Jurnal Dinamika Hukum
Universitas Jenderal Soedirman
Vol. 25 Issue 2, 2025
E-ISSN 2407-6562 P-ISSN 1410-0797

CEDAW Perspective on Legal Protection for Women Victims of Honor Killing in Pakistan

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Submitted: 2024/10/09
Revised: 2025/03/03
Accepted: 2025/05/16
Published: 2025/05/31

Abstract:
Despite being a Muslim country, Pakistan still has laws that discriminate against women, especially when it comes to their status as victims of assault. An example is the honor killing that occurred in this country, which is a very crucial event. This research aims to ensure and analyze women's human rights protection and Pakistan's legislative framework. In this research, normative legal research is used to analyze the provision of legal protection to women who are victims of honor killings in Pakistan. This research analyzes the perspective of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to provide answers on the formulation of the problem put forward in this research. Using this research methodology, it was determined that several reasons contributed to the incomplete implementation of legal regulations related to establishing women's human rights in Pakistan, including the lack of adequate legal enforcement, ingrained patriarchal culture and customs, and lack of knowledge. among women themselves about their rights. Additionally, there is evidence of substandard implementation of CEDAW, acts of discrimination against women, and cases of honor killings signed by Pakistan. Meanwhile, the CEDAW articles set out rules regarding how women's rights should be realized.

Keywords:
honor killing; Pakistan; violence against women.

Cite:
Gultom, Rahel Elena, Muhammad Alvi Syahrin, and Masdar Bakrtiar. "CEDAW Perspective on Legal Protection for Women Victims of Honor Killing in Pakistan." *Jurnal Dinamika Hukum* 25, no. 2 (2025): 141–157. https://doi.org/10.20884/1.jdh.2025.25.2.16079.

DOI: *10.20884/1.jdh.2025.25.2.16079*
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Introduction

One of the most heinous human rights violations is when women are subjected to harassment and oppression.[1] There are many cases of violations of women's human rights in almost every country in the world. Human rights violations against women are basically crimes that begin when someone abuses their authority or power—every country, including the first-world country. Which should really care about the rights of their citizens, especially regarding women's rights, is now concerned about this problem. According to Sujatmoko (2016), violence against women can also take the form of psychological, financial, emotional, or sexual problems. This violence is not only limited to physical violence.[2]

[1] Subrata Banarjee, "Identifying Factors of Sexual Violence Against Women and Protection of Their Rights in Bangladesh," *Aggression and Violent Behavior* 52 (2020): 101384, https://doi.org/https://doi.org/10.1016/j.avb.2020.101384.
[2] Andrey Sujatmoko, *Human Rights Law and Humanitarian Law* (Jakarta: Rajawali Pers, 2016).

Concerns about applying human rights law are closely linked to UN action on a global scale. The UN is vital in ensuring human rights are respected and protected globally. The ratification of the Universal Declaration of Human Rights in 1948 and two Covenants, the ICCPR (International Convention on Civil and Political Rights) and the CESCR (Convention on Economic, Social and Cultural Rights), in 1966 marked the beginning of the UN involvement in the development of contemporary international human rights law. The second stage is the formation of institutions. At this point, the end of the 1960s marked the beginning of the development of international human rights law.

CEDAW, or "Convention on the Elimination of All Forms of Discrimination Against Women," is an agreement that contains regulations that are closely related to upholding women's rights both domestically and globally. Adopted by the UN in 1979, CEDAW is an international norm officially enacted on December 3, 1981. All countries that ratified this agreement promised to oppose unfair actions against women in all their manifestations. The Universal Declaration of Human Rights (UDHR) has been universally adopted by the UN General Assembly, except for CEDAW. On December 10, 1948, General Assembly Resolution 217 A (III) of the UN General Assembly was ratified at the Palais de Chaillot, precisely in the Paris region, France. In it, the Universal Declaration of Human Rights was confirmed and declared. After all the above events occurred, all international human rights have been recognized as universal standards and guidelines under the UDHR, which mandates the protection of human rights. The UDHR is formed from three central values: equality, independence, and respect for human dignity. With 30 articles, the UDHR can be considered the world community's first global proclamation of human rights. The UDHR is a model for developing other international treaties, national constitutions, regional human rights instruments, and domestic human rights legislation (Institute for Criminal Justice Reform).

Pakistan is a country governed by international law. It became a member of the UN on September 30, 1947, and took part in the ratification of the "CEDAW". March 1996 was the signing of the "CEDAW." By ratifying this convention, we are also committed to supporting women's human rights globally, especially in Pakistan, and working to end all forms of discrimination. The concept of human rights is visible in the opening of the "Fundamental Rights Chapter and Policy Principles Chapter," which highlights the idea of equal treatment and rights for all citizens and the absence of differences, especially regarding gender. The Constitution of Pakistan also contains critical human rights language in addition to CEDAW. The phrase "No one shall be deprived of life or liberty except in accordance with the law" (or, alternatively, "No one shall be deprived of life or liberty except in accordance with the law") appears in Part II, Chapter 1, Article 9 of the Constitution of Pakistan. This phrase fulfills the requirements of the UN Charter, which states that all member countries are obliged to guarantee the right to freedom and life.

