

Iran: “Honour” killings

Introduction

Within the framework of the United Nations Sustainable Development Goals, Middle East Forum for Development (MEFD) addresses in this policy brief the plight of women in Iran who continue to be subjected to deep-rooted gender discrimination and gender-based violence by Iran’s state institutions.

The brief raises awareness on how the state institutions’ refusal to criminalise gender-based violence facilitates so-called “honour” killings of young girls who are brutally murdered by members of their own family. The Iranian authorities are unwilling to counter honour killings, even though these can be prosecuted under the Penal Code as murder.

Bills passed by Parliament in favor of women’s rights have been repeatedly vetoed by the Guardian Council, a powerful body made of six clerics and six jurists who are the ultimate authority in vetting candidates for the Assembly of Experts, President and the Parliament, and have veto power over all legislation passed by Parliament.

Instead, the regime never misses an opportunity to promote and call for violence against Iranian girls and women. For instance, Isfihan’s Friday prayers leader Yousef Tabatabai, who is also a representative of Iran’s supreme leader, urged in one of his sermons last October that “streets should be made unsafe for those women who are not properly wearing a veil, by using hostile actions against these violators”¹. Another significant example is the legislation for the criminalisation of emotional, sexual and physical abuse against women and the imposition of jail time for violators. This legislative proposal has been in discussion since its first draft in 2011. However, on the pretext of it being ‘Western’ and a potential threat that could affect the family system and increase the divorce rate it has been rewritten and amended a dozen times, and has been neutralised to the point that it will not contribute to the further protection of women and children in crimes such as honour killings².

Background Information

The recent killings of Romina Ashrafi, a 14 year old girl who was beheaded by her father with a sickle, Rayhaneh Ameri, a 22 year old woman who was

¹ Shahrokhi, S. (2020): Threats by Friday Prayers Leaders To Iran’s Women Shows Mullahs’ Misogynous Nature. *National Council of Resistance of Iran* . [https://www.ncr-](https://www.ncr-iran.org/en/news/women/threats-by-friday-prayers-leaders-to-irans-women-shows-mullahs-misogynous-nature/)

[iran.org/en/news/women/threats-by-friday-prayers-leaders-to-irans-women-shows-mullahs-misogynous-nature/](https://www.ncr-iran.org/en/news/women/threats-by-friday-prayers-leaders-to-irans-women-shows-mullahs-misogynous-nature/)
² (2020) <https://iranwire.com/en/features/720>

killed by her father for coming home late and 19 year old Fatemeh Barhi, killed by her husband and cousin in a further so-called honour killing, highlight the necessity of formulating policies for the protection of women and girls in Iran. The official definition of a so-called honour killing according to Human Rights Watch is the murder of a family member due to the perpetrators' belief that the victim has brought dishonor upon the family³. Typical reasons include divorce or separation from one's spouse, refusing to enter an arranged child or forced marriage, being in a relationship or having associations with social groups outside the family which are strongly disapproved of by one's family. Instances of premarital or extramarital sex, being victim to rape or sexual assault or merely wearing jewellery and accessories, are also viewed as legitimate reasons for a perpetrator to reinstall the family's so-called honour by killing the victim. According to independent studies, more than twenty percent of all murders in Iran are related to so-called honour killings. Due to the lack of an official database, exact numbers cannot be published, however the official news agency of the Islamic Republic counts between 375 to 450 so-called honour killings cases in Iran annually⁴.



³ (2005) <https://www.hrw.org/news/2005/10/26/human-rights-watch-honors-iranian-journalist-and-blogger>
⁴ n.A (2020) <https://iranintl.com/en/iran/iran%E2%80%99s-police-confirmed-fourth-case-honor-killing-less-month>

Yet these numbers only portray the cases which were reported to the police. This is an important issue to highlight since in most cases of so-called honour killings in Iran, the perpetrator is not considered a murderer but a family hero who was able to restore the honour of the family. Therefore, if a so-called honour killing occurs, there is no guarantee that the case will be forwarded to the police or that a trial will take place⁵.

The issue of Iran's so-called honour killings is not unexpected. Even though 64% of all university students in Iran are women, their representation in the labour force counts for only 17%, which is one of the lowest rates globally for female participation in the workforce⁶.



The unemployment rate for women is as high as double that for men. If a woman experiences violence or abuse, there are limited places to access support, mostly depending on the area where the woman is from, her age, what the case concerns and how much she is able to mobilise parts of her own family network to plead her case and negotiate in the conflict. Unlike in other parts of the world, there are no public institutions in Iran to access abuse support. Therefore the support system is mainly the family and friends a woman

⁵ (2009) https://www.landinfo.no/asset/960/1/960_1.pdf

⁶ (2017) <https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/hk-ch/p3.html>

has around her, which in most cases, guarantees little or no support⁷.

