it has taken to challenge the harmful marriage traditions that violate the rights of women and girls under the Convention, including child marriages, the practice of the family choosing the husband and the payment of a bride price or dowry, which remains prevalent in rural and remote areas of the country and among minority communities. The Committee remains seriously concerned about the re-emergence in some northern areas of the country of traditional

concepts of justice (kanun) and codes of conduct that condone so-called honour killings.

Para 25 (...) The Committee urges the State party to take concrete steps to eliminate customary laws and traditions that discriminate against women. It further urges the State party to take appropriate legislative measures and to condemn and vigorously prosecute killings of women committed in the name of honour, in the same way as with regard to other homicides or murders.

**Russian Federation, 16/08/2010**  
**CEDAW/C/USR/CO/7**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/485/54/PDF/N1048554.pdf?OpenElement>

Para 20 The Committee reiterates its concern at the persistence of practices, traditions, patriarchal attitudes and deep-rooted stereotypes regarding the roles, responsibilities and identities of women and men in all spheres of life. In this respect, the Committee is concerned at the State party's repeated emphasis on the role of women as mothers and caregivers. The Committee is concerned that such customs and practices perpetuate discrimination against women and girls; that this is reflected in their disadvantageous and unequal status in many areas, including in education, public life, decision-making, marriage and family relations, and the persistence of harmful traditional practices, honour killings, bridal kidnappings and violence against women; and that, thus far, the State party has not taken effective and systematic action to modify or eliminate stereotypes and negative traditional values and practices.

Para 23 The Committee urges the State party to give priority attention to combating violence against women and girls and to adopting comprehensive measures to address such violence, in accordance with its general recommendation No. 19. Such measures should include the expeditious adoption of a comprehensive law on violence against women, including domestic violence, the criminalization of marital rape, sexual violence, sexual harassment, institutional violence and crimes committed in the name of honour. They should also include the development of a coherent and multisectoral action plan to combat violence against women. The Committee also urges the State party to amend article 134 (4) of the Criminal Code to ensure that perpetrators of violence against women do not benefit from any reduction in penalty. The Committee further calls upon the State party to increase, in a significant manner, the number of shelters and the capacity thereof, ensure an adequate geographical distribution of such shelters and remove any barriers to access, such as registration or residency requirements. The Committee recommends that the State party provide the police, public prosecutors, the judiciary and other relevant government bodies with the necessary training on domestic violence, and it also requests the State party to provide data and information on trends in the prevalence of various forms of violence against women, disaggregated by age and ethnicity, and by urban and rural areas.

Para 24 The Committee notes with deep concern that the two military operations and the high level of violence in the Chechen Republic of the Russian Federation over the past 15 years have had a serious impact on traditions and social norms and that existing patterns of discrimination against women have become more

acute. In this regard, the Committee is particularly concerned at the increasing rate of violence against women and killings of women in the Chechen Republic of the Russian Federation as well as harmful traditional practices, such as honour killings and bride-kidnapping. The Committee also notes with concern that such cases of violence and killings are rarely documented, prosecuted and punished.

**Turkey, 16/08/2010**  
**CEDAW/C/TUR/CO/6**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/485/60/PDF/N1048560.pdf?OpenElement>

Para 24 The Committee notes the measures taken to combat honour killings, such as the issuance of a Prime Ministry Circular and the implementation of training and awareness-raising programmes. The Committee is concerned, however, about the persistence of such killings and the lack of data available on its incidence in rural or remote areas. While taking note of the information provided by the State party that article 82 of the Penal Code is considered to include both custom and honour killings and that article 29 of the Penal Code on “unjust provocation” has been amended to abolish possible sentence reductions for honour killings, the Committee remains concerned that the provisions of the Penal Code may result in less vigorous prosecution of and reduction of sentences for the perpetrators of such crimes.

Para 25 The Committee recommends that honour killings be explicitly included within the scope of article 82 of the Penal Code and classified as aggravated homicide, and that such crimes are treated as seriously as other violent crimes with regard to investigation and prosecution. The Committee also recommends the implementation of effective prevention measures, including educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health-service providers, social workers, community leaders and the general public. The Committee requests the State party to include detailed information on the incidence of killings in the name of honour, particularly in rural or remote areas, including the number of investigations, prosecutions and perpetrators punished, as well as the sentences imposed.

**Egypt, 05/02/2010**  
**CEDAW/C/EGY/CO/7**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/242/56/PDF/N1024256.pdf?OpenElement>

Para 23 The Committee is seriously concerned that violence against women in all its forms has increased, both in the private and public spheres. In this respect, the Committee remains concerned at the absence of a holistic approach to the prevention and elimination of all forms of violence against women, that such violence would appear to be socially legitimized and accompanied by a culture of silence and impunity and that cases of violence are thus underreported. The Committee is also concerned that some provisions in the Penal Code, including articles 17 and 60, condone acts of violence against women by exempting perpetrators from punishment or reducing the sentences imposed. The Committee regrets the lack of data and

information on the incidence of various forms of violence against women and girls, as well as the lack of studies and surveys on the extent of violence and its root causes. The Committee is further concerned that social support services suffer from inadequacy, insufficiency and lack of coordination and that shelters for victims of domestic violence are limited to women under 50 years of age.

Para 24 The Committee urges the State party to give priority attention to combating violence against women and girls and to adopting comprehensive measures to address such violence, in accordance with its general recommendation No. 19. Such measures should include the expeditious adoption of a comprehensive law criminalizing all forms of violence against women, including domestic violence, marital rape, sexual violence, sexual harassment, institutional violence and crimes committed in the name of honour. They should also include the development of a coherent and multisectoral action plan to combat violence against women. The Committee also urges the State party to amend articles 17 and 60, as well as other applicable provisions, of the Penal Code to ensure that perpetrators of violence against women do not benefit from any reduction in penalty. The Committee calls upon the State party to increase the number of shelters and ensure an adequate geographical distribution thereof, and it also calls upon the State party to lift age limitations on access to shelters for victims of domestic violence. The Committee requests the State party to provide data on and information on trends in the prevalence of various forms of violence against women, disaggregated by age and by urban and rural areas.

**Netherlands, 05/02/2010**  
**CEDAW/C/NLD/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/242/68/PDF/N1024268.pdf?OpenElement>

Para 6 The Committee welcomes the initiatives and measures developed by the Netherlands to prevent and combat female genital mutilation and honour-related killings, as well as the commitment to protect women against discrimination on the grounds of sexual orientation, as indicated in the introductory statement of the delegation of the State party.

**Lebanon, 08/04/2008**  
**CEDAW/C/LBN/CO/3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/298/32/PDF/N0829832.pdf?OpenElement>

Para 26 The Committee remains concerned about the persistence of violence against women and girls, including domestic violence, rape and crimes committed in the name of honour and about the lack of a comprehensive approach to address violence against women. It also reiterates its concern about article 562 of the Lebanese Penal Code, which allows mitigation of the penalty for crimes committed in the name of honour and which continues to be in force. It is further concerned about other discriminatory provisions in the Lebanese Penal Code, in particular article 503 which tolerates marital rape, article 522 which allows for charges to be dropped in cases of rape.

Para 27 In accordance with its general recommendation No. 19 recognizing that violence against women is a form of discrimination against women and thus constitutes a violation of their human rights under the Convention, the Committee urges the State party to place high priority on establishing and implementing comprehensive measures to address all forms of violence against women and girls. The Committee calls upon the State party to enact, without delay, legislation on violence against women, including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee calls upon the State party to amend, without delay, applicable provisions in the Penal Code to ensure that perpetrators of honour crimes are not exonerated, that marital rape is criminalized and that marriage to the victim does not exempt a sexual offender from punishment. The Committee recommends that the State party also introduce and implement educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health service providers, social workers, community leaders and the general public, in order to ensure that they understand that all forms of violence against women are unacceptable. The Committee requests the State party to provide detailed information in its next report on the laws and policies in place to deal with violence against women and the impact of such measures.

**Sweden, 08/04/2008**  
**CEDAW/C/SWE/CO/7**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/298/66/PDF/N0829866.pdf?OpenElement>

Para 9 The Committee commends the State party for the adoption, in November 2007, of the action plan to combat men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships.

Para 28 While commending the State party for the range of efforts made to eliminate violence against women since the submission of its previous periodic report, including the 2007 action plan on violence, new legislation on sexual crimes from 2005 and the extension of the provisions of the Act on Restraining Orders, the Committee remains concerned at the high prevalence of violence against women and girls, particularly domestic violence and crimes committed against women in the name of honour. The Committee is also concerned at the low prosecution and conviction rates relating to violent crimes in the State party and regrets that the Swedish crime statistics are not broken down by the sex of the victims. Furthermore, the Committee is concerned at the conclusions of the inquiry on social services support that the provision of such services vary between municipalities and that some municipalities are unable to offer sheltered housing to all women victims of violence, including women with special needs, such as women with disabilities. In addition, the Committee regrets the lack of statistical information on the number of women and girls living in Sweden who have been genitally mutilated.

Para 29 In accordance with its general recommendation No. 19, the Committee urges the State party to ensure that comprehensive measures are in place to address all

forms of violence against women, including domestic violence and crimes committed in the name of honour. The Committee calls upon the State party to allocate sufficient financial resources to ensure the effective implementation of the 2007 action plan on violence, to study and analyse all cases of violence against women, particularly those that result in murders of women, and to implement policies in order to prevent such violence, provide protection, support and services to the victims and punish and rehabilitate offenders. The Committee also calls upon the State party to collect comprehensive statistical data disaggregated by sex, age and type of violence and the relationship of the perpetrator to the victim. The Committee urges the State party to provide statistical information in its next periodic report on the number of women and girls living in Sweden who have been genitally mutilated. The Committee also urges the State party to take the necessary measures to ensure greater cooperation between the central Government, the regional county administrative boards and the municipalities. The Committee further urges the State party to monitor the provision of social services with a view to ensuring the availability of a sufficient number of shelters equipped to accommodate women with disabilities throughout the territory of the State party and making sure that they are adequately financed.

**Jordan, 10/08/2007**  
**CEDAW/C/JOR/CO/4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N07/459/29/PDF/N0745929.pdf?OpenElement>

Para 23 While noting that article 340 of the Penal Code has been revised so that it no longer exonerates perpetrators of crimes committed in the name of honour, or “honour” crimes, the Committee is concerned that perpetrators of such crimes get lenient sentences under the amended article 340 (which reduces penalties for murders that are viewed as “honour” crimes), article 98 (which reduces penalties for murders committed in a fit of fury) and article 99 (which halves a perpetrator’s sentence when he is excused by the victim’s family), and that “honour” crimes continue to be treated differently from other violent crimes in terms of investigation and prosecution, as well as prevention efforts. The Committee is also concerned that rapists may be exempt from punishment by marrying their victims. It is further concerned that virginity tests, which perpetuate stereotypes, may be carried out without the full and free consent of women and the results of such tests may be used to their detriment.

Para 24 The Committee calls upon the State party to amend, without delay, applicable provisions of the Penal Code to ensure that perpetrators of “honour” crimes do not benefit from a reduction of penalty under article 340; that perpetrators of premeditated “honour” crimes do not benefit from a reduction of penalty under article 98; and that article 99 is not applicable to “honour” crimes or other cases where the victim is related to the perpetrator. The Committee also urges the State party to ensure that “honour” crimes are treated as seriously as other violent crimes in regard to investigation and prosecution, and that effective prevention efforts are put in place. It further calls upon the State party to ensure that a rapist does not escape punishment by marrying his victim. It recommends that the State party eliminate the use of virginity tests or ensure that such tests are carried out only with the full and free consent of the woman and the results are not used to her detriment.

**Pakistan, 11/06/2007**  
**CEDAW/C/PAK/CO/3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N07/376/08/PDF/N0737608.pdf?OpenElement>

Para 22 The Committee notes with concern that violence against women and girls persists, including domestic violence, rape and crimes committed in the name of honour. The Committee is especially concerned about the Qisas and Diyat law, which allows for the victim of violence or his/her heir to determine whether to exact retribution (Qisas) or payment of compensation (Diyat) or to pardon the accused, thus providing impunity for perpetrators of violence against women, especially perpetrators of crimes committed in the name of honour. The Committee notes with concern the lack of data on all forms of violence against women in the report.

Para 23 The Committee urges the State party to accord priority attention to the adoption of a comprehensive approach to address all forms of violence against women and girls, taking into account the Committee's general recommendation 19 on violence against women. The Committee calls on the State party to ensure that the Qisas and Diyat law has no application in cases of violence against women, especially crimes committed in the name of honour, and to adopt the Bill on Domestic Violence, within a clear time frame, in order to ensure that women and girls who are victims of violence have access to protection and effective redress and that perpetrators of such acts are effectively prosecuted and punished. The Committee also recommends gender-sensitive training on violence against women for public officials, in particular law enforcement personnel, the judiciary and health service providers, to ensure they are sensitized to all forms of violence against women and can adequately respond to it. The Committee also calls on the State party to include, in its next report, data on all forms of violence against women disaggregated by rural and urban areas.

**Syrian Arab Republic, 11/06/2007**  
**CEDAW/C/SYR/CO/1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N07/375/96/PDF/N0737596.pdf?OpenElement>

Para 19 While noting the preparation of a draft National Plan for the Protection of Women, the Committee is concerned that this plan does not contemplate specific legislation to criminalize violence against women, including domestic violence. The Committee is further concerned that several provisions in the Penal Code condone acts of violence against women by exempting perpetrators from punishment. In particular, it is concerned that the definition of rape in article 489 of the Penal Code excludes marital rape; article 508 of the Penal Code exempts rapists from punishment if they marry their victims; and article 548 of the Penal Code exonerates perpetrators of "honour crimes".

Para 20 In accordance with its general recommendation 19, the Committee urges the State party to give high priority to putting in place comprehensive measures to address all forms of violence against women and girls, recognizing that violence against women is a form of discrimination against women and thus constitutes a violation of their human rights under the Convention. The Committee calls upon the State party to enact, as soon as possible, legislation on violence against women,

including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee calls upon the State party to amend, without delay, applicable provisions in the Penal Code to ensure that marital rape is criminalized, that marriage to the victim does not exempt a rapist from punishment, and that perpetrators of honour crimes are not exonerated and do not benefit from any reduction in penalty. The Committee recommends that the State party also implement educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health service providers, social workers, community leaders and the general public, in order to ensure that they understand that all forms of violence against women are unacceptable. The Committee requests the State party to provide information in its next report on the laws and policies in place to deal with violence against women and the impact of such measures.

**Lebanon, 31/08/2005**  
**A/60/38(SUPP)**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/476/97/PDF/N0547697.pdf?OpenElement>

Para 103 The Committee notes with concern that violence against women and girls persists, including domestic violence, rape and crimes committed in the name of honour. The Committee is especially concerned about article 562 of the Lebanese penal code, which allows mitigation of the penalty for crimes committed in the name of honour, and the apparent lack of sensitization efforts in the State party to reject a concept of honour that perpetuates and condones the killing of women.

Para 104 The Committee urges the State party to accord priority attention to the adoption of a comprehensive approach to address violence against women and girls, taking into account the Committee's general recommendation 19 on violence against women. The Committee calls on the State party to amend article 562 of the Lebanese penal code, which allows mitigation of the penalty for crimes committed in the name of honour, and to adopt specific legislation on violence against women, including domestic violence, within a clear time frame so as to ensure that women and girls who are victims of violence have access to protection and effective redress, and that perpetrators of such acts are effectively prosecuted and punished. The Committee also recommends gender-sensitive training on violence against women for public officials, particularly law enforcement personnel, the judiciary and health service providers, so as to ensure that they are sensitized to all forms of violence against women and can adequately respond to it. The Committee also calls on the State party to take measures towards modifying social, cultural and traditional attitudes, including the concept of honour, that remain permissive of violence against women.

**Turkey, 31/08/2005**  
**A/60/38(SUPP)**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/476/97/PDF/N0547697.pdf?OpenElement>

Para 343 (...). In addition to the annulment, in 2000, of a provision allowing for leniency for perpetrators of honour crimes, the new Code now imposed life sentences for perpetrators, thus reinforcing the Government's determination to prevent such crimes. (...)

Para 344 While important legislative progress had been achieved, traditional values and customs continued to have an impact on the practical implementation of the new laws. A Mentality Transformation Project aimed at supporting their implementation was a priority objective of the Government. Efforts to tackle violence against women included the establishment of the Platform to Prevent Violence and of a one-year campaign to end violence against women. Efforts to eliminate honour killings had intensified and were also reflected in the country's main sponsorship in the General Assembly of a draft resolution on that issue.

Para 357 The Committee commends the State party for its sponsorship of General Assembly resolution 59/165 of 20 December 2004, entitled "Working towards the elimination of crimes against women and girls committed in the name of honour".

Para 363 The Committee is concerned that some provisions of the Penal and Civil Codes continue to discriminate against women and girls. In particular, the Committee is concerned that genital examinations of women, or virginity tests, may still be carried out under certain circumstances without the consent of the woman; and that the use of the term "custom killing" instead of "honour killing" in the Penal Code may result in less vigorous prosecution of, and less severe sentences for, the perpetrators of such crimes against women. (...)

Para 364 The Committee calls upon the State party to give priority to amending remaining discriminatory legal provisions without delay so as to bring its legislation into line with article 2 of the Convention. In particular, it urges the State party to ensure that the consent of the woman be made a prerequisite for genital examinations under all circumstances; that any crime committed in the name of custom or honour be classified as aggravated homicide and the severest penalties provided for it by the law; (...)

Para 367 The Committee is strongly concerned about the pervasiveness of patriarchal attitudes and deep-rooted traditional and cultural stereotypes regarding the roles and responsibilities of women and men in society, which continue to cast women in a position of inferiority. It expresses its concern that these attitudes contribute to the perpetuation of violence against women, including in the form of "honour killings", and negatively affect women's enjoyment of their rights in many areas; they also impede the full implementation of the Convention, including in regard to education, employment, health and participation in decision-making. It is also concerned about the persistence of certain traditional and cultural practices that are discriminatory to women, such as early marriage, forced marriage and polygamy, notwithstanding the relevant provisions in the Civil Code.

**Brazil, 18/08/2003**  
**A/58/38(SUPP)**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N03/468/20/PDF/N0346820.pdf?OpenElement>

Para 87 With regard to violence against women, the representative pointed to the creation, since 1985, of specialized police stations for women victims of violence. A historic ruling of the Supreme Court of 1991 rejected the “legitimate defence of honour”. Sexual exploitation and trafficking in women and girls were increasing in the country. One of the goals of the new Administration was the implementation of a comprehensive programme for the prevention and combating of violence against women, including the drafting of legislation on domestic violence, the improvement of services for victims of violence and the prevention of violence against women.

Para 106 The Committee is concerned that, despite a Federal Supreme Court ruling in 1991, the judiciary sometimes continues to apply the defence of honour in cases of men accused of assaulting or murdering women. The Committee is concerned that such decisions lead to serious violations of human rights and have negative consequences for society, strengthening discriminatory attitudes towards women.

**d) Committee on the Rights of the Child**

**Turkey, 20/07/2012**  
**CRC/C/TUR/CO/2-3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/443/41/PDF/G1244341.pdf?OpenElement>

Para 7 The Committee urges the State party to take all necessary measures to address the recommendations in the concluding observations on the initial report that have not yet been implemented fully or sufficiently, including those on such issues as reservations to the Convention on the Rights of the Child, coordination, an independent and effective monitoring mechanism, data collection, honour killings, prohibition of discrimination against children belonging to minorities not recognized under the Treaty of Lausanne of 1923, disparities affecting children living in the Eastern and South eastern regions and in rural areas, especially with regard to their access to adequate health and education, corporal punishment and administration of juvenile justice, including long detention periods and poor conditions in some prisons. The Committee urges the State party to provide in its next periodic report information on the measures taken to implement its concluding observations under the Optional Protocols, and to provide adequate follow-up to the recommendations contained in the present concluding observations.

Para 32 While noting the State party’s efforts in combating gender-based violence, including “honour killings” and social pressure resulting in suicide, the Committee remains concerned that such practices continue and the significant number of victims are women, including girls. The Committee is also concerned about the insufficient number of shelters to host and protect women and children who are in danger of such practices.

Para 33 In the light of articles 2, 3, 6 and 19 of the Convention and in line with the recommendations of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/4/34/Add.2), the concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/TUR/CO/6) and of the Committee against Torture (CAT/C/TUR/CO/3), the Committee strongly recommends that the State party:

(a) Further its legal reforms to ensure more effective deterrents to gender-based violence, including “honour killings” and social pressure resulting in suicide, among others;

(b) Ensure prompt and effective investigation into all allegations of such crimes;

(c) Implement effective preventive measures, including educating and raising awareness among law enforcement officials, the judiciary, health-service providers, social workers, community leaders and the general public;

(d) Provide a sufficient number of shelters to host and protect women and children who are in danger of “honour killings” or committing suicide due to social pressure.

The Committee also recommends that the State party introduce a comprehensive system of data collection to obtain statistics on violence against women, including domestic violence and honour killings, disaggregated by sex, age, ethnicity and geographical location.

**Algeria, 18/07/2012**  
**CRC/C/DZA/CO/3-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/442/66/PDF/G1244266.pdf?OpenElement>

Para 45 The Committee is concerned about the lack of measures adopted by the State party to address domestic violence, which is pervasive, not specifically prohibited by law and widely accepted as part of normal life. The Committee is particularly concerned that:

(...) (c) So-called “honour” and “provocation” are used as legal grounds to attenuate perpetrators’ sentences; (...)

Para 75 The Committee expresses deep concern that sexual abuse against children in school, including religious schools, incest and pedophilia are on the rise in the State party. In this context, the Committee is concerned that article 336 of the Arabic version of the Penal Code defines rape as an attack on so-called “honour” and that rapists therefore may avoid punishment by marrying the girl they raped and “expunging the dishonour”. The Committee is also concerned about the weak enforcement of existing legislation, child victims of sexual exploitation and abuse being discouraged or afraid of reporting rape, ostracized and stigmatized and law enforcement officials often failing to take accusations seriously and to investigate and prosecute the cases.

**Syrian Arab Republic, 09/02/2012**  
**CRC/C/SYR/CO/3-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/406/04/PDF/G1240604.pdf?OpenElement>

Para 3 The Committee takes note of the adoption of:

(g) Legislative Decree No. 37 of 1 July 2009 cancelling the exemption of punishment for perpetrators of honour crimes;

Para 67 The Committee welcomes the cancellation, through Legislative Decree No. 37 of 1 July 2009, of the exemption of punishment for those committing honour crimes against women and girls. The Committee is however concerned about the high prevalence of early and forced marriages and the lack of appropriate measures to curb this phenomenon.

Para 68 The Committee urges the State party to take immediate measures:

(a) To ensure that perpetrators of honour crimes are given sanctions commensurate with the gravity of these crimes;

(b) To prohibit early and forced marriages and repeal the Personal Status Code provisions allowing the judge to lower the age of marriage of boys to 15 years and of girls to 13 years;

(c) To set up awareness - raising and educational programmes and develop gender - sensitive teaching materials and textbooks that will sensitize and inform all stakeholders, including community and religious leaders , about the harmful effects of early and forced marriages;

(d) To provide comprehensive information in its next periodic report on the concrete measures to eliminate early and forced marriage, and on the sanctions pronounced against perpetrators of honour crimes.