Despite legal frameworks, the effective enforcement of women's human rights in Pakistan remains significantly challenging, primarily due to the deep entrenchment of traditional culture as an integral part of national identity.[3] Discriminatory laws persist, particularly those targeting

[3] Anna C Korteweg, "Understanding Honour Killing And Honour-RelatedViolence In The Immigration Context: Implications For The Legal Profession And Beyond," 2012.

women who are victims of violent crimes. This situation is exacerbated by institutions upholding patriarchal norms and conventional values, which reinforce discriminatory legal practices. Consequently, Pakistan ranks among Muslim nations with the highest rates of violence against women. A stark example is honor killing, defined fundamentally as violence, often lethal, perpetrated by family members against a female relative perceived to have transgressed societal norms, thereby bringing shame or dishonor to the family. Common triggers for such violence include a woman's refusal of an arranged marriage, engagement in an unauthorized relationship, extramarital sexual activity, or even being a victim of rape.[4]

The researchers used several examples in Pakistan to illustrate the many incidents of honor killings. One example is the murder of Qandeel Baloch, a model from Pakistan, which was carried out in 2016 by her older brother, Waseem. Waseem strangles her and injects sedatives into her food. Model Qandeel allegedly damaged the family's reputation because of her sensual photos. The customs and culture upheld by Qandeel's family significantly discriminate against her life as a woman. Examples include being mistreated and being forced to marry at the age of sixteen. Meanwhile, Qandeel's dream, she wants to go to school and be allowed to express his creativity. She also used his career as a model to support his family financially, but unfortunately, the culture of honor killings pushed her to give up on her dreams.[5] Such is the condition of women's human rights in Pakistan; discrimination, rape, and oppression continue to occur even though there is the possibility of the death penalty for those who commit them.[6]

One of the ten worst countries for women is Pakistan.[7] This claim is caused by sexual dissatisfaction, lack of education, and the implementation of laws that are considered not optimal. The Anti-Rape Law came into existence in 2020, and Pakistani President Arif Alivi approved it to speed up the judicial process related to sexual harassment against women and children.[8] Even though Pakistan has joined CEDAW and has a human rights constitution, there are still many human rights violations, especially against women, that occur due to the actions of certain parties.[9] For this reason, the researcher intends to examine these violations with the title "Perspective of the Convention on the Elimination of All Forms of Discrimination Against Women Regarding Legal Protection for Women Victims of Violence in Honor Killing Cases in Pakistan." The problem of this research is regarding the protection of women's human rights based on international law for victims of violence in Pakistan, as seen through the lens of the "Convention on the Elimination of All Forms of Domestic Violence Against Women" (CEDAW).

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[4] Nazia Habib, Shaheryar Naveed, and Chaudhry Shoaib Akhtar, "'Can't Fight With My Fate': Reasons Explaining Violence-Accepting Behavior of Women in Pakistan," *SAGE Open* 14, no. 3 (2024): 1–18, https://doi.org/10.1177/21582440241268358.

[5] Shenila Khoja-Moolji, "Patriarchy as an Assemblage: Qandeel Baloch, Male Domination and Feminist Publics in Pakistan," *Journal of South Asian Studies* 45, no. 1 (January 2022): 1–18, https://doi.org/10.1080/00856401.2021.1969138.

[6] et al., "Domestic Violence Against Women in Pakistan: To What Extent Pakistan Fulfilled Its International Pledge," *Pakistan Journal of Social Research* 04, no. 01 (2022): 575–82, https://doi.org/10.52567/pjsr.v4i1.923.

[7] Feby Anindya Kirana, "Ini Daftar 10 Negara Terburuk Untuk PerempuanMenurut Penelitian," Fimela, 2018.

[8] Muhammad Adnan Aziz et al., "Between Law and Society: Exploring the Persistent Rape Problem in Pakistan," *Pakistan Journal of Criminal Justice* 4, no. 1 (2024): 24–38, https://doi.org/10.62585/pjcj.v4i1.43.

[9] Hanif Muhammad and Razzaq Athar, "Redefining the Role of Women in Pakistan: Zardari's Effort to Empower Womenthrough Constitutional Development," *Annals of Human and Social Sciences* 3, no. 3 (2022): 1–11, https://doi.org/http://doi.org/10.35484/ahss.2022(3-III)21.

Additionally, measures to limit the problem are being implemented in light of the urgent need to protect women's rights from acts of violence in Pakistan.

Violations of human rights (HAM) against women are a global issue that requires immediate attention, especially in countries like Pakistan, which have a solid patriarchal culture. Physical, psychological, financial, emotional, and sexual abuse of women is just one type of abuse of power and authority that occurs in almost every country in the world. Sujatmoko (2016) emphasized that these acts of violence not only harm individuals but also show the state's inability to protect the most defenseless in society. Due to the high rates of violence and discrimination against women in Pakistan, research on violations of women's human rights from the perspective of CEDAW is fundamental. There are legal efforts to protect women's rights, but societal norms and a patriarchal solid culture often make it challenging to implement these policies effectively.[10] Honor killings and other incidents show how vulnerable Pakistani women are to severe violence and how little legal protection they often receive.

This research seeks to find inconsistencies between the national legal system and the global norms set by CEDAW. Furthermore, it aims to emphasize how essential the UN and the ratification of international agreements are in encouraging social and legal change at the national level. By understanding these factors, this research will offer relevant suggestions to improve the legal protection of Pakistani women and ensure efficient respect and preservation of their rights. In addition to highlighting the urgent need for social and legal change to end ongoing discriminatory behavior, this research supports increasing public awareness and education regarding women's rights in society. Therefore, it is believed that this research can support international efforts to end all types of violence and discrimination against women, especially in countries like Pakistan, which have an ingrained patriarchal culture.

