

Combating 'honour' crimes in the EU

SUMMARY

Awareness of 'honour' crimes has increased in the EU in the past decade. Even though the majority of such crimes still usually go unreported, even when made known to the police, this type of crime has often been miscategorised. Experts have warned that this type of violent behaviour is different from, for example, domestic violence, because perpetrators are usually groups of people who find rationale for their crime in their cultures or traditions. The perpetrators believe that by abusing or even killing the victim, they are protecting the family's or the community's 'honour', which has somehow been 'tarnished' by the behaviour of the victim.

Globally, the majority of 'honour' crimes are committed in the Middle East and southern Asia. Even though such crimes have mostly been associated with Islam, they also occur in Hindu, Sikh, Druze, Christian and Jewish communities. The EU and the Council of Europe have given much attention to 'honour' crimes, mostly through documents dealing with violence against women in general.

Although the incidence of 'honour' crimes is higher outside the EU, increased migration and subsequent problems with integration of immigrants into host communities have contributed to these types of crimes becoming a serious issue for some EU countries as well. Apart from individual, national efforts, EU institutions have also taken steps to combat 'honour'-based violence, mostly within the framework of combatting gender-based violence. The European Parliament has specifically addressed the issue through several resolutions covering 'honour' crimes as well as other types of violence over vulnerable groups. The EU institutions have also shown concern for victims outside EU borders, and repeatedly address these issues in countries wanting to join the EU (for instance, Turkey) and in others such as Pakistan and Yemen.



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Background

In the past few decades there has been increased discussion and debate on how to tackle the issue of so-called 'honour' crimes. This relatively wide range of crimes, of which most victims are women in immigrant communities, had until recently been seen as occurring only outside Europe, in predominantly Muslim countries. However, since the late 1990s and early 2000s, this is no longer the case. Some EU countries, along with, for example, the USA and Canada, have also been affected by the phenomenon.

It is difficult to say how prevalent the issue has been in the EU or in the rest of the world. Many such crimes go unreported, or have been classified as another type of crime when reported, so exact figures are not available. The naming and classification of 'honour' crimes are also still a matter of debate among experts, so it is not surprising that there has been such confusion in the field.

What are 'honour' crimes?

Definition

Both the definition and the exact terminology for referring to 'honour' crimes have been somewhat problematic. The term 'honour crime'¹ is used to designate a wide variety of violent actions against the victim, usually (but not always) a woman. The point in common among these types of actions is the **motivation of the perpetrator(s)**, who consider their action as redressing a perceived 'loss of honour' caused by the victim's behaviour. The perpetrators usually come from the family of the victim, or the wider community to which she belongs. They commit violent attacks on the victim on the basis of culturally determined notions of what is acceptable behaviour in such situations. This violence may take the form of abduction, mutilations, beatings or even acid attacks, with the most extreme examples resulting in killing the victim, so-called 'honour' killings.

The dishonour brought by the victim's behaviour may take several forms and can relate to, for example, **dressing** in a manner considered inappropriate by the community, not accepting or wishing to terminate an **arranged marriage**, engaging in **sexual relations** outside of marriage, or engaging in **homosexual** relations.

Controversy regarding the definition

Experts are divided on whether to classify 'honour' crimes as domestic violence or not. Those who think that 'honour' crimes are not domestic violence emphasise the differences, especially due to the collective nature of honour crimes. Proponents of the view that 'honour' crimes are domestic violence emphasise the harmfulness of 'exoticising' these crimes and ascribing them to certain groups in society, when patriarchy, the root cause of violence against women, also occurs in Western societies.

The term '[honour crime](#)' has also been criticised² by many sources. In the opinion of its critics,³ summarised by Welchman and Hossain, this term either disguises the premeditated nature of the crime or places too much emphasis on honour, and thus in some way may validate the motive for the crime. Some suggested alternatives are 'femicide' (killing of women regardless of motive) or 'Shame Killings'.

History of 'honour' crimes

'Honour' crimes are not a new phenomenon. Their roots can be traced back to 1750 BC and the Code of Hammurabi, which considered that a woman's virginity is the 'property' of her family.⁴ Roman law made it permissible for a husband to kill his wife if he caught her in adultery, but not vice versa.⁵ Religious texts have also addressed adultery. The

Old Testament, for example, mentions the death sentence as an appropriate response to adultery and premarital sex (*ibid.*).

