

Query response a-6813 of 9 July 2009

Pakistan: honour killing of men; availability of state protection

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This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status, asylum or other form of international protection.

Please read in full all documents referred to.

Non-English language information is comprehensively summarised in English. Original language quotations are provided for reference.

In its Country Report on Human Rights Practices, published in February 2009, the US Department of State (USDOS) mentions that men were also subject to honour killings in Pakistan:

"Honor killings and mutilations occurred throughout the country during the year. Some men were also subject to honor killings, though women represent the majority of victims. Statistics on honor crimes were unreliable due to underreporting, but there were 476 killings of women reported between January and May. A 2005 law that established penalties for honor killings. Human rights groups criticized the legislation because it allows the victim or the victim's heirs to negotiate physical or monetary restitution with the perpetrator of the crime in exchange for dropping charges, a law known as 'qisas' and 'diyat.' Since honor crimes generally occurred within families, perpetrators were able to negotiate nominal payments and avoid more serious punishment." (USDOS, 25 February 2009)

An article published by the Pakistan Newswire in May 2009 mentions data collected by the Aurat Foundation according to which 13 men were killed in honour killings between January and March 2009 in the Sindh province:

"Expressing grave concern over the deteriorating human rights situation in the country, specially Sindh province, the Aurat Foundation provincial coordinators Hina Tabassum and Lala Hassan, said there was no respite in violence against women (VAW) in the Sindh, as some 110 women were murdered, 57 kidnapped, 20 raped, and 45 subjected to domestic violence in the province during the first three months of current year. [...] Hina Tabassum said according to the data collected by the Aurat Foundation, a total number of 419 incidents of violence against women occurred in 23 districts of Sindh province, during the first three¹

months (January-March) of the current year. She said 542 persons including 13 men were affected in these incidents. Giving the breakup of these 419 cases, she said there were 59 incidents of murder of women. She said 45 cases of abduction/kidnapping were reported in which 57 women were affected. She said 45 women were affected in 40 reported cases of domestic violence, while 47 women committed suicide. Tabassum said 53 honour killings were reported in which 51 women and 13 men were killed. [...]" (The Pakistan Newswire, 1 May 2009)

The Amnesty International (AI) Report published in May 2008 also cites the NGO Aurat Foundation according to which there were 104 cases of men being killed for supposedly "harming family honour" in the first months of 2007 only in the province of Sindh:

"Custodial violence, including rape, continued. The state failed to prevent and prosecute violence in the home and community, including mutilation, rape and 'honour' killings. The NGO Aurat Foundation said that in the first 10 months of 2007 in Sindh alone, 183 women and 104 men were murdered for supposedly harming family 'honour'. Despite a ban on jirgas by the Sindh High Court in 2004, official support continued. In November, caretaker Minister for Information Nisar Memon stated that jirgas were a reality and should be 'brought into the mainstream'." (AI, 28 May 2008)

The Immigration and Refugee Board of Canada (IRB) published an exhaustive response to an information request on the topic of honour killings in Pakistan in January 2007. This query response gives detailed background information on the topic and mentions a 2004 ministerial statement to the Senate of Pakistan which indicated that 4,000 women and men had become victims of honour killings in the six years leading up to 2004:

"There is an extensive amount of information on honour killings in Pakistan, primarily focusing on female victims. Honour killings are described as a custom (HRW n.d.; HRCF Feb. 2005, 19; Shirkat Gah 25 Nov. 2001, 2) in which mostly women and some men are murdered after accusations of sexual infidelity (ibid.; AI 23 May 2006; US 8 Mar. 2006, Sec. 1.a). The killers seek to avenge the shame that victims are accused of bringing to their families (HRW n.d.). However, even girls (AI 23 May 2006; ibid. 25 May 2005) and, on a smaller scale, boys are victims of the practice (ibid. 23 May 2006).

Honour killings are known by different names depending on the area in Pakistan in which they are practised (Shirkat Gah 25 Nov. 2001, iii-iv). In Sindh province they are referred to as karo kari (ibid. 25 Nov. 2001, iii), where karo refers to the "blackened" or dishonoured man and kali to the "blackened" woman (Christian Science Monitor 20 Jan. 2005); they are called tor tora in the North-West Frontier Province (NWFP), where tor refers to the accused man and tora to the accused woman; kala kali in Punjab province, where kala refers to the accused man and kali refers to the accused woman; and sinyahkari in Balochistan (Shirkat Gah 25 Nov. 2001, iii-iv).