Although the issue of human rights violations in Pakistan has been the subject of much research, there are still several gaps that need to be investigated. The lack of emphasis on the practical application of the CEDAW in specific situations, such as honor killings, is one of the main gaps. Previous studies tend to concentrate more on policy analysis or legal differentiation rather than a comprehensive assessment of the effectiveness of local legal protection for female victims. Additionally, further knowledge is needed regarding the influence of Pakistan's strong cultural and social norms on implementing current laws. This paper significantly advances the existing scholarship by providing a nuanced examination of legal protections for women victims of honor killings in Pakistan through the lens of the CEDAW. While previous research, such as Tameshnie's (2024), offered a broad comparative analysis of CEDAW ratification's influence on national policy changes across various countries and highlighted general implementation difficulties due to strong cultural norms, this study narrows explicitly its focus to Pakistan and the issue of honor killings. This study allows for a deeper, more granular assessment of local legal protection effectiveness within a complex national context, offering a micro-level, issue-specific deep dive into the practical challenges of CEDAW implementation that prior broader analyses could not achieve.[11] The unique contribution lies in its meticulous identification of

[10] Citra Paramuditha, "Efforts to Protect Victims of Rape Crime: Law and Society Study," *Semarang State University Undergraduate Law and Society Review* 2, no. 2 (2022): 155–80, https://doi.org/10.15294/lsr.v2i2.53753.

[11] Tameshnie Deane, "Gender-Based Violence in International Human Rights Law – the Efficacy of the United Nations Human Rights Legal Framework and Cedaw in Addressing the Issue," *Age of Human Rights Journal* 23, no. 23 (2024): 1–32, https://doi.org/10.17561/tahrj.v23.8662.

inconsistencies and implementation failures within Pakistan's national legal system and CEDAW norms, particularly highlighting how deeply ingrained cultural and social norms act as formidable barriers to effective legal implementation and enforcement.

Furthermore, this research distinguishes itself from studies like Samza et al. (2021), which documented public attitudes towards punishment for violence against women in Pakistan to highlight social and cultural barriers to the legal system.[12] Instead, this paper directly assesses the effectiveness of legal frameworks and their practical application in honor-killing cases rather than focusing on public perceptions of punishment. While acknowledging public attitudes as a contextual factor explaining implementation challenges, the core inquiry here is distinct, concentrating on the efficacy of legal mechanisms themselves. Similarly, in contrast to Montiel's (2023) work, which examined how media and digital technologies shape public perceptions of violence against women, this study focuses on the practical application and effectiveness of legal protection for victims within the formal legal system.[13] Media influence, although acknowledged, is not the primary analytical lens, further underscoring this paper's unique contribution to understanding the practical implementation of legal safeguards.

By exploring the intricate interaction between Pakistan's local cultural and legal norms and international CEDAW standards and assessing the effectiveness of current legal protection efforts, this paper provides a deeper understanding of women's obstacles in accessing justice and protection. This analysis not only advances the theoretical understanding of human rights implementation in complex socio-cultural contexts but also provides actionable insights for policymakers, legal practitioners, and civil society organizations both within Pakistan and globally. The research underscores the urgent need for integrated strategies that combine robust legal reform with sustained efforts to foster cultural change and strengthen enforcement mechanisms, thereby improving the theoretical and methodological foundations of human rights studies and offering practical support for international efforts to alleviate the vulnerable conditions of women in patriarchal countries.

To draw attention to significant problems in research on women's human rights in Pakistan, it is given the title "Perspective of the Convention on the Elimination of All Forms of Discrimination Against Women Regarding Legal Protection for Women Victims of Violence in Cases of Honor Killings in Pakistan[14]. This title was created to convey the main topic of accurate research, namely the legal protection of women who experience abuse, especially in the context of honor killings, which are still common in Pakistan. In assessing national legal policies and practices regarding the protection of women, this title highlights the importance of an international legal perspective by citing CEDAW.

These terms were also chosen to provide a clear focus of the study, emphasizing the implementation of CEDAW and its application in specific cases in Pakistan. This title is intended to draw the attention of readers and academics to this nuanced but crucial topic and

[12] Samza Fatima, Asfa Ashraf, and Syed Kaleem Imam, "How Pakistan Failed Its Women; A Socio-Legal Analysis of Public's Perception Regarding the Factors That Influence Perpetuation of Violence against Women," *Global Legal Studies Review* VI, no. IV (2021): 18–24, https://doi.org/10.31703/glsr.2021(vi-iv).03.
[13] Aimée Vega Montiel, "Violence Against Women in and Through the Media and Digital Technologies," in *The Handbook of Gender, Communication, and Women's Human Rights*, 2023, 273–85, https://doi.org/https://doi.org/10.1002/9781119800729.ch17.
[14] Soekanto, Soerjono, and Sri Mamudji, *Normative Legal Research*, 8th Printi (Jakarta: PT. Raja Grafindo Persada, 2004).

encourage deeper conversation about the obstacles and possible solutions to strengthening the legal protection of women in our country. Therefore, this title is hoped to significantly advance international efforts to advance gender equality and end all types of discrimination against women. Based on the description above, this study will discuss two problem formulations: First, the regulation of women's human rights in Pakistani law, particularly in cases of gender-based violence such as honor killings. Second, the legal protections available under CEDAW for Pakistani women who are victims of honor killings.