'Honour' crimes and religion

Even though 'honour'-based crimes are popularly associated with Islam,⁶ not all 'honour' killings appear in this [context](#)⁷ (Hindu and Sikh communities are also cited, as well as Druze, Christians and Jews). In fact, [some](#) Islamic leaders have condemned the practice and claim that there is no support for it in their religion. The environments where these types of crimes do occur are cultures in which the family dominates the individual, and therefore personal choices against the wishes of the family are perceived as shameful or dishonourable. French law,⁸ or the Napoleonic Code, is also mentioned as a source of provisions concerning 'honour' crimes in some Middle Eastern countries.⁹ In criminal proceedings, 'honour' crimes are categorised either as gender-based violence or as crimes resulting from cultural tradition. Some [authors](#)¹⁰ argue that, in order to give 'honour' crimes proper treatment, both of these approaches need to be taken into consideration, but that ultimately, 'honour' crimes are a violation of human rights.¹¹

'Honour' crimes and gender

Even though the victims of 'honour' crimes are mostly women (and some definitions of 'honour' crimes identify only women as victims), they are not exclusively the victims. There have been cases where the victims of 'honour' killings have been men, mostly romantic partners of women whose families defended their perceived loss of honour. An [example](#) of this is the case of Abbas Rezai, who was killed in Sweden in 2005 by his girlfriend's parents because they did not approve of him dating their daughter.

'Honour' killings also need not be perpetrated by family members or relatives. One [example](#) of this is the 2002 case of **Sohane Benziane** in France, who was killed because she was perceived as too 'Western' in her behaviour by her classmates, who then committed the crime.

Statistics

The Middle East and southern Asia are where the majority of 'honour'-based crimes have been [committed](#), but there have been cases recorded in eastern and southern Europe and Central Asia as well (for example, Albania, Bosnia and Herzegovina, Georgia, Uzbekistan and others). There is a growing trend, though, in the past few decades of 'honour' crimes also occurring in EU countries and the USA and Canada.

The yearly rate of 'honour' killings is considered to be increasing. In 2000, the UN estimated that there are circa [5 000](#) honour killings per year in the world. However, some [sources](#) consider this number far too small, since so many cases go unreported, especially in the Middle East, or are categorised as a different type of crime. Some, for example, may seem like suicides because the victim was forced to kill herself. The true number of 'honour' killings and other types of 'honour' crimes is thus not known.

'Honour' crimes in the EU

Statistics and concrete examples

Even though 'honour'-based violence is mostly discussed in the context of countries outside the EU, there have been [incidents](#) in some EU countries as well. These types of crimes have only recently been recognised as 'honour' crimes when reported, and even then not systematically.¹² Most 'honour' crimes are considered unreported. For example, in the Netherlands, some sources claim that the percentage of ordinary unreported crimes is considered to be 25%, while of 'honour' crimes it is 75%.¹³

In the EU, 'honour' crimes occur mainly in **immigrant and ethnic minority communities**. As in the rest of the world, exact figures on 'honour' crimes and killings are difficult to obtain. For example, [research](#) conducted by the Iranian and Kurdish Women's Rights Organisation (IKWRO) showed that more than 1 in 5 police forces in the UK did not flag and provide data on 'honour' crimes and incidents in 2012.

The **United Kingdom** is one of the EU Member States believed to have the greatest problem, with approximately [3 000](#) 'honour' attacks and approximately [12](#) 'honour' killings per year (though the figures are given with reservations), but there have also been [cases](#) in, for example, France, Sweden, Germany, the Netherlands and Italy.

The Swiss foundation SURGIR has published a brochure¹⁴ on 'honour' crimes for the year 2011-2012, in which they gathered information on 'honour' crimes in Europe. The publication states that, in the Netherlands, police estimate that 14 murders 'in the name of honour' were committed in 2007, 11 in 2008 and 13 in 2009. In Belgium, federal police estimates give the figure of 17 'honour' crimes or attempts between 2004 and 2008. In Sweden, the government estimated that up to 2004, 1 500 to 2 000 girls and women had been the victims of 'honour' crimes.

The first 'honour' killing in the EU that was [recognised](#) as such was Fadime Sahindal's murder in 2002, which also caused the Swedish police to reopen the case of the murder of her boyfriend three years earlier. This has not been the only instance of reopening of old cases and reconsidering them through the lens of 'honour' crime. In 2004, the UK police talked about [reopening](#) old cases with the potential to be 'honour' killings in order to re-evaluate them in light of the new-found awareness of the existence of 'honour' crimes.