Prevalence and distribution of honour crimes

Despite official estimates, human rights monitors suggest that it is difficult to get an accurate picture of the extent of the problem since many honour killings go unreported

(HRCP Feb. 2006, 185; AI 25 May 2005; *ibid.* 17 Apr. 2002, sec. 3.2). For example, a 2001 Punjab Women Development and Social Welfare Department study, cited in an Amnesty International (AI) report, found that rape and honour crimes were reported in only five percent of cases (AI 17 Apr. 2002, Sec. 3.1). Moreover, objective reporting cannot take place in the Federally Administered Tribal Areas (FATA) (FIDH 17 Jan. 2005). According to the International Federation for Human Rights (Fédération internationale des ligues des droits de l'homme, FIDH), foreign journalists are denied access into the FATA, and local journalists face difficulties reporting on honour killings because of political pressure and the Pushtoon 'patriarchal ethos,' which is based on upholding tribal honour (Jan. 2005, 42).

Nevertheless, official statistics are available, according to the Human Rights Commission of Pakistan (HRCP) (Feb. 2006, 185). The HRCP states that these statistics show an average of 1,000 honour killings each year (*ibid.*). However, the numbers vary, even within the government. A 2004 ministerial statement to the Senate of Pakistan indicates that 4,000 women and men were victims of honour killings in the six years leading up to 2004, and that the number of murdered women was more than double the number of men (UN 3 Aug. 2005, 124). According to an HRCP report, the Karachi-based Lawyers for Human Rights and Legal Aid (LHRLA) documented 31,000 crimes against women between 2000 and 2005, including murder, rape, torture, burning and kidnapping, as well as honour killing (Feb. 2006, 182).

Honour killings are reportedly most prevalent in rural areas of Pakistan (ACHR 27 Oct. 2004, 1). In 2004, more than half of all reported honour killings occurred in southern Sindh province, but the practice was also believed to be widespread in Punjab, Balochistan, NWFP and the FATA (US 28 Feb. 2005, Sec. 5). However, the HRCP noted an increase in these types of murders in urban areas such as Lahore in 2005 (HRCP Feb. 2006, 185). Pakistan's National Commission on the Status of Women (NCSW) similarly indicates that honour killings take place in urban areas and that some of these cases are committed by the urban elite (Pakistan n.d., 63)." (IRB, 24 January 2007)

In its query response, the IRB also addresses the issue of state protection for victims of honour killings, however, it does not focus on male victims:

"Pakistan's Criminal Law (Amendment) Act 2004 provides women protection against 'offences committed in name or on the pretext of honour' (HRCP Feb. 2005, 18-19), and its constitution enshrines the principle of equality before the law (*ibid.* Feb 2006, 173). Yet, according to the NCSW, the state is failing to punish those guilty of honour killing (Pakistan n.d., 26). Calling it a 'miscarriage of justice,' the NCSW reports that from 1997 to mid-2003 acquittal rates for cases of honour killings were over 90 percent in NWFP and Sindh, 43 percent in Balochistan and 72 percent in Punjab (*ibid.*). In an effort to specifically target and criminalize honour killings, the government amended the country's Penal Code and Criminal Procedure Code in October 2004 (HRCP Feb. 2005, 18-19). Despite passage of the bill, there were still Members of the National Assembly (MNAs) who condoned honour killings as a traditional custom (HRCP Feb. 2005, 174). With attitudes slow to change and uncertainty around how the state would enforce the new

legislation (ibid.), the HRCP pointed to data a year later showing an increase in the number of homicides of women nationwide and said they found no information to suggest that honour killings had declined (ibid. Feb. 2006, 174, 182). It should be noted, however, that in its annual country report, the United States Department of State indicates that Pakistan-based human rights organizations recorded 1,458 honour killings in 2004 (US 28 Feb. 2005, Sec. 1.a) and 1,211 honour killings in 2005 (ibid. 8 Mar. 2006, Sec. 1.a), which represents nearly 250 fewer deaths." (IRB, 24 January 2007)

The IRB query response describes the motives of honour killings and mentions media reports that indicate the killing of men for marrying a woman from another tribal group without the consent of her parents:

