

Report

## **Honour killings in Iran**



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For information on all of the reports published by Landinfo, please contact:

**Landinfo**  
**Country of Origin Information Centre**  
Storgata 33A  
P.O. Box 8108 Dep  
NO-0032 Oslo  
Norway

Tel: +47 23 30 94 70  
Fax: +47 23 30 90 00  
E-mail: [mail@landinfo.no](mailto:mail@landinfo.no)  
Website: [www.landinfo.no](http://www.landinfo.no)

## **SUMMARY**

This report concerns the subject of honour killings in The Islamic Republic of Iran. It is based on information provided by both official and non-official sources. After providing a brief definition of honour killings, the report turns to discuss Iranian society, women and honour killings. The third chapter gives an outline of some key practical realities and concerns of women threatened by violence and honour killings. The final chapter provides information about penalties for murder and honour killings according to The Islamic Penal Code of Iran.

## **SAMMENDRAG**

Dette temanotatet omhandler æresdrap mot kvinner i den islamske republikken Iran. Notatet bygger på offentlige og ikke-offentlige kilder, og er delt inn i tre deler. Første del gir en redegjørelse om det iranske samfunnet, iranske kvinner og æresdrap, mens andre del redegjør for muligheten for å få beskyttelse. Siste del redegjør for straff for drap og æresdrap i det iranske lovverket.

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## **1. INTRODUCTION**

Violence against women is assumed to be very widespread in Iranian society. The violence takes many forms and has many causes. This report mainly deals with honour killings, which is one of the most serious forms of violence against women within the family.

Suggestions for further reading are provided in the list of references.

### **1.1 FEATURES OF HONOUR KILLINGS**

An important starting point is that not all violence against women in the family is honour-related. Nor are all murders of girls and women in families honour killings. What differentiates honour-related violence and murder from ‘ordinary’ family violence is that the misdeed is often decided by the family as a whole – it is premeditated – and a perpetrator is appointed on the basis of given criteria and is treated with respect and pride by the family. Restoring the family’s honour – washing away the shame’ – is seen as a social obligation and the right of the offended group, i.e. the family and relatives. The misdeed is often met with understanding and silent acceptance by the local community, e.g. a village or ethnic group.

Both men and women are subject to honour killings, but most victims are women. Honour killings in Iran are often perpetrated by close male relatives of the victims (Asia Pacific Women’s Watch 2004).

### **1.2 ACCESS TO AND USE OF SOURCES**

Honour-related violence and honour killings are well-documented in Pakistan, in Kurdish communities in Turkey and Iraq, in the Palestinian population and in immigrant communities in a number of European countries, among others. Access to information from Iran, on the other hand, is very limited. Landinfo’s report on honour killings in Iran is therefore considerably more influenced by general analyses based on the limited information and statistics available about Iran than on concrete detailed examples taken from a wide range of sources, which Landinfo normally endeavours to base its reports on.

The primary sources of available open information are Iranian and are representatives of civil society, the authorities and media run by exiled Iranians. The Iranian authorities do not permit human rights groups such as Amnesty International or Human Rights Watch, foreign researchers or journalists to travel to Iran on their own to obtain information about honour killings or other forms of violence against women. One exception to the authorities’ policy of refusing foreigners entry to Iran, was the trip made by the UN Special Rapporteur to Iran in 2005 (United Nations Commission on Human Rights 2006).

Issues relating to violence against women have repeatedly been raised by the Norwegian immigration authorities in connection with fact-finding missions to Iran. In order to protect sources when this is necessary, written material from such

missions is exempt from public disclosure. This report attempts, however, to convey information and impressions from the conversations held with relevant sources.

## **2. BRIEF INTRODUCTION TO IRAN**

### **2.1 BACKGROUND NOTE ON IRANIAN SOCIETY**

Iran is a socially conservative and male-dominated society. The family structure is based on patriarchal principles, i.e. family members are ranked according to gender and age. Men have priority over women, and older family members have priority over younger family members. In line with Muslim beliefs, the relationship between genders is based on their being different yet complementary. Islam sees men and women as being equal, but distinct from each other. Duties and rights within a family and marriage are gender-based, which is very clearly reflected in Islamic and Iranian family legislation.

It is also important to remember that Iran is a large country with a complex ethnic composition and great socio-economic and regional differences. Although Persian culture is dominant, there are many different minorities and cultures in Iran. At a local and regional level, minority cultures are very powerful. This has consequences for the police and courts' attitudes towards women, women's legal position and actual position in society, the number of honour killings carried out and the extent to which women who are victims of violence can seek help.