Not only ethnic minorities

The victims of 'honour' crimes in the EU need not always be from ethnic minorities. The 17-year-old [Laura Wilson](#) from Yorkshire died after being stabbed 40 times by her Pakistani ex-boyfriend in 2010 because she refused to keep their relationship a secret.

Lack of, or insufficient, integration of immigrants in the host country is mentioned as a reason why such crimes still occur among immigrant communities in EU Member States. Some [sources](#) describe isolated immigrant communities in Member States with members still living as if in their countries of origin. [Younger](#) generations are more integrated, but research has shown that they still feel discriminated against and isolated.

Combating 'honour' crimes

United Nations

The CEDAW Convention

The most prominent of the UN's international treaties is the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**,¹⁵ which binds signatory countries to ensure equality of women before the law and their equal legal protection. Importantly for 'honour' crimes, it obliges states that have ratified to modify social and cultural patterns that are discriminatory towards women. The CEDAW committee¹⁶ [calls](#) for legislation to remove the defence of 'honour' with regard to the assault or murder of a female family member, because 'honour' crimes are considered¹⁷ unpunished in many countries. Several offending countries have changed their criminal codes recently under pressure from the UN Commission on Human Rights, but the same source claims that this does not always achieve the desired effect in practice.

The International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights ([ICCPR](#)),¹⁸ although it gives every minority the right to practice their traditions (Article 27), also gives precedence to the

right to equal treatment before other rights related to language, culture and religion (according to the Human Rights Committee's General Comment [No 28](#)). This means that cultural tradition should not be accepted as a defence in cases of 'honour' crimes.

UN General Assembly resolutions

The UN General Assembly has adopted several resolutions on 'honour' crimes committed against women ('Working towards the elimination of crimes against women committed in the name of honour' in [2001](#), [2003](#) and [2005](#)), in which the focus is on prevention. They propose more varied measures to eliminate 'honour' crimes, by including not only legislative, but social and educational measures as well, through involvement of public opinion leaders, educators, religious leaders, chiefs, the media and others. Awareness raising is mentioned several times, as well as support for the work of civil society working on the issue, especially those services which provide shelter and protection to the victims.

Declaration on the Elimination of Violence Against Women (DEVAW)

The UN General Assembly's Declaration on the Elimination of Violence against Women ([DEVAW](#)) from 1993 also gives precedence to women's rights before custom or tradition (Article 4). Apart from calling for appropriate punishment for crimes committed, the declaration also puts emphasis on prevention, education and elimination of prejudices and practices which may put one of the sexes before the other.

The [Beijing Platform for Action](#) from 1995, a non-binding agenda for women's empowerment resulting from the UN's Beijing Conference on Women, and the [Unesco Universal Declaration on Cultural Diversity](#) from 2001 also condemn violence resulting from cultural practices. The Unesco declaration states that human rights as defined in international law take precedence over cultural diversity.

The [Convention on the Rights of the Child](#)¹⁹ from 1990 is also related to the issue of 'honour' crimes because it calls for protection of children against any maltreatment from parents or any other carers. This general call for protection can also include protection against 'honour' crimes.

Council of Europe

While Parliamentary Assembly Recommendations [1450](#) (2000) and [1582](#) (2002) target violence against women in general, Resolutions [1327](#) (2003) and [1681](#) (2009), as well as Recommendation [1881](#) (2009), are aimed at 'honour' crimes. They call for urgent action and for amending immigration laws so that the threat of 'honour' crimes is sufficient grounds for obtaining a residence permit or asylum. They also call for enforcing laws that punish 'honour' crimes, excluding honour as a mitigating factor or defence in criminal proceedings, training the most important stakeholders on the topic and having a stronger female presence in the police and the judicial bodies.

These calls were repeated in the 2011 Convention on preventing and combating violence against women and domestic violence ([Istanbul Convention](#)). It reiterates that 'honour' is an unacceptable justification for crime (Article 42) and also emphasises that a person who incites a child to commit such crime does not see their criminal liability reduced.

EU institutions

However, there has been action aimed at improving the situation on EU territory as well. The European Commission considers 'honour' crimes as violence against women ([Strategy for equality between women and men 2010-2015](#)), and even though there is

no specific legislation tackling violence against women at EU level, the [Victims of Crime Directive](#) gives special mention to 'honour' crimes as part of harmful practices.

One of the earliest significant actions aimed against 'honour' crimes was the 2004 [Stockholm Platform for Action to Combat Honour Related Violence in Europe](#),²⁰ which resulted in several recommendations to EU Member States. These are: strengthening of victim support and rehabilitation services, and cooperation among European police and regional institutions, as well as dealing with such crimes even if they were committed in third countries by or upon European citizens. According to the platform, gender persecution ought to be a basis for asylum as well.