**Egypt, 15/07/2011**  
**CRC/C/EGY/CO/3-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/441/90/PDF/G1144190.pdf?OpenElement>

Para 83 The Committee urges the State party to implement the recommendation by the Committee on the Elimination of All Forms of Discrimination against Women to adopt a comprehensive law criminalizing all forms of violence against women, including domestic violence, marital rape, sexual violence, sexual harassment, institutional violence and crimes committed in the name of honour (CEDAW/C/EGY/CO/7, para. 24). (...)

**Afghanistan, 08/04/2011**  
**CRC/C/AFG/CO/1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/419/48/PDF/G1141948.pdf?OpenElement>

Para 55 The Committee commends the State party for the adoption of the Law on Elimination of Violence against Women (EVAW Law) in 2009 as a major step forward in the elimination of harmful practices. The Committee is however seriously concerned that harmful practices such as child marriage, giving away girls as dispute resolution, forced isolation in the home, exchange marriage and “honour” killings are pervasive and cause suffering, humiliation and marginalization for millions of Afghan women and girls. In this context, the Committee notes with particular concern:

- (a) The absence of effective measures to prevent and eliminate early and forced marriages;
- (b) That the EVAW Law does not criminalize honour killings, and that the Penal Code (art. 398) exempts perpetrators of honour killings from punishment for murder, and sanctions them with a prison sentence of less than two years;
- (c) The implication of traditional dispute mechanisms in the perpetuation of harmful practices, and the impunity that perpetrators of those practices often enjoy as a result of inaction and complicity of local and State authorities, religious leaders and elders.

Para 56 The Committee urges the State party to put in place a national strategy for the implementation of the Law on Elimination of Violence against Women, and in particular to:

- (a) Ensure prosecution of harmful practices criminalized under said law;
- (b) Repeal article 398 of the Penal Code, and adopt legislation providing for sanctions commensurate with the gravity of honour crimes;
- (c) Set up awareness-raising and educational programmes and develop gender-sensitive teaching materials and textbooks that will sensitize and inform all stakeholders, including community and religious elders, about the harmful effects of certain traditional or customary practices, as well as about the provisions of the EVAW Law, and ensure that the principle of the best interests of the child is fully integrated into the new law on traditional dispute resolution, so as to ensure that harmful practices towards children are not legitimized and institutionalized; and
- (d) Provide comprehensive information in its next periodic report on the concrete measures taken to eliminate harmful practices, and their outcome.

Para 70 The Committee expresses grave concern that limited action has been taken by the State party to combat widespread sexual abuse and exploitation of children, and that perpetrators of such abuse enjoy impunity. The Committee also expresses deep concern that while there is a systematic failure on the part of the authorities to prosecute perpetrators of sexual abuse, child victims are very often considered and treated as offenders, and charged with offences such as debauchery,

homosexuality, running away from home or *zina*. The Committee is also particularly concerned that:

(...) (d) Girl victims of sexual abuse and exploitation are at risk of honour killing, the practice of *baad* or forced marriage with their rapist, and rejected by their families.

**Belgium, 18/06/2010**  
**CRC/C/BEL/CO/3-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/430/77/PDF/G1043077.pdf?OpenElement>

Para 41 The Committee welcomes the adoption on 15 December 2008 of a new action plan against violence in the family 2008–2009 and the envisaged extension of its scope to other types of gender-specific violence, such as female genital mutilation, forced marriage and honour crimes. However, the Committee expresses further concern at the lack of shelters for accommodating women victims of violence and their children in urgent situations in the Brussels region.

**Pakistan, 15/10/2009**  
**CRC/C/PAK/CO/3-4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/453/66/PDF/G0945366.pdf?OpenElement>

Para 4 The Committee welcomes positive developments in the area of human rights, including:

(...) (b) The Criminal Law Amendment Act (2004) facilitating the prosecution and punishment of honour killings; (...)

Para 37 The Committee welcomes the 2004 amendment to the Penal Code that facilitates the prosecution of perpetrators of honour killings and prohibits family compromises. It is, however, very concerned at the still widespread and increasing problem of honour killings that affect children both directly and indirectly, through their mothers, and which are routinely imposed by *jirgas* (parallel judicial systems) in the tribal areas.

Para 38 The Committee strongly urges the State party:

(a) To make every effort to reinforce protection of the right to life, survival and development of all children, inter alia, by taking effective measures to prevent honour killings, investigating thoroughly all alleged cases of killings, bringing perpetrators to justice, and by sanctioning all those who promote honour killings;

(b) To undertake public awareness-raising campaigns, also involving religious and community leaders, to combat effectively discriminatory societal attitudes and harmful traditions with respect to girls by demonstrating that discriminatory attitudes and practices are absolutely unacceptable;

(c) To provide special training and resources to law enforcement personnel with a view to protecting girls who are in danger of honour killings and to prosecuting such cases in a more effective way; and

(d) To increase the number of accessible shelters and counselling services for women and girls who are victims or at the risk of honour crimes.

Para 68 While welcoming the new laws and amendments strengthening protection of women against violence and harmful traditional practices, including exchange marriages (*Vani and Swara*), marriages with the Holy Koran and sentences of *zina*, the Committee is concerned that secular laws may not extend to all areas and enforced in all circumstances. Furthermore, the Committee remains concerned at the persistence of inhumane customs and rituals threatening the lives of and causing extreme insecurity, health hazards and cruelty to girl children, such as murders, burnings, acid attacks, mutilations, stripping and sexual harassment.

**Oman, 24/06/2009**  
**CRC/C/OPSC/OMN/CO/1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/432/06/PDF/G0943206.pdf?OpenElement>

Para 31 The Committee notes, further, that child victims may be re-victimized by being treated as offenders and that girls, who have been victims of child prostitution, may be criminalized, inter alia, on charges of *zina* and honour crimes.

**Jordan, 29/09/2006**  
**CRC/C/JOR/CO/3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/450/32/PDF/G0645032.pdf?OpenElement>

Para 38 The Committee is alarmed by the reported cases of crimes committed against girls in the name of “honour”. It expresses its serious concern at articles 340, 98 and 99 of the Penal Code, which provide for a reduction in penalty for the “honour” crime cases. The Committee is concerned about the possibility of further reducing the sentence if the victim’s family “waives” its right to file a complaint of the crime (article 99 of the Penal Code). While noting the State party’s efforts to provide protection for women and girls who are victims of or at the risk of “honour” crimes, the Committee is also concerned at the insufficient number of accessible shelters and counselling services.

Para 39 The Committee urges the State party to:

(a) Review the provisions of the Penal Code with a view to eliminating all provisions for reductions in sentence for crimes committed for “honour”;

(b) Undertake public awareness-raising campaigns, involving also religious and community leaders, to combat effectively discriminatory societal attitudes and

harmful traditions with respect to girls by demonstrating that such practices are unacceptable;

(c) Provide special training and resources to law enforcement personnel with a view to protecting girls who are in danger of “honour killing” and to prosecuting such cases in a more effective way; and

(d) Increase the number of accessible shelters and counselling services for women and girls who are victims of or at the risk of “honour” crimes.

**Lebanon, 08/06/2006**  
**CRC/C/LBN/CO/3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/425/12/PDF/G0642512.pdf?OpenElement>

Para 32 The Committee expresses its deep concern at “the crimes committed in the name of honour” affecting children both directly and, through their mothers, indirectly. It notes with particular concern that, according to article 562 of the Penal Code, a man who kills his wife or other female relative may receive a reduced sentence if he demonstrates that he committed the crime in response to a socially unacceptable sexual relationship conducted by the victim. According to the information provided by the State party, some of these crimes have been committed by children.

Para 33 In the light of article 6 of the Convention, the Committee strongly recommends that the State party review as a matter of priority its domestic legislation, particularly article 562 of the Penal Code, with a view to addressing “honour crimes” in an effective way and to eliminating all provisions allowing reductions of sentence if the crime is committed in the name of “honour”. It recommends that the State party provide special training and resources to law-enforcement personnel with a view to investigating and prosecuting such cases in an effective way. Furthermore, the State party should raise awareness of this socially and morally unacceptable practice, involving also religious and community leaders.

**Albania, 31/03/2005**  
**CRC/C/15/Add.249**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G05/408/44/PDF/G0540844.pdf?OpenElement>

Para 28 The Committee welcomes the information provided in the State party’s report relating to legislation that protect the right to life of all persons. However, the Committee is deeply concerned at the practice of vendetta and revenge, which has re-emerged during the 1990s, as well as at the reported occurrence of honour killings (blood feuds). The Committee is concerned that efforts undertaken to counter such occurrences in practice have not helped to eradicate these phenomena.

Para 29 The Committee urges the State party to strengthen measures to counter the practices of revenge killings as well as others having a destructive impact on the development of the child.

**Pakistan, 27/10/2003**  
**CRC/C/15/Add.217**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G03/446/62/PDF/G0344662.pdf?OpenElement>

Para 29 While acknowledging the actions taken to address discrimination against girls in education, the Committee is concerned at the persistence of discriminatory social attitudes and discrimination against minority children and against girls, early and forced marriages, low school enrolment and high dropout rates, honour killings, mutilation and violence. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and the social discrimination experienced by children belonging to the most vulnerable groups, including children with disabilities, children belonging to a religious or other minority group and children living in rural areas.

Para 34 The Committee takes note of the recognition given to the problem of honour killings by the State party, but is nonetheless very concerned at the widespread and increasing problem of so-called honour killings, affecting children both directly and, through their mothers, indirectly. The Committee is seriously concerned that, despite the efforts of the State party, the police are often reluctant to arrest the perpetrators and that the latter receive lenient or token punishment.

Para 35 The Committee recommends that the State party take all necessary measures to ensure that there is no discriminatory treatment for crimes of honour and that they are promptly, fairly and thoroughly investigated and prosecuted. In addition, the Committee recommends that the State party undertake a thorough review of the existing legislation and strengthen awareness-raising campaigns in this regard.

**e) Committee Against Torture**

**Russian Federation, 11/12/2012**  
**CAT/C/RUS/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/486/61/PDF/G1248661.pdf?OpenElement>

Para 13 (...) The Committee is also concerned about persistent reports concerning acts of violence against women in the northern Caucasus, including killings and so-called “honour killings” and bride-kidnapping, which constitute violations of the Convention. (...)

**Albania, 26/06/2012**  
**CAT/C/ALB/CO/2**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/436/10/PDF/G1243610.pdf?OpenElement>

Para 25 While taking note of the State party's information about the decline in incidents of revenge killing vindicating honour outside the regular legal system, the Committee expresses concern that this practice still remains entrenched in certain parts of the society, in particular due to the prevalence of deeply rooted stereotypes of defending and restoring family honour lost as a result of the initial murder.

Recalling the recommendations by the Human Rights Committee and the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Committee recommends that the State party take further measures, including research and awareness-raising campaigns, to extinguish a belief in the practice of vindicating honour outside the regular legal system and to investigate such crimes and prosecute and punish all perpetrators of such acts.

Para 28 The Committee appreciates the State party's compilation of statistics on crimes, including ill-treatment by the police and trafficking in human beings. It notes the data on complaints of ill-treatment by law enforcement officers, disaggregated by suspected crime. However, the Committee regrets the absence of comprehensive and disaggregated data on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment by law enforcement, security, military and prison personnel, as well as on honour crimes, domestic and sexual violence, enforced disappearances, and on means of redress, including compensation and rehabilitation provided to the victims (arts. 2, 12, 13 and 16).

The Committee recommends that the State party compile statistical data relevant to the monitoring of the implementation of the Convention at the national level, including data on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment by law enforcement, security, military and prison personnel, as well as on honour crimes, domestic and sexual violence, enforced disappearances, and on means of redress, including compensation and rehabilitation provided to the victims.

**Turkey, 20/01/2011**  
**CAT/C/TUR/CO/3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/404/04/PDF/G1140404.pdf?OpenElement>

Para 20 While noting the amendments to the Family Protection Law No. 4320 in 2007 and to the Penal Code in 2005 intended to enhance protection of women against violence and the adoption of a National Action Plan to Combat Domestic Violence Against Women and various training programmes for law enforcement officers, the Committee remains concerned at the reported extent of physical and sexual violence against women. The Committee is concerned at reports that women are rarely inclined to report ill-treatment and violence against them to the police and at the inadequate number of available shelters for women victims of violence, in spite

of relevant provisions in the Municipal Law of 2005. In addition, the Committee is concerned at the lack of information on reparation and compensation, including rehabilitation, for victims as required by article 14 of the Convention. The Committee is furthermore concerned at reports of the failure of State authorities to investigate honour killings, and at the lack of comprehensive official statistics on honour killings as well as on domestic violence. Also, the Committee is concerned that under article 287 of the Penal Code judges and prosecutors can order a virginity test in rape cases against the will of the woman (arts. 2 and 16).

The State party shall continue and strengthen its efforts, including in cooperation with the Council of Europe, the European Union and United Nations human rights mechanisms, to prevent and protect women from all forms of violence. The State party should:

- (a) Undertake all necessary measures to facilitate and encourage women to exercise their right to lodge complaints on domestic violence to the police, including in the building and staffing of shelters, hotlines and other protective measures;
- (b) Ensure prompt and effective investigations into all allegations of honour killings and violence against women and ensure that perpetrators are brought to justice and punished with penalties appropriate to the nature of their crimes;
- (c) Ensure that victims are provided adequate reparation and compensation, including rehabilitation;
- (d) Introduce a comprehensive system of data collection and statistics on violence against women, including on domestic violence and honour killings, disaggregated by age, ethnicity and minority status, and geographical location.

**Jordan, 25/05/2010**  
**CAT/C/JOR/CO/2**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/426/30/PDF/G1042630.pdf?OpenElement>

Para 18 The Committee notes with concern that violence against women, as a form of discrimination against women, is a deeply rooted problem in Jordan and, as a result, a culture of impunity towards domestic and gender-based violence has evolved. In this respect, the Committee expresses its serious concern that crimes, where a family's "honour" is thought to be breached, often go unpunished, and when they are punished, the sentences are far less than for equally violent crimes without this "honour" dimension (arts. 1, 2, 4, 13 and 16).

The Committee calls upon the State party to amend, without delay, applicable provisions of the Penal Code to ensure that perpetrators of "honour" crimes do not benefit from a reduction of penalty under article 340; that perpetrators of premeditated "honour" crimes do not benefit from a reduction of penalty under article 98; and that article 99 is not applicable to "honour" crimes or other cases where the victim is related to the perpetrator. The Committee also urges the State party to ensure that

“honour” crimes are treated as seriously as other violent crimes with regard to investigation and prosecution, and that effective prevention efforts are put in place.

**Syrian Arab Republic, 25/05/2010**  
**CAT/C/SYR/CO/1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/426/23/PDF/G1042623.pdf?OpenElement>

Para 25 The Committee notes with concern that the State party report lacks information on the legal regime and practice affecting women. The Committee expresses its concern on numerous reports informing that violence against women, as a form of discrimination, is a widespread problem in the State party and that the law reform process has been delayed, namely the amendment of the Personal Status Act, Penal Code and Nationality Act, and as a result, a culture of impunity towards domestic and gender-based violence has evolved. In this respect, the Committee expresses its serious concern that crimes, where a family’s “honour” is thought to be breached, often go unpunished, and when they are, the sentences are far less than those for equally violent crimes without this “honour” dimension (arts. 1, 2, 4 and 16).

The Committee calls upon the State party to put in place comprehensive measures to address all forms of violence against women and enact, as soon as possible, legislation on violence against women, including on domestic violence. The Committee further calls upon the State party to amend, without delay, applicable provisions of the Penal Code to ensure that perpetrators of “honour” crimes do not benefit from a penalty reduction under article 548. The Committee also urges the State party to ensure that “honour” crimes are treated as seriously as other violent crimes with regard to investigation and prosecution, and that effective prevention efforts are put in place.

**Sweden, 04/06/2008**  
**CAT/C/SWE/CO/5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/423/66/PDF/G0842366.pdf?OpenElement>

Para 5 The Committee notes with satisfaction the ongoing efforts at the State level to reform its legislation, policies and procedures in order to ensure better protection of human rights, including the right not to be subjected to torture and ill-treatment, in particular:

(...) (d) The adoption, in November 2007, of the action plan to combat men’s violence against women, violence and oppression in the name of honour and violence in same-sex relationships (Govt. Comm. 2007/08:39); (...)

Para 23 The Committee, while noting various measures undertaken by the State party, including the 2007 Action Plan on Men’s Violence against Women, expresses its concern about the persistence of violence against women and children, including domestic violence and crimes committed against women and children in the name of honour. The Committee further regrets the lack of State-wide statistics on domestic violence, including statistical data on complaints, prosecutions and sentences.

Furthermore, the Committee is concerned at information that the provision of social services varies between municipalities and that some municipalities are unable to offer sheltered housing to all women victims of violence, including women with special needs such as women with disabilities. (arts. 2, 12 and 16)

The State party should increase its efforts to prevent, combat and punish violence against women and children, including domestic violence and crimes committed against women and children in the name of honour. The State party should also monitor the provision of social services with a view to ensuring the availability of a sufficient number of shelters, equipped to accommodate women with special needs, including women with disabilities, throughout the territory of the State party, and their adequate financing.

Para 24 While noting that some statistics have been provided, the Committee regrets the lack of comprehensive and disaggregated data on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment by law enforcement officials, violence against women and children, including domestic violence and crimes committed against women and children in the name of honour, as well as compensation and rehabilitation. (arts. 12, 13 and 16)

The State party should establish an effective system to gather all statistical data relevant to monitoring of the implementation of the Convention at the national level, including complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment, violence against women and children, including domestic violence and crimes committed against women and children in the name of honour, as well as on compensation and rehabilitation provided to the victims. The Committee recognizes the sensitive implications of gathering personal data and emphasizes that appropriate measures should be taken to ensure that such data collected is not abused.

## **B. Charter-Based Bodies Materials**

### **- General Assembly**

**Working towards the elimination of crimes against women committed in the name of honour, 20/12/2004  
A/RES/59/165**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N04/486/16/PDF/N0448616.pdf?OpenElement>

*The General Assembly,*

*Reaffirming* the obligation of all States to promote and protect human rights and fundamental freedoms, including the right to life, liberty and security of person, as stated in the Universal Declaration of Human Rights, and reaffirming also the obligations of States parties under human rights instruments, in particular the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All

Forms of Discrimination against Women and the Convention on the Rights of the Child,

*Reaffirming also* the Vienna Declaration and Programme of Action and the Declaration on the Elimination of Violence against Women, as well as the goals and commitments contained in the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women, and the outcome document of the special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”,

*Recalling* its resolutions 57/179 of 18 December 2002 and 58/147 of 22 December 2003, as well as Commission on Human Rights resolution 2004/46 of 20 April 2004,

*Recalling also* its resolution 58/185 of 22 December 2003, in which it called for an in-depth study on violence against women, including crimes committed in the name of honour, as well as its resolution 57/190 of 18 December 2002, in which it called for an in-depth study on violence against children,

*Bearing in mind* that States have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of crimes against women and girls committed in the name of honour and to provide protection to the victims, and that not doing so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

*Stressing* the need to treat all forms of violence against women and girls, including crimes committed in the name of honour, as a criminal offence, punishable by law,

*Stressing also* the need to identify and effectively address the root causes of violence against women, in particular crimes committed in the name of honour, which take many different forms,

*Aware* that inadequate data on violence against women, including crimes committed in the name of honour, hinder informed policy analysis, at both the domestic and the international levels, and efforts to eliminate such violence,

*Deeply concerned* that women and girls continue to be victims of these crimes, as described in the relevant sections of the reports of the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights, and noting in this regard successive reports of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences,

*Emphasizing* that such crimes are incompatible with all religious and cultural values,

*Emphasizing also* that the elimination of crimes against women and girls committed in the name of honour requires greater efforts and commitment on the part of Governments and the international community, inter alia, through international cooperation efforts, and civil society, including non-governmental organizations, and that fundamental changes in societal attitude are required,

*Underlining* the importance of the empowerment of women and their effective participation in decision-making and policy-making processes as one of the

critical tools to prevent and eliminate crimes against women and girls committed in the name of honour,

1. *Welcomes:*

(a) The report of the Secretary-General on violence against women;

(b) The activities and initiatives of States aimed at the elimination of crimes against women committed in the name of honour, including the adoption of amendments to relevant national laws relating to such crimes, the effective implementation of such laws and educational, social and other measures, including national information and awareness-raising campaigns, as well as activities and initiatives of States aimed at the elimination of all other forms of violence against women;

(c) The efforts, such as projects, undertaken by United Nations bodies, funds and programmes, including the United Nations Population Fund, the United Nations Children's Fund and the United Nations Development Fund for Women, to address the issue of crimes against women committed in the name of honour, and encourages them to coordinate their efforts;

(d) The work carried out by civil society, including non-governmental organizations, such as women's organizations, grass-roots movements and individuals, in raising awareness of such crimes and their harmful effects;

2. *Expresses its concern* that women continue to be victims of crimes committed in the name of honour, and at the continuing occurrence in all regions of the world of such violence, which takes many different forms, and at failures to prosecute and punish perpetrators;

3. *Calls upon* all States:

(a) To fulfil their obligations under the relevant international human rights instruments and to implement the Beijing Declaration and Platform for Action and the outcome document of the special session of the General Assembly;

(b) To continue to intensify efforts to prevent and eliminate crimes against women and girls committed in the name of honour, which take many different forms, by using legislative, administrative and programmatic measures;

(c) To investigate promptly and thoroughly, prosecute effectively and document cases of crimes against women and girls committed in the name of honour and punish the perpetrators;

(d) To intensify efforts to raise awareness of the need to prevent and eliminate crimes against women and girls committed and condoned in the name of honour, with the aim of changing the attitudes and behaviour that allow such crimes to be committed by involving, inter alia, community leaders;

(e) To intensify efforts to raise awareness about the responsibility of men to promote gender equality and bring about change in attitudes to eliminate gender stereotypes, including, specifically, their role in preventing crimes against women and girls committed in the name of honour;

(f) To encourage the efforts of the media to engage in awareness-raising campaigns;

(g) To encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes and consequences of crimes against women and girls committed in the name of honour, including the provision of training for those responsible for enforcing the law, such as police personnel and judicial and legal personnel, and to strengthen their capacity to respond to complaints of such crimes in an impartial and effective manner and take necessary measures to ensure the protection of actual and potential victims;

(h) To continue to support the work of civil society, including non-governmental organizations, in addressing this issue and to strengthen cooperation with intergovernmental and non-governmental organizations;

(i) To establish, strengthen or facilitate, where possible, support services to respond to the needs of actual and potential victims by, inter alia, providing for them the appropriate protection, safe shelter, counselling, legal aid, health-care services, including in the areas of sexual and reproductive health, psychological health and other relevant areas, rehabilitation and reintegration into society;

(j) To address effectively complaints of crimes against women and girls committed in the name of honour, inter alia, by creating, strengthening or facilitating institutional mechanisms so that victims and others can report such crimes in a safe and confidential environment;

(k) To gather and disseminate statistical information on the occurrence of such crimes, including information disaggregated by sex and age, and to make any such information available to the Secretariat for use in the in-depth study on violence against women, in accordance with resolution 58/185, and the in-depth study on violence against children, in accordance with resolution 57/190;

(l) To include, where appropriate, in their reports to the human rights treaty bodies information on legal and policy measures adopted and implemented in their efforts to prevent and eliminate crimes against women and girls committed in the name of honour;

#### 4. *Invites:*

(a) The international community, including relevant United Nations bodies, funds and programmes, inter alia, through technical assistance and advisory services programmes, to support the efforts of all countries, at their request, aimed at strengthening institutional capacity for preventing crimes against women and girls committed in the name of honour and at addressing the root causes of such crimes;

(b) The relevant human rights treaty bodies, where appropriate, and the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences to continue to address this issue;

5. Requests the Secretary-General to report on the implementation of the present resolution in his report on the question of violence against women to the General Assembly at its sixtieth session.