Methods

This study's primary objective was to comprehensively investigate Pakistan's existing legal framework concerning women's human rights and to analyze the extent of legal protection afforded to Pakistani women victims of honor killings, specifically from the perspective of CEDAW. The research was guided by two fundamental questions: how Pakistani law regulates women's human rights and what legal protections exist for Pakistani women victims of honor killings from CEDAW's perspective. A normative legal research methodology, also known as doctrinal or library legal research, was employed to address these objectives, focusing on the systematic analysis of statutory regulations and written legal documents.[15] It is explicitly stated that this research did not utilize primary empirical data, such as interviews, surveys, or direct observations; its foundation rests entirely upon the interpretation and critical analysis of existing legal texts, scholarly literature, and documented case information. This methodological choice is particularly appropriate for analyzing the coherence and efficacy of legal frameworks in relation to international human rights standards. Through this research, there will be a solution that can assist every woman worldwide, especially in Pakistan. This assistance is related to obtaining justice that is as fair as possible because all women are human beings with essential and natural human rights.

A comprehensive collection of legal and academic materials underpinned the integrity and depth of this research. The primary legal materials include the CEDAW, the Constitution of Pakistan (especially Part II, Chapter 1 on Fundamental Rights), the Pakistan Penal Code 1860, the Criminal Law (Amendment) Act 2004 and Act 2016 (specifically related to honor killings), the Hudood Ordinances of 1979, the Muslim Family Law Ordinance 1961, the Child Marriage Restraint Act 1929, and the Protection Against Harassment in the Workplace Act 2010. The Qandeel Baloch murder case (2016) was utilized as an illustrative example to contextualize the real-world implications of the legal framework. Secondary legal materials, such as books, academic articles, and expert views (e.g., Ahmad (2022), Ahmed (2023), Gupta et al. (2022), Khan (2020, 2021, 2023), Malik et al. (2022, 2024), Patel et al. (2024), Rahman (2023), Smith et al. (2021), Sujatmoko (2016), and Weiss (2003)), provided critical analysis and contextual understanding, while various research-related dictionaries served as tertiary legal materials for definitional precision. Key theoretical underpinnings, identified through a conceptual approach, included human rights theory, gender equality and non-discrimination principles

[15] Soekanto, Soerjono, and Mamudji.

from CEDAW, and sociological concepts such as patriarchal culture and honor/shame dynamics.

The normative legal research methodology was operationalized through a combination of four distinct yet complementary research approaches, each contributing uniquely to the multi-faceted analysis. A legislative approach involved a meticulous examination of CEDAW and relevant Pakistani national laws to understand explicit legal mandates, assess their scope, and determine their alignment with the research focus, thereby establishing what the law formally articulates. A case strategy (case approach) ascertained the specific circumstances and outcomes of selected illustrative cases from documented records, identifying practical challenges in legal enforcement and judicial interpretation and demonstrating real-world implications of legal frameworks. A conceptual method (conceptual approach) identified and clarified key theories and principles in legal science related to international gender and women's human rights, ensuring the analysis was grounded in established scholarship and providing a normative lens for evaluation. Finally, a comparative method directly contrasted Pakistan's constitutional and legislative framework with international law. Specifically, CEDAW highlights inconsistencies, gaps, and areas where Pakistan's legal system falls short of international obligations.

The systematic collection and rigorous analysis of legal and academic sources were paramount to the validity and reliability of this normative legal research. The primary method for collecting all legal sources was a comprehensive literature review involving the systematic collection, analysis, and categorization of primary and secondary legal documents according to their origins and hierarchy. This method ensured a structured and in-depth investigation based on the main problem formulations, understanding the weight and precedence of different legal norms. Qualitative descriptive analysis techniques were employed to process and interpret the collected data. This technique involved presenting, explaining, and describing the legal events, provisions, and theoretical concepts to provide a complete, organized, and coherent picture of the legal landscape, facilitating in-depth interpretation of legal texts and identification of patterns. This analytical method is aligned with normative legal research, enabling detailed legal critique and policy recommendations.

Discussion

1. Analysis of Women's Human Rights in Pakistan Based on Legal Provisions and Realities of Honor-Based Violence

Every country has laws that serve as guidelines for its residents to obey to live a safe and orderly social life. Law is a set of regulations, consisting of norms and punishments, established by a recognized organization to control people's behaviour to maintain order, prevent anarchy, and uphold a sense of justice in a country. Every nation needs a system of rules that must be harmonized with the social structure of that nation. The nation's characteristics that adhere to it are also indirectly given by these embedded cultures. Similar to other Islamic countries

around the world, Pakistan is one of the countries that has incorporated and modified the same legal system as England but still reflects a legal framework with an Islamic identity.

Islamic teachings originate from the vast country of Pakistan in West Asia; studies related to Islam are often used as a reference and basis for the entire state hierarchy. Therefore, studies related to Islam become the reference so that every positive law passed by the Pakistani state must be modified under Islamic law to improve people's living standards. However, currently, it is hard to realize these ideals in Pakistan because not all people in the country have the same rights, especially women who feel tremendous loss due to problems of gender inequality and poverty. This incident itself occurred as a result of the disconnection of the concept of patriarchy, which was still ingrained in the nation's social culture with ideal favorable legislation.[16] Pakistan has taken the responsibility to ratify policies, laws, and attitudes in protecting women so that they are kept away from various forms of violence and injustice based on their "gender." This action happened as a result of Pakistan's participation in ratifying CEDAW. The government's approval of this agreement is a significant development for the Pakistani women's movement. According to Weiss (2003), Article 1 mandates that states implement measures to eliminate gender-based discrimination, which includes "any distinction, exception or limitation made based on sex, in the context of gender equality, human rights, and fundamental freedoms."[17]

