

■ HONOUR KILLINGS ACT 2004

Major lacunas render the law useless

Myra Imran
Islamabad

Major lacunas in the Honour Killings Act 2004 have rendered the law useless as it fails to provide protection to victims and punishment for the perpetrators and supporters of this heinous crime.

The issue was discussed in depth at the launch of a pilot study 'Honour Killings in Pakistan and Compliance of Law' published by Aurat Foundation's Legislative Watch Programme for Women's Empowerment. Ambassador of Norway Cecilie Landsverk was the chief guest on the occasion whereas Member Commission on the Status of Women Nusrat Nazki chaired the launching ceremony.

The Criminal Law (Amendment)

Act 2004, otherwise known as the 'Honour Killing Act' was promulgated under the name of honour. The act amended the Pakistan Penal Code (PPC) and Criminal Procedure Code (CrPC) to define Karo Kari as murder with penal punishments. The government terms the law a success story law and it has been held by the government as show of their commitment to eliminate honour killings and violence against women.

The study conducted by researcher and lawyer Maliha Zia Lari is aimed at measuring the success of the law along with its shortcomings and failures. It shows that majority of the cases of honour killings are not reported in the police stations and among those registered, 77 per

cent of the perpetrators are acquitted by the courts. The report shows that from 2008 to 2010, around 1,636 women were killed in the name of honour.

Maliha Zia said that the 2004 Act did not remove the option of Qisas and Diyat leaving one of the biggest loopholes in the law. She said that flawed method of recording data while registering the cases, use of insensitive language in FIRs, categorisation of honour killings data in simpler murder, lesser form of violence, suicide or domestic violence etc and social sanction given to this kind of offence were few of the main reasons affecting the implementation of the law.

The study showed that a lot of cases were highlighted in the media but were not reported with the police or even if registered, not classi-

fied as 'honour' killings. Maliha also pointed to the fact that courts usually give decisions against the victim by using the provision of 'grave and sudden provocation'.

Another factor which hindered the compliance of law was the fact that most of the 'honour' crimes were committed by the family members and hence the family is 'unwilling' to lose another family member. "As a result, most of the cases end up in forced compromise," she said.

With state not willing to act with a swift, immediate and strict response, Maliha said that a message is sent out to the society that such murders are acceptable. "This security given to murderers and potential murderers is further strengthened when the government appoints Senators and Ministers who are clearly

anti-women and have publicly defended honour killings."

Commenting on the issue, human rights activist Tahira Abdullah said that the civil society must continue working with progressive elements in all legislatures to table revised 'honour' killings bill, rectifying errors of omission. She called for the termination of all forms of parallel judicial systems like 'jirga', 'punchayat' etc. under the decision of Supreme Court and Sindh High Court.

Tahira said that only 2 per cent cases of honour killings are registered in the police station. Out of them, 77 per cent perpetrators are acquitted. She said that according to Amnesty International and United Nations Population Foundation, half of world's total honour killing takes

place in Pakistan. She was of the opinion that changes made by the Parliamentary Committee in 2004 in the original Honour Killings Act have rendered the law useless.

Ambassador of Norway Cecilie Landsverk stressed for further research in the honour crime issues in Pakistan. She said that honour killings and forced marriages are interrelated issues. "In both cases, women are dealt as a commodity or property," she added.

Chief Operating Officer Aurat Foundation Naeem Ahmed Mirza briefed the participants on the objectives behind carrying out the study. He said that honour killing is one of the most hushed up issues in Pakistan. "It is actually the issue of control of household and community," he pointed out.

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