### **2.2 BACKGROUND NOTE ON IRANIAN WOMEN**

The legal rights of Iranian women are regulated by Islamic law and principles. Only a man can legally be the head of a family (Civil Code 1985, art. 1105). A husband has greater rights than his wife in marriage and in the event of divorce. The BBC has, however, reported on extended rights for women in the event of a divorce (BBC 2002). Unless otherwise specified in the marriage contract, the husband can refuse to let his wife take a job or leave the house without his consent. To be issued a passport and a permit to travel abroad, a married Iranian woman must have her husband's written permission. A husband has an unconditional duty to support his wife, while the wife has a duty to live together with her husband. Rape within marriage is not a punishable offence and the concept barely exists, as a husband is deemed to be entitled to have sexual relations with his wife.

Simple generalisations, however, do not give a complete or full picture of the position of women in Iran, as social standing and living conditions vary enormously. In general, the most important aspect of an Iranian woman's life is what kind of family she was born into. If she is married, her husband's values and ideas will be of great, if not decisive, significance. In addition, class background, level of education, ethnic origin, religious affiliation and where in Iran a woman lives all contribute to the framework of women's lives and the options they have in practical everyday life.

Women who have grown up in cities in Iran today take higher education to a much greater extent than women from rural communities. Many of them also work in the

public and private sectors, they participate in political processes and are active in voluntary organisations and in the arts and media. There are very many young, well-educated women living in central and urban districts whose lives differ markedly in relation to women living in more traditional clan societies and rural areas.

Women living in rural areas often live under a great deal of social pressure, they generally have less education, less freedom of movement, less knowledge of their legal rights, less influence in choosing a husband and they are at a greater risk of being married off in their early teens. Also, village communities are smaller and more transparent than towns. The risk of a whole village gaining knowledge of an 'unacceptable' relationship or behaviour is great, and the need to maintain honour is equally great.

### 2.3 HONOUR KILLINGS AND DEMOGRAPHY

Honour killings are perpetrated throughout Iran and occur among all ethnic groups. However, it is generally assumed that the collective and ritual honour killing is not a tradition among Persians or in Persian-dominated areas.<sup>1</sup> In other words, the Iranian environment does not exert social pressure on men to abuse or kill female relatives who break the traditional code of honour. Although conservative voices may understand men sanctioning female family members' behaviour through violence, there is no traditional expectation among Persians that this must be done to restore the family's honour.

The available source material suggests that honour killings primarily occur among tribal peoples such as Kurdish, Lori, Arab, Baluchi and Turkish-speaking tribes. These groups are considered to be more socially conservative than the Persians, and discrimination against women in attitude and in practice is seen as being deeply rooted in tribal culture. The majority of these groups are Sunni Muslims<sup>2</sup> and they live in the socioeconomically least developed and geographically most isolated areas of Iran.

The population of the Kurdistan and Ilam provinces is almost exclusively Kurdish. A considerable Kurdish minority also live in West Azerbaijan.<sup>3</sup> The Lori live in Loristan, and in Khuzestan, there are many Arab, Lori and Turkish-speaking tribes. Arab tribes live in Southern Iran and in Sistan and Baluchistan, the population is mainly Baluchi.

Available material on where honour killings are most prevalent presents concurrent information and can be summarised as follows:

Honour killings are particularly prevalent in the provinces of Khuzestan and Ilam (Asia Pacific Women's Watch 2004).

During a fact-finding mission, a Western embassy informed the Immigration Appeals Board that honour killings are most prevalent in villages in the provinces of West

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<sup>1</sup> Just over half of Iran's population of approx. 70 million are assumed to be ethnic Persians.

<sup>2</sup> Most are Sunni Muslims, but there are exceptions. The Turkish-speaking majority in the province of West Azerbaijan are Shi'a Muslims. Shi'a Muslim Fails Kurds live in Ilam, and most of the Arabic-speaking tribes in Khuzestan are Shi'a Muslims.

<sup>3</sup> There is also a large urban Kurdish minority in the capital Tehran.

Azerbaijan, Ilam, Kurdistan, Khuzestan and in Sunni Muslim-dominated areas.<sup>4</sup> A female Iranian lawyer reported that such killings are common in Arab areas in Khuzestan, but also in Loristan, Kurdistan and Sistan and Baluchistan. Another Western embassy informed that honour killings were unusual in Iran, and that the supreme leader Ayatollah Khamenei has said that such killings are in conflict with Islam (Immigration Appeals Board 2005).