In connection with what has been stated previously, stakeholders have moved to take several steps to restore human rights, especially regarding women's rights. This action is done by ratifying various laws, which are expected to impact society and significantly realize justice for everyone's rights and entitled to. Pakistani women's human rights are mainly influenced by two legal provisions, namely as follows: [18]1) "Muslim Family Law Ordinance (MFLO) of 1961"; here, there are many Islamic principles regarding marriage and divorce that are stipulated. These two things have a considerable impact on various aspects of the lives of Pakistani women and all citizens in general 2) “Hudood Ordinance of 1979”, The Arabic term for prohibition is hudood. In this sense, prohibition refers to the restrictions set by Islam. These two laws are not the only legal provisions related to upholding women's human rights in Pakistan; Parliament has also approved many other regulations to protect women's rights further. The following are some of the legal requirements: 1) Pakistan Penal Code, 1860 (which prohibits forced marriage and confiscation of women's property). 2) The Child Marriage Restriction Act of 1929 (which regulates how child marriage is prevented). 3) Criminal Law (Amendment) Act 2004, this regulation provides for a minimum sentence of 10 years imprisonment in situations of honor offenses. It states that honor killings are prohibited and violators must be punished. 4) The Protection Against Harassment in the Workplace Act of 2010 provides legal protection against sexual harassment against women in the workplace.

Ideally, the various laws mentioned above can effectively protect and strengthen the human rights of women in Pakistan, creating a comfortable, enjoyable, and well-organized

[16] Sibte Hadi, “Women’s Rights in Pakistan: A Forensic Perspective,” *Medicine, Science and the Law* 43, no. 2 (2003): 148–52, https://doi.org/10.1258/rsmmsl.43.2.148.
[17] Anita M. Weiss, “Interpreting Islam and Women’s Rights: Implementing CEDAW in Pakistan,” *International Sociology* 18, no. 3 (2003): 581–601, https://doi.org/10.1177/0268580903018300 7.
[18] Hadi, “Women’s Rights in Pakistan: A Forensic Perspective.”

social life. Significant obstacles still need to be addressed in the way of proper implementation of the various laws protecting women's rights that Pakistan has approved and enforced. Although laws such as the Hudood Act of 1979 and the Muslim Family Law Act (MFLO) of 1961 indicated the inclusion of Islamic values into the country's legal framework, their interpretation and application under international human rights norms have often been controversial. Although intended to regulate aspects of marriage, divorce, and other social lives, these two laws sometimes have difficulty enforcing gender equality and protecting women's human rights, which are globally recognized standards.

Other legislative measures that addressed issues of violence and gender discrimination include the Child Marriage Restriction Act of 1929, which regulated child marriage, and the Pakistan Penal Code Act of 1860, which prohibited forced marriage and confiscation of women's property. However, Pakistan's substantial cultural and social aspects often make implementing these laws consistently and effectively challenging. Even after new legislation such as the Protection Against Workplace Harassment Act of 2010 was passed, international research such as that by Mullally (1996) shows that there are still significant barriers to overcome to combat sexual violence and harassment against women in the workplace.[19]

Further research, such as Naz's (2025), suggests that increased cooperation between courts, law enforcement, and non-governmental groups is needed to ensure the more successful implementation of women's protection laws.[20] Furthermore, Fikree's (1999) research emphasizes the importance of adopting comprehensive strategies when developing policies that incorporate international norms and consider Pakistan's own social and cultural environment.[21] By examining how laws relating to women's human rights are implemented in Pakistan, particularly in cases of gender-based violence such as honor killings, this research seeks to close the knowledge gap in this context. It is intended that by taking a comprehensive approach and providing a detailed analysis of the current legal system, this research will positively impact international efforts to improve legal protection for women in Pakistan.

One of the countries that has the worst level of violence against women is Pakistan. Data from the comprehensive communication link on domestic violence in Pakistan used in a Human Rights Watch study (2021) shows that there was an increase in domestic violence crimes that occurred between January and March 2020. Pakistan is ranked 153rd out of 156 countries in the Forum's global gender index World Economy (WEF) in 2020, which places these countries at the bottom. There are various types of violence against women, one of which is an act of injustice that differentiates the position of women and men, which is motivated by differences in attitudes and unfair treatment of women by men. One example of violence against women is seen in Pakistan. In this scenario, women are positioned as subordinates, and men have a more prominent role than women. Therefore, men have always had power over women in Pakistan.

[19] Siobhan Mullally, "Women, Law and Employment in Pakistan: From 'Protection' to 'Equal Treatment'?," *International Journal of Discrimination and the Law* 1, no. 3 (March 1996): 207–32, https://doi.org/10.1177/135822919600100302.
[20] Farah Naz, Abedullah, and Maria Fay Rola-Rubzen, "Analysis of Gender-Inclusive Rural Transformation and Policies in Pakistan," *Asia & the Pacific Policy Studies* 12, no. 2 (May 2025): 1–18, https://doi.org/https://doi.org/10.1002/app5.70023.
[21] F F Fikree and L I Bhatti, "Domestic Violence and Health of Pakistani Women," *International Journal of Gynecology & Obstetrics* 65, no. 2 (May 1999): 195–201, https://doi.org/https://doi.org/10.1016/S0020-7292(99)00035-1.

The women most likely to face prejudice are those who are victims and have barriers to obtaining legal identity.