- Secretary-General

**Report of the Secretary-General, Violence against women, 20/08/2004  
A/59/281**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N04/465/59/PDF/N0446559.pdf?OpenElement>

[III. Working towards the elimination of crimes against women committed in the name of honour]

[A. Legislation and related measures]

Para 36 Several Member States indicated that crimes committed in the name of honour did not exist, or were not known to exist, and that no specific legislation covered this type of crime. In some countries, including Azerbaijan, Colombia, Denmark, Ireland, Malaysia, Malta, Mexico, Morocco, Myanmar, the Netherlands and Portugal, no distinction was made between crimes committed in the name of honour and other crimes of violence against women, and all crimes were dealt with under the relevant provisions of the criminal code. The Syrian Arab Republic noted that Syrian society did not suffer from the so-called crimes of honour addressed in a selective manner in the resolution, which had not shed light on other forms of violence and crimes committed against women.

Para 37 In Argentina, violent emotion had been recognized in recent court decisions as a mitigating circumstance in “crimes of passion” committed by either a man or a woman. In Colombia, crimes committed by a spouse, partner, cohabitant, relative or family member carried a heavier punishment than crimes committed by persons not related to the victim.

Para 38 Jordan placed great importance on confronting violence against women in all its forms, and had taken steps to reduce the incidence of violence against women in general and “crimes of honour” in particular. Provisional law No. 86 of 2001, albeit not yet approved, had revised article 240 of the Penal Code by abolishing the impunity defence and replacing it with the mitigatory defence. Kuwait reported that crimes against women committed in the name of honour were infrequent. Kuwaiti law therefore did not contain the term “crimes of honour”. Nevertheless, article 153 of the Penal Code provided for a prison term of not more than three years and a fine of not more than 3,000 rupees, or one of these two penalties, for a man who had killed his wife in the act of committing adultery (in flagrante delicto), or the man, or both. Similar penalties applied for the killing of a daughter, mother or sister surprised in such a situation. An unlawful act or attack on a woman, whether it involved killing or bodily harm, motivated by the claim of defence of honour constituted a criminal offence and was punishable by law according to its nature.

Para 39 The United Kingdom of Great Britain and Northern Ireland actively worked on combating domestic violence in all its forms, including honour crimes. A domestic violence, crime and victims bill that included measures to enhance the protection of victims of domestic violence was before Parliament.

[B. Policy, programmes and other measures]

Para 40 In the Netherlands, a policy and measures were being developed to provide greater insight into the nature and scale of crimes committed in the name of honour and honour-related violence in the country, to support the integration and emancipation of women and girls from ethnic minorities, and enhance their awareness of their rights, inter alia, in relation to honour crimes. Sweden, as part of its immigration and integration policy, had developed guidelines to give more adequate attention in the asylum process to women's need for protection, and as part of the implementation of those guidelines, personnel had been trained regarding the concept of honour. Assistance was provided to Swedes in distress abroad, including girls and young women abducted for forced marriages abroad, and their return was facilitated.

Para 41 In Argentina, the Association of Women Judges of Argentina had implemented a programme entitled "Towards a jurisprudence of equality" in the period 1998-1999, aimed at capacity-building of the judiciary with regard to the application of international conventions, in response to judges' discriminatory practices of reducing penalties for perpetrators of "crimes of passion". Finland had implemented training for public officials enabling them to better recognize and prevent violence against immigrant women including the threat of so-called honour killings. The Netherlands supported capacity development for law enforcement professionals and support service providers to address the topic of domestic violence, including honour crimes, with minority groups. In the United Kingdom, the Metropolitan Police Service worked actively on the issue of crimes committed in the name of honour. In May 2003, agencies from voluntary sectors, local authority representatives, academics, legal professionals, women's groups, community groups and faith organizations had attended a seminar for the purpose of sharing information and best practices and developing solutions regarding honour crimes.

Para 42 Myanmar reported on activities aimed at preventing all forms of violence against women, including awareness-raising campaigns, establishment of counselling centres, and training for social workers. Sweden had provided funding for educational, information and awareness-raising materials. Funding had been provided for the conduct of research and surveys to increase knowledge about various aspects of gender equality, especially in relation to immigrant communities. Seminars had been conducted, bringing together representatives of public authorities, religious communities, women's shelters and immigrant organizations and other experts.

Para 43 The Government of the Netherlands supported and provided funding for civil society initiatives, such as the Turkish Community Advisory Association, which had recently published a handbook prepared to help social workers recognize and report honour-related violence. Sweden had provided funding in past years for sheltered housing and other measures for girls and women at risk of honour-related violence, as well as for capacity-building for social service providers and educators, and for awareness-raising in communities where thinking in terms of honour was common. It had also continued to fund a support network for immigrant women, including operation of an emergency telephone service in some 20 languages. The Government had earmarked 100 million kronor for further action in the period 2004-2006.

Para 44 At the international level, the role of the Netherlands in this field was reflected in its tabling of General Assembly resolution 57/179 in 2002. Sweden had hosted an international expert meeting in November 2003 on crimes committed in the

name of honour, and planned to hold an international conference on the topic in December 2004. The meeting would aim to formulate a plan of action against violence in the name of honour for action at the national and international levels.

Para 45 Jordan reported that, according to official surveys, the number of crimes committed in the name of honour had decreased to 17 in 2003 compared with an average of 20-25 cases per year in the past. The Netherlands noted that, while there had been crimes committed in the country in the name of honour, the number of those crimes was not known, and murder statistics did not reflect the motive. Two recent murders, in 2003 and 2004, where honour was presumed to have been a motive, had been highly publicized. In 2003, the Government had supported a research centre, TransAct, in conducting a quick-scan on the occurrence of crimes committed in the name of honour in the Netherlands. Those results had not yet been published. Saudi Arabia had no recorded cases of violence against women or of crimes committed against women and girls in the name of honour.

**- Special Rapporteur on violence against women, its causes and consequences**

**2012 Report of the Special Rapporteur on violence against women, its causes and consequences, 23/05/2012**  
**A/HRC/20/16**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/136/00/PDF/G1213600.pdf?OpenElement>

[III. Gender-related killings of women]

Para 14 In this report, the Special Rapporteur addresses the topic of gender-related killings of women whether they occur in the family or the community or are perpetrated or condoned by the State. Globally, the prevalence of different manifestations of such killings is increasing, and a lack of accountability for such crimes is the norm. Terms such as femicide, feminicide, honour killings and crimes of passion, among others, have been used to define such killings.

Para 16 The killings can be active or direct, with defined perpetrators, but they can also be passive or indirect. The direct category includes: killings as a result of intimate-partner violence; sorcery/witchcraft-related killings; honour-related killings; armed conflict-related killings; dowry-related killings; gender identity- and sexual orientation-related killings; and ethnic- and indigenous identity-related killings. The indirect category includes: deaths due to poorly conducted or clandestine abortions; maternal mortality; deaths from harmful practices; deaths linked to human trafficking, drug dealing, organized crime and gang-related activities; the death of girls or women from simple neglect, through starvation or ill-treatment; and deliberate acts or omissions by the State.

[A. Conceptual evolution of terms]

Para 22 The term femicide has been used in the context of killings of women in the private and public spheres. In some European contexts, such killings are described as “crimes of passion”. In South Asia the term femicide has been adopted to

encompass cultural practices in the region such as female infanticide, preadolescent mortality of girls and dowry-related deaths. The phenomena of so-called “honour killings” in the Middle East are rarely specifically labelled as acts of femicide, but some scholars have highlighted the femicidal nature of such acts and the impunity that accompanies such killings.

Para 23 A critical comparison, when addressing the killings of women, can be seen in the labelling in the West of femicides as “crimes of passion” stemming from individual violent behaviour; and in the East, as “crimes of honour” arising from cultural/religious practices and beliefs. This dichotomy exposes the simplistic, discriminatory and often stereotypical manner of construction, thereby obscuring the intersectionality of political, economic, social, cultural, and gender factors faced by all women around the world.

[B. Global trends and manifestations]

[3. Killings of women and girls in the name of “honour”]

Para 43 As noted by the Secretary-General, certain cultural norms and beliefs are the causal factors of harmful practices resulting in violence against women, such as crimes committed in the name of “honour”. Honour killings have been characterized as being among the most severe manifestations of harmful practices. Murder to cleanse family honour is committed with high levels of impunity in many parts of the world. Although honour crimes have mainly occurred in the vast zone spreading from the Sahara to the Himalayas, it also occurs in other regions and countries with migrant communities.

Para 44 Honour killings remain underreported and underdocumented globally. The United Nations Population Fund (UNFPA) has estimated that 5,000 women globally are murdered by family members each year in honour killings. With widespread urbanization, the proliferation of media and the changing roles of women, it has become difficult for such crimes to go unnoticed, and such killings are becoming more visible.

Para 45 Honour killings take many forms, including direct murder; stoning; women and young girls being forced to commit suicide after public denunciations of their behaviour; and women being disfigured by acid burns, leading to death. Honour crimes are also linked to other forms of family violence, and are usually committed by male family members as a means of controlling women’s sexual choices and limiting their freedom of movement. Punishment usually has a collective dimension, with the family as a whole believing it to be injured by a woman’s actual or perceived behaviour, and is often public in character. The visibility of the issue and the punishment also serves a social objective, namely, influencing the conduct of other women.

Para 46 Stoning is a method of capital punishment primarily used for crimes of adultery and other related offences linked to honour, of which women are disproportionately found guilty. This has resulted in 23 joint communications by mandate holders sent between 2004 and 2011, in respect of more than 30 women sentenced to death by stoning. Other communications to governments relate to honour crimes committed by family members or to the action/inaction of the State with regard

to flogging or death by hanging of women for suspected premarital sex, for adultery, for failing to prove rape, and for acts deemed incompatible with chastity.

Para 47 It is argued that in the United Kingdom of Great Britain and Northern Ireland crimes in the name of honour are rooted in cultural traditions, not religious beliefs, and that “the conflation of the concepts of culture and religion contributes to the misunderstanding of such crimes, particularly in the context of Islamophobia and the ‘war on terror’”. Similarly, the Special Rapporteur on extrajudicial, summary or arbitrary executions noted that “a number of renowned Islamic leaders and scholars have publicly condemned this practice and clarified that it has no religious basis”.

Para 48 The Special Rapporteur on violence against women has raised concerns about the phenomenon of self-immolation, reported in Afghanistan and the Islamic Republic of Iran, whereby women and girls attempt suicide by setting themselves on fire because they feel they are “dishonouring” the family.

Para 49 United Nations treaty bodies have expressed concerns that honour-related crimes often go unreported, are rarely investigated and usually go unpunished, and that when they are punished the sentences are far less than those for equally violent crimes without the “honour” dimension. Reduced sentences are justified on the basis of the necessity of murdering such women, to defend the misconceived notion of family honour.

Para 50 In his report on working towards the elimination of crimes against women committed in the name of honour, the Secretary-General presented a series of recommendations in relation to the criminalization of such acts, and noted that those deliberately participating in, facilitating, encouraging or threatening women and girls in the name of honour should be punished. He also noted that “in countries with immigrant communities, protection should be given to victims and potential victims in connection with asylum and immigration procedures”.

#### [IV. International and national developments]

##### [A. International human rights law and jurisprudence]

Para 84 Treaty bodies and special procedure mandate holders have also condemned specific forms of violence, including femicide, honour-related killings, systematic killings, disappearances and witchcraft-related killings of women. They have also raised concerns in relation to the significant obstacles for women in accessing justice, the climate of impunity surrounding such cases, and also the systematic failure of States to investigate or provide redress.

Para 89 In 2000, the Human Rights Committee adopted general comment 28 on the equality of rights between men and women, in which it stated that honour crimes which remained unpunished constituted a serious violation of the International Covenant on Civil and Political Rights. Moreover, laws which imposed more severe penalties on women than on men for adultery or other offences also violated the requirement of equal treatment. In 2004, the General Assembly passed a resolution on the elimination of crimes against women and girls committed in the name of honour. It stressed the need to treat such crimes as criminal offences punishable by law. It emphasized that such crimes are incompatible with all religious and cultural values, and called upon all States to continue to intensify efforts to prevent and eliminate

crimes against women and girls committed in the name of honour, by using legislative, administrative and programmatic measures.

[B. Some national practices]

Para 95 In Afghanistan, the Law on Elimination of Violence against Women broadly criminalizes violence against women broadly. Despite this, cases of gender-based killings and other serious crimes against women are still being prosecuted under the Penal Code instead of under the new law. This is resulting in acquittals of perpetrators, the reduction of charges to less serious crimes, convictions with lighter sentences and women victims themselves being accused of “moral crimes”. Also, article 398 of the Penal Code mitigates penalties for murder if the victim is a close relative caught in the act of committing adultery, and the killing was not premeditated.

Para 96 Legislative advances have been made by Lebanon regarding honour crimes. In August 2011, Lebanon repealed article 562 of its Criminal Code. That article had mitigated the sentences of people who claimed they killed or injured their wife, daughter or other relative to protect the family honour. The Lebanese courts almost invariably refused to accept the alleged notion of honour to justify these crimes, and article 562 was rarely used by the judges. Nevertheless, women’s organizations in Lebanon argued that enacting a comprehensive law for the protection of women from family violence was an effective strategy to prevent killings of women in the first place.

**Addendum 1 to the 2012 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to Jordan, 14/05/2012  
A/HRC/20/16/Add.1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/134/77/PDF/G1213477.pdf?OpenElement>

[III. Manifestations of violence against women and girls]

[B. Gender-motivated killings of women in the family]

Para 23 As a result of awareness-raising campaigns carried out in the late 1990s, which enjoyed the support of the press, the Royal Family of Jordan and human rights and women’s organizations in the country, the number of gender-motivated killings of women in Jordan has steadily decreased in the last years. However, this is still a phenomenon of concern in the country, and estimates of the number of so-called “honour killings” vary between 10 and 25 per year, depending on the source.

Para 24 In many of these cases, violence against women is perpetrated by husbands, guardians and other male relatives, when women act in ways that are considered “dishonourable” in the eyes of society. Women, whether married or unmarried, who have engaged in pre- or extra-marital sex even face the risk of being murdered so as to “restore the family honour”. Moreover, given the high levels of scrutiny under which some women live, leaving the home without permission or talking to an unrelated man are acts that have also resulted in the killing of women in the name of “honour”.

Para 25 An important gain made by the women's rights movement was the amendment of article 340 of the Penal Code in 2001, which no longer exonerates perpetrators of crimes committed in the name of "honour". However, perpetrators of such crimes may still get more lenient sentences under other Penal Code articles, such as article 98, which reduces penalties for crimes committed in a fit of rage, and article 99, which reduces by half a perpetrator's sentence when he is excused by the victim's family. Interviews with women at risk in both the Juweidah Reform and Rehabilitation Centre and the Dar Al Wifaq women's shelter revealed that family members, particularly younger brothers, are the main perpetrators of violence and killings committed in the name of honour. Both activists and government officials explained how families who are already grieving the loss of their daughters, and wishing to avoid further pain, might decide to renounce their right to seek justice and have the perpetrator released from prison earlier. According to a study conducted by NCFR, of 50 cases of murder of women committed between 2000 and 2010, in 78 per cent of the cases perpetrators benefited from reduced sentences due to families waiving their personal rights.

Para 26 While perpetrators of honour killing may still benefit from some loopholes in the law with regard to sentencing, some criminal courts have increasingly issued stricter sentences of up to 10 years in prison. Additionally, the amendments made to the Penal Code in 2011 created article 308 bis, which establishes the inadmissibility of mitigating factors if the victim is under 18 years old (A/HRC/20/16/Add.5). Furthermore, in July 2009 the Ministry of Justice established specialized units within five courts to hear cases involving so-called honour crimes, which will hopefully create more responsive jurisprudence on the matter and improve and expedite efforts to bring perpetrators to justice.

Para 27 An ongoing issue of concern is the interpretation of preventive detention laws. The Crime Prevention Act contains some preventive measures that allow Governors to place persons who may constitute a danger to the community in administrative detention. However, this provision is also used to detain women whose lives might be threatened by their families and who are placed in custody "for their own protection". At the time of the Special Rapporteur's visit, 120 women were in administrative detention in the Juweidah Centre, of whom 25 were women at risk of suffering a so-called honour crime.

#### [V. Institutional framework]

Para 78 Finally, specific structures to address violence in the family have been established at the ministerial level in at least three crucial ministries: (...)

- b) The Ministry of Social Development is the main institution in charge of providing women victims of violence with services, in cooperation with non-governmental organizations. In 2007, the Ministry established the Dar Al Wifaq shelter to provide lodging and protection for women victims of domestic violence and their children. It is currently leading intergovernmental efforts to establish a new centre for, in particular, women who are at risk as regards so-called honour killings. As with most of the institutional efforts to address this issue, the main goal of the Ministry is to achieve family reconciliation between survivors and their families; (...)

#### [VII. Conclusions and recommendations]

[Law and policy reforms]

Para 88 The Special Rapporteur recommends that the Government:

- (i) Amend articles 98 and 99 of the Penal Code to ensure that such provisions are not applicable in cases of violence against women, in order to ensure adequate and fair sentences in cases of killings of women committed in the name of “honour”. Judges should also ensure that past histories of violence are taken into account before considering any mitigating circumstances for offenders; (...)

[Societal change and awareness-raising]

Para 89 The Special Rapporteur recommends that the Government:

- (a) Design and launch targeted awareness-raising campaigns to educate and change societal attitudes, particularly those that view women’s bodies as repositories of family honour, and which place women under extreme scrutiny by the family and society; (...)

**Addendum 4 to the 2012 Report: Summary report on the expert group meeting on gender-motivated killings of women, 16/05/2012**  
**A/HRC/20/16/Add.4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/135/16/PDF/G1213516.pdf?OpenElement>

[III. Overview of discussions]

[A. Presentation on “femicide” and “femicide”: conceptual clarification, evolution and current debate on the terms]

Para 9 It was explained that femicide could be intentional or indirect and hence included unintentional killings of women, as exemplified by some instances of domestic violence which could result in the death of women. The presentation referred to female infanticide, preadolescent mortality, dowry-deaths, clandestine abortions, honour killings, maternal mortality and deaths arising from harmful practices or neglect (such as starvation or ill-treatment) of women and girls. (...)

[B. Manifestations and causes of gender-motivated killings of women: current trends and regional perspectives (session 1)]

Para 13 Dowry-related killings of women, suicides and self-immolation (South Asia), killings of women as a result of intimate partner violence (Europe), killings of women accused of sorcery and witchcraft (Africa and the Pacific), honour-related killings of women (Middle East and North Africa) and extreme forms of gender-motivated killings of women (femicides) in Latin America were among the different manifestations discussed in this session. (...)

[1. Manifestations and causes of gender-motivated killings: regional contexts]

Para 14 The presentation on South Asia noted that, despite progress in criminal law reform, the failure to comprehensively address strong patriarchal values, the high premium on women’s chastity and the subordination of women remains a key factor

in the prevalence of gender-motivated killings of women in the region. As an example, despite the prohibition of dowry in the Penal Code of India, the reported number of dowry-related deaths of women had significantly increased from 4,836 (1990) to 8,383 (2009). The limited impact of criminalization in efforts to eradicate killings was also noted in the very low conviction rate (10 per cent). Suicides by women were reported to have become a “pan-South Asian trend”, with suicide due to domestic abuse, forced marriages, the casting out of widows and lack of inheritance rights emerging as the leading cause of death among Nepalese women in the prime reproductive age group (in 2008/2009). In the region, honour killings, acid burning attacks, witch-hunting, foeticide, gender-based violence during caste and communal conflict were also discussed in the context of a lack of acceptance of girls in society and the absence of adequate family support.

Para 18 The significance of the evolving economic status of women and the sociopolitical context when examining gender-motivated killings of women was accentuated in the presentation on the killing of women in the name of honour. Using Lebanon as a case study, it was noted that the geographical location of judges had been an important factor in the prosecution of honour-based killings of women, with courts in urban areas being more prone to refuse notions related to honour. The importance of a comprehensive law on violence against women was becoming increasingly critical as “family femicide” or economically motivated killings of women were becoming more common than honour-related killings. In that context, the presenter referred to the refusal, or difficulty, of men to adapt to the changing role of women in society and to “compromised manhood” in situations of unemployment or infidelity, where the killing becomes a means to restore the “decorum” of that manhood. In a situation of weak State institutions due to civil war and political separatism along confessional lines, it was noted that women’s rights advocates feared current attempts of religious groups to dilute the draft law on protection of women from family violence.

## [2. Manifestations and causes of gender-motivated killings: specific contexts]

Para 20 (...) While gender-motivated killings were a global phenomenon, the presentation underlined the importance of recognizing the different causes thereof, depending on the specific local, national or regional context. In that respect, in order for States to respond effectively, the importance of assessing prevailing stereotypes and addressing the social or cultural or economic factors and belief systems that underpinned such attitudes and values (including “honour”) was emphasized. The often aggravated nature of these killings, the prevalence of violence and killings of that group of women in the family sphere and the social intolerance and harassment that might lead to suicides among lesbian, transgender and bisexual women were highlighted. Good practices and studies of the Council of Europe and the Organization of American States were referred to.

## [C. Practice and jurisprudence on gender-motivated killings of women from regional and international human rights bodies (session 2)]

Para 24 Approaches and recommendations of the United Nations treaty bodies on gender-motivated killings of women was presented based on an analysis of concluding observations of the Committee against Torture, the Committee on the Elimination of Discrimination against Women, the Human Rights Committee, the

Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights since 2000. It was noted that treaty bodies had addressed the issue of gender-motivated killings of women in the context of honour crimes, femicide, violent murders, ritual killings and killings of women accused of witchcraft, lynching and extrajudicial killings. The presentation highlighted that recommendations of the Committee against Torture and the Human Rights Committee tended to focus on legalistic and judicial aspects of States parties' due diligence obligation whereas the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child emphasized educational and awareness-raising measures, including the role of the media. Remaining gaps and challenges referred to included visibility of gender-motivated killings of women in the work of the treaty bodies, the absence of a definition of what constituted an effective investigation and the lack of an enforcement mechanism to ensure the implementation of treaty body recommendations.

**Addendum 1 to the 2009 Report of the Special Rapporteur on violence against women, its causes and consequences: Communications to and from Governments, 26/05/2009  
A/HRC/11/6/Add.1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/134/35/PDF/G0913435.pdf?OpenElement>

[III. COMMUNICATIONS SENT AND GOVERNMENT REPLIES RECEIVED]

**Pakistan**

[Urgent appeal]

Para 468 On 18 June 2008, the Special Rapporteur on violence against women, its causes and consequences sent an urgent appeal to the Government regarding threats to the lives of Ms. Sr. and her husband Mr. M. A. J., residing in Qazi Ahmed Pura, District Nawabshah, Sindh province, Pakistan, and of Ms. Sm. and her husband Mr. B. Z., residing in Barrage colony, Rohri Sukkur District, Sindh province.