According to the UN Special Rapporteur, honour killings are most prevalent in Ilam and Khuzestan (United Nations Commission on Human Rights, 2006, p. 11).

The Swedish Ministry for Foreign Affairs also concluded in its 2007 human rights report that honour killings primarily occurred among Nomad tribes and in rural areas, and that even the conservative opinion considered this type of killing to be in conflict with Islam (The Swedish Ministry for Foreign Affairs 2007).

## **2.4 SCOPE AND FIGURES**

Honour killings in Iran have not been systematically mapped. Official and verifiable statistics on the scope of honour killings are not available. Nor can any conclusions be reached on hidden statistics.

Figures given by the Iranian authorities or presented on Iranian websites are largely restricted to the provinces of Kurdistan, Ilam and Khuzestan. The available figures can be briefly summarised as follows:

Asia Pacific Women's Watch (2004) refers to a governor representative in the Khuzestan province's statement that 565 women had lost their lives through honour-related violence in Khuzestan in 2001. Of these, 375 women are said to have committed suicide (self-immolation). In 2003, 45 women under the age of 20 from the same tribe are said to have been the victims of honour killings.

British authorities have also referred to Khuzestan, concluding that at least 40 women are said to have been killed by their families for the sake of honour from March to May in 2003 (Home Office 2008).

In 2003, it is reported that on average one woman was killed per day in the province of Ilam. The towns Shirvan and Chardoval top the list with 170 honour killings, followed by Darreh Shar with 165, Abadan with 100, Ilam with 50, Mehran with 45 and Ivan with 30. There is also information that those responsible burnt birth certificates (*shenasnameh*) and hid the victims' bodies to avoid criminal prosecution (Asia Pacific Women's Watch 2004).

The UN Special Rapporteur visited Ilam in 2005 on account of the unusually high number of suicides (self-immolation) registered among women in the province. The report published after the visit cited social pressure, the lack of legal protection for women who are victims of violence, the lack of shelters, family legislation that favours men in divorce and child custody cases and widespread discrimination against women in society as being the reasons for the suicides. Some of the suicides appeared to be honour-related (United Nations Commission on Human Rights 2006).

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<sup>4</sup> Between 11 and 14 per cent of the Iranian population are assumed to be Sunni Muslims.



According to Amnesty, suicide by self-immolation occurs in all Kurdish areas, and this method of suicide is more prevalent in these areas than in the rest of Iran. There are many complex reasons for this, e.g. divorce, polygamy and honour. Some of the cases of self-immolation may allegedly have been attempts to conceal honour killings (Amnesty International 2008, p. 22).

According to an Iranian source, six (possible nine) women are said to have been victims of honour killings in Iranian Kurdistan in the first five months of 2008 (IHRV 2008a). The most talked-about killing was that of a young woman who was killed by her father after she left her husband. The killing enraged the local community and a large crowd of people followed the funeral procession demanding that the killer be brought to justice (International Campaign against Honour Killings 2009).

There is also information about honour killings being carried out in the capital Tehran. According to an Iranian source, the greater part of women killed in Greater Tehran in 2008 were killed by their husbands. This type of killing accounted for 35 per cent of all killings in Greater Tehran in a six-month period (IHRV 2008b).

On the basis of the information available, there is nothing to suggest that the Iranian authorities actively try to combat honour killings.

### **3. PROTECTION**

#### **3.1 ATTITUDES TO VIOLENCE IN THE PRIVATE SPHERE**

The tradition of Muslim cultures to regard problems and violence within families as a private and internal family matter is both a common and a widespread problem. This is also the case in Iranian culture and society. The religious and socio-cultural situation means that many girls and women do not see the option of getting help from outside the family circle or from the authorities as a real alternative. Lacking awareness of legal rights combined with strong family ties, fear of social shame and stigmatisation, threats and financial dependence lead many girls and women to give in to their family's wishes, remain in unhappy marriages or commit suicide.

#### **3.2 PROTECTION IN PRACTICE**

A woman who is threatened with honour killing or subjected to other forms of violence must seek help on her own. The community around her will not come to her assistance unless she asks directly for help. Whether it is possible to ask for help depends on where a woman lives. In some parts of Iran, the physical and geographical conditions are such that fleeing is not possible in practice.