One of the *non-traditional security problems* that occurs in Pakistan and has an impact on national security is gender discrimination. Social and cultural factors keep women in abusive marriages and prevent them from escaping their captors. Because being called a divorce was a social disgrace, the parents did not urge their daughter to return home. In addition, a woman's parents must compensate her for any losses she suffers if she divorces her partner. Cultural views regarding male honor and female virginity justify violence against women.[22]

Pakistan is one of the countries that often experiences incidents related to women's rights, which are often misused. There are instances where a family might execute a member in retaliation for an offense committed by that member or to damage the family's reputation. These incidents are referred to as honor killing internationally or as "karokari" in local Pakistani culture. Honor killings, which are common in Pakistan, involve the murder of a family member by another family member when the killer feels the victim has done something extremely embarrassing or disgraceful to the family. A high level of respect is often the cause of honor killings because this causes a person to provide very protective protection for the honor of his family, which ultimately turns into something scary for women in Pakistan. Therefore, the behavior itself is claimed to violate human rights, especially the rights of women. This type of sanction has been present since Roman times when men, as heads of families, were allowed to execute their wives or daughters who were deemed to have committed adultery. Many similar examples were found even in the Ottoman era in the Arabian Peninsula. Today, Pakistan remains the country where honor killings occur most frequently, particularly in Southern Punjab, Baluchistan, and Sindh. In conclusion, various variables, including cultural norms, religious beliefs, and weak law enforcement in the country, contribute to the increasing number of violent crimes against women in Pakistan.[23]

Honor killings, also known as "karokari," remain a major problem in Pakistan, endangering women's rights and having a significant impact on national security.[24] Extreme actions, such as the murder of a family member who is deemed to have humiliated the family, are often used as justification for the practice, which is generally driven by cultural beliefs that uphold masculine honor and link it to women's virginity. Gender inequality is exacerbated, and cycles of violence are sustained by laws and social conventions that place different expectations on men and women. While there are laws designed to protect women from violence, such as the Protection Against Workplace Harassment Act of 2010, successful implementation of these laws still presents significant challenges.

Although laws have been changed to limit honor killings, recent research, as done by Singh (2021), shows that many of these murders go undetected, and the perpetrators are rarely

[22] Unaiza Niaz, "Women's Mental Health in Pakistan," *Wolrd Psychiatry* 3, no. 1 (2004).
[23] Nur Azizah and Febri Rahmawati, "Kekerasan Berbasis Gender Di Pakistan" (Yogyakarta, 2023), 5–24.
[24] Sujay Patel and Amin Muhammad Gadit, "Karo-Kari: A Form of Honour Killing in Pakistan," *Transcultural Psychiatry* 45, no. 4 (December 2008): 683–94, https://doi.org/10.1177/1363461508100790.

prosecuted fairly.[25] According to other research by Zubair (2018), cultural norms that uphold family honor often prohibit women from asking for help or escaping from dangerous situations because doing so would be considered shameful by their families.[26] This problem reflects weak law enforcement and inadequate protection for victims of gender-based violence in Pakistan, in addition to domestic problems. Therefore, efforts to break the cycle of violence against women in this country must focus on increasing public awareness, facilitating women's access to justice, and strengthening the implementation of protective laws.

2. Rules regarding the Protection of Women's Human Rights in the perspective of the Convention on the Elimination of All Forms of Discrimination

It is impossible to discuss women's rights without discussing human rights, constitutional rights, and the "CEDAW" or (CEDAW Convention). Human rights for women are a woman's natural right because of her identity as a woman and her status as a human being. The "General Declaration of Human Rights" or (UDHR) which was published in 1947 and approved by the UN General Assembly on December 10, 1948, is the basis of the international legal framework or human rights regulations, especially those relating to the confirmation of women's rights as part of human rights. The "Universal Declaration of Human Rights" (UDHR) is the beginning of the process of codifying human rights standards, which includes all rights for women. The draft "CEDAW" was accepted by the UN General Assembly on December 18, 1979. The UN General Assembly extended an invitation to participating countries to ratify the Convention at that time.

The adoption of CEDAW, which came into force in 1981, marked the culmination of global efforts in the field of women's rights, intending to safeguard and advance women's human rights everywhere. An important role in this issue is also played by the UN Commission on the Status of Women, which was established in 1947 with the responsibility of reviewing and developing policies aimed at improving the status of women. This commission plays an important role in realizing CEDAW. There are three (three) principles implemented in CEDAW: the principles of substantive equality, state duty, and non-discrimination. Apart from the three guiding principles, several other articles directly regulate human rights for women, which are still difficult for Pakistan to achieve.[27]

Specifically, Article 2 of CEDAW obligates states to eliminate all forms of discrimination against women by condemning discrimination, requiring the embodiment of equality in national constitutions, and mandating appropriate legislative and other measures, including sanctions, where necessary. This provision directly pertains to honor killings as it compels Pakistan to enact and enforce laws that effectively prevent and punish such acts, recognizing them as extreme forms of discrimination. Furthermore, Article 5 addresses the elimination of

[25] Deler Singh and Dipali S Bhandari, "Legacy of Honor and Violence: An Analysis of Factors Responsible for Honor Killings in Afghanistan, Canada, India, and Pakistan as Discussed in Selected Documentaries on Real Cases," *SAGE Open* 11, no. 2 (April 2021): 21582440211022324, https://doi.org/10.1177/21582440211022323.
[26] Muhammad Zubair, Syed Imran Haider, and Farhana Khattak, "The Implementation Challenges to Women Protection Laws in Pakistan," *Global Regional Review* III, no. I (2018): 253–64, https://doi.org/10.31703/grr.2018(iii-i).18.
[27] Muhammad Fakhir Aftab Ahmad and Shaukat Hussain Bhatti, "Assessing Women's Rights in Pakistan: An Analysis of Legal & Social Challenges with Potential Solutions," *Pakistan Journal of Humanities and Social Sciences* 11, no. 2 (2023): 991–1003, https://doi.org/10.52131/pjhss.2023.1102.0411.