Para 469 According to information received, Ms. Sr., a 26-year-old woman, had recently embraced Islam and married M.A. J. They married on their own accord, without any pressure or coercion. However, on 12 March 2008, Ms. Sr.'s father, Mr. K. L., lodged a First Information Report (N° 31-2008) at Qazi Ahmed Police Station, accusing her husband of kidnapping her.

Para 470 On 31 March 2008, the couple approached the Sindh High Court, requesting immediate action and seeking protection from honour killing, because Ms. Sr.'s parents had declared her and her husband *Karo-kari* and attempted to kill both of them. The couple has reportedly been harassed by the family and also by the Station House Officer of Qazi Ahmed Police Station.

Para 471 A division bench of the Sindh High Court issued notices to the Station House Officer of Qazi Ahmed Police Station, and also to the investigation officer. The aim of those notices was to know the reasons why relevant authorities did not investigate the case.

Para 472 Ms. Sm., a 22-year-old woman residing in Barrage colony, Rohri Sukkur District, Sindh province, had recently embraced Islam. She changed her name from Sd. to Sm. and married Mr. B. Z. Her father, Mr. B. L., lodged a complaint against both of them at the Rohri police station.

Para 473 After receiving life threats from Ms. Sm.'s family, on 3 April 2008, the couple came to Justice Farrukh Zia Sukkur Bench to seek protection. Ms. Sm. declared that she had married Mr. B. Z. on her free will and that the allegations referring to abduction and rape were false and baseless. The Sindh High Court Sukkur Bench adjourned the hearing for unknown reasons. According to the information received, no decision had been made.

Para 474 Threats to the lives of Ms. Sr. and her husband Mr. M. A. J., and of Ms. Sm. and her husband Mr. B. Z. should be placed in a context of a widespread practice of honour killings and *Karo-Kari* in Pakistan. According to sources, it is reported that honour killings, carried out for incidents that are perceived as dishonouring the family, such as marriage of choice, seeking divorce or other pretexts used to discard the woman in particular, have exceeded 300 victims in 2007.

Para 475 The practice of *Karo-Kari*, which refers to punishment for adultery consists in killing a woman after having publicly humiliated her. Despite legislation passed in 2004 prohibiting these practices, *Karo-Kari* has allegedly resulted in the same number of victims as honour killings in 2007. In particular, in the Sindh province, many *Karo-Kari* graveyards exist where unnamed women have been buried at night without having been given a proper burial ceremony.

Para 476 Concerns were expressed for the immediate physical safety and security of Ms. Sr. and her husband Mr. M. A. J., and of Ms. Sm. and her husband Mr. B. Z.

[Acknowledgment receipt]

Para 477 On 18 June 2008, the Government of Pakistan acknowledged receipt of the communication.

[Allegation letter]

Para 485 On 04 July 2008, the Special Rapporteur on violence against women, its causes and consequences, sent an allegation letter to the Government concerning the practice of honour killings and *Karo-Kari*, and referring to a number of individual cases brought to her attention. According to the information received.

Para 486 Ms. S., a 30-year-old woman living in Bhai Khot, Manga Mundi District, Province of Lahore, married to Mr. A. and mother of four children, was allegedly suspected by her brother-in-law A. of having developed illicit relations with another man. On 2 April 2008, as her husband was not at home, A. came to Ms. S.'s house and allegedly shot her to death. The victim's father, Mr. I., lodged a complaint against A. at the Manga Mundi Police Station. According to the information received, there had been no arrest.

Para 487 Ms. A., a 32-year-old woman living in Lower Dir, Timergara, District of Swat, North West Frontier Province, was married to M. K., of Malakand since four years. He was working abroad. Mr. S. M., A.'s father-in-law, suspected her of having

developed illicit relations with a man. He reportedly gathered some people of the village to kill the couple and told these people that the couple had been caught red-handed. According to the information received, Ms. A. was shot to death on 6 April 2008. It was also reported that, according to the information received, no complaint had been lodged or arrests made in the case.

Para 488 Ms. S., a 21-year-old woman living in Pirabad, in Karachi District, was allegedly killed by her brother W., her mother and her sister. This killing happened after she fell in love with M., an 18-year-old boy who regularly came to her coaching centre. M.'s family refused the marriage with S. because she reportedly was an "outsider". S. was sent to Punjab by her family but she returned after a few days and eloped with M. It was reported that she was caught and grounded by her family. According to the information received, on 8 April 2008, her brother, mother and sister killed her and attempted to make the incident look like a robbery. They told the police that people had shot her and stolen some money. When the Station House Officer R. K. arrived, the family reportedly changed their statement and said S. committed suicide. The police became suspicious because S. could not have shot herself with the gun in her left hand. According to the information received, no arrest was made.

Para 489 Ms. Z., a 45 year old woman, belonging to the Mirani tribe, lived in Mai-Gari Goth, Karachi District, Karachi Province. She married Mr. M., who came from the Sheikh tribe. They lived in Karachi for several years, after which some Mirani tribesmen found them. According to the information received, the parents and their nine children were having tea when the tribesmen forcibly entered their house and had an argument with the couple on the basis of tribal differences. On 7 April 2008, they shot Ms. Z. and her husband. The elder son of the couple lodged a complaint at the Shah Latif police station. No arrest was made.

Para 490 Ms. N., a 35 year old woman, living in Ichhara, Lahore district, Punjab province, was strangled by her husband, Mr. M. B., on suspicion of adultery, on 9 April 2008. The body was sent to the city morgue for autopsy, and the Ichhara police registered a case against Mr. B. However, according to the information received, no arrest was made.

Para 491 Ms. S., a 23 year old woman residing in Nishatabad, Faisalabad district, Punjab province, had frequent quarrels with her father, Mr. W. A., because he suspected her of having an illicit relationship with a man. On 10 April 2008, the father shot his daughter in the head, killing her. An autopsy was performed. The victim's uncle lodged a complaint against Mr. A. However, according to the information received, no arrest was made.

Para 492 Ms. S., a 40 year old woman, living in the village of Chak, in the Multan district, Punjab province, was a widow with seven children. J. and three other people from the same village alleged that she had an illicit relationship with a man. On 12 April 2008, she was on her way to the fields when J. and his three accomplices shot her and fled from the scene. A case was registered with the police but, according to the information received, no arrest was made.

Para 493 Ms. H., a 19 year old woman, living in Gaggarwali, Satrah village, Sialkot district, Punjab province, eloped with a young man of the same village. Six months later, on 19 April 2008, she returned home. When her three cousins, N., A. and I. saw her, they shot her and she died on the spot. They escaped from the scene.

Mr. M. B., the victim's father, registered a murder case against the three culprits, who never came back to the village. According to the information received, no arrests were made.

Para 494 Ms. I. K., a 28 year old woman, residing in Town Committee Mohalla, Shikarpur district, Sindh province, was killed with an axe by her brother Mr. J. S., in his house, on 21 April 2008. It is alleged that, later, he went to Sitam Mohalla and axed to death his relative Mr. M. S., allegedly under the custom of Karo-Kari. The Chak police has registered the case and started the investigation.

Para 495 Ms. R., a 27 year old woman, residing in Soofiabad, Nishtar colony, Lahore district, Punjab province, was married to Mr. A. R. for two years. It is alleged that, on 21 April 2008, R. returned home in the evening and found his wife and his brother I. in an "objectionable position". R. picked up his axe and killed both of them. Then he went to the police and surrendered with the murder weapon. The police registered a case against R.

Para 496 These cases should be placed in the broader context of a widespread practice of honour killings and *Karo-Kari* in Pakistan. Honour killings, carried out for any incident that has dishonoured the family, such as marriage of choice, seeking a divorce or other pretext, is used to discard the woman being accused, and has reportedly resulted in more than 300 victims in 2007. The actual numbers are possibly much higher. The practice of *Karo-Kari*, which literally means "black man and black woman", is a punishment for adultery which consists in killing the woman after having publicly humiliated her, and is becoming increasingly common. Despite legislation passed in 2004 prohibiting these practices, *Karo-Kari* has reportedly made as many victims as honour killings in 2007, and remains a common practice in the feudal and tribal based areas in particular.

[Allegation letter]

Para 539 On 8 September 2008, the Special Rapporteur on violence against women, its causes and consequences, jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions sent an allegation letter concerning a continuing pattern of honour killings in Pakistan in which women are killed, usually by a family member, due to suspicions of sexual impropriety or because they have married outside their religion.

Para 540 According to the information received, on 28 January 2008, K. J. beat his wife H., as he allegedly often did, accusing her of a relationship with another man. During the quarrel, K. J. ordered his son, M. U. R. J., to kill H. Then K. J.'s cousin, Mr. H., loaded the rifle and gave it to M. U. R. J., telling him that his mother was "kari" (a black character). M. U. R. J. fired at his mother and killed her. H. Mr. K. J.'s daughter S. rushed into the room and M. U. R. J. shot her as well. K. J. told his neighbours that his wife was "kari," that S. had been supporting her, and that mother and daughter were killed in order to protect the honour and dignity of the K. J. family.

Para 541 On 30 January 2008, K. J. went to Karimdad Lund Police Station, Khaipur Nathan, and reported the matter to the police. M. J., another son of K. J., lodged a First Investigation Report (FIR) against his brother M. U. R. J. for the murder of his mother and sister. The police arrested M. U. R. J. and Mr. H., but not K. J. Mr. H. was subsequently released on bail, while M.U. R. J. remained in detention.

[Acknowledgment receipt]

Para543 On 11 September 2008, the Government of Pakistan acknowledged receipt of the communication.

[Allegation letter]

Para 544 On 6 November 2008, the Special Rapporteur on violence against women, its causes and consequences, jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions sent an allegation letter concerning a recent case of honour killing in Chack, Lucky Ghulam Shah, Jahnian, Shikarpur district, Sindh province.

Para 545 According to the information received, Mr. S. D. J., a 62 year-old resident of Goth Allah Wasayo, Chack, Shikarpur district, Sindh province, killed his second wife in August 2008 on the ground that she allegedly had an illicit relationship with a man named S. J., Mr. S. D. J had already killed his first wife for similar reasons in 2001, but was never punished for the act.

Para 546 During the same month of August, as a result of public protests following the killing of the wife of Mr. S. D. J., the police took him into custody, but released him after 15 days without pressing any charges.

Para 547 On 20 October 2008, a local Jirga led by the chiefs of the Jatoi tribe, at Lucky Ghulam Shah, Shikarpur district, Sindh province decided that Mr. S. D. J. was a victim of dishonour, and therefore absolved him of the killing of his second wife. The Jirga also ordered Mr. Sh. J. to hand over 20 buffaloes, costing more than 100,000 rupees (around USD 1,400) each, as a fine for having an illicit relationship with S. D. J.'s second wife. Mr. Sh. J. was also ordered to compensate S. D. J. by handing over three daughters to him to be at his service. Since Mr. Sh. J.'s daughters were grown up and married, the Jirga decided that he should give his 10 year old grand daughter, A., daughter of R. J., as well as the two grand daughters of his brothers, aged 13 and 11 years old.

**Addendum 5 to the 2009 Report of the Special Rapporteur on violence against women, its causes and consequences: 15 years of the United Nations SR on violence against women, its causes and consequences (1994-2009): A critical review, 27/05/2009**  
**A/HRC/11/6/Add.5**

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[V. CONCEPTUAL GAINS]

[C. Sexuality and violence]

Para 96 The SRVAW has critiqued norms based on chastity and honour that underpin laws and social norms, explaining how such values legitimize proprietorial control over women's sexuality by men in the family and the community. The SRVAW further explains the linkage of honour with the fear of violence or actual violence perpetrated upon women for real and perceived sexual transgressions in peacetime. By extension, this ideology of honour is deployed during armed conflict to

perpetrate systematic sexual violence against women belonging to the other community/nation as a means of humiliating the opposition and as part of genocidal violence. Further, identity politics movements based on culture view women as markers/custodians of community identity and honour, placing upon them the burden of conforming to the notions of the ideal woman, integral to which is normative sexuality.

Para 98 The mandate holders have noted that all forms of gender-based violence are “often used as an instrument to control female sexual behaviour” in ways that cast women as male property or punish women who transgress the sexual norms. (...). Many of the communications to governments by the mandate holders have been in relation to honour crimes committed by family members, or to the action/inaction of the State with regard to stoning, flogging or death by hanging of women for suspected premarital sex, for adultery, for failing to prove rape, and for acts deemed incompatible with chastity - in one case involving a minor raped by her brother, and another of a teenage girl with psychosocial disabilities.

Para 99 The SRVAWs have consistently referred to the linkage between culturally justified VAW and control of female sexuality, observing that women’s emotional and sexual expression is seen to destabilize the unequal social order. Alongside the notions of female sexuality are notions of masculinity that valorize violence in and of itself, as an expression of male sexuality, and as a means of conflict resolution. The country mission reports on El Salvador and Mexico contextualize violence in relation to the machista culture that subordinates women and sanctions double standards regarding male and female sexuality. Similarly, the report on Turkey contextualizes violence in relation to the conceptions of honour that view sexual transgressions by women as stains on the family honour, deserving of punishment even by death as a means of upholding patriarchal privilege.

**2008 Report of the Special Rapporteur on violence against women, its causes and consequences: Indicators on violence against women and State response, 29/01/2008  
A/HRC/7/6**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/104/47/PDF/G0810447.pdf?OpenElement>

[III. INDICATORS ON VIOLENCE AGAINST WOMEN]

[B. Indicators for measuring violence against women]

[2. Femicide indicator]

Para 64 The gravest form of violence against women is murder, which is not captured by prevalence methodology. Homicide data are among the most accurate of criminal justice statistics, though in many countries there are no reliable official statistics. There are a number of forms of murder of women - femicide - that fit the definition in the Secretary-General’s study: murder in the context of intimate partner violence; sexual murder; killings of prostitutes; killings in the name of honour; female infanticide; and dowry deaths. A second proposed international indicator is to create a femicide index, and would require sex disaggregating current homicide data, alongside developing coding for “sex-based” categories.

**Addendum 1 to the 2008 Report of the Special Rapporteur on violence against women, its causes and consequences: Communications to and from Governments, 27/02/2008**

**A/HRC/7/6/Add.1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/109/83/PDF/G0810983.pdf?OpenElement>

**[IV. COMMUNICATIONS SENT AND GOVERNMENT REPLIES RECEIVED]**

**Iraq**

[Allegation letter]

Para 237 On 2 March 2007, the Special Rapporteur on violence against women, its causes and consequences, and the Special Rapporteur on the question of torture, sent an allegation letter to the Government of Iraq concerning the reported murder of Ms. L. T. S., Mr. E. K. and Mr. G. S., three teenagers from A. S., Ninewah Governorate.

Para 238 According to information received: Ms. L. T. S., aged 16 at the time of her death, was the granddaughter of Mr. T. S. B., the principal Mir (leader/prince) of the Yezidi ethnic group. The Yezidi are said to wield considerable political influence in the Ain Sefni area.

Para 239 It was rumoured that Ms. L. T. S. had begun a romantic relationship with Mr. E. K., even though her family had planned to marry her to a cousin. These were reportedly seen as a stain on the honour of the T. B. family, especially since the boy belonged to a family of lower social status.

Para 240 On 10 August 2006, E. K. and his friend G. S. allegedly came to visit L. T. S. at her family home, when they were spotted by several security guards of the family. All three teenagers managed to escape.

Para 241 When the family found out that the three teenagers had sought temporary refuge at E. K.'s family home, several armed men allegedly led by E. T. B. and B. T. B., both sons of T. S. B., came to the K.' house and burned it down. E. K.'s family had to flee the area.

Para 242 L. T. S., E. K. and G. S. continued their flight to Mosul to hide at the house of an acquaintance. However, that acquaintance was repeatedly threatened to either surrender the three teenagers to the T. B. family or see several of his relatives murdered. On 11 August 2006, the acquaintance took the three teenagers to Shalalat checkpoint in Mosul and handed them over to a group of armed men allegedly led by E. T. B. The men took the three teenagers to Baathree village, close to Ain Sefni. Reportedly, L. T. S.'s father H. T. S. was already present in the village along with about fifty armed men affiliated with the T. B. family.

Para 243 With a crowd of local villagers watching, the armed men first broke E. K.'s hands and legs and gouged his eyes out. Thereafter, they shot him dead, riddling his body with bullets. Subsequently, G. S. and then L. T. S. were shot dead. It is alleged that several influential members of the T. B. family directly took part in the planning and the execution of the murders.

Para 244 The bodies of the three teenagers were buried in an undisclosed location and have yet to be found. As of 1 February 2007, not a single person had reportedly been formally investigated, indicted or arrested in connection with the crimes.

Para 245 Many family members of E. K. and G. S. have repeatedly fled the Ain Sefni area and are afraid to return. Concern was expressed that family members may face further acts of violent retribution.

[Observations]

Para 246 The Special Rapporteur would like to thank the Government for its reply to her communication of 20 November 2006. The Special Rapporteur regrets that the Government of Iraq did not reply to her communication sent on 2 March 2007 and reiterates her interest in receiving response from the Government in regard to the allegation submitted and would be particularly interested to know whether these cases have resulted in any arrests and prosecutions of alleged perpetrators.

## **Sweden**

[Urgent appeal]

Para 483 On 11 January 2007, the Special Rapporteur on violence against women, its causes and consequences, has jointly with the Special Rapporteur on the human rights of migrants and the Special Rapporteur on the question of torture, sent an urgent appeal to the Government of Sweden regarding Ms. L. K., a Turkish woman of Kurdish origin.

Para 484 According to information received: in 1988, while still living in Turkey, L. K., then 16, was forced by her parents to enter a marriage with a 31 year-old man. Her husband abused her and their two sons, physically and mentally, almost every day throughout their marriage. Sometimes he would lock her and their two children out of the house and they would be forced to sleep outside. He also repeatedly threatened L. K. that he would hang her and make it look like suicide if she did not obey him. L. K. sought support from her family several times, but was told to return to her husband. Moreover, her mother threatened to marry her again to an even older man if she did not obey.

Para 485 In 2004, following a relationship with one of her husband's friends, which was discovered by her family and discussed in a village meeting, L. K. went into hiding. According to reports, her brothers announced that they would kill her if they found her. Subsequently, she received help in leaving her village and fleeing the country. L. K. arrived in Sweden on 31 March 2005, where she applied for asylum on 1 April 2005, referring to the risk of violence committed in the name of honour. Her asylum application was rejected by the Swedish Migration Board (Migrationsverket) on 26 August 2006. Following that decision L. K. appealed to the Swedish Alien's Board (Utlänningsnämnden), which rejected her application on 29 October 2005. This decision could not be appealed, and the authorities prepared for her deportation. On 15 November 2005, temporary legislation came into force, which allowed for a review of rejected asylum applications. L. K.'s application was reviewed in accordance with the new legislation, but once again rejected. The latter decision could not be appealed.

Para 486 In March 2006 a new Aliens' Act came into force, according to which asylum applications are tried in first instance by the Swedish Migration Board. This decision of the first instance can be appealed to the Migration Court. If there are exceptional reasons or if there is a need for a legal precedent, this decision can be appealed a second time to the Appellate Migration Court. However, the procedure in the new Aliens' Act does not apply to those asylum-seekers who, like L. K., already had their case tried in full.

Para 487 L. K., after having exhausted all the remedies in Sweden, was facing the risk of being deported to Turkey.

Para 488 The Special Rapporteurs were gravely concerned that L. K. may face a serious risk of being killed in the name of "honour" if deported back to Turkey and urged the Swedish Government not to deport her.

[Reply from the Government]

Para 489 By letters dated 17 January 2007 and 1 February 2007, the Government requested a letter of attorney signed by Ms. L. K., due to secrecy legislation, in order to provide comprehensive information. While awaiting further examination, her deportation has been temporarily suspended.

Para 490 On 12 June 2007, the Government sent a third letter in which it stated that the facts alleged in the Special Rapporteur's urgent appeal correspond with the facts that Ms. L. K. had referred to in her application for asylum. However, it claimed that there were strong reasons to question the credibility of this story and this was the main reason for rejecting the application.

Para 491 Either the Swedish Migration Board or the former Swedish Appeal Board, in their decisions of, respectively 26 August and 29 October 2005, are of the opinion that Ms. L. K. will not be subjected to violence or honour killings in case she returned to Turkey. This conclusion was reached through the investigation that has taken place in connection with Ms. L. K.'s application for asylum.

Para 492 The Government affirms that the legislation applicable in Ms. L. K.'s case, which concerns enforcement, is much more restrictive than the one applicable before the decision to refuse the alien entry into Sweden has entered into force.

Para 493 The Swedish Migration Board decided to reject Ms. L. K.'s application of impediment to enforcement on the basis of the above-mentioned reasons. The Government advised that Ms. L. K. had the possibility to appeal the decision of the Board to the Migration Court in Sweden, Malmö.

[Observations]

Para 494 The Special Rapporteur would like to thank the Government of Sweden for its reply to her communication. Nonetheless, the Special Rapporteur wishes to refer to her report to the Human Rights Council on her mission to Turkey, which focuses on the continued severe problems of "honour"-related violence, including murder and forced suicides, in South-eastern and Eastern Anatolia and highlights serious protection gaps for women at risk of "honour"-related violence. The Special Rapporteur would appreciate if the Government of Sweden could take due

consideration of her report while examining a possible appeal by Ms. L.K. to the Government's decision and other similar cases.

## **Turkey**

[Allegation letter]

Para 511 On 14 November 2007, the Special Rapporteur on violence against women, its causes and consequences sent an allegation letter concerning the intervention by third parties in lawsuits regarding the death of women as a result of suicides that took place under suspicious circumstances or as a result of honour related killings.

Para 512 The Special Rapporteur commended the Government for the extensive changes that were made recently to the Turkish Civil Code and the Turkish Criminal Code. These changes are positive steps towards the elimination of discrimination against women. Nonetheless, she drew the Government's attention to the specific provision in the Code of Procedure of the Criminal Code that seems to prevent third parties from intervening in cases of honour related crimes and alleged suicides on behalf of the dead victim.

Para 513 According to information received, opportunities for intervention in lawsuits regarding the death of women as a result of alleged suicides or honour related murders are quite limited. The limitation is elaborated upon in clause 237 of article 5271 of the Code of the Procedure of the Criminal Code, which provides as follows:

“(1) The victim, individuals and legal entities who or which have suffered damage as a result of the offence and parties who are financially liable may intervene in a criminal action by lodging complaints at every stage of the public prosecution before the court of first instance, until the judgment is rendered.

(2) No requests to intervene in the prosecution may be lodged during the proceedings of appeal. However, requests for intervention which are submitted to the court of first instance and rejected or which cannot be decided upon, shall be examined and decided upon if it is expressly stated in the application for appeal.”

Para 514 In practice, it seems that first degree relatives (i.e. mother, father, husband and children) qualify under paragraph 1 as ‘injured parties’. In order to be recognized as legal party, close relatives of the victim have to give representation rights to a lawyer or the victim has to be personally present at the trial to demand the punishment of the perpetrators of the act of violence. Apparently, victims' relatives are often reluctant or unwilling to defend the rights of women who committed suicide or were killed, since the perpetrators are generally kinsmen. As a result no lawyer may be appointed to defend the rights of the victim. Lawyers or non-governmental organizations wishing to vindicate the rights of the victim are thus not allowed to participate in such lawsuits.

