

[AS INTRODUCED IN THE SENATE]

**A
BILL**

*further to amend the Pakistan Penal Code, 1860 and
the Code of Criminal Procedure, 1898*

Whereas it is expedient further to amend the Pakistan Penal Code (XLV of 1860) and the Code of Criminal Procedure, 1898 (V of 1898) in order to deter and prevent honour killings in Pakistan, which claim the lives of hundreds of victims every year;

It is hereby enacted as follows: -

1. Short title and commencement.- (1) This Act may be called the Anti-Honour Killings Laws (Criminal Laws Amendment) Act, 2014.

(2) It shall come into force at once.

2. Amendment of section 309, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), hereinafter referred to as the Penal Code, in section 309, in sub-section (1), after the word "qatl-i-amd", the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be inserted.

3. Amendment of section 310, Act XLV of 1860.- In the Penal Code, in section 310, in sub-section (1), after the word "qatl-i-amd", the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be inserted.

4. Amendment of section 311, Act XLV of 1860.- In the Penal Code, in section 311,-

- (i) the Proviso shall be omitted; and
- (ii) in the Explanation the words "or the offence relates to honour crime" and the comma and the words ", or if the offence has been committed in the name or on the pretext of honour" shall be omitted.

5. Amendment of section 338E, Act XLV of 1860.- In the Penal Code, in section 338E,-

- (i) in sub-section (1),-
 - (a) after the words "all offences", the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be inserted;
 - (b) in the second Proviso after the words "an offence" the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be inserted; and
- (ii) in sub-section (2), in the second Proviso for the words "qatl-i-amd or any other offence" the words "offence other than the qatl-i-amd committed in the name or on the pretext of honour" shall be substituted.

6. Amendment of section 345, Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), hereinafter referred to as the Code, in section 345,-

- (i) in sub-section (2), in the table, against the entry relating to Qatl-i-amd, -
 - (a) in the first column after the words "Qatl-i-amd" the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be added;
 - (b) in the third column, the commas and the words ", other than the accused or the convict if the offence has been committed by him in the name or on the pretext of *karo kari, siyah kari* or similar other customs or practices" shall be omitted; and
- (ii) in sub-section (2A) after the words "an offence" the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be inserted.

7. Amendment of Schedule II, Act V of 1898.- In the Code, in schedule II, against the entry in column 1 relating to section 302, in column 6, after the word "compoundable" the words "other than the qatl-i-amd committed in the name or on the pretext of honour" shall be added.

STATEMENT OF OBJECTS AND REASONS

Honour killings are common throughout Pakistan, claiming the lives of hundreds of victims every year. According to Aurat Foundation's statistics 432 women were reportedly killed in the name of honour in Pakistan in 2012, 705 in 2011, 557 in 2010, 604 in 2009 and 475 in 2008. These figures do not include unreported cases or, indeed, the number of men who are often killed alongside women in the name of honour. Addressing the loopholes and lacunae in the existing laws is essential in order to prevent these crimes from being repeatedly committed.

The Bill is designed to achieve the said objective.

SENATOR SYEDA SUGHRA IMAM
Member-in-charge