gender stereotypes and the modification of social and cultural patterns of conduct that perpetuate gender-based prejudice and practices, such as honor killings, which are deeply rooted in harmful traditional beliefs. This article emphasizes the need for societal transformation to eradicate the underlying causes of such violence. Additionally, Article 16 of CEDAW guarantees equality for women in all matters relating to marriage and family relations. This equality includes equal rights and responsibilities during marriage and at its dissolution, and equal rights regarding children. In the context of honor killings, this article is crucial as it asserts women's autonomy over their lives and personal choices within the family unit, directly challenging the patriarchal justifications often used to commit honor-related violence. These articles collectively guide the necessary legal and social reforms required to provide comprehensive protection to women from honor killings, moving beyond mere punitive measures to address systemic issues.

Other significant articles also highlight critical women's rights, though their direct linkage to honor killings is through the broader framework of women's autonomy and participation. For instance, Article 7 outlines women's rights in political and social life, ensuring their equal participation in public affairs. Article 8 affirms women's right to participate in the activities of international organizations and represent their government at the international level. Moreover, Article 9 guarantees women the same rights as men to obtain a guarantee that marriage with a foreigner does not necessarily change or revoke their citizenship. It also grants them the same rights as men in determining the nationality of their offspring. While these do not directly address violence, they underscore the fundamental rights and equality that honor killings violate, further reinforcing the need for robust legal protections.

The General Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights contain provisions regarding various economic, social and cultural rights. Article 2 of the Covenant states, “Men and women are entitled to the same economic, social, and cultural rights.” From the perspective of CEDAW, protecting women's human rights is an important step in the global campaign to eliminate gender discrimination. Adopted in 1979 and entered into force in 1981, the Convention provides a strong legal framework for the protection of women's rights globally. However, there are inconsistencies in the adoption and implementation of this Convention in a number of countries, including Pakistan, where social, cultural, and religious barriers often hinder the realization of CEDAW's promised gender equality.

Even though Pakistan has ratified CEDAW, Huda's (2025) research shows that there are still significant gaps in protecting and recognizing women's rights, especially in political, economic, and social situations. Several factors contribute to a status quo that disadvantages women in Pakistan, including reluctance toward societal change, weak law enforcement, and orthodox interpretations of Islamic law.[28] To encourage countries to implement their CEDAW responsibilities, the UN Commission on the Status of Women and the international monitoring community play an important role. Real obstacles still need to be overcome to eliminate gender

[28] Sadia Huda and Anila Kamal, “Honor Killings in Pakistan: Unveiling of Myths and Misuses of the Term,” *Women \& Criminal Justice* 0, no. 0 (2025): 1–11, https://doi.org/10.1080/08974454.2025.2473883.

stereotypes and ensure that women in Pakistan and around the world have equal protection under the law.

3. Legal Protection for Victims of Honor Killing Cases in Pakistan

After examining the examples of honor killings, it is clear that several articles were violated, including the freedom to choose one's husband and the requirement that marriages should only be entered into with full and free consent.[29] These violations are demonstrated by a number of events in the real world. For example, if a woman dates a man who does not have the support of his family, she will face consequences for being deemed to have humiliated the family. The patriarchal structures underlying most honor killings are exacerbated by society's established culture of honor and shame.[30] In this society, family honor comes first. Restoring a person's or family's honor is the motivation for honor killings.

The foundation of a patriarchal society is a system of domination and subjugation where the opinions of men and boys are accepted as the standard. These customs, which tend to influence married women, justify the murder of women. The woman in question had committed adultery or extramarital affairs, which justified this brutal crime. The men with the most power to kill single women are their fathers and siblings. Following this custom implies that a person considers his honor to be a very sacred virtue. Murder is seen as an appropriate way to regain the family's respect, as it is believed that loss of life equals loss of honor. Based on the information above, Pakistan has established the Human Rights Commission of Pakistan *in* an effort to protect victims in the context of human rights issues. Pakistan is one of the countries that has ratified CEDAW. This commission reports the number of women killed each year for honor.The Criminal Law (Amendment) (Offences in the Name or Pretext of Honor) (Law XLIII of 2016), which amends the Pakistan Penal Code of 1860 and the Criminal Procedure Code of 1898 by tightening sanctions related to *Honor Killing* and expanding the definition and scope of offenses that are related to *Honor Killing cases*, This is another manifestation of the efforts made by the Pakistani government to reduce the number of victims of honor killings. According to this law, *Honor Killing incidents* are classified as " *Fasad-fil-ard* " and are recommended to be punished with life imprisonment without the possibility of release or modification.