Para 515 Although the Turkish legal system envisages that the public prosecutor represent both the suspect's and the victim's rights, reportedly in many cases the rights of women killed or injured are not adequately defended as no lawyers, women's organizations or other non-governmental organizations are allowed to intervene in

court on behalf of the victims. Allegedly, this situation gives rise to deficient and partial investigations and judgments that do not take into account key elements behind the crimes.

Para 516 The following specific cases were brought to the Special Rapporteur's attention:

- A. A., a mother of five, had repeatedly applied to the Diyarbakir Baglar Police Department and other judicial offices to seek protection from her husband who used drugs and beat her. In January 2007 she was killed by her husband, leaving five children behind. Women's organizations were not allowed to intervene in her case and were unable to raise issues that seemed to have been overlooked by the police and judicial bodies.
- G. T. was shot by her brothers in Istanbul in February 2004 and then taken to a State hospital where she was killed by her brothers in her hospital bed. The Women's Rights Commission of the Istanbul Bar Association requested the authorization to represent G. T. in the trial but its demand was rejected by the Court. The Women's Rights Commission wanted to raise in particular the issue of deficient security measures at the hospital, which facilitated the killing. In this respect, I sent an allegation letter to your Government dated 28 April 2004.

Para 517 In both cases, the courts allegedly rejected the request by organizations to intervene in the lawsuits based on clause 237 of article 5271 of the Code of Procedure of the Criminal Code.

Para 518 Finally, according to information received, the Turkish National Assembly discussed amending clause 237 in period 22 of the 110th session during the 4<sup>th</sup> legislation year on 1 June 2006, as published in issue 122 of the National Assembly's Official Report. No amendment has been adopted yet.

Para 519 Concerns are expressed that the provision of clause 237 and the resulting limitation of intervention by third parties who would wish to take part in judicial proceedings to defend the rights of women who allegedly committed suicides or were victims of honour-related crimes affects women disproportionately and prevent their equal treatment before the law.

[Reply from the Government]

Para 520 On 18 December 2007, the Government of the Turkey replied to the letter sent on 14 November 2007, with information on the general application of Article 237 of the Criminal Procedure Code. It stated that the parties who have the rights to intervene in criminal cases are listed exhaustively in the Criminal Procedure Code. The intervention of "victims, individuals and legal entities that have sustained damages as a result of an offence and those who are financially liable" is crucial in terms of revealing the truth in the criminal proceedings and to ensure a just judgment that provides them with immaterial satisfaction.

Para 521 Article 237 of the Criminal Procedure Code lays down two conditions for intervention in criminal proceedings. The first condition is the connection with the offence in terms of violation of an interest. For this reason, the list of interveners has been listed exhaustively as such. The Court of Cassation, in many of its decisions,

interpreted the parties that suffered damages as “those whose interest have been directly violated by the offence” or “those against whom the material or immaterial elements of the offence are directed”. The second condition concerns the time limit. The persons and legal entities that have the right to intervene under article 237, should either orally or in written, inform the Court of their intention to intervene in the case during the course of the prosecution until a judgement is rendered.

Para 522 In view of the above, women’s organizations or other non-governmental organizations have the right to intervene in cases where they suffer damages as direct result of an offence, within the prescribed time limit.

Para 523 The views and observations of the Special Rapporteur have been conveyed to the General Directorate for the Status of Women to be given due consideration in the preparatory work currently undertaken to develop a National Action Plan on the elimination of violence against women.

[Observations]

Para 524 The Special Rapporteur would like to thank the Government for its replies to her communications. With respect to her communication dated 14 November 2007, she is encouraged by the Government’s note that her observations will be given due consideration during the development of a National Action Plan on the elimination of violence against women. Nevertheless, the Special Rapporteur would submit that the issue at hand requires a legislative amendment as already discussed at the Turkish National Assembly on 1 June 2006. Moreover, the Special Rapporteur expresses concern that the exhaustive list of interveners may not grant third parties full access to such criminal proceedings, as their interest might not be considered as “directly violated”. In this regard, the Special Rapporteur would like to stress the importance of the participation of non-governmental third parties in judicial proceedings to defend the rights of women who have committed suicides or were victims of human rights violations.

**Addendum 5 to the 2008 Report of the Special Rapporteur on violence against women, its causes and consequences: The next step - developing transnational indicators on violence against women, 25/02/2008**  
**A/HRC/7/6/Add.5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/109/98/PDF/G0810998.pdf?OpenElement>

[VI. Measuring violence]

[A. The current knowledge base]

Para 158 The Secretary General’s report represents one of the most comprehensive overviews to date of what we know. The major conclusions are present below. (...)

- Crimes in the name of honour occur within the family and the community. Whilst increasingly recognized they remain under-documented, with incidence most obvious in South Asia and the Middle East, and diaspora communities. (...)

[D. What are we measuring?]

Para 180 (...) In a global context, and globalising world, it is not possible to argue that forms of VAW such as forced and early marriage, FGM, and crimes in the name of honour are rare, and can, therefore, be excluded from prevalence methodology. (...)

[VII. Assessing State progress]

[C. Process indicators]

*[Data and record keeping]*

Para 265 Whilst accepting the limitations of official data we already know that largescale surveys are not well suited to documenting less common forms of violence, but which represent grave violations of human rights, killings in the name of honour and acid attacks are examples here. Accurate official figures are critical, and Ministries of Justice and Equality should improve systems to record and track such cases. Triangulating police and court records with media reports and evidence from human rights NGOs could provide more accurate national pictures.

[IX. Proposed indicators]

[A. Outcome indicators]

Para 329 Homicide data is considered the most accurate of criminal justice statistics, and there does seem to be a connection between falling rates of women killing abusive partners and the availability of protection and resources such as shelters. This suggests that a Femicide Index could provide a proxy indicator for the effectiveness of State responses. It would, however, need to move beyond domestic homicide to include sexual murders of women and girls, so called 'honour' killings and the targeting of specific categories of women such as prostitutes and the young migrants in Ciudad Juarez. (...)

**2007 Report of the Special Rapporteur on violence against women, its causes and consequences: Intersections between culture and violence against women, 17/01/2007  
A/HRC/4/34**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/103/04/PDF/G0710304.pdf?OpenElement>

[III. INTERSECTIONS BETWEEN CULTURE AND VIOLENCE AGAINST WOMEN]

[C. Cultural relativism and women's human rights]

[2. Orientalizing culture]

Para 49 Instead, cultural practices that discriminate against women are frequently regarded as belonging to "others", whether they live in developing countries or belong to local immigrant communities. This approach is often not void of inherent contradictions. While strongly denouncing practices as grave violations

that tend to occur mostly abroad, such as female genital mutilation or “honour”-related violence, many States still fail to provide women facing such violations an escape by bringing their refugee laws into line with international standards on gender-related persecution.

[4. Static, monolithic and apolitical? Demystifying culture]

Para 62 The third myth is that culture is apolitical and detached from the prevailing power relations as well as the economic and social circumstances it operates in. Cultural explanations used to defend practices that are harmful to women often provide a convenient veil to disguise the various interests fostered by the practice. The Italian Penal Code (The Rocco Code of 1931), repealed in 1981, provides insight to this point. Article 587 of the Rocco Code distinguished killing or injuring for the cause of honour as a separate crime and provided for reduced sentence in cases of adultery. Analysts have explained the existence of article 587 by the strict gender discriminatory norms to support the demographic policies of the fascist period, which promoted women’s reproductive roles and high fertility rates. “Article 587 effectively gave a ‘licence to kill’ to the heads of families whose ‘honour’ had allegedly been tarnished.” (...)

**Addendum 1 to the 2007 Report of the Special Rapporteur on violence against women, its causes and consequences: Communications to and from Governments, 19/03/2007**  
**A/HRC/4/34/Add.1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/119/48/PDF/G0711948.pdf?OpenElement>

[D. Communications sent and Government replies received]

**Pakistan**

[Allegation Letter]

Para 490 On 3 February 2006 the Special Rapporteur has jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions sent an allegation letter to the Government concerning the murders of S. B., her husband A. N. B., her 5-year old son L. A. and her 3-year-old daughter H.

Para 491 According to information received, S.B. and her two children were shot and killed in their home village of Mohammad Bux Odhu, Taluka Garhi Khero, District Jacobabad, Sindh Province on 4 January 2006. The murders were allegedly committed by S.B.’s two brothers and four accomplices. The alleged perpetrators also shot and severely injured A.N.B. He was taken to Larkana Hospital where the same perpetrators later allegedly attacked A.N.B. again and killed him.

Para 492 Eight years earlier, S.B. had married A.N.B. against her family’s will. Subsequently, the married couple fled their hometown of Ratodero, District Larkana to live in Mohammad Bux Odhu. Sources allege that the brothers committed the murders with the intent to restore their family’s “honor,” which they considered tarnished by S.B.’s decision to exercise her right to choose her husband and marry.

Para 493       Reportedly, neither brother nor any of their accomplices have been arrested and all six men remain at large.

[Response from the Government]

Para 494       By letter dated on 13 July 2006, the Government informed the Special Rapporteur that the case concerning the murder of S.B. and her family in Jacobabad was duly registered under Crime No. 01/2006 U/S 302-324 Pakistan Penal Code of police State Muhammad Pur Odho, District Jacobabad. A detailed investigation was reported to be in process. According to the Government, police have conducted many raids to arrest the accused who have absconded.

**Addendum 2 to the 2007 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to Turkey, 05/01/2007  
A/HRC/4/34/Add.2**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/100/90/PDF/G0710090.pdf?OpenElement>

[III. VIOLENCE AGAINST WOMEN]

[A. Multiple patriarchal demands]

Para 19       Honour (*namus*) is an important value in Turkish society; it serves to reproduce the rigid control exercised over women and their sexuality. For women, compliance with the code of honour can range from having to dress and act with “modesty”, to observing chastity prior to marriage, to accepting arranged marriages and not leaving the house without the consent and/or accompaniment of an older relative. In the region, honour is particularly important as the norm is codified into customary law, which is referred to as *töre* (custom or law). According to *töre*, the family must ensure that the code of honour is observed by its members as transgressions (or mere rumours of such transgressions) are seen as “stains” on the entire family. These stains may have to be cleansed at any cost, if necessary through murder.

Para 20       Ties based on collective relationships reinforce and harden the *namus* ideology, as it is presented as part and parcel of the collective identity. Women and their immediate families are locked into the normative order of *töre*. *Töre* is all-encompassing: it regulates the moral order not only of women but also men - the safekeepers of that order - and the relationship among them. The observance of honour therefore becomes a societal concern.

[C. The particularism of murders in the name of honour]

Para 30       Murders of women in the name of honour have been a subject of intensive public debate in Turkey for the past decade. While there is no systematic data on these murders, non-governmental organizations document dozens of cases every year in which women (and sometimes also the man involved) are murdered for allegedly dishonourable behaviour.

Para 31       A 2005 survey conducted among 336 men and 94 women from South-eastern Anatolia by Prof. Aytekin Sir of Dicle University showed that 37.4 per cent of all respondents believed that murder was justified if a wife had committed adultery.

The General Directorate of Security recently conducted a most commendable survey of 1,091 *töre* murders that were committed in urban districts under police jurisdiction between 2000 and 2006: 480 of the total 1,190 victims were women; 710 were men. Nearly one third of the murders were categorized as honour-related, another third concerned intrafamily conflict, 10 per cent were blood feuds and the remaining cases involved rape, disputes over marriage arrangements, etc. The study also showed that while the vast majority of the murders were committed in areas which receive high levels of migration (such as Ankara, Istanbul, Izmir), the birthplace of 50 per cent of the suspects and victims was an eastern province.

Para 32 What distinguishes honour-related killings from other forms of violence against women is the way they are organized and executed. A family council, which may also include members of the extended kin, decides upon and organizes the murder. A young man or boy is often assigned to commit the crime because it is hoped that the young offender will receive a more lenient sentence. Such murders are often presented as acts of retribution against a woman who supposedly committed an act of grave immorality. However, the demonstrative manner in which they are carried out reveals that they serve mainly to terrorize women as a group in order to uphold patriarchal privilege. Furthermore, they often result from mere rumours and gossip about the presumed misconduct of a woman. Actual proof of the “dishonourable act” is irrelevant, because what is at stake is the public perception of a transgression, and the challenge this entails for the family’s social standing.

Para 33 Public attention to honour crimes became particularly pronounced during the Criminal Code reform process, which resulted in an amendment prescribing mandatory life sentences for *töre* murders (see paragraph 56 below). On 18 May 2005, the Turkish National Assembly created a Commission of Inquiry on honour killings and violence against women and children in general. The Commission carried out an extensive study and presented its findings to the Parliament.

#### [IV. SUICIDES OF WOMEN IN THE REGION]

##### [B. Underlying reasons for women’s suicides]

Para 37 Owing to these statistical anomalies, there has been intense debate about the reasons behind the suicides of women. Media and non-governmental organizations have expressed concern that many suicides could indeed be honour crimes, with the family either forcing the victim to commit suicide or successfully disguising murder as suicide. Some observers have speculated that higher penalties for customary killings under the reformed Penal Code may have motivated many families to disguise honour murders as suicides.

##### [1. Cases involving criminal responsibility]

Para 39 Elife Atlihan of Kahramanmaraş became pregnant after being raped by her cousin at age 15. After he denied the accusation before a family gathering, she was handed a rope by her mother and told to cleanse her honour. Her brother, who was ordered to ensure that she committed suicide, helped her set the chair at the right height and left the room. On 1 March 2003 the court convicted the brother and the mother of murder and sentenced them to life imprisonment. The rapist was also convicted.

Para 40 Article 51 of the Penal Code in force at the time, which allowed for a reduced sentence on the grounds of grave provocation, was not applied to the case as the court followed the prosecutor's view that the Constitution's equality clause prohibited a reduced sentence on *namus* or *töre* grounds since the victim was raped and impregnated. This case shows that a human rights-sensitive approach by judicial decision makers can compensate for deficiencies in the law itself and underlines the importance of human rights and gender-sensitivity training for professionals.

Para 42 Officials assured me that every suicide case is thoroughly examined and, when necessary, forensic investigations are undertaken. Nevertheless, more can and must be done to identify and resolve cases involving criminal responsibility. Given the apparent risk of honour murders, medical autopsies undertaken by a specialized forensic institute should be a standard procedure. However, as demonstrated by Suni Eröz's case, this does not seem to be always done. Suni allegedly committed suicide on 17 October 2005 in rural Van. The prosecutor opened an investigation after an anonymous caller claimed in early May 2006 that Suni was murdered. According to witnesses, before her death Suni was accused of having had an affair while her husband was in hospital. It is alleged that the village head (*muhtar*), who is from the husband's family, manipulated the situation and the autopsy was conducted by a local physician instead of by a specialized forensic expert. Two days after her death Suni's alleged lover was found dead in Bursa. Van's Gendarmerie commander explained that the case has been thoroughly reinvestigated and that criminal responsibility could not be found.

#### [V. RESPONSES TO THE PROBLEM]

##### [A. State response]

##### [1. Penal law framework]

Para 56 Penal provisions on "honour" murders have also improved. In the past, courts granted reduced sentences for honour murders considering that the perpetrators had been unjustly provoked by the victim's "inappropriate behaviour". Article 82 of the Penal Code now stipulates that killings in the name of *töre* have to be considered as a case of aggravated homicide and the perpetrator(s) must be sentenced to life imprisonment. Women's groups have criticized the reform of article 82 as incomplete, because the provision only makes reference to murders in accordance with *töre*, whereas *namus* killings can occur outside of a customary context. For this reason, some women's groups advocated for the inclusion of the term *namus*. Supporters of article 82, as it now stands, argue that certain types of murders committed in the name of honour (e.g. the father who murders his daughter's rapist) should not automatically be considered to constitute aggravated homicide.

Para 57 Legal practice will show whether the law, as it stands, sufficiently protects women against all forms of "honour" murders. If the courts do not grasp the spirit of the reform and fail to punish all murders aimed at controlling women's sexuality or curbing their personal autonomy with the highest sentences, the legislative branch may have to revisit article 82 and amend it once again.

#### [VI. CONCLUSIONS AND RECOMMENDATIONS]

Para 76 More specifically, there are reasonable grounds to assume that some recorded cases of suicides in fact constitute grave violence, either because the victim was forced to commit suicide or because a murder was disguised as a suicide. Patriarchal oppression, manifesting itself in diverse forms of violence against women, including forced marriage, early marriage, incestuous sexual abuse and honour-related violence, is often a factor that underlies suicides.

Para 79 The Government should:

(...) -Identify, prosecute and adjudicate cases of forced suicide and disguised murders: (...)

- Prosecutors and judges should not hesitate to apply article 84 of the Penal Code (instigation to commit suicide), whenever it is warranted. The highest sentences should be sought and given for all murders that serve to control women or curb their personal autonomy regardless of whether the crime is committed in the name of honour or custom; (...)

(...) -Improve the database on violence against women, its causes and consequences: (...)

- Work with bar associations in the region to undertake surveys of court cases concerning crimes against women, including suspicious suicides and honour-related crimes and collect data and report on the situation of women, particularly those belonging to marginalized groups, and develop action plans accordingly to address the problems; (...)

Para 80 I recommend to civil society that: (...)

- The media and other civil actors should promote public discussions to demystify patriarchal perceptions of honour, custom and tradition and emphasize alternative visions that are compatible with equality and human rights values; (...)

**Addendum 3 to the 2007 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to Sweden, 06/02/2007  
A/HRC/4/34/Add.3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/106/53/PDF/G0710653.pdf?OpenElement>

[III. MANIFESTATIONS OF VIOLENCE AGAINST WOMEN IN SWEDEN]

[C. Violence against women of immigrant, asylum-seeker or refugee background]

Para 34 (...) it is hotly debated whether cultural specificities contribute to the vulnerability of women with a foreign background. In this context, the phenomenon of “honour-related violence” has commanded much public attention, especially after the murder of Fadime Şahindal in January 2002. The term - widely used by Swedish policymakers, researchers and practitioners without being clearly defined (which is a

problem) - is generally employed to describe cases in which women or girls are subjected to, or threatened with, violence because they are seen as defying their family's expectations of "honourable" social or sexual behaviour. Some also use the term to refer to cases concerning homosexual or bisexual boys and men suffering violence at the hands of homophobic family members. The Swedish National Police Board calculates that about 400 cases of honour-related violence come to the attention of the authorities every year.

Para 35 Parts of the feminist movement in Sweden have cautioned about treating honour-related violence in isolation from other forms of violence against women, which in all its manifestations serves to uphold male superiority and subordinate women. Other feminists, including many women who are themselves from immigrant or refugee backgrounds, argue that women with an immigrant or refugee background have to live up to gender-specific expectations that are far more extensive than those directed towards native Swedish women; therefore, women's oppression should not be generalized.

Para 36 From a pragmatic perspective, the decisive question is not why, but how honour-related violence is committed, because the means and methods of honour-related violence pose specific challenges to law enforcement authorities, social workers and other practitioners. Whereas perpetrators of many other forms of gender-based violence prevalent in Sweden tend to act alone to avoid social opprobrium, honour-related violence, in its most distinct form, distinguishes itself by the involvement of several family members (often condoned by other community members) who collude to enforce social norms shared by the group. This collective element makes it extremely difficult to separate the victim from actual or potential perpetrators, unless she is willing to break off all relations with her family and begin a new life outside her social frame of reference.

Para 37 Honour-related violence cases in immigrant communities are also gaining a transnational dimension. The murder of 19-year-old Pela Atroschi, which was related to me personally by her younger sister Breen, illustrates the specificities. Pela and her family moved in 1995 from northern Iraq to Sweden. Unwilling to accept the extremely oppressive rule that her father exerted on her and her sisters, Pela temporarily left the family home. When rumours emerged that she had engaged in extramarital sex with a boyfriend, a family council of male relatives living in Sweden and in Australia decided that Pela had to die to cleanse the family honour. Under a pretext, Pela and her sister Breen were lured to Iraq in 1999, where one of her uncles murdered Pela before the eyes of her younger sister. Breen was only able to return unharmed to Sweden due to high-level political manoeuvring and the dedicated work of a special unit in the Swedish National Criminal Investigation Department that has unfortunately since been disbanded. She testified against the perpetrators and the Stockholm City Court was able to sentence two of her uncles living in Sweden for murder since the crime had been planned in Sweden. The grandfather and another uncle, both in Australia, as well as the father, who remained in Iraq, escaped prosecution. Breen lives today under a protected identity at an undisclosed location as threats to her life continue.

Para 38 Some Swedish researchers also classify female genital mutilation as a form of honour-related violence since it purports to protect the victim's honour, but actually serves to control her sexuality in a violent and gender-discriminatory manner.

The Government's Action Plan on Female Genital Mutilation considers that immigrant or refugee girls from countries where the practice is highly prevalent could be at risk. There are no reliable figures though on how many female genital mutilations are actually carried out in or organized from Sweden.

#### [IV. STATE AND CIVIL SOCIETY INITIATIVES WITH RESPECT TO VIOLENCE AGAINST WOMEN]

##### [B. Protection of women at risk of violence]

Para 63 Additional progress also has to be made with regard to the particular protection needs of women facing honour-related violence, who often encounter particular security risks because of the collective nature of the threat against them. The county administrative boards estimate that sheltered housing facilities with enhanced security arrangements are needed for 150-300 women facing honour-related violence. So far, the Government has created just over 100 places. Non-governmental initiatives such as the Somayah Women's Shelter, which I visited, or the Terrafem Network, have filled the gap.

Para 64 The authorities often resort to witness protection practices normally used in cases involving organized criminal syndicates to provide long-term protection for young women and girls at risk of honour-related violence. Some victims are given housing in undisclosed locations or even receive completely new identities. Yet, a comprehensive long-term strategy is still lacking to address the specific needs of young women and girls who are suddenly deprived of their family support network. Women at risk of honour-related violence often need hands-on guidance and support on how to start a new life. Furthermore, special security arrangements have to be made to ensure that young women and girls can safely maintain the contact with those family members that do not want to harm them. Unfortunately, the authorities do not always seem to be willing to dedicate the necessary resources. Breen Atroshi, the sister of murdered Pela Atroshi, for instance, told me that the authorities are not willing to provide her with security arrangements necessary to meet with her mother - contrary to what was promised when she agreed to testify against her sister's murderers.

#### [V. CONCLUSIONS AND RECOMMENDATIONS]

Para 71 In view of the measures already taken and the remaining deficiencies, I would like to make the following recommendations:

- (a) To the Government: (...)
- (iii) Prosecute and punish perpetrators of violence against women by: (...)
  - Fostering international cooperation in cases of violence against women with a transnational dimension, especially honour-related violence, and consider re-establishing a special unit on such violence in the National Criminal Investigation Department which can coordinate Sweden's work with that of other countries. At the same time, local police and justice sector personnel should continue to receive special training on the specific challenges related to particular manifestations of violence against women in different communities; (...)

**Addendum 4 to the 2007 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to the Netherlands, 07/02/2007  
A/HRC/4/34/Add.4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/106/89/PDF/G0710689.pdf?OpenElement>

[IV. MANIFESTATIONS OF VIOLENCE AGAINST WOMEN AND STATE RESPONSE]

[B. Violence against immigrant, refugee and asylum-seeking women]

Para 45 The uncertainties about the overall levels of violence noted, some categories of violence are prevalent in the Netherlands which primarily or exclusively affect women with a foreign background. These acts of violence, which gained visibility over the last few years, particularly in association with the Turkish and the Moroccan immigrant communities, are referred to as “honour”-related violence (HRV). This visibility led some to link HRV with Islam. Consequently, efforts to eliminate HRV have become intimately linked with the Government’s integration and immigration strategy.

