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3.11.2. Women and girls perceived to have violated family honour

COMMON ANALYSIS
Last update: November 2024

The analysis below is based on the following EUAA COI reports: Country Focus 2024, 1.6, 1.6.1; Arab Tribes 2023, 3.11. Country Guidance should not be referred to as source of COI.

According to Landinfo, honour-based violence refers to ‘violence committed with the intention of restoring one’s honour or the collective honour of the family, clan, or tribe.’ Abuses and killings within the Iraqi society continue to occur on grounds of ‘the wash of shame’.

Violations of honour that contravene tribal social norms and codes and that can spark honour-based violence against women or girls take place due to a range of reasons, such as seeking a partner of her own choosing; refusing an arranged marriage; seeking divorce against the will of the family or tribe; expressed sexuality of women; sexual relations or male contact outside marriage; flirtation or even rumours or suspicion of an offence, or if a girl/woman has texts/has correspondence ‘deemed inappropriate’ with a man who is not her husband; being a female victim of rape, sexual assault or kidnapping; ‘shameful’ dress or behaviour, including on social media; showing disobedient behaviour to male relatives, elderly female relatives, or one’s husband.

Step 1: Do the reported acts amount to persecution?

Honour-based violence, taking the form of physical violence and killings, amounts to persecution. More specifically, tribal resolutions to honour violations include arranged or forced marriage (see 3.11.3. Forced and child marriage), honour killing of women and/or the involved parties; nonlethal violence, forced suicide or contrived suicide, female-genital mutilation (see 3.11.4. Female genital mutilation/cutting), starving or poisoning, forced abortion, forced virginity testing. Such violations have been also reported against girls. Male family members who consider their honour damaged are usually the perpetrators, however female relatives may also be involved. Several cases of honour-based killings of women have taken place and have sparked public debate as well as protests across the country calling for laws to protect women

from violence. The Iraqi Penal Code provides mitigating circumstances for the sentence for so called ‘honour killings’.

The severity and/or repetitiveness of other acts that women and girls could be subjected to in relation to honour-based violence and whether they occur as an accumulation of various measures, should be also considered. Restricted freedom of movement or confinement, denial of basic rights, denial of personal autonomy, verbal abuse or abandonment have also been reported.

Step 2: What is the level of risk of persecution?

The individual assessment of whether there is a reasonable degree of likelihood for a woman or girl to face honour-based violence should take into account **risk-impacting circumstances**, such as:

- **Moral code violation:** The nature of the norm transgressed and the (perceived) gravity and potential repetitiveness of such transgression could impact the risk for honour-based violence.

- **Home area:** Honour killings occur more frequently in rural or poor areas.

  The KRG has adopted a law on combating domestic violence, criminalising physical, sexual, psychological violence, and spousal rape and has repealed the article of the Penal Code regarding the above-mentioned mitigating circumstances. However, the KRI also saw an increase in reports of women killed by male relatives.

- **Family, tribe and social environment:** Violence committed by family members to protect the ‘honour’ of the family or tribe is reported to be widespread and to occur across the whole country on a daily basis, regardless of ethno-religious background. Nevertheless, belonging to a more conservative environment could increase the risk of a transgression being perceived as violating the honour of the family. Yazidi survivors who refused to leave behind their children born of rape, are reported to have faced honour killings. Some minority communities, including Sabean-Mandeans and Yazidis, do not permit their members to marry outside their faith. Intolerance towards inter-sect/inter-faith marriage might also occur in circumstances when one spouse is a member of a tribe with perceived ISIL affiliation.

Step 3: Is there a ground for persecution?

Where a well-founded fear of persecution is substantiated for a woman or a girl under this profile, this may be for reasons of membership of particular social group. More specifically, such

women or girls may be stigmatised by the surrounding society because of their common background which cannot be changed (past moral code violation) and/or a shared characteristic or belief that is so fundamental to identity or conscience that they should not be forced to renounce it (opposition to cultural, social or religious norms and the unwillingness to comply with them). Religion may also be a relevant ground as, often, such moral codes have a religious basis.

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