Other significant EU actions in combating violence against women have been related to awareness raising and funding. Until 2014, the European Commission co-funded actions against gender-based violence at national level through the Progress programme and at regional, local and civil society level through Daphne programmes, but they have now been incorporated into [the Rights, Equality and Citizenship Programme](#) for the 2014-2020 period.

The role of the European Parliament

The European Parliament has repeatedly brought attention to the problem of 'honour' crimes. In its [resolution](#) of 5 April 2011, **on the new framework to fight violence against women**, the EP warned that comparable data on violence against women in the EU are not collected on a regular basis and that women in the EU are not equally protected against male violence due to different legislation across Member States. However, the framework states that with the Lisbon Treaty, the EU has more competence in judicial cooperation in criminal matters, which may be an opportunity to increase protection of women in those states where it has been lacking.

The framework also puts emphasis on the needs of migrant women, especially undocumented migrant women, and asylum-seekers, who are particularly vulnerable to gender-based violence. It also mentions 'honour' killings and other crimes of 'honour', calling them highly contextualised forms of violence against women, and urges the Commission to pay special attention to them in its strategy to combat violence against women. The framework also rejects any appeals to tradition or cultural or religious practices as mitigating circumstances in violence against women.

The Parliament's legislative initiative [resolution](#) of 25 February 2014 **with recommendations to the Commission on combating violence against women** made special note of 'honour' crimes. Member States were asked to provide education and shelter to possible victims and raise awareness on the issue through information campaigns.

The Parliament also called on the Commission to take the first steps towards establishing a European Observatory on Violence against Women and Girls and establish in the next three years an EU Year to End Violence against Women and Girls.

Other relevant European Parliament resolutions concern, for example, the resolution on the **Daphne programme** (from [2012](#)), in which the Parliament stated that particular attention needs to be paid to eradicating 'honour' crimes. They also include the Resolution from [March 2012](#) on **equality between men and women in the EU – 2011**, in which it emphasised that the Member States' [EU Victims' Package](#) (a package of legislative proposals reinforcing existing measures to protect victims from 2011) needs to include actions and resources to combat 'honour' killings as well as other violations,

and the [2011](#) Resolution on the face of female poverty in the EU, where the Parliament urges the Member States to take necessary measures to eliminate 'honour' crimes.

EU Member States

Member States themselves have undertaken [activities](#)²¹ to deal with 'honour' killings within their own territories, and there have been several inter-state network organisations aimed at fighting 'honour' crimes. For example, **Sweden** is the centre of an EU-supported cross-European [project](#) on 'honour'-based violence. The **Netherlands** has had a National Platform against 'honour'-based violence since 2004, through which it aims to exchange information among European countries.

Belgium and **Sweden** have also taken significant measures to combat 'honour' crimes on their territories. Belgium has a National Plan of Action against Violence, and Sweden has prepared an action plan focussing on prevention, support for victims, cooperation among stakeholders, and promotion of knowledge and competences.

The situation in **Germany** is more heterogeneous because it is the individual states that develop policies for the fight against 'honour' crimes, although women's organisations are highly active in Germany. Since 2010 France has made combating violence against women their priority, and this includes 'honour' crimes.

A particularly interesting [case](#) is the Swedish **Patriarch checklist**, a structured professional judgement tool used by the police in cases of suspected risk of 'honour'-based criminality. Experience with using this checklist has been reported as positive. The list includes traditional risk factors for targeted violence and factors specifically related to 'honour'-based violence (such as previous 'honour'-based violence, attitudes that support 'honour'-based violence, origin from an area with known sub-cultural values, and lack of cultural integration). This list is important because it can be used in prevention of the crime and by police officers in the field.

Outlook

Without accurate data on the extent of 'honour' crimes it is difficult to discuss this alarming current issue. There needs to be more research conducted into the true nature of the phenomenon, particularly into the causes, perpetrators and potential victims. Raising awareness among major stakeholders, especially in the Western countries affected by the issue, is also key to effectively dealing with 'honour' crime cases and their prevention.

Recent events, for example the economic crisis and radicalisation among immigrant communities in the EU, could raise the incidence of 'honour' crimes. However, the increased awareness of such crimes, as well as more sophisticated methods of dealing with them, are making the authorities' response to them more efficient than before.