"Honour killings are often carried out by men who believe their honour has been breached by the sexual misconduct of female family members, even when it is only an allegation (HRW n.d.; AI Aug. 2002, 8). The tribal justice system, for example, makes it incumbent upon husbands and male relatives to restore family honour damaged by allegations of a woman's sexual misdeed, usually by killing the woman and her alleged lover (ibid.). The NCSW indicates that it is not just honour killings but all forms of domestic violence that are 'frequently intended to punish a woman for a perceived insubordination supposedly impacting on male honour' (Pakistan n.d., 68). The media in Pakistan reports stories indicating that the male companion of the accused female will also be killed in the name of protecting family honour (Dawn 27 Apr. 2006), or for marrying a woman from another tribal group without the consent of her parents, to restore the honour of her tribe (ibid. 26 June 2006)." (IRB, 24 January 2007)

In an article published by Agence France Presse (AFP) in June 2009 the case of a couple that married without the permission of their families is described in detail. The article also mentions the number of 550 victims of honour killings across Pakistan in 2008, more than half of them - 204 women and 96 men - were killed in the province of Sindh:

"Frightened and penniless, Saira Jatoi knows nothing of marital bliss. Since eloping, she and her husband have camped out in a Pakistani police station, terrified that relatives will kill them. 'I've just sold a gold ring, which was my last asset and now we have nothing left for a better life,' said 22-year-old Saira, in the dirty cement room where she lives with her husband Ismail Soomro and their eight-month-old baby. The couple married in Pakistan's southeastern city of Sukkur more than two years ago without the permission of their elders, provoking the wrath of chieftains in Saira's conservative Jatoi tribe. Saira's parents wanted her to marry a wealthy but elderly man from their own tribe. But after meeting Soomro at a wedding - where she was a guest and he had been hired to make the video - Saira defied her parents and married the man she loved. Sensing danger, the newlyweds fled into the arms of the police. Jatoi elders convened a tribal court - outlawed but prevalent in feudal and conservative rural Pakistan - and sentenced the couple to death in absentia.

In parts of the southern province of Sindh, where little has changed for centuries despite how cosmopolitan the regional capital Karachi feels, tribes kill men and women they deem 'karo-kari,' or involved in illicit relations. Police sought a protection order for Saira and

Ismail, and were ordered to take them to Karachi, a teeming city of 14 million, for their safety. For more than a year they have lived in a room at the city's southern district police headquarters, a sprawling compound near the zoological gardens. They rarely go out and Soomro does not work as they live in fear that one day tribesmen will find, capture and kill them. 'They are secure here, but this place is not fit for them because there is little privacy,' said one police officer at the station.

Statistics compiled by the Aurat Foundation, an independent women's rights group, show that last year there were 550 victims of honour killings across Pakistan. More than half those murders - 204 women, 96 men - were in Sindh. In one case, tribesmen buried three teenage girls alive to punish them for trying to choose their own husbands; in another, a young woman was mauled by a pack of dogs before being shot by a tribal elder. Human rights groups say Pakistani women suffer severe discrimination, domestic violence and 'honour' killings, and are increasingly isolated by spreading Islamist fundamentalism. A recent video showing a woman being held down and flogged in the northwest raised alarm about growing Taliban encroachment and underscored the extent of female misery and vulnerability in Pakistan. 'The reported cases present just a small number of actual incidents of violence against women, which are hardly ever reported outside the family,' said Anis Haroon, director of the Aurat Foundation.

Saira and Ismail sleep on a rundown wooden bed, where Saira went into labour with her first child. The only time they left the compound was when Saira gave birth to Husnain in a nearby maternity clinic. In the tiny room, they have strung up a cradle for the baby between their bed and the wall. The only other piece of furniture is a small box in the corner where they keep their clothes. Money is non-existent. They frequently go hungry and struggle to find enough to buy food for the infant. 'We have no money left even to get cereal for Husnain,' Saira said. The child looks ill and suffers from a rash. The heat in the room is stifling and a small, ancient fan provides no relief. 'The food we are given once a day is unhygienic and sub-standard which has made me ill. How can we offer this to the baby?' Soomro said. Saira's tribe is one of many that dispenses justice through tribal courts called jirgas, which were banned in Sindh five years ago but endure nevertheless. In dishonour cases, when a woman is marked as a kari, she can be killed by any member of the tribe with impunity.

In some cases, women and girls are used as currency to settle disputes. 'Despite a ban, 61 jirgas were held on women-related issues last year in which 38 women or girls were given as compensation to settle tribal conflicts or free-will marriage issues,' said rights activist Lala Hasan. 'This menace is on the rise and the government is doing little to curb it effectively,' Hasan said. Saira and Ismail have no means of supporting themselves in hiding and want now to find asylum overseas, believing their country is unable to protect them. [...]" (AFP, 11 June 2009)

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