Problem Statement

The Iranian regime argues that it rules according to the Islamic principles and rules as set out in its Constitution adopted following the revolution in 1979. Even though several clauses in the Constitution indicate that the protection of women is equally important to the protection of men, there does not seem to be a reinforcing nature of these laws.

For instance, Article 20 of the Constitution states that “All citizens of the country, both men and women, should be equally protected by the law and enjoy all humanitarian, political, economic, social and cultural rights in conformity with Islamic criteria”. Article 21 of the Constitution underlines that “The government must ensure the rights of women in all aspects in conformity with the Islamic criteria” and article 22 specifies that “The dignity, life, property, rights, residence, and occupation of the individuals are inviolable, except in cases sanctioned by law”⁸.

It is important to emphasize that all three clauses are weighted by the clerics’ notion of Islamic criteria, which offers room for interpretation where and if the cases of so-called honour killings are seen as an issue for the legal system or as interpersonal conflicts. It may be interpreted that so-called honour killings are seen as acceptable since the crime committed by the perpetrator is seen as a case of a sanctioned law. Iran’s penal code reduces punitive measures for fathers and other family members who murder or abuse their children in so-called honour killings or domestic violence cases. The principle of “qesas”

(retaliation) is not applied to murders committed within the family by the father. If a father is found guilty of murdering his daughter, he will be sentenced between three and ten years in prison instead of receiving the normal death sentence or being ordered to pay “diyeh” (blood money) for homicide cases⁹.

If the perpetrator is a family member, the principle of qesas applies. Here, the law specifies that if the perpetrator will be sentenced for murder, the case is not one of legal nature in the first place, but a private matter between the perpetrator and the closest relatives of the victim. The victim’s relatives can decide if the condemned should be sentenced to death or forgiven. However, since most cases of so-called honour killings in Iran occur within one family, other relatives of the victim seldom find the courage to go against the perpetrator¹⁰.

According to the Danish Immigration Service and the Danish Refugee Board, the execution of the law of retaliation is neither well reported nor accessible to the public. The extent of criminal prosecution of perpetrators in practice remains unclear considering that there are no publicly available reports or accessible data regarding prosecution cases of so-called honour killings in Iran.

The ambiguity of the law reinforces repeated incidents of so-called honour killings in Iran. The case of Romina Ashrafi sheds light on the loopholes perpetrators use for carrying out honour killings. In Romina’s case, her father, Reza Ashrafi, sought advice from a lawyer several days before committing the crime in order to assess the potential punishment. After his lawyer reassured him that he would not face more than a maximum of three years imprisonment, Reza Ashrafi killed his

⁷ (2009) https://www.landinfo.no/asset/960/1/960_1.pdf

⁸ Baharak Keshavarz, S. (2003): *Honor Killing in Iran, a Legal point of view.*

<https://doi.org/10.1163/22112987-91000165>

⁹ US Department of State, ‘Country Reports on Human Rights Practices for 2016’ (section 6), 7 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265496>. Accessed: 23 May 2017

¹⁰ (2009) https://www.landinfo.no/asset/960/1/960_1.pdf

14 year old daughter while she was sleeping¹¹. The Iranian authorities reinforce gender discrimination and inequality, however, there are no official studies conducted on the actual numbers and cases of gender discrimination and gender based violence.

Iranian authorities do not permit international human rights groups or foreign researchers or journalists to travel to Iran on their own to obtain information about honour killings or other forms of violence against women. In 2005, the United Nations Special Rapporteur on adequate housing visited the country. The report¹², which was conducted after the trip, emphasises the need to protect women against all forms of violence and the existing lack of this protection by the state institutions of the Islamic Republic. Nevertheless, given the fact that the report was conducted over a decade ago, current and recurring issues of violence, especially honour killings must be made accessible to independent researchers for observation and analysis.

Recommendations

Considering that Iran is a signatory party to the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, it must adhere to its international obligations. The Islamic Republic is one of the few states in the world that have not ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), reinforcing the structural discrimination of women within the country not only as a societal issue but also as a top-down political and legal issue which has facilitated violence against women even further¹³. The

leverage of the international community over the Iranian authorities is of great significance and can pressure Tehran to uphold international treaties. The intensification of relations with Iran must therefore be dependent on the authorities' commitment and readiness to uphold conventions it has ratified and to promote and protect the rights of Iranian girls and women.

¹¹ Gholamhosseinpour, M. (2020): <https://iranwire.com/en/features/720>

¹² Full report available at: <https://reliefweb.int/report/iran-islamic-republic/iran-un-commission-human-rights-special-rapporteur-adequate-housing>

¹³ (2020) <https://iranwire.com/en/features/720>