Para 46 According to a working definition used by the Ministry of Justice, the term HRV denotes “any form of mental or physical violence committed in response to a (threatened) violation of the honour of a man or woman and therefore that of his and her family, of which the outside world is aware or may become aware of”. This definition disregards both the gendered nature of HRV as well as its intersections with other systems of inequality. No comprehensive, sex-disaggregated statistics on HRV have been compiled in the Netherlands. Most of the known cases involve situations where the regulation of the conduct of young women or girls seems to have failed, which prompts the family to take severe action, including - in the most extreme cases - murder.

Para 47 Although boys and men may also become targets, HRV serves to ensure women’s conformity with group norms and sustain control over their sexuality, as honour is seen to reside in the bodies of women. The family’s attempt to force a woman into a marriage or to cause her to end an unacceptable relationship is often a central theme leading to HRV. Sometimes the mere perception of dishonourable behaviour within the community can lead to HRV.

Para 48 Public attention has strongly focused on several murders that are said to be honour related. At the same time, the continuum of related acts of violence has probably remained invisible, because HRV tends to be incremental. It typically begins with emotional pressure, restriction of movement, systematic social isolation and veiled threats of violence before achieving its distinct form if the victim continues to be “defiant”. The immense emotional pressure often exercised on victims can affect their mental health and even lead to suicide. Dutch law enforcement officials informed me about cases in which immigrant girls had been driven to suicide in order to cleanse a supposed stain on the family’s honour.

Para 49 Cases of HRV are characterized by various specificities. They often involve a collective threat as several family members (sometimes including women) collude to subjugate the victim. A violent escalation can occur quite unexpectedly or take place long after the honour crisis was seemingly resolved. The ability to reclaim

honour through enforced compliance necessarily makes these acts demonstrative and dependent upon approval. Due to these specificities, the protection framework established for conventional forms of intrafamily violence has proven to be inadequate.

Para 50 The Government, in recognition of the protection gap, has adopted a strategy on HRV that prioritizes the protection and safety of the victim, foresees more engagement with immigrant communities and aims to strengthen the capacity of the law enforcement bodies to investigate and prosecute perpetrators of HRV. Several projects are already under way to operationalize this strategy. The Haaglanden police region, for instance, has set up a Multiethnic Policing Unit, staffed with specialized personnel. The Unit is charged with the investigation of crimes occurring within immigrant communities and, in practice, often also serves as a sort of national expertise centre on HRV.

Para 54 Representatives of immigrant women's organizations with whom I met during the mission emphasized violence-related concerns which were significantly different than those prioritized by the Government. While immigrant women generally welcomed the Government's commitment to tackle VAW within their communities, they often felt that the authorities selectively focused on special phenomena such as HRV or FGM, without adequately addressing immigrant status and the general vulnerabilities of immigrant women with respect to violence.

Para 61 Furthermore, Dutch law largely excludes undocumented immigrant women from access to social welfare benefits. This also means that undocumented immigrant women facing violence are not legally entitled to a shelter paid by the Government. Many shelters therefore refuse to accept undocumented immigrant women with an unclear immigration status. The Government has acknowledged the problem, but so far has only partially addressed it. I was informed that special funds are now available to finance shelter space for those undocumented immigrant women who face "honour"-related violence, provided that the women formally apply for a residence permit.

**2006 Report of the Special Rapporteur on violence against women, its causes and consequences: Standard of due diligence, 20/01/2006  
E/CN.4/2006/61**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/103/50/PDF/G0610350.pdf?OpenElement>

[II. THE DUE DILIGENCE STANDARD AS A TOOL FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN]

[B. The due diligence standard]

[3. Current applications]

[Prevention]

Para 38 As a general rule, States have sought to discharge their due diligence obligations of prevention of violence against women through the adoption of specific legislation, the development of awareness-raising campaigns and the provision of

training for specified professional groups. The forms of violence covered by these interventions include; domestic violence, sexual assault, trafficking, “honour crimes” and sexual harassment. These programmes tend to view violence against women as a stand-alone issue and there are relatively few examples of linkages being made between violence and other systems of oppression.

Para 39 (...) In some jurisdictions, detailed legislation has also been adopted in relation to trafficking in women, on sexual harassment and on honour crimes.

Para 41 (...) In a number of countries, specialized committees on violence against women have been established and commissioners or ombudsmen have been appointed to act as focal points. There are some examples of mixed commissions or committees that also contain representatives from civil society organizations, but these tend to be the exception rather than the rule. The Turkish parliament, which recently established a commission to examine honour crimes, called on experts as part of its inquiry to provide it with information. It has also interviewed perpetrators of honour crimes currently in prison, as well as members of the local community. The commission will report to the parliament on its findings and recommendations.

[C. Obstacles and challenges for broadening the vision of rights]

[2. Identity politics]

Para 66 Today, cultural relativism serves as a major barrier to the implementation of international human rights standards and as a justification for violations of women’s human rights. (...) in some countries, perpetrators of degrading acts or murder of women in the name of “honour” may go free or face a light sentence.

[D. The potential of the due diligence standard]

[3. At the State level]

Para 90 Each of the different powers of the State has a role to play in changing patriarchal values. For example, the judiciary and prosecutors working on cases of domestic violence have the potential and the obligation, to change the prevailing balance of power by taking a strong stance to disempower patriarchal notions. (...) two courts in Turkey that gave the highest sentence in ‘honour crimes’ cases in 2004, even before the new penal code went into effect, demonstrate that judicial authorities can have a disempowering effect by challenging patriarchal practices.

**Addendum 1 to the 2006 Report of the Special Rapporteur on violence against women, its causes and consequences: Communications to and from Governments, 27/03/2006**  
**E/CN.4/2006/61/Add.1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/121/87/PDF/G0612187.pdf?OpenElement>

**Iraq**

[Letter of allegation]

Para 102 (...) Honour killings and mutilations are also condoned in Iraqi legislation. The law allows the mitigation of punishment for perpetrators found guilty of these crimes.(...)

**Addendum 3 to the 2006 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to the Islamic Republic of Iran, 27/01/2006**

**E/CN.4/2006/61/Add.3**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/104/76/PDF/G0610476.pdf?OpenElement>

[III. VIOLENCE AGAINST WOMEN]

[A. Manifestations of violence against women]

Para 35 The self-immolation incidents are also said to be related, in some cases, to honour crimes, which are particularly common in Ilam and Khuzistan province. According to statistics provided by a consultant to the governor of Khuzistan in 2003, there have been 45 cases of honour killings of women under the age of 20 in one tribe alone. In 2001, a total of 565 women lost their lives in honour-related crimes, of which reportedly 375 were staged as self-immolation cases of women who were forced to set themselves on fire.

**Addendum 5 to the 2006 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to Afghanistan, 15/02/2006**

**E/CN.4/2006/61/Add.5**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/108/06/PDF/G0610806.pdf?OpenElement>

[II. VIOLENCE AGAINST WOMEN]

Para 30 It is also suggested that self-immolations are linked to honour crimes, normally committed by male family members to “cleanse” the honour of the family presumably “soiled” by a girl or a woman who refuses a coerced marriage, is the victim of a sexual assault, seeks a divorce, runs away from an abusive husband, allegedly commits adultery, etc.

**Addendum 1 to the 2005 Report of the Special Rapporteur on violence against women, its causes and consequences: Communications to and from Governments, 18/03/2005**

**E/CN.4/2005/72/Add.1**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G05/130/86/PDF/G0513086.pdf?OpenElement>

**Pakistan**

[Allegation letter]

Para 295 By letter dated 27 April 2004 sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur advised the Government that she had received information concerning a 36-year-old woman named Hazooran, a housewife, married with four children.

Para 296 According to information received, on 14 April 2004, Hazooran was killed by her husband, G.A., son of K., of Jeho caste, and Dilawar, the brother of the accused, in Drakhan village, Garhi Yaseen town, Shikarpur district, Sindh province. It is reported that G.A. killed his wife in the name of honour. According to the information received, the victim's brother went to lodge a complaint at the Drakhan Police Station (case No. 27/04 section 302-34 PPC) within two hours after the incident, at around 8.30 a.m. on 14 April 2004. The brother of the victim allegedly asserted that it was a killing in the name of honour. Concerns were expressed that the police, in complicity with the accused, had not made any effort to arrest the alleged perpetrators.

[Government reply]

Para 297 By letter dated 16 June 2004, the Government reported that police had arrested the husband and recovered the pistol that was used to commit the offence. Efforts were being made to arrest his brother. The Government further indicated that killings in the name of Karo-Kari were registered under section 302 PPC (Murder) for award of maximum punishment by the courts.

[Allegation letter]

Para 300 By letter dated 21 July 2004 sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur advised the Government that she had received information concerning the following persons.

Para 301 Manzoor Ahmed, son of A.M., of Lund tribe, and Mrs. Begum, wife of M.S., of Lund tribe, reportedly the victims of "honour killings" in Lund village near Jagan village, Shikarpur district, Sindh province, on 31 May 2004. Three unknown persons were said to have killed the two victims and concealed their bodies at unknown place to hide their crime. The whereabouts of the bodies are still unknown. The Station House Officer, Z.A.S., the Sub-Inspector of the Jagan Police Station, initially refused to register a First Information Report (FIR) when one of the relatives of the victims (the name is unknown) tried to lodge it. There is a strong suspicion that the former was responding to pressure from a local tribal chief, K.K.B., who had pressurized the police not to register the FIR and instead urged the families of the victims to settle the matter privately. However, the case was later registered by the police on behalf of the State at the Jagan Police Station on 3 June 2004 after a human rights group reported the case to the District Police Officer in Shikarpur, K.K.M. On his intervention, the case was lodged at Jagan Police Station in Humaayoon, Taluka, Shikarpur, on 3 June 2004. However, there has been no proper investigation by the police into this case. The police said that the people of the village are concealing the facts, and nobody is willing to reveal the story behind the incident due to community pressure. Even the parents of the victims are reluctant to speak because they fear that if anyone divulges the truth, the bodies of the victims will be recovered and the case challenged in the court and a tribal *jirga* (a local council) might be prohibited.

Para 302 Khairan, aged 23, who was reportedly killed in the name of honour in Pakistan on 9 June 2004 by her husband, G.H., at their home in Shahul Sadhayo village, near Humayoon town, Shikarpur district, Sindh province. Her brother, S.M., and his two relatives, M.N. and S.M., went to Shahul Sadhayo village to visit her that day but were asked to wait outside the house. At around 4.30 p.m., they ran in when they heard the sound of gunshots coming from inside the house. They saw G.H. brandishing a rifle, firing directly at Khairan. One of her relative urged her husband to stop, but he turned and pointed the rifle at them, warning them not to get involved. G.H. declared that Khairan had had sexual relations with one of his relatives, named I.B., and that he would no longer allow her to live. He then fled the scene. Khairan had already died. The relatives then filed a FIR No. 28/2004 section 302 at the Jagan Police Station at Humayoon. The police arrested certain family members of the accused, but G.H. was said to remain at large.

[Government reply]

Para 303 By letter dated 13 September 2004, the Government reported that S.M.S. had lodged a complaint and a criminal case under section 302 of the Pakistan Penal Code was registered at Hamayoon Police Station regarding the murder of Khairan by G.H. Mr. H. had been arrested and the rifle was recovered. The case is presently on trial.

[Observation]

The Special Rapporteur thanks the Government for its reply. However, she would appreciate receiving further details on the outcome of the trial. She is also awaiting information relating to the cases of Manzoor Ahmed and Mrs. Begum.

[Allegation letter]

Para 325 Zobia Begum, of Rawalpindi. On 14 May 2004, she was killed by her father, M.H. and maternal uncle, A.G. According to information received, she had married F.B. and fled to Mianwali with him. M. H. filed a case of murder against his brother-in-law and the cause of murder was stated to be an honor killing. F.B., the victim's husband, filed a case against M.H. and A.G. with the Mochh Station House Officer, who allegedly refused to register the complaint. F.B. then filed a writ with the High Court.

Para 329 K. aged 13, from Kato Bangwar village, Kandh Kot town, Jaqobabd district, Sindh province. According to information received, she was killed on 4 March 2004 at around 8.30 p.m. on the pretext of an honour killing by her husband and four members of his family whose names are known to the Special Rapporteur. K.'s father, T.B., as well as his two cousins, B.B. and R.B., had come to visit her. They were talking when her husband, accompanied by his father, his uncle, his brother and one of his relative, all armed with guns, came into the house, dragged her to the ground and shot her to death after having accused her of having a sexual relationship with a man. They then took her body away in a cart to conceal it. K.'s family members could not do anything to stop the killing. Her father registered a case at the Karampur police station on 6 March 2004. Nevertheless, none of the perpetrators had reportedly been arrested at the time the information was received, despite the fact that the killers were identified by three persons.

[Urgent appeal]

Para 334 On 24 March 2004, the Special Rapporteur sent an urgent appeal concerning Ms. Shahul, aged 25, who was killed by her husband, M.A.S., on 21 February 2004 at 8.30 p.m. It is reported that M.A.S. had accused his wife of having illicit sexual relations, and that the killing was perpetrated in the name of "honour".

Para 335 It is reported that the FIR given to the Dakhan Police Station by the family states that the victim and her husband had gotten married about nine years previously and lived in a joint family environment (together with other relatives). The report is said to claim that on the night in question the couple had had a "minor domestic quarrel". At 8.30 p.m. that night, relatives were reportedly awoken by a gunshot in the dairy farm where M.A.S. and Ms. Shahul were staying. They reportedly went to the farm and found Ms. Shahul bleeding copiously from her left shoulder. M.A.S. was allegedly seen fleeing with a pistol in his hand. Ms. Shahul reportedly died later that night from the gunshot wound. The information received indicates that the case may be disposed of under the Ordinance of Qisas and Dayat (whereby the offender can escape punishment by providing compensation to the victim's family). It is reported that the family would make an arrangement of this sort as they do not want the perpetrator to receive too heavy a punishment. The information suggests that the police have been bribed to treat this case as a "minor domestic quarrel", rather than a case of killing in the name of honour.

Para 336 The Special Rapporteur expressed her concern that killings in the name of honour reportedly take place on a regular basis in Pakistan and with impunity, despite national laws which prohibit this practice. In this context, there is concern that the police may not fully investigate the case if the perpetrator pays the family a sum of money. According to information received, in September 2003, at least 631 women and 6 girls had been killed by their relatives in the name of honour since January 2003. It is suspected that the number of victims of this form of violence against women is much higher, as these numbers only represent the cases that had been reported in the newspapers. It is reported that husbands, fathers, boyfriends or brothers have gone unpunished after murdering wives, daughters, girlfriends or sisters in order to defend the honour of the family or their own honour.

[Government reply]

Para 337 By letter dated 13 September 2004, the Government indicated that the accused had been arrested and that after completion of the investigation on 18 April 2004, the case was sent to the courts and is currently under trial.

[Observation]

Para 346 The Special Rapporteur would like to thank the Government for its responses. However, she would appreciate receiving more detailed information, in particular on the outcome of the investigation conducted. The Special Rapporteur would like also to express concern over the numerous cases of so-called honour killings which continue to be received and would like to remind the Government of its obligation to thoroughly investigate all cases even in the absence of a formal complaint.

## Turkey

[Allegation letter]

Para 445 By letter dated 28 April 2004 sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur notified the Government that she had received information on the alleged lack of due diligence by local authorities in their duty to prevent the honour killing of Güldünya Tören, aged 22. According to information received, Ms. Tören was raped by her paternal cousin in her village, Bitlis, and became pregnant as a result. Refusing to take her as a second wife, the perpetrator reportedly left the village. According to tribal traditions, Ms. Tören was allegedly sentenced to death for being pregnant outside of marriage. The reports indicate that she sought police protection in Bitlis, but she was reportedly sent back to her family. Her family allegedly agreed to postpone her death until the birth of the child. Ms. Tören was allegedly forced to leave her village and to go to Istanbul to live with her paternal uncle until the birth of the child. Once her child was born, the child was reportedly given to a family by her brothers and Ms. Tören was locked in a room and given a cable to hang herself. According to reports, she managed to escape and reached Fatih, Sehremini Police Station, where she allegedly asked for protection. However, the police reportedly called Ms. Tören's brother and uncle to discuss the allegations and she was released into her uncle's custody upon receiving a promise that they would not kill her.

Para 446 It is reported that on 25 February 2004, she was shot in public by her brothers in Istanbul and was taken to Dr. Sadi Konuk Training and Research Hospital in Bakirköy, Istanbul. In the hospital she reportedly accused her brothers of the crime. It is alleged that the authorities did not take the necessary precautions to protect Ms. Tören whilst she was in hospital recovering from her brother's earlier attempts to kill her. It is reported that one of her brothers entered her hospital room and shot her for the second time. She then fell into a coma and her life was allegedly ended by the doctor's removal of her life-support equipment upon approval by her family. Güldünya Tören was declared dead on 27 February 2004.

Para 447 The Office of the Application of Women's Rights of the Istanbul Bar Association reportedly filed a complaint with the Chief Prosecutor of Bakirkoy, in Istanbul. (File No. 2004/10268 dated 2 March 2004). The Chief Prosecutor's Office has reportedly filed an action and the case is under investigation. Warrants have reportedly been issued for the arrest of Güldünya Tören's brothers. However, according to information received, no progress has been made in investigating the alleged lack of due diligence by the State in preventing this crime. All persons found to be negligent in their duty to protect Güldünya Tören should be prosecuted.

Para 448 Moreover, according to information received many other women in Turkey are under threats of communally sanctioned honour killings and in need of protection. The reports indicate that the current legislation, government policy and practice do not protect women against honour killings.

[Government reply]

Para 449 By letter dated 15 December 2004, the Government reported that Güldünya Tören did not seek protection either from the police or the gendarmerie in Bitlis. Ms. Tören applied to the Sehremini police station in Fatih district, Istanbul, and

stated that she had been threatened by her uncle. She was committed to the Women's Social Care House on the same day. In the meantime, her uncle was found and interrogated by the police. After having been shot in the leg by one of her brothers, Ms. Tören was taken to the Doktor Sadi Konuk Hospital and interrogated. She refused to file a complaint against him and to give information about the possible reasons for the incident. The police, however, upon making an inquiry, issued an arrest warrant for her two brothers. While they were both being sought by the police, on 26 February, an unknown person entered the hospital room of Ms. Tören and shot her twice in the head. The fugitive suspects were apprehended on 8 April 2004 in possession of a pistol. It was later established that the pistol was the one used in the commission of both shootings. The lawsuit filed against the alleged perpetrators of Ms. Tören's murder is pending. The next hearing of the trial will be held on 29 December 2004. An investigation was initiated by the Bakirköy Public Prosecutor's Office against the police officers for failing to perform their duty. The relevant dossier was referred to the Istanbul Provincial Administrative Board for administrative inquiry, in line with the relevant legislation. Having inquired of relevant doctors and other medical personnel, as well as security personnel, the administrative authorities concluded that the offence attributed to the accused is not substantiated and therefore there is no need to issue permission for the opening of a judicial investigation. However, the decision is not final, the Public Prosecutor's Office and the complainants having the right to appeal the decision at the relevant court.

[Observation]

Para 450 The Special Rapporteur would like to acknowledge the positive steps taken to punish perpetrators of so-called honour killings in the new Criminal Code and urges the Government to raise awareness and institute protective measures to prevent such crimes from occurring.

**Addendum 4 to the 2005 Report of the Special Rapporteur on violence against women, its causes and consequences: Mission to Occupied Palestinian Territory, 02/02/2005**

**E/CN.4/2005/72/Add.4**

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G05/107/21/PDF/G0510721.pdf?OpenElement>

[II. INTEGRATED SYSTEM OF VIOLENCE AGAINST WOMEN]

[B. Violence within the family and the community]

[3. In the name of "honour"]

Para 56 Women in the OPT are killed or threatened with death for tarnishing family honour. These crimes are a manifestation of "culturally" inherited values that impose upon women socially expected behaviours derived from prevailing patriarchal norms and standards. Women's transgression of these norms is said to violate the "honour" of men and the family, which legitimizes violence against women within the social context as a disciplinary measure to maintain or restore family honour. Women accused of promiscuity may be imprisoned in their homes, subjected to verbal and physical violence, married to their violator or even murdered in the name of honour.

Para 57 Nadia Shalhoub-Kevorkian, a prominent researcher on honour crimes in Palestinian society, draws attention to the societal dimensions of honour crimes, whereby the family acts under pressures from society in fear of being socially ousted. Available information also indicates that some of the women who have been threatened or killed for allegedly dishonouring their family were victims of rape or sexual assault by an intimate associate within the domestic sphere. The murder of women, or “femicide”, in such situations is used to cover up shameful crimes committed by male members of the family.

Para 58 Although data regarding honour killings is patchy, according to the Women’s Affairs Technical Committee 33 women were killed in the name of honour in 2002, the majority of whom were under the age of 18. The Committee is concerned that the destruction of the Palestinian security sector and the gaps in the law protecting women exacerbate impunity for these crimes. “Throughout the occupied territories, the resolution of such cases is subject to overlapping, and often competing authorities.” The lack of national sovereignty and a history of occupation have undermined the ability of the Palestinian Authority to legislate and implement measures to deal with such societal atrocities. Tribal and militant centres of power thus fill this vacuum, often working to resolve cases through reconciliation and mediation while at the same time concealing the crime in an effort to prevent the spread of scandal.

### [III. RESPONSES TO VIOLENCE AGAINST WOMEN]

#### [A. Legal framework]

Para 60 The Palestinian people are subject to an amalgamation of laws inherited from different historical periods: Ottoman Empire, British Mandate, Jordanian and Egyptian laws and Israeli military orders. This multiplicity of laws has led to the lack of consistent and uniform Palestinian legal references. Furthermore, patriarchal biases prevailing in the legal provisions and criminal justice system prevent women from accessing justice and escaping violence. The following are areas of immediate concern to my mandate: (...);

(b) The Jordanian Penal Code No. 16 of 1960 includes a mitigating circumstances clause, whereby the perpetrator of an honour crime may be immune from punishment if it is shown that the victim committed an adulterous act. (...)

### [IV. CONCLUSIONS AND RECOMMENDATIONS]

Para 78 In addition, I would like to make the following recommendations:

(...) -The Palestinian Authority must: (...)

- Undertake legislative reform in line with international standards, particularly of the Personal Status Codes, to have a common Palestinian family law for both West Bank and Gaza that is based on participatory and democratic relations within the family. Similarly, revise the Penal Code to criminalize domestic violence, honour crimes and sexual assaults on women; (...)

## II. REGIONAL MATERIALS

### Council of Europe Materials

#### Working documents:

**Action to combat gender-based human rights violations, including abduction of women and girls - The urgent need to combat so-called “honour crimes”, Reply, Committee of Ministers, 16/04/2010  
Doc. 12206**

<http://www.assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=12412&Language=EN>

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendations 1868 (2009) on “Action to combat gender-based human rights violations, including abduction of women and girls”, and 1881 (2009) on “The urgent need to combat so-called “honour crimes””. It has brought both recommendations to the attention of the governments of member states and has forwarded them to a number of intergovernmental bodies.