While the 2016 amendment represents a crucial legislative endeavor to combat honor killings, its practical application reveals a significant implementation gap, thereby challenging Pakistan's full compliance with Article 2 of CEDAW.[31] This fundamental article obligates states to condemn discrimination against women in all its forms and to undertake comprehensive legislative and other measures, including sanctions, to eliminate it. Despite the law's punitive measures and reclassification of honor killings, the effective enforcement of these legal provisions remains inadequate. This inadequacy is further compounded by deeply ingrained

[29] Rukhshanda Zarar, "Domestic Violence Against Women: A Complex Issue in Pakistan," *Investigations in Gynecology Research & Womens Health (IGRWH)* 2, no. 3 (2018), https://doi.org/10.31031/igrwh.2018.02.000540.
[30] Tenzin Dorjee and Stella Ting-Toomey, "Honor Killing: Multidimensional and Multilevel Perspectives," ed. James D B T - International Encyclopedia of the Social & Behavioral Sciences (Second Edition) Wright (Oxford: Elsevier, 2015), 185–91, https://doi.org/https://doi.org/10.1016/B978-0-08-097086-8.64100-4.
[31] Shagufta Kanwal, "Honor Killing: A Case Study of Pakistan," *Journal of Law & Social Studies* 3, no. 1 (2021): 38–43, https://doi.org/10.52279/jlss.03.01.3843.

patriarchal cultural norms that often undermine the legal process and discourage reporting. Consequently, victims frequently face substantial barriers in accessing justice, and perpetrators, at times, continue to enjoy impunity, leading to a disconnect between statutory provisions and lived realities.[32] The tragic case of Qandeel Baloch, murdered by her brother despite evolving legal frameworks, starkly illustrates the persistent challenges in overcoming these deeply entrenched societal and systemic obstacles to justice.

In the case of honor killings in Pakistan, it is clear that a number of fundamental rights have been violated, including the ability to choose a life partner and the demand that marriage be based on free and informed consent.[33] This phenomenon is thought to have injured family honor when a woman decided to date a man who was not permitted by her family. Driven by an ingrained culture of honor and shame, the patriarchal structure of this civilization intensifies the practice of honor killings. In these situations, family honor takes priority over individual rights, and acts of violence are often justified as an attempt to restore honor that has been harmed.

The main obstacles still faced are consistent implementation and deep cultural change. However, Pakistan has achieved important achievements, including the establishment of the Human Rights Commission, ratification of CEDAW, and the adoption of the Criminal Code (Amendment) in 2016, which increased penalties for honor killing. Studies published in international publications show that the social and cultural standards still embedded in Pakistani society often undermine these efforts.[34] Therefore, Pakistan must pursue forward-looking legal and policy recommendations that effectively operationalize its CEDAW obligations to bridge the gap between legislative intent and practical impact. This effort necessitates a multi-faceted strategy, beginning with robust gender-sensitivity training for all law enforcement officials, judicial personnel, and legal practitioners, ensuring a profound understanding of gender-based violence and women's rights as enshrined in CEDAW. Simultaneously, significant investment is required to improve and expand victim protection systems, including accessible shelters, psychological support, legal aid, and secure reporting mechanisms that prioritize the safety and autonomy of women. Furthermore, a concerted effort towards sustained community-level education is crucial to challenge deeply entrenched patriarchal norms and foster a societal paradigm shift that unequivocally rejects honor killings and upholds women's fundamental human rights. By implementing these comprehensive strategies, Pakistan can significantly enhance its alignment with international commitments under CEDAW and work towards eliminating honor killings, ensuring justice and protection for all women.

Conclusion

The study concludes that while Pakistan has established a legal framework to protect women's rights, including the ratification of CEDAW and the enactment of the Criminal Law

[32] Rafia Naz Ali, "Honour, Custom or Crime : Honour Killing in Pakistan," *JournalofRegional Studies Review (JRSR)* 3, no. 1 (2024): 1–7, https://doi.org/10.62843/jrsr/2024.3a014.
[33] Zarar, "Domestic Violence Against Women: A Complex Issue in Pakistan."
[34] Sundas Malik and Faiza Parveen, "Honor Killing ; A Socio-Psychological Phenomenon ?," no. October (2023).

(Amendment) (Offences in the Name or Pretext of Honor) (Law XLIII of 2016), its effectiveness is significantly hampered by consistent implementation gaps and deeply entrenched cultural norms. National laws, such as the Pakistan Penal Code and the 2016 amendment, aim to impose strict penalties for honor killings. However, the continued prevalence of honor killings and other forms of gender-based violence demonstrates inadequate legal enforcement, a lack of awareness among women regarding their rights, and a substandard operationalization of CEDAW principles. This disparity arises because deeply ingrained patriarchal structures prioritize perceived family honor over individual rights, often justifying violence as a means to restore that honor. Consequently, many honor murders go undetected, and perpetrators often avoid fair prosecution, reflecting systemic weaknesses in law enforcement and victim protection.

Targeted and actionable policy recommendations are essential to address these critical compliance gaps with CEDAW obligations. Pakistan must prioritize robust gender-sensitivity training for law enforcement, judicial personnel, and legal practitioners to ensure a profound understanding of gender-based violence and women's rights as enshrined in CEDAW. Concurrently, there is an urgent need to improve and expand comprehensive victim protection systems, including accessible shelters, psychological support, legal aid, and secure reporting mechanisms. Furthermore, sustained community-level education campaigns are crucial to challenge deeply entrenched patriarchal norms and foster a societal paradigm shift, aligning national practices with international commitments. Acknowledging the study's limitations, primarily its reliance on statutory analysis and urban-centric data, future research should employ mixed-methods approaches, including ethnographic studies and survivor testimonials, to capture grassroots realities and assess how legal reforms interact with informal justice systems. The absence of longitudinal data on policy outcomes also restricts understanding of long-term cultural shifts, necessitating follow-up studies to evaluate sustained impact and evolving resistance strategies against gender equality initiatives.

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