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The urgent need to combat so-called “honour crimes”

Report¹

Committee on Equal Opportunities for Women and Men

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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".

1. Reference to committee: [Doc. 11348](#), Reference No. 3373 of 1st October 2007.



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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

1. 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 Hossain² 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”³. 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 suicide⁴ or to kill themselves⁵.
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.

2. “Honour – Crimes, Paradigms and Violence against Women”, Lynn Welchman and Sara Hossain, Zed Books, London, 2006.

3. Dr Radhika Coomaraswamy, former United Nations Special Rapporteur on violence against women.

4. See “S’immoler à 20 ans” by Marie-Josée Brunel and Dorothée Olliéric, Grasset, 2007: in the Herat region of Afghanistan, every other day there is a woman somewhere who burns herself to death, pouring petrol over herself from head to foot, after the fashion of Buddhist monks.

5. “Le suicide, seule arme des femmes kurdes contre le code de l’«honneur»”, article relating to Iraq written by Jennie Matthew for AFP, 23 August 2007.

10. As recently shown by the personal account of Dr Humayra Abedin⁶, 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 UK's new legislation on forced marriages⁷, and thanks to co-operation with Bangladesh, she was able to return to the UK, 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.

2. 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 Pakistan⁸, 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 Kingdom⁹, and Turkey.

15. Since the 2003 Committee report¹⁰, 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 2008¹¹ 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 Mahmod 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.

6. Dr Abedin gave her personal account at a press conference during the Assembly's 2009 spring session. See news item at: http://assembly.coe.int/ASP/NewsManager/EMB_NewsManagerView.asp?ID=4575.

7. On 26 July 2007 the Forced Marriage (civil protection) Act was passed in the United Kingdom, in order to provide protection both against forced marriages and for women who have already been forced into marriage. The Act came into force on 25 November 2008. Under the Act, courts can issue Forced Marriage Protection Orders (FMPOs), which may contain prohibitions, restrictions or such other terms as the court thinks appropriate. Examples of the types of orders that can be issued include: to prevent a marriage from occurring; to hand over passports; to stop someone from being taken abroad; and to stop intimidation and violence. Applications can be made by the victim or any other person, provided they have leave of the court. FMPOs are civil orders and breach is not a criminal offence. However, powers of arrest can be attached to FMPOs and the sanctions available for breach of an order include imprisonment.

8. Five women, victims of an "honour crime", were buried alive in a common ditch in the Pakistani Province of Baluchistan, article entitled "Un crime au nom de la tradition" in the daily newspaper Le Monde of 26 September 2008.

9. "Honour crimes 'increasing in UK'", BBC News, 12 June 2007.

10. Report of 7 March 2003 by the Committee on Equal Opportunities for Women and Men (Rapporteur: Ms Cryer) [Doc. 9720 - Resolution 1327 \(2003\)](#) on "So-called 'honour crimes'".

11. Minutes of the hearing on "The urgent need for action on so-called 'honour crimes'" (ref : AS/Ega (2008) PV 5 add) available on request from the Committee Secretariat.

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 honour¹². The Austrian Minister for Women¹³ has reported that in Austria, women have been the victims of genital mutilation, forced marriage and crimes of “honour”. In Germany, newspapers echo these crimes¹⁴. The situation is similar in the United Kingdom¹⁵ and Turkey¹⁶. In Turkey, proposals have been put forward to tackle the issue¹⁷.

19. The United Nations Population Fund (UNFPA) estimates that the world total of murders on grounds of honour may be as high as 5000 victims a year, concentrated in Muslim countries and communities¹⁸. 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 out¹⁹, it is practically impossible to assess precisely 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 sexuality²⁰. 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 2007²¹. 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’ socioeconomic 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 for too long closed our eyes 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.

12. Chechens possibly killed for “honour”, Reuters, 27 November 2008.

13. Heidrun Silhavy, 11 September 2008.

14. “Honour crimes are an attack directed at us all”, editorial by Till Raether published in the German magazine “Brigitte”, No. 15/2008.

15. For example, “British women are already suffering from Islamic law”, article by Joan Smith in the Independent on Sunday of 10 February 2008.

16. Article by Ms Aysun Sayın entitled “A report reveals the horrors of ‘honour killings’” in the Turkish Daily News of 24 September 2007.

17. KA-MER (Association to support women candidates) 2005 report on the “Project for the development of permanent methods in the struggle against killings committed under the guise of ‘honour’ in the Southeast and East Anatolia regions”.

18. State of World Population 2008.

19. Pakistani lawyer, United Nations Special Rapporteur on the freedom of religion and belief.

20. Minutes cited above, p. 2, Ms Hagberg, MD in social work, Network against honour related violence.

21. Report dated 25 June 2008, issued by Turkey’s Prime Ministry Human Rights Presidency, containing a section on “Ethics and honour killings”; see http://www.ihb.gov.tr/english/reports/Turkey_Human_Rights_Report_2007.pdf

24. The attacks perpetrated against them are attacks on the societies in which we live²². 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).

3. 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 Nammi²³, 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 some²⁴ 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"²⁵, 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.