2. The Committee of Ministers agrees with the Assembly about the need to take action to combat gender-based human rights violations, including abduction of women and girls and so-called “honour crimes”. Recommendation 1881 (2009) refers to a strategy based on the elimination of every form of legislative justification for diminishing or removing the criminal responsibility of the perpetrators of “honour crimes”. The Committee of Ministers fully supports this approach. There can be no justification based on custom, religion, tradition or honour for acts of violence against women.

3. The Committee of Ministers is furthermore of the opinion that member states should adopt, according to their national legal systems, the necessary legislative or other measures to ensure that any form of violence committed in the name of honour is criminalised and punishable by effective, proportionate and dissuasive sanctions, taking into account its seriousness.

4. The Council of Europe’s standard-setting work in this field is going ahead according to schedule. The Committee refers to its reply to Assembly Recommendation 1872 (2009) on “The rights of today’s girls: the rights of tomorrow’s women”, and recalls that, according to the interim report of the Ad hoc Committee on preventing and combating violence against women and domestic violence (CAHVIO), considered by the Ministers’ Deputies on 1 July 2009, the focus of the future Council of Europe convention on domestic violence should be on the elimination of violence against women and should deal with domestic violence which affects women disproportionately. The convention should cover all forms of violence perpetrated against women, whether physical, psychological, sexual or economic in nature. It should cover any act of gender-based violence, which results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in the public or private sphere. This would include, but not be limited to, physical and

psychological violence, including stalking; sexual violence, including sexual assault, rape and sexual harassment; as well as other forms of violence against women, including forced marriage, deprivation of liberty, female genital mutilation and crimes committed in the name of honour.

5. According to the interim report, the draft convention will contain a chapter on protection and support of victims, including the establishment of support services such as telephone helplines, shelters and emergency centres. Moreover, as a follow-up to Resolution No. 1 adopted at the 29th Council of Europe Conference of Ministers of Justice (18-19 June 2009, Tromsø, Norway) on preventing and responding to domestic violence, which includes crimes committed in the name of honour, the Committee of Ministers has asked the European Committee on Crime Problems (CDPC) to initiate work on the status and rights of victims in criminal proceedings with a view to granting them status in criminal cases.

6. The Committee of Ministers notes that the Assembly considers that a unified statistical data collection system for gender-based human rights violations could be a useful tool for decision makers when laying down policies to combat these phenomena. The Committee is not sure, however, that the benefits would be such as to justify the establishment of such a system in the present budgetary context. The introduction of a unified statistical collection system is currently being studied by the Ad hoc Committee on preventing and combating violence against women and domestic violence (CAHVIO).

7. As pointed out by the Assembly, the European Centre for Global Interdependence and Solidarity (North-South Centre) has an important role to play in maintaining a dialogue on gender equality and combating gender-based violence with countries of emigration and countries of immigration on gender equality issues. The Committee of Ministers refers to the appended comments made by the Executive Council of the North-South Centre and underlines that the latter reiterates its will to develop its role as a catalyst in the reinforcement of synergies among players working for the promotion of women's rights in the world, particularly in the Euro-Mediterranean and Euro-African regions.

8. The Committee of Ministers will consider how the fight against the most severe and most widespread forms of violence against women can best be included in the Council of Europe's assistance and co-operation programmes. It recalls its Declaration "Making gender equality a reality", adopted at the 119th Ministerial Session in Madrid in May 2009, in which member states are urged to "renew their commitment to achieve equality in fact and in law between women and men as an integral part of human rights and a fundamental criterion of democracy in conformity with the values defended by the Council of Europe and to provide the Council of Europe the necessary human and financial resources".

9. Finally, the Committee of Ministers refers to its reply to Parliamentary Assembly Recommendation 1798 (2007) on "Respect for the principle of gender equality in civil law", in which it stated that it does not see the need for drafting a new protocol to the European Convention on Human Rights. In this context, it draws the Assembly's attention in particular to the comments made by the Steering Committee for Human Rights (CDDH).

### *Appendix to the reply*

(Please note: Comments received from committees on Parliamentary Assembly Recommendation 1868 (2009) on “Action to combat gender-based human rights violations, including abduction of women and girls” have not been included in this collection).

Comments received from committees on Parliamentary Assembly Recommendations 1868 (2009) on “Action to combat gender-based human rights violations, including abduction of women and girls”, and 1881 (2009) on “The urgent need to combat so-called “honour crimes””

#### Comments by the Steering Committee for Human Rights (CDDH)

1. The Steering Committee for Human Rights (CDDH) welcomes Recommendation 1868 (2009) of the Parliamentary Assembly on “Action to combat gender-based human rights violations, including abduction of women and girls”, and Recommendation 1881 (2009) on “The urgent need to combat so-called ‘honour crimes’”, which touch upon serious problems present in all member states of the Council of Europe and of which the number of victims tends to increase. The CDDH notes that in these texts, the Assembly notably repeats its request for the drafting of a new protocol the European Convention on Human Rights devoted to equality between women and men.

2. While understanding the reasons underlying this proposition, the CDDH refers to the comments it had already formulated regarding Recommendation 1798 (2007) on “Respect for the principle of gender equality in civil law”, referred to in the aforementioned texts. It reaffirms that implementing the existing legal framework, meaning Article 14 of the Convention, Article 5 of Protocol No. 7 and Protocol No. 12 to the Convention, can solve the issues which have been raised without requiring a new binding legal instrument (convention, protocol or treaty). In this regards, it reminds that on the basis of existing dispositions, the European Court of Human Rights recently found a violation of Article 14 of the Convention, jointly with Articles 2 and 3, in a case that dealt with the authorities’ failure to protect the applicant and her mother against acts of domestic violence. The Court judged that the physical abuse inflicted on the applicant and her mother was related to their sex and that it must thus be seen as a form of discrimination against women.

3. The CDDH draws attention to the significant drafting work of the Ad hoc committee on preventing and combating violence against women and domestic violence (CAHVIO), of a draft Convention on the prevention of violence against women and domestic violence. That said, the CDDH is convinced that legal responses, whilst essential in this field, are nevertheless not sufficient; they must be combined with educational and cultural measures likely to deter, in a long-term perspective, the phenomenon of violence against women and domestic violence. Consequently, the CDDH suggests that within the Council of Europe, a particular emphasis be put on actions in the field of human rights education and culture.

Comments received from committees on Parliamentary Assembly 1881 (2009) on “The urgent need to combat so-called “honour crimes””

## Comments of the European Committee on Crime Problems (CDPC)

1. Following the adoption by the Parliamentary Assembly of Recommendation 1881 (2009) on “The urgent need to combat so-called “honour crimes””, the Committee of Ministers decided to communicate it to the European Committee on Crime Problems (CDPC) for information and/or possible comments. The CDPC examined the above recommendation and decided to contribute to the response of the Committee of Ministers by providing the following comments concerning matters within its fields of competence.

2. The CDPC welcomed the initiative of the Parliamentary Assembly for the Committee of Ministers to devise a comprehensive strategy to put a stop to so-called “honour crimes”, based on the fundamental principles of gender equality and respect for human rights, and supported the Assembly’s invitation to the Committee of Ministers to include the fight against the most severe and most widespread forms of violence against women in its assistance and co-operation programmes.

3. As regards the specific criminal law aspects, the CDPC noted that Recommendation 1881 (2009) referred to a strategy based on the elimination of every form of legislative justification for diminishing or removing the criminal responsibility of the perpetrators of “honour crimes”. The CDPC fully supported this approach, and believed that custom, religion, tradition or honour may not be considered to justify acts of violence against women.

4. Furthermore, Parliamentary Assembly Resolution 1681 (2009), to which its Recommendation 1881 (2009) refers, asked national parliaments of Council of Europe member states to pass legislation to make so-called “honour crimes” offences either by creating a specific offence or by making provision for penalties to be aggravated. The CDPC was of the opinion that member states should adopt, according to their national legal systems, the necessary legislative or other measures to ensure that any form of violence committed in the name of honour is criminalised and punishable by effective, proportionate and dissuasive sanctions, taking into account its seriousness.

5. In this respect, the CDPC wished to recall the on-going work of the Ad hoc committee on preventing and combating violence against women and domestic violence (CAHVIO), which is drafting a convention on the subject. According to CAHVIO’s interim report adopted by the Committee of Ministers on 1 July 2009, “crimes committed in the name of honour” form part of the conduct that should be covered by the draft convention.

6. In its Resolution 1681 (2009), the Parliamentary Assembly also requested member states to protect and support victims and potential victims of “honour crimes”. The CDPC recalled that the above-mentioned interim report stated that the draft convention being drawn up by CAHVIO would contain a chapter on protection and support of victims, including the establishment of support services such as telephone helplines, shelters, and emergency centres.

7. Moreover, as a follow-up to Resolution No. 1 adopted at the 29th Council of Europe Conference of Ministers of Justice (18-19 June 2009, Tromsø, Norway) on

preventing and responding to domestic violence, which includes crimes committed in the name of honour, the CDPC wished to inform the Assembly that it will initiate work on the status and rights of victims in criminal proceedings with a view to granting them status in criminal cases. At its 2009 plenary meeting (12-16 October), the CDPC approved a proposal for an expert to carry out a preliminary report/study on this subject.

8. In view of the above, the CDPC was of the opinion that the standard-setting work already in progress on the subject will sufficiently address the criminal law and criminal procedural law questions within its competence which arise in relation to so-called “honour crimes”.

Comments by the Steering Committee for Equality between Women and Men (CDEG)

The CDEG has noted with interest Recommendations 1881 (2009) and 1887 (2009) of the Parliamentary Assembly on, respectively, “The urgent need to combat so-called “honour crimes”” and “Rape of women, including marital rape”.

The CDEG fully supports the spirit of these recommendations and refers to its action since the 1970s and right up to the present day to combat all forms of violence against women. It welcomes the fact that its efforts, combined with those of the Parliamentary Assembly, will lead to the first European human rights treaty in this area, in the form of a Council of Europe convention on preventing and combating violence against women and domestic violence.

The Ad hoc committee on preventing and combating violence against women and domestic violence (CAHVIO) has decided that the convention should cover all forms of violence against women, whether this be physical, psychological, sexual or economic. The convention should cover all forms of sexist violence that results or could result in physical, sexual or psychological suffering or harm, including the threat of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.

This includes the following non-exhaustive aspects:

- physical and mental aggression, including criminal harassment;
- sexual violence, including sexual assaults, rape and sexual harassment;
- other forms of violence against women, including forced marriages, deprivation of liberty, female genital mutilation and honour crimes.

Concerning more particularly paragraph 2.3 of Recommendation 1887 (2009) requesting member states to “establish marital rape as a separate offence under their domestic law if they have not already done so, in order to avoid any hindrance of legal proceedings”, some CDEG members considered that establishing marital rape as a separate offence was not necessary, rape being considered as a crime in their legislation, independently of the existing relationship between the perpetrator and the victim.

In connection with the drafting of a new protocol on equality to the European Convention on Human Rights, as advocated in Recommendation 1881 (2009) on “The urgent need to combat so-called “honour crimes””, it repeats its comments on Parliamentary Assembly Recommendation 1798 (2007) on “Respect for the principle of gender equality in civil law”. In these comments, the CDEG referred to the existing Council of Europe instruments that already offered a legal basis for combating all forms of discrimination against women and asked member states that had not already done so to sign and ratify them, particularly Protocol No. 12 of the European Convention on Human Rights, and to fully apply the provisions of these instruments.

The CDEG also notes that Recommendation CM/Rec(2007)17 on gender equality standards and mechanisms invites member states to ratify and implement the “international legal instruments on human rights in general and on women’s and girls’ full enjoyment of human rights in particular” because “they are a fundamental and authoritative basis and a framework for national policies to eliminate discrimination on the grounds of sex and promote gender equality. Their ratification is a first decisive step towards these objectives and their full implementation must be ensured and constantly monitored and evaluated.”

The CDEG added in its comments that the Committee of Ministers might envisage a new protocol to the European Convention on Human Rights in due course. It also thought that it could give this proposal more detailed consideration in conjunction with other relevant Council of Europe steering committees, in particular the European Committee on Legal Co-operation (CDCJ) and the Steering Committee for Human Rights (CDDH).

As to the proposed launch of a Council of Europe campaign against rape, including marital rape, possibly in connection with the promotion of the future Council of Europe convention, as proposed in Recommendation 1887 (2009) on the “Rape of women, including marital rape”, the CDEG would support such an idea provided that the necessary human and financial resources were made available. This point was made by the Committee of Ministers itself in its recent Declaration “Making gender equality a reality”, in which member states are urged to “renew their commitment to achieve equality in fact and in law between women and men as an integral part of human rights and a fundamental criterion of democracy in conformity with the values defended by the Council of Europe and to provide the Council of Europe the necessary human and financial resources”.

**The urgent need to combat so-called “honour crimes”, Report, Austin John, 08/06/2009  
Doc. 11943**

<http://www.assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=12696&Language=EN>

#### *Summary*

All forms of violence against women and girls in the name of traditional codes of honour are considered to be so-called “honour crimes” and constitute a serious violation of fundamental human rights. No tradition or culture can invoke any kind of

honour to violate women's fundamental rights. In addition, over the last twenty years, so-called "honour crimes" have become increasingly common in Europe, particularly in France, Sweden, the Netherlands, Germany, the United Kingdom and Turkey.

The Parliamentary Assembly should ask Council of Europe member states to, *inter alia*, draw up and put into effect national action plans to combat violence against women, including violence committed in the name of so-called "honour", to introduce "relationships, sex and reproductive health education" for both girls and boys, to engage, or begin a dialogue with, religious authorities and to invite them to condemn so-called "honour crimes" and to co-operate in their prevention.

The Assembly should also ask the national parliaments of Council of Europe member states to pass legislation, if they have not yet done so, to make so-called "honour crimes" criminal offences, providing for a penalty commensurate with the gravity of the acts committed (both for their perpetrators and for any accomplices or any persons ordering such crimes), either by creating a specific offence or by making provision for penalties to be aggravated.

It should finally recommend appropriate steps to the Committee of Ministers, amongst which calling on it to instruct the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to include in the future Council of Europe convention the severest and most widespread forms of violence against women, including domestic violence and so-called "honour crimes".

#### A. Draft resolution

1. Drawing attention to its Resolution 1327 (2003) on "So-called 'honour crimes'", the Parliamentary Assembly notes that the problem, far from diminishing, has worsened, including in Europe. It mainly affects women, who are its most frequent victims, both in Europe and worldwide, especially in patriarchal and fundamentalist communities and societies.

2. All forms of violence against women and girls in the name of traditional codes of honour are considered to be so-called "honour crimes" and constitute a serious violation of fundamental human rights. Such violence takes various forms, such as "honour killing", assault, torture, restrictions on free association, captivity or imprisonment, and interference in the choice of a spouse or partner.

3. The Assembly firmly denounces these crimes and dismisses any form of excuse for them: no tradition or culture can invoke any kind of honour to violate women's fundamental rights. There is no honour in so-called "honour crimes". The Assembly is determined to put a stop to this practice as a matter of great urgency.

4. It consequently asks Council of Europe member states to:

4.1. draw up and put into effect national action plans to combat violence against women, including violence committed in the name of so-called "honour", if they have not already done so;

4.2. provide quality education and training for all, respectful of girls' and boys' and women's and men's rights, in application of its Resolution 1669 (2009) on "The rights of today's girls, the rights of tomorrow's women";

4.3. introduce relationships, sexual and reproductive health education for both girls and boys, particularly with a view to teaching respect for their partners and for fundamental human rights;

4.4. continue to engage or begin a dialogue with religious authorities, in order to clarify with them the fact that their religion requires respect for the life and freedom of every person, and that so-called "honour crimes" have no religious basis, and invite them to condemn them and to co-operate in their prevention;

4.5. conduct awareness-raising campaigns in order to change outlooks and the behaviours which ensue:

4.5.1. among the population in general, so as to make everyone aware of girls' and women's rights and of equality;

4.5.2. among young people, not only to inform them of their rights, particularly the right to be open about their sexuality and to choose their partner, and to draw their attention to the existence of so-called "honour crimes", but also to encourage them to report such crimes if need be and to request protection from their country's authorities;

4.5.3. among the communities concerned, particularly minority ethnic communities or communities of immigrant origin, even at national level, including adults, so as to promote girls' and women's rights and to show women's, as well as men's, intrinsic value;

4.6. raise awareness among those who work with children, in education and in the medico-social sector, so as to enable them to detect the risks of so-called "honour crimes";

4.7. raise awareness among journalists of the cruelty of such crimes and invite them to report such crimes and show their inhumanity, while preserving victims' dignity and privacy;

4.8. protect and support victims or potential victims:

4.8.1. by creating an adequate provision of accommodation, geographically located wherever the need exists, so that they can hide from or be protected from their attackers;

4.8.2. by setting up physical and psychological support programmes on a long-term basis, so as to enable them to rebuild their lives physically and psychologically;

4.8.3. by helping them to establish or re-establish financial independence;

4.8.4. by providing them, if need be, with a new identity, as well as police protection;

4.9. set up and publicise a helpline number which will provide answers to any questions about violence against women, and point callers towards emergency assistance facilities;

4.10. introduce either a complete database or statistics which take account of the concept of “honour crimes”; this is needed if the problem is to be understood more thoroughly;

4.11. teach the police and judiciary about the complexity of so-called “honour crimes”, and particularly:

4.11.1. teach the police officers responsible for investigations how to deal with victims and teach prosecution staff about the specific nature of these crimes and their identification, so that they collect as much evidence as possible of the specific nature of the offence when the reported facts give reason to believe that the crime may have been committed in the name of so-called “honour”;

4.11.2. teach court staff about the specific nature of these crimes, how to conduct questioning and avoid putting pressure on victims and apprehension, and how to deal with cases in accordance with the gravity of the violence committed;

4.11.3. set up a specialised unit in the prosecution service to deal with so-called “honour crimes”, so that every individual involved is charged and, should any travel abroad, they are the subject of extradition requests;

4.12. support the non-governmental organisations in host countries and countries of origin which play a vital role in prevention and assistance in this field and which can liaise between immigrant communities and their countries of origin;

4.13. support and finance the non-governmental organisations which fight against so-called “honour crimes” and support and accommodate victims.

5. It asks the national parliaments of Council of Europe member states to:

5.1. pass legislation, if they have not yet done so, to make so-called “honour crimes” offences, providing for a penalty commensurate with the gravity of the acts committed both for their perpetrators and for any accomplices or any persons ordering such crimes, either by creating a specific offence or by making provision for penalties to be aggravated;

5.2. provide for fair and equitable compensation commensurate with the seriousness of the damage suffered by the victim, if need be with the assistance of a state-guaranteed fund;

5.3. provide, after having evaluated the risks, judicial protection for victims or potential victims who report such facts, as well as for witnesses, including a prohibition on minors in danger leaving the country;

5.4. provide funding for accommodation, assistance and support services for victims;

5.5. develop policies and programmes to fight female poverty and the feminisation of poverty.

6. It encourages the European Centre for Global Interdependence and Solidarity (North-South Centre) to strengthen its programmes on gender equality and the prevention of gender-based violence and to continue the dialogue between countries of the North and countries of the South about the implications of gender equality and the combating of serious violations of human rights.

7. It resolves to include the fight against the most severe forms of violence against women in its parliamentary assistance and co-operation programmes.

#### B. Draft recommendation

1. The Parliamentary Assembly refers to its Resolution ... (2009) on “The urgent need for action on so-called ‘honour crimes’” and asks the Committee of Ministers to ensure that it is applied by member states, taking account of the fundamental principles of gender equality and respect for human rights.

2. The Assembly asks the Committee of Ministers to devise a comprehensive strategy to put a stop to so-called “honour crimes”. This strategy will be based on the elimination of every form of legislative justification for diminishing or removing the criminal responsibility of the perpetrators of “honour crimes”. It will aim to eliminate social acceptance of “honour crimes” and will emphasise the fact that no religion advocates “honour crimes”. It will include a study to ascertain and deal effectively with the underlying causes of this form of violence against women. It will support the setting up of an international network against “honour crimes”.

3. The Assembly calls on the Committee of Ministers to instruct the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to include in the future Council of Europe convention the severest and most widespread forms of violence against women, including domestic violence and so-called “honour crimes”.

4. Drawing attention to its Recommendation 1798 (2007) on “Respect for the principle of gender equality in civil law”, the Assembly reiterates its request for a new protocol to the European Convention on Human Rights to be drawn up enshrining gender equality as a human right.

5. The Assembly invites the Committee of Ministers to include the fight against the most severe and most widespread forms of violence against women in its assistance and co-operation programmes, and to seek extra-budgetary resources to finance these activities.

C. Explanatory memorandum, by Mr Austin, rapporteur

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V. Conclusions

I. Definition of so-called “honour crimes”

1. So-called “honour crimes” comprise many types of crimes. Any form of violence against women and girls, in the name of traditional codes of honour, is regarded as a so-called “honour crime”. What distinguishes this form of violence from other forms of violence against women therefore resides in the fact that the violence is exercised in the name of traditional codes of honour. Where the “honour” of the family is at stake, according to the family, and the woman suffers the consequences, it is proper to speak of a so-called “honour crime”.

2. The authors Welchman and Hossain have defined “honour crimes” as follows: “Crimes of ‘honour’ are seen to encompass a variety of manifestations of violence against women, including ‘honour killings’, assault, confinement or imprisonment, and interference with choice in marriage, where the publicly articulated ‘justification’ is attributed to a social order claimed to require the preservation of a concept of ‘honour’ vested in male (family and/or conjugal) control over women and specifically women’s sexual conduct, actual, suspected or potential”.

3. These “crimes” comprise various forms of violence inflicted on women by members of their families in the name of honour. Murder is the most extreme form.

4. The perception of what besmirches honour is vast, and above all extremely subjective, which makes it difficult to categorise. The notion of “honour” hides a tension between cultural relativism and the universal application of human rights. Moreover, it is so subjective and subject to differing interpretation that women are not safe within their families or communities. In fact, the mere impression that a woman has breached the code of sexual conduct may be an affront to honour.

5. Thus, men exercise control not only over women's bodies but also over their behaviour, all their deeds and actions, their movements and their speech. More fundamentally, behind this question lies the issue of the control of women's sexuality and of reproductive rights within the family. According to Ms Coomaraswamy, "honour is generally seen as residing in the bodies of women". In other words, a woman does not have the right to individual self-determination.

6. The role of virginity is also crucial. Hence there is increasing demand in public hospitals, both from girls and sometimes from their families, for hymen reconstruction, in anticipation of consensual or forced marriage. The aim is always to preserve "honour".

7. A so-called "honour crime" is often intended to punish a real or supposed relationship of which the family disapprove and/or "immoral conduct", such as a mere exchange of words with a male neighbour. All these acts may give rise to violent retaliatory measures inflicted on the woman by the men in her family, often with the support of other women in the family. These punishments take various forms: the women may be disowned by their families, cut off from their social surroundings or exposed to exploitation. They may be confined, abducted or threatened. Many of them are tortured, mutilated and disfigured for life. Others are burnt with acid, burnt to death or otherwise killed. In extreme situations, yet others have no choice but to commit ritual suicide or to kill themselves.

8. Families believe that they have to preserve their "honour" by punishing the "guilty" party. This crime has close similarities to "blood vengeance". The common denominator of all so-called honour crimes nonetheless remains that of ill-treatment, violation of human rights and in some cases murder, generally committed against women in the name of honour, as defined by the perpetrator(s) of the crime.