It is also important not to exoticise 'honour' crimes and attribute them solely to immigrant culture and religion. Sources have shown that this phenomenon is rooted in patriarchy in general, and some of the rationales for these crimes can be traced to 'Western' countries as well.

Main references

[Frequently Asked Questions about Honour Based Violence \(HBV\) and Honour Killings](#), Honour Based Violence Awareness Network's website

[Sources of international law related to 'honour' crimes and killings](#), United Nations Entity for Gender Equality and the Empowerment of Women

[Honour crimes: review and proposed definition](#), Sally Elakkary et al., Forensic Science, Medicine & Pathology. Mar2014, Vol. 10 Issue 1, p76-82.

Endnotes

- ¹ 'Honour' Crimes, Paradigms, and Violence against Women, Eds. Lynn Welchman and Sara Hossain.
- ² Elakkary et al., 'Honor crimes: review and proposed definition', *Forensic Science, Medicine and Pathology*, March 2014, Vol. 10 Issue 1, pp. 76-82.
- ³ 'Honour' Crimes, Paradigms, and Violence against Women, Eds. Lynn Welchman and Sara Hossain, p. 8.
- ⁴ 'Combating Honour Crimes in Europe', The SURGIR Foundation.
- ⁵ 'The biological roots of heat-of-passion crimes and honor killings', Matthew A. Goldstein, *Politics and the Life Sciences*, Vol. 21, No. 2, pp. 28-37.
- ⁶ 'Honour' Crimes, Paradigms, and Violence against Women, Eds. Lynn Welchman and Sara Hossain. p. 4.
- ⁷ 'Honour crimes: review and proposed definition', Sally Elakkary et al., *Forensic Science, Medicine & Pathology*, March 2014, Vol. 10, Issue 1, pp. 76-82.
- ⁸ Elakkary et al., 'Honor crimes: review and proposed definition', *Forensic Science, Medicine and Pathology*, March 2014, Vol. 10, Issue 1, pp. 76-82.
- ⁹ The French penal code from [1810](#) has the following articles on the issue of marital infidelity:
- ARTICLE 324
- Le meurtre commis par l'époux sur l'épouse, ou par celle-ci sur son époux, n'est pas excusable, si la vie de l'époux ou de l'épouse qui a commis le meurtre n'a pas été mise en péril dans le moment même où le meurtre a eu lieu.*
- Néanmoins, dans le cas d'adultère, prévu par l'article 336, le meurtre commis par l'époux sur son épouse, ainsi que sur le complice, à l'instant où il les surprend en flagrant délit dans la maison conjugale, est excusable.*
- ARTICLE 325
- Le crime de castration, s'il a été immédiatement provoqué par un outrage violent à la pudeur, sera considéré comme meurtre ou blessures excusables.*
- ¹⁰ Reddy, R., 'Gender, Culture and the Law: Approaches to 'Honour Crimes' in the UK', *Feminist Legal Studies*, 2008, Vol. 16, Issue 3, pp. 305-321.
- ¹¹ Keyhani, N., 'Honour crimes as gender-based violence in the UK: a critical assessment', *UCL Journal of Law and Jurisprudence*, 2013, 2(1), pp. 255-277.
- ¹² See, for example, the UK case in [IKWRO report](#) on police recording of honour violence.
- ¹³ 'Combating Honour Crimes in Europe', SURGIR Foundation, p. 24.
- ¹⁴ 'Combating Honour Crimes in Europe', SURGIR Foundation.
- ¹⁵ Convention on the Elimination of All Forms of Discrimination against Women, adopted on 18 December 1979, entered into force as an international treaty on 3 September 1981. By 1989, almost 100 nations had ratified it (See [map](#) of the countries bound by the treaty on UN OHCHR site).
- ¹⁶ Committee which oversees the implementation of CEDAW around the world. The [membership](#) consists of 23 women's rights experts from around the world.
- ¹⁷ SURGIR, page 13.
- ¹⁸ ICCPR, adopted 16 December 1966, entered into force 23 March 1976, [map](#) of signatory countries on UN OHCHR site. Implementation monitored by the Human Rights Committee ([membership](#) on OHCHR site).
- ¹⁹ Convention on the Rights of the Child, adopted on 20 November 1989, entered into force 2 September 1990.
- ²⁰ This Agenda is a result of a conference on 'honour' crimes held in Stockholm on 7 and 8 October 2004.
- ²¹ Elakkary et al., 'Honor crimes: review and proposed definition', *Forensic Science, Medicine and Pathology*, March 2014, Vol. 10, Issue 1, pp 76-82.

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