The extent to which a woman can get help depends on a number of factors; such as what the case concerns, how old she is, where she lives, what she wants and to what extent she is able to mobilise parts of her own family network to plead her case and negotiate in the conflict. Depending on the nature of the case, she can for example seek help from a women's network, provided that such a network exists where she lives and that she is aware of it. Or she can file a suit in a family court or report the

matter to the police. If she goes to the police, the scope of the violence and threats will be decisive in determining whether she receives help and what kind of help she is offered. She is responsible for presenting evidence that she is in fact threatened by violence, which in certain cases can be impossible. The attitudes of the police or a local judge may have a decisive impact on her chance of being given real protection.

The Western European model of a crisis centre/shelter for women does not exist in Iran. There are, however, state institutions for single women, prostitutes, drug addicts and children and young people who have run away from home. These institutions are run by the national welfare organisation and offer protection, welfare services and rehabilitation programmes of varying quality for a transitional period. The number of such institutions in existence at any given time, and in which provinces they are found, is not public knowledge. The Iranian authorities are generally unwilling to provide the public with information about social situations and problems that may generate criticism of Islamic law and the Islamic Republic.

In a 2006 report, the UN Special Rapporteur wrote that since 1999, the national welfare organisation had established 28 'health houses' for unmarried girls who had run away from home and were at risk of becoming victims of human trafficking. These sanctuaries offered temporary shelter, counselling and training for girls who had run away from home. According to the UN Special Rapporteur's information, girls living in such institutions were still at risk of abuse, and reference was made to a 2001 case, in which officials were arrested for having been involved in human trafficking of girls from such an institution (United Nations Commission on Human Rights 2006, page 11).

A few of the shelters for children and young people (of both genders) who have run away from home have been established and are run by voluntary organisations and women's networks. According to a BBC report, a shelter such as this did exist in 2006 for single women, prostitutes and drug addicts over the age of 18 in Tehran (BBC 2006).

According to a report written by the Danish Immigration authorities after a fact-finding trip in 2008, the sources disagreed about whether such shelters still existed in Tehran, and were uncertain about to what extent they (the existing ones) were able to provide adequate protection (Danish Immigration Service/Danish Refugee Council 2009, page 26).

The starting point for various relief efforts under the auspices of public and private players are nonetheless that social problems and family issues must be solved within the framework of accepted cultural and religious values. The attitude that women neither can nor should live on their own, but that they need the protection of a husband and family is deeply rooted in all social classes in Iranian culture. Both family courts and voluntary organisations that try to assist in conflict mediation, will seek to reunite a girl or woman with her family through mediation and written guarantees for her safety, or, if applicable, to have her marry in order to be protected and supported. In cases in which this is not possible and the girl is over 18 years of age, voluntary organisations can assist in finding her accommodation and work. Living alone with no family network is not seen as a real or acceptable alternative for an Iranian woman. It may also be associated with danger. Children and young people (of both genders) who run away from home are a large and growing social problem

in Iran. Many of them end up as criminals or prostitutes or as victims of human trafficking.

An act that prohibits human trafficking has been in force in Iran since 2004. The authorities have applied the law, and have convicted and executed several people for human trafficking (United Nations Commission on Human Rights 2006, page 11).

In their 2008 report on human trafficking in Iran, the American authorities concluded that:

*The law prohibits human trafficking. However, according to foreign observers, the country was a source, transit, and destination point for trafficking. Women and girls were trafficked from the country to Pakistan, Turkey, Europe, and the Gulf states for sexual exploitation and involuntary servitude. Boys from Bangladesh, Pakistan, and Afghanistan were trafficked through the country to Gulf states. Afghan women and girls were trafficked to the country for sexual exploitation and forced marriages. Internal trafficking for sexual exploitation and forced labor also occurred. In some cases, authorities tried and convicted persons involved in trafficking.*

*In September 2007 police reportedly disbanded an international smuggling network based in Tehran, but it was unclear how many, if any, of these were actual trafficking offenses. The group smuggled women and girls from Central Asia through the country to the Gulf states. Police reportedly arrested 25 persons for involvement in the network. There were also reports that the government arrested and punished several trafficking victims on charges of prostitution or adultery (US State Department 2008).*

## **4. PUNISHMENT FOR MURDER IN IRANIAN LAW**

The Iranian judicial system stipulates requirements for procedures and evidence. As the penal code is based on traditional Islamic law and principles, punishment and sentencing itself is viewed differently than in e.g. Western and secular democracies.