9. Forced marriage, even though not in response to a "reprehensible" act by the woman, may also fall into this category in that parents exercise a visible or invisible form of violence, psychological pressure, moral blackmail or physical violence, by not allowing future spouses to choose their partners.

10. As recently shown by the personal account of Dr Humayra Abedin, there is a clear crossover between forced marriage and so-called "honour crime" with the threat or act of forced marriage often resulting in honour-based violence. This young woman, a doctor of Bangladeshi origin practising in the United Kingdom, was held captive in Bangladesh and forced to marry. In pursuance of the United Kingdom's new legislation on forced marriages, and thanks to co-operation with Bangladesh, she was able to return to the United Kingdom, where she is trying to rebuild her life.

11. This violence also occurs against homosexuals and against men and boys who, for example, see themselves obliged in the case of forced marriages, to marry a person they have not chosen since it is supposedly a matter of honour for the families that the children should respect the choice that their fathers have made for them. Men who have had a forbidden amorous relationship with a girl may also be its victims.

12. In the majority of cases, so-called "honour crimes" are perpetrated by the husband, father or brother of the woman or the girl regarded as culpable. Brothers

often proclaim themselves to be the guardians of their sister's honour. Frequently, the youngest brother, if possible a minor, is chosen to carry out the crime, so that it will not be judged too severely by the courts. The family considers that the woman has sullied their honour and must therefore be punished for that offence. The fact that women are regarded as objects, as property, contributes to this form of violence. This idea is firmly rooted in patriarchal societies.

13. Hence, the concept of so-called "honour crimes" covers any form of violence against girls and women (and more rarely men and boys), in the name of traditional codes of honour, carried out by members of the family, hired criminals or by the victims themselves. So-called "honour crimes" are a serious violation of the rights of the person subjected to them.

## II. Scope and specifics of the phenomenon

14. In Western countries, there used to be a tendency to believe that so-called "honour crimes" occurred exclusively in certain Asian countries, such as Pakistan, Afghanistan and Bangladesh, some African countries and the Middle East. However, over the last twenty years, there is no denying that so-called "honour crimes" have become increasingly common in Europe, particularly in France, Sweden, the Netherlands, Germany, the United Kingdom and Turkey.

15. Since the 2003 committee report, which raised the issue of the growth in so-called "honour crimes", the problem has not been resolved and has in fact spread. That is why I wished to return to the matter. For fear of being accused of cultural imperialism or intolerance, some people do not condemn these crimes. However, it is not a question of imperialism but of condemning serious violations of the fundamental rights of the human being. The hearing on this subject organised by the committee on 6 June 2008 was of excellent quality, and I shall refer to it as appropriate below.

16. To take just one example, let us recall the murder of Banaz Mahmud Babakir Agha in Birmingham in April 2006. She was 20 years of age, and had been raped and tortured before being strangled, on the orders of her father and with the help of her uncle, because she loved a man who was not destined for her. Her requests for help went unheeded, which means we need to look at the ways in which the member states of the Council of Europe ought to respond to this issue, and at the awareness-raising that needs to be conducted among young people in particular.

17. So-called "honour crimes" occur everywhere in Europe. These crimes are committed in all milieux, not only in rural but also in urban areas and in "educated" environments. However, a report on "honour killings" in Turkey in 2007 points out that more such murders tend to take place in less well-educated groups (see paragraph 22 below). They are particularly prevalent among some minority ethnic communities. This phenomenon may be explained – but not excused – by the fact that immigrants and their families, who are often poorly integrated into the host country, fall back on, and may even reinforce, the customs and traditions of their countries of origin, in order to safeguard their own identity.

18. These acts are being reported with increasing frequency in the press. For example, there has been a report that six women were found dead in Chechnya, apparently

killed by those close to them on grounds of honour. The Austrian Minister for Women has reported that in Austria, women have been the victims of genital mutilation, forced marriage and crimes of “honour”. In Germany, newspapers echo these crimes. The situation is similar in the United Kingdom and Turkey. In Turkey, proposals have been put forward to tackle the issue.

19. The United Nations Population Fund (UNFPA) estimates that the world total of murders on grounds of honour may be as high as 5 000 victims a year, concentrated in Muslim countries and communities. However, this figure merely covers the tip of the iceberg because it only accounts for homicides, and does not therefore include other forms of violence inflicted in the name of honour.

20. However, as Ms Asma Jahangir points out, it is practically impossible to precisely assess the number of so-called “honour crimes”. The feeling of shame and threats from within the community (combined with the fact that some victims of domestic violence do not speak out because they may not be aware that a crime has been committed) and the fact that they are emotionally and economically dependent on the aggressor, lead them to believe wrongly that they “deserve” the punishment, added to which few witnesses come forward and deaths are generally classified as accidents or suicides.

21. Although most recorded “honour crimes” are perpetrated in Muslim countries or within Muslim communities they also occur in many other communities. There have been recorded crimes of honour-based violence in Hindu, Sikh and Christian communities. This patriarchal violence often stems from fundamentalist beliefs and conservative traditions, the main object of which is to control women’s freedom and sexuality. Whilst many “honour crimes” appear to be rooted in strongly held religious belief, the paradox is that none of the major world religions advocates the death penalty for misconduct linked to honour and many religious leaders and scholars condemn this practice and affirm that it has no religious basis.

22. The 2007 “Human Rights Report of Turkey” said that there had been 231 “honour killings” in the country in 2007. The report refers to the many different reasons for these crimes, namely economic, social and cultural. In geographical terms, they are most frequent in large cities, with 167 such killings having occurred in Istanbul in the previous five years, and 144 in Ankara. The number had doubled in a year in Istanbul, from 27 in 2006 to 53 in 2007. It would seem that the high rate of immigration into these cities, combined with the immigrants’ socio-economic problems and their difficulty in adapting to their new urban environment, reinforced the cultures and traditions of their origins. The report also points out that the number of “honour killings” is higher in the less well-educated population groups.

23. In Europe, I fear that we have closed our eyes for too long to these patriarchal and cultural forms of violence, which may not have been easy to apprehend even a few years ago but can today no longer be ignored. These women and girls have the right, like any human being, to live their lives freely in a modern multicultural society. They wish, like all modern women, to choose and to live their own lives.

24. The attacks perpetrated against them are attacks on the societies in which we live. We cannot tolerate these infringements of fundamental rights, such as freedom of movement and freedom of expression, or equality between women and men.

25. Obviously, this violence cannot be legitimated by the codes of honour of the perpetrators. Its particular form and roots also call for particular treatment, both protection for the victims and prevention and punishment of the perpetrators. I entirely concur with the description “shame killings” given by the former Secretary General of the United Nations, Kofi Annan, to “harmful traditional practices such as so-called ‘honour killings’” (2000).

III. Proposal for measures to protect victims and prevent so-called “honour crimes”

26. It is pleasing to note that so-called “honour crimes” are increasingly recognised by certain countries as a genuine blot on their society, and that the decision-making authorities in some countries, such as Turkey and Pakistan, have taken steps to prevent these crimes and to punish them more severely. However, there is no escaping the finding that there is as yet little or no awareness within the populations concerned.

27. The prevention of so-called “honour crimes” must take place on two levels, on the domestic level within each country, and on the international level.

28. Within each country, action needs to be taken both at national and at regional level, since the phenomenon is sometimes more prevalent in certain regions. The population must be made aware of the issue if it is to be prevented and appropriately punished with an awareness of the extreme gravity of the crime that has been committed. Police officers and the judiciary must be trained in the specifics of the offences and crimes committed in the name of honour. Education professionals, teachers and child-minding staff, and those caring for young people, must be made aware of the question so that early symptoms can be identified, the steps to be taken can be appropriately determined, and girls and women can be directed to a body that will provide shelter and support. Specialised reception, counselling and help agencies, and emergency refuges for girls and women threatened with “honour crimes”, must be established. The victims of “honour crimes” need to be supported physically and psychologically. As they are often cast out by their families, they need shelter to help them rebuild their lives. They need to be informed of their rights and offered legal support. According to Ms Nammi, Director of the International Campaign against honour killings, victims should never be sent back to their families, and often have only one chance.

29. NGOs supporting and defending women’s rights need to be given financial support by the national authorities.

30. Dialogue with the religious authorities is also crucial, even though some may express scepticism as to the ability of authoritarian religious leaders to adopt a progressive attitude. States should introduce a complete database or statistics to take account of the concept of “honour crimes”; this is needed if the problem is to be understood more thoroughly.

31. States need to create mechanisms allowing victims and others to report these crimes in complete safety and in strict confidence, by strengthening existing mechanisms or establishing new ones.

32. States need to draw up and put into effect national action plans to combat violence against women, including violence committed in the name of so-called “honour”, if they have not already done so.

33. At the European level, I propose that the Committee of Ministers devise a global strategy aimed at putting an end to so-called “honour crimes”. This strategy will be based on the elimination of every form of legislative justification mitigating or removing the criminal liability of the perpetrators of “honour crimes”. It will aim to destroy the social acceptance of “honour crimes”. It will need to stress that Islam requires respect for the life and liberty of everyone, and that no religion advocates “honour crimes”. It will ask the national authorities to set up and financially support refuge and counselling centres for potential victims.

34. I support the positive initiative of Ms Hagberg, who suggests the creation of a national or international network to combat “honour crimes” ([www.minheder.nu](http://www.minheder.nu)).

35. I wish to refer back to the list of recommendations made by Ms Nammi, which I regard as pertinent: creation of specialist police units, implementation of public awareness campaigns, establishment of protection schemes to provide victims with new identities and histories, training for all organisations and services such as police, social services, teachers, child protection services and women’s organisations, evaluation of risks to survivors and their protection by the police, appropriate housing for survivors in Europe, a long-term programme of physical and psychological support for survivors, financial resources and security measures for victim support organisations, the giving of consideration to fear of “honour crimes” in the awarding of asylum, and support for women who have no access to public funds.

36. In the light of the experience of the lawyer Usha Sood, I wish to emphasise the training of police and law officers, in both preventative investigation and prosecution.

37. In the United Kingdom, a specialist unit of the Crown Prosecution Service has been set up to address “honour crimes”, so that every individual involved in acts of violence is investigated. Moreover, this unit will deal with requests for extradition, so that crimes do not remain unpunished if the perpetrators flee.

IV. Prosecution of perpetrators of so-called “honour crimes” and their accomplices

38. As I said by way of introduction, the notion of honour is subjective since it derives from a subjective assessment by the perpetrator of the so-called “honour crime” or by the family that has ordered the crime. In criminal cases, a whole bundle of indicators should enable investigators and courts to assess the specific nature of actions that constitute an offence.

39. The question that arises is therefore whether special legislation is needed to punish “honour crimes”.

40. Some writers hold that specific legislation is not needed for so-called “honour crimes”, but that the judicial system needs to make clear that such crimes are regarded as murder where the victim is killed. Unfortunately, there are still some prosecution services and courts, in the most enlightened countries, which accept cultural arguments as grounds for dismissing an aggravating motive or ruling out premeditation. Some of them regard defence of honour as an attenuating circumstance. In Europe, a court has even acquitted those who carried out the beating of a girl on grounds of “honour”.

41. Ms Sahgal has deplored the fact that the courts categorise acts as “honour crimes” in accordance with the community from which the perpetrator comes, rather than in accordance with the nature of the act itself.

42. Given the above errors and differences in interpretation, it therefore seems to me to be necessary to call for greater rigour in defining offences and specifying the persons involved in carrying out “honour crimes”. The creation of a specific offence offers one solution to this problem.

43. In this regard, Turkey offers a topical example of awareness of the problem by the authorities. The new Article 82 of the Criminal Code provides that “honour crimes”, which would previously have benefited from attenuating circumstances, are to be punished by a more severe sentence.

44. In Belgium, a proposed resolution aimed at combating supposed honour crimes was tabled on 8 April 2008, the primary intention being that current legislation, which is held to be adequate, should be applied to “honour crimes”.

45. Where it is not proved that a specific offence is an “honour crime”, the general criminal law will apply in the courts concerned.

## V. Conclusions

46. In respecting cultural differences between human beings, and affirming that “honour crimes” are an inadmissible violation of women’s fundamental rights, including the right not to be subjected to violence, it has to be accepted that cultures can and must change in order to respect human rights.

47. In the light of this specific problem of so-called “honour crimes”, I believe it is essential to take specific steps both through legislation and measures to protect and support victims, and through prevention and punishment.

48. In particular, the Parliamentary Assembly should ask national parliaments whether there is not a case to criminalise any “honour crime” and to punish it severely in accordance with the gravity of the acts committed, and to include the accomplices and procurers of the said crime in the field of application of that legislation. The law should also provide for the introduction of measures to offer protection and support to victims, including potential victims.

49. The Assembly should ask the member states of the Council of Europe to give priority to increasing public awareness of the problem of “honour crimes”, especially

by carrying out targeted activities among children, girls and boys, young women and young men in order to familiarise them with these crimes and their harmful effects, and to promote the freedom of everyone to live their lives free from discrimination or oppression on grounds of gender or sexual orientation. The objective is to challenge human rights abuses that result from a system of domination based upon patriarchy and to change outlooks and the behaviour that results from it.

50. States should in particular:

- raise awareness among professionals concerned with childhood, education and schooling, and train them in respect for tolerance and equality between girls and boys, and women and men;
- raise awareness of “honour crimes” among police officers, the courts and prosecution services, of how to carry out investigations so as to collect as much evidence as possible on the specific nature of the offence and to establish the facts securely, of the need to prosecute these offences, and of how to try them, in accordance with the law;
- raise awareness among social and medical staff of the issue of “honour crimes” and of forced marriages;
- engage in dialogue with the religious authorities and request them to respect the equality between women and men and to condemn “honour crimes” and any form of violence against women.

51. Lastly, the Assembly should recommend to the Committee of Ministers that it draw up a global strategy for the elimination of “honour crimes”, to include a study of “honour crimes” that will make it possible to address effectively the fundamental causes of this form of violence against women.

52. In conclusion, in the light of the developments described above, I therefore submit for adoption by the Assembly the above draft resolution and draft recommendation. I propose that these be examined during the June 2009 part-session of the Assembly (22-26 June).

**The urgent need for action on so-called “honour crimes”, Motion for a resolution, Austin John, 04/07/2007  
Doc. 11348**

<http://www.assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=11592&Language=EN>

1. In the United Kingdom, a young woman of twenty was recently killed by her father and uncle, for the “reason” that she was in love with a man her family had not chosen. Her previous complaints to the police had not been taken seriously.

2. This is far from being an isolated case. According to a woman human rights lawyer, so-called “honour crimes”, both those which involve killing and those which do not,

are on the increase, not only in the United Kingdom, but also in other European countries.

3. Four years have passed since the Assembly addressed this issue in its Resolution 1327 (2003) on “so-called ‘honour crimes’”. And yet this flagrant violation of women’s basic rights is still, and indeed increasingly, being committed in all parts of the world.

4. Often, silence still surrounds the violence and murder inflicted on the victims: the victims of “honour crimes” are not declared; murders are passed off as suicide, and families say nothing; other women are forced or driven to kill themselves.

5. It is time that states acted effectively and rapidly to put an end to this horrendous practice.

6. In this year dedicated to combating violence against women, the Assembly insists that it is urgently necessary that the Council of Europe’s member states communicate and take effective action on this problem. It is urgently necessary that they make public opinion realise that honour consists in respecting the freedom and choices of young women, and that nothing can justify these crimes. It is urgently necessary that the police be alerted and trained to take appropriate action in situations of this type, assessing the risks and protecting the victims. And it is urgently necessary that the criminals receive exemplary punishment.

#### **Adopted texts:**

#### **The urgent need to combat so-called “honour crimes”, Parliamentary Assembly, 26/06/2009**

#### **Resolution 1681**

<http://www.assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=17766&Language=EN>

1. Drawing attention to its Resolution 1327 (2003) on so-called “honour crimes”, the Parliamentary Assembly notes that the problem, far from diminishing, has worsened, including in Europe. It mainly affects women, who are its most frequent victims, both in Europe and the rest of the world, especially in patriarchal and fundamentalist communities and societies.

2. All forms of violence against women and girls in the name of traditional codes of honour are considered to be so-called “honour crimes” and constitute a serious violation of fundamental human rights. Such violence takes various forms, such as “honour killings”, assault, torture, restrictions on free association, captivity or imprisonment, and interference in the choice of a spouse or partner.

3. The Assembly firmly denounces these crimes and dismisses any form of excuse for them: no tradition or culture can invoke any kind of honour to violate women’s fundamental rights. There is no honour in so-called “honour crimes”. The Assembly is determined to put a stop to this practice as a matter of great urgency.

4. It consequently asks Council of Europe member states to:

4.1. draw up and put into effect national action plans to combat violence against women, including violence committed in the name of so-called “honour”, if they have not already done so;

4.2. provide quality education and training for all, respectful of girls’ and boys’, women’s and men’s rights, in application of its Resolution 1669 (2009) on the rights of today’s girls: the rights of tomorrow’s women;

4.3. introduce education with regard to relationships and sexual and reproductive health for both girls and boys, particularly with a view to teaching respect for their partners and for fundamental human rights;

4.4. continue to engage or begin a dialogue with religious authorities, in order to clarify with them the fact that their religion requires respect for the life and freedom of every person, and that so-called “honour crimes” have no religious basis, and invite them to condemn them and to co-operate in their prevention;

4.5. conduct awareness-raising campaigns in order to change mentalities and the behaviour which ensues:

4.5.1. among the population in general, in order to make everyone aware of girls’ and women’s rights and of equality;

4.5.2. among young people, not only to inform them of their rights, particularly the right to be open about their sexuality and to choose their partner, and to draw their attention to the existence of so-called “honour crimes”, but also to encourage them to report such crimes if necessary, and to request that their country’s authorities protect them;

4.5.3. among the communities concerned, particularly minority ethnic communities or communities of immigrant origin, even at national level, including adults, so as to promote the rights of girls and women and to show the intrinsic value of women, as well as men;

4.6. raise awareness among those who work with children, in education and in the medico-social sector, so as to enable them to detect the risks of so-called “honour crimes”;

4.7. raise awareness among journalists of the cruelty of such crimes and invite them to report such crimes and show their inhumanity, while preserving victims’ dignity and privacy;

4.8. protect and support actual or potential victims:

4.8.1. by creating an adequate provision of accommodation, geographically located wherever the need exists, so that they can hide from or be protected from their attackers;

4.8.2. by setting up physical and psychological support programmes on a long-term basis, so as to enable them to rebuild their lives physically and psychologically;

4.8.3. by helping them to establish or re-establish financial independence;

4.8.4. by providing them, if necessary, with a new identity, as well as police protection;

4.9. set up and publicise a helpline number which will provide answers to any questions about violence against women, and direct callers towards emergency assistance facilities;

4.10. introduce either a complete database or draw up statistics which take account of the concept of so-called “honour crimes”; this is needed if the problem is to be understood more thoroughly;

4.11. teach the police and judiciary about the complexity of so-called “honour crimes”, and particularly:

4.11.1. teach the police officers responsible for investigations how to deal with victims and teach prosecution staff about the specific nature of these crimes and their identification, to enable them to collect as much evidence as possible of the specific nature of the offence when the reported facts give reason to believe that the crime may have been committed in the name of so-called “honour”;

4.11.2. teach court staff about the specific nature of these crimes, how to conduct questioning and avoid putting pressure on victims, and how to deal with cases in accordance with the gravity of the violence committed;

4.11.3. set up a specialised unit in the prosecution service to deal with so-called “honour crimes”, so that every individual involved is charged and, should they travel abroad, are the subject of extradition requests;

4.12. support non-governmental organisations in host countries and countries of origin which play a vital role in prevention and assistance in this field, and which can liaise between immigrant communities and their countries of origin;

4.13. support and finance the non-governmental organisations which fight against so-called “honour crimes” and support and accommodate victims.

5. It asks the national parliaments of Council of Europe member states to:

5.1. pass legislation, if they have not yet done so, to make so-called “honour crimes” offences, providing for penalties commensurate with the gravity of the acts committed both for their perpetrators and for any accomplices or any

persons ordering such crimes, either by creating a specific offence or by making provision for penalties to be aggravated;

5.2. provide for fair and equitable compensation commensurate with the seriousness of the damage suffered by the victim, if necessary with the assistance of a state-guaranteed fund;

5.3. provide, after having evaluated the risks, judicial protection for actual or potential victims who report such facts, as well as for witnesses, including a prohibition on minors in danger leaving the country;

5.4. provide funding for accommodation, assistance and support services for victims;

5.5. develop policies and programmes to fight female poverty and the feminisation of poverty.

6. It encourages the European Centre for Global Interdependence and Solidarity (North-South Centre) to strengthen its programmes on gender equality and the prevention of gender-based violence and to continue the dialogue between countries of the North and countries of the South about the implications of gender equality and the combating of serious violations of human rights.

7. It resolves to include the fight against the most severe forms of violence against women in its parliamentary assistance and co-operation programmes.

**The urgent need to combat so-called “honour crimes”, Parliamentary Assembly, 26/06/2009**

**Recommendation 1881**

<http://www.assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=17767&Language=EN>

1. The Parliamentary Assembly refers to its Resolution 1681 (2009) on the urgent need for action on so-called “honour crimes” and asks the Committee of Ministers to ensure that it is applied by member states, taking account of the fundamental principles of gender equality and respect for human rights.

2. The Assembly asks the Committee of Ministers to devise a comprehensive strategy to put a stop to so-called “honour crimes”. This strategy will be based on the elimination of every form of legislative justification for diminishing or removing the criminal responsibility of the perpetrators of “honour crimes”. It will aim to eliminate social acceptance of “honour crimes” and will emphasise the fact that no religion advocates “honour crimes”. It will include a study to ascertain and deal effectively with the underlying causes of this form of violence against women. It will support the setting up of an international network against “honour crimes”.

3. The Assembly calls on the Committee of Ministers to instruct the Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) to include in the future Council of Europe convention the

severest and most widespread forms of violence against women, including domestic violence and so-called “honour crimes”.

4. Drawing attention to its Recommendation 1798 (2007) on respect for the principle of gender equality in civil law, the Assembly reiterates its request for a new protocol to the European Convention on Human Rights (ETS No. 5) to be drawn up enshrining gender equality as a human right.

5. The Assembly invites the Committee of Ministers to include the fight against the most severe and most widespread forms of violence against women in its assistance and co-operation programmes, and to seek extra-budgetary resources to finance these activities.

### **Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), 11/05/2011**

<http://www.coe.int/t/dghl/standardsetting/convention-violence/convention/Convention%20210%20English.pdf>

#### Article 12 - General obligations

5. Parties shall ensure that culture, custom, religion, tradition or so-called “honour” shall not be considered as justification for any acts of violence covered by the scope of this Convention.

#### Article 42 - Unacceptable justifications for crimes, including crimes committed in the name of so-called “honour”

1. Parties shall take the necessary legislative or other measures to ensure that, in criminal proceedings initiated following the commission of any of the acts of violence covered by the scope of this Convention, culture, custom, religion, tradition or so-called “honour” shall not be regarded as justification for such acts. This covers, in particular, claims that the victim has transgressed cultural, religious, social or traditional norms or customs of appropriate behaviour.

2. Parties shall take the necessary legislative or other measures to ensure that incitement by any person of a child to commit any of the acts referred to in paragraph 1 shall not diminish the criminal liability of that person for the acts committed.