22. See editorial by Till Raether cited above.

23. Minutes cited above, p. 4.

24. For example, Ms Sahgal, Head of Gender Unit, Amnesty International, minutes cited above, p. 2.

See an article in the Daily Mail of 26 March 2007 entitled "Extremists are encouraging violence against Muslim women".

25. See the Swedish Government's National Action Plan for 2007/2008: "Action plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships".

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).

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 funds²⁶.

36. In the light of the experience of the lawyer Usha Sood²⁷, 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 investigated²⁸. Moreover, this unit will deal with requests for extradition, so that crimes do not remain unpunished if the perpetrators flee.

4. 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 circumstance²⁹. In Europe, a court has even acquitted those who carried out the beating of a girl on grounds of “honour”³⁰.

41. Ms Sahgal³¹ 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 sentence³².

44. In Belgium, a proposed resolution aimed at combating supposed honour crimes was tabled on 8 April 2008³³, the primary intention being that current legislation, which is held to be adequate, should be applied to “honour crimes”.

26. Ms Nammi, minutes cited above, p. 4-5. See www.ikwro.org.uk and www.stophonourkillings.com.

27. See the evidence of Ms Sood, minutes cited above, p. 5.

28. See “Special units to crack down on honour killing”, *The Guardian* of 16 June 2007. Unit created in response to the murder of Banaz Mahmod.

29. See “European strategies on gender violence: Are they adequate to address honour-based crimes and cultural justifications for violence against women?” Carol Hagemann-White, 26 November 2007.

30. “La justice italienne absout la charia en famille - Un père musulman acquitté malgré les violences infligées à sa fille”, article by Eric Jozsef in the daily newspaper *Libération* of 10 August 2007.

31. Minutes cited above, p. 2.

32. The Court of Van in the Region of Diyarbakır sentenced five members of one family to life imprisonment for the murder of a 16-year-old girl who was pregnant as a result of rape, article entitled “Full family jailed for honour killing act”, *Hurriyet Daily News.com* 2009.

33. Proposal tabled by Ms Zrihen and associates, Senate Document 4-678 – 2007/2008.

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

5. 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).

Reporting committee: Committee on Equal Opportunities for Women and Men

Reference to committee: [Doc. 11348](#), Reference No. 3373 of 1st October 2007

Draft resolution and draft recommendation unanimously adopted by the committee on 14 May 2009

Members of the committee: Ms Pernille Frahm(Chairperson), Mr José **Mendes Bota** (1st Vice-Chairperson), Ms Ingrīda Circene (2nd Vice-Chairperson), Ms Anna Čurdová (3rd Vice-Chairperson), Ms Sonja Ablinger, Mr Francis Agius, Mr Florin Serghei Anghel (alternate: Ms Maria **Stavrositu**), Mr John **Austin**, Mr Lokman **Ayva**, Ms Marieluise Beck, Ms Anna Benaki, Ms Deborah Bergamini, Mr Laurent Béteille, Ms Oksana Bilozir, Ms Rosa Delia Blanco Terán, Ms Olena Bondarenko, Mr Predrag Bošković, Mr Han Ten Broeke, Ms Anna Maria Carloni, Mr James Clappison, Ms Diana Çuli, Ms Lydie Err, Ms Catherine Fautrier, Ms Mirjana **Ferić-Vac**, Ms Sónia Fertuzinhos, Ms Doris **Frommelt**, Ms Alena **Gajdušková**, Mr Giuseppe Galati, Ms Claude Greff, Mr

Attila Gruber, Ms Carina **Hägg**, Ms Fatme Ilyaz, Ms Francine John-Calame, Ms Nataša Jovanović, Ms Birgen **Keleş**, Ms Krista Kiuru, Ms Elvira Kovács, Ms Angela Leahu, Mr Terry Leyden, Ms Mirjana Malić, Ms Assunta Meloni, Ms Nursuna **Memecan**, Ms Dangutė Mikutiėnė, Mr Burkhardt Müller-Sönksen, Ms Hermine Naghdalyan, Ms Yuliya Novikova, Mr Mark **Oaten**, Mr Kent **Olsson**, Ms Antigoni Papadopoulos, Mr Jaroslav Paška, Ms Maria del Carmen Quintanilla Barba, Mr Frédéric Reiss, Ms Mailis **Reps**, Ms Maria Pilar Riba Font, Ms Andreja Rihter, Ms Jadwiga Rotnicka, Mr Nicolae **Robu**, Ms Marlene Rupprecht, Ms Klára **Sándor**, Mr Steingrímur J. Sigfússon, Ms Miet **Smet**, Ms Albertina Soliani, Ms Darinka Stantcheva, Ms Tineke Strik, Mr Michał **Stuligrosz**, Ms Doris **Stump**, Mr Mihai Tudose, Mr Volodymyr Vecherko, Ms Tatiana Volozhinskaya, Mr Marek Wikiński, Mr Paul **Wille**, Ms Betty **Williams**, Mr Gert Winkelmeier, Ms Karin S. Woldseth, Ms Gisela **Wurm**, Mr Andrej Zernovski, Mr Vladimir Zhidkikh, Ms Rodoula Zissi.

N.B. The names of the members who took part in the meeting are printed **in bold**

Secretariat of the committee: Ms Kleinsorge, Ms Affholder, Ms Devaux.