In addition, Iranian judges have a strong and independent position, which leads to unpredictability in the legal system which is a problem in relation to due process protection.

### **4.1 PENAL REACTIONS TO MURDER**

Iran maintains the death penalty for murder and the law is practiced. A high percentage of the people executed in Iran each year have, according to Iranian media, been convicted of murder. At least 346 people were executed in Iran in 2008 (Iran Focus 2009).

In line with Islamic principles, the law differentiates between the death penalty and retaliation. The death penalty is imposed by the state (e.g. for drug offences and political offences). Retaliation is imposed by the victim's family or the victim him/herself (for murder, severe bodily harm and rape).

The law of retaliation (*qisas*) or blood money (*diyat*) deems the sentence for a murder to be a private matter between the perpetrator and the victim's family. The family decides whether the payment of blood money and imprisonment are a sufficient penal reaction or whether the perpetrator is to be executed.

According to a female Iranian lawyer, the acceptance of blood money in murder cases usually means that the perpetrator will be sentenced to between three and 15 years' imprisonment (Immigration Appeals Board 2005).

The Islamic Penal Code of Iran does, however, specify that a father who kills his child shall not be convicted on the basis of the retaliation principle (Islamic Penal Code art, 220).<sup>5</sup> A father's punishment for killing his child is the payment of compensation, i.e. blood money to the child's mother or other relatives. If the father is also convicted of abusing the child prior to killing him/her, he will be sentenced to approximately one year's imprisonment, or if applicable, a fine and/or a given number of lashes with the whip. Article 220 applies irrespective of the child's age and legal status (female Iranian lawyer 2007).

A person charged with murder might make reference to the victim's immoral behaviour in an attempt to avoid punishment, citing that the killing was just and necessary in order to protect the perpetrator and Muslim society (Islamic Penal Code article 295). This provision can be invoked by everybody, both men and women. It can be invoked by men who have committed honour killings or have killed prostitutes, or women who claim to have killed in self-defence. In such cases, the perpetrator may avoid a death sentence and will be entitled to a considerable reduction in his/her sentence. It is up to the judge to decide whether the killing was 'justified' or carried out in self-defence and how great a reduction in sentencing it qualifies.

## 4.2 PENAL REACTIONS TO HONOUR KILLINGS

Honour killings are investigated as murder and the perpetrator can be tried by a court. However, the punishment the perpetrator receives depends on who has committed the murder and to what degree the perpetrator will be able to 'justify' the act to the court, cf. Islamic legislation and conception of the law (Roos 2008). The extent of criminal persecution in practice is unclear as there are no statistics on the number of honour killings or to what extent these lead to the perpetrators being indicted and punished (Danish Immigration Service/Danish Refugee Board 2009, page 27).

Pursuant to the law, a father need only pay blood money. Other family members such as brothers, uncles or mothers risk being charged with murder, but the practice is such that they are not executed if the family, for a number of different reasons, wishes to save the life of the family member. A husband is allowed to kill his wife (and her partner) without incurring any form of criminal prosecution if he has witnessed her being unfaithful (Islamic Penal Code, art 630).<sup>6</sup> If the woman's family protests and there is no evidence that the murder was 'justified', the husband

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<sup>5</sup> The same applies to the child's paternal grandfather.

<sup>6</sup> If a wife has been subjected to sexual assault/rape, the husband is only allowed to kill the offender without punishment.

generally only risks being sentenced to pay blood money. It is left to the judge to decide (male Iranian lawyer, 2007).

Asia Pacific Women's Watch (2004) claimed that in cases where the police find that an honour killing has taken place, the family will support the perpetrator who either walks free or must serve a significantly reduced prison sentence.

In their 2008 report on penal sanctions in Iran, the American authorities concluded that:

*According to a police official quoted in a domestic newspaper during the year, 50 honor killings were reported during a seven-month period, although official statistics were not available. The punishment for perpetrators was often a short prison sentence.*

*In May a man local papers identified as Ahmad allegedly killed his daughter in Isfahan after her former brother-in-law kidnapped and slept with her. Both men were in police custody at year's end.*

*In June a man identified as Morteza allegedly killed his sister near Bandar Abbas after she married a man without her family's permission. Local press reported that Morteza would be sentenced to only three to five years in prison since the victim's parents did not seek a murder charge (US State Department 2008).*

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