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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.

REQUESTING THAT THE U.N. PROTECT WOMEN AND MINOR GIRLS FROM FORCED CONVERSIONS AND FORCED MARRIAGES IN PAKISTAN

1. INTRODUCTION

The ECLJ submits this report to highlight the abuse of young Christian and Hindu girls at the hands of Muslim men. There is a growing trend of Muslim men seducing and kidnaping young minority girls and women, forcing them to convert to Islam, and marrying them. And, the government has failed to take any measures to stop such practices. Further, women belonging to religious minorities face discrimination from the double standards held by the Pakistani authorities. The Muslim majority receives some due process in crimes committed against them, whereas cases involving Christians and Hindus are regularly neglected and ignored. Gender-based violence, including trafficking and sexual violence, especially against minority religious groups, is widespread in Pakistan.

2. BACKGROUND

Pakistan has continuously violated human rights by failing to protect Christian and Hindu women and girls who are targeted by Muslim men for abuse. While evil is being committed against vulnerable minority women with impunity, the government has failed to respond to such crimes, provide safety to minority girls, or punish the perpetrators. The cases of which the ECLJ has direct knowledge, because of its affiliate in Pakistan, are just a sample of the discrimination and persecution throughout Pakistan.

According to one estimate, approximately 1,000 Christian and Hindu women and girls are forcibly converted to Islam and married to Muslim men every year.[1] Both federal and provincial governments have failed to take action on these issues, and law enforcement agencies are usually reluctant or fail to investigate. Despite these realities, the government rejected attempts to introduce legislation prohibiting forced conversions of young women, claiming such legislation would allegedly go “against Islam and the Constitution of Pakistan.”[2]

3. VIOLATIONS

An important case that we highlighted in our previous reports is of M.J., a missing Christian child who disappeared from her home in September 2020. In this case, while evidence exists that a Muslim man who lives just next door was in continuous contact with M.J. on the day of her disappearance, M.J. is still missing, the prime suspect (the neighbor) is not being investigated, and the police are still doing nothing to find M.J. After the lower courts refused to order the police to find M.J., our affiliate appealed before the Supreme Court of Pakistan, seeking orders against the police to search for her and asking for a proper investigation. The Supreme Court refused to order the police to search for M.J., or take any action, whatsoever. Instead, during the oral argument, the court told our affiliate’s attorney it would only order the police to rescue M.J. if he could point out her location. The case has been ongoing for almost two years, with no official action to find M.J., and no changes since our last report.

Moreover, the Pakistani government has instituted a system called Zainab Alert, similar in theory to Amber Alert in the United States, after a minor Muslim girl was kidnapped, raped, and murdered. A complaint concerning M.J.’s case has been filed with the department that runs Zainab Alert. Yet, to date, no efforts have been made to find M.J. or investigate her disappearance using this system. Having exhausted all domestic remedies, we request that this Council hold Pakistan accountable to its international commitments, especially the ICCPR, CEDAW, and CRC, which provide for due process, the protection of life and liberty, protection of women, and the rights of the child. Pakistan’s blatant refusal to act is a clear indication that this innocent young Christian girl’s disappearance, and life,

are of no concern to the Pakistani government. Young girls, especially those from minority religions, are particularly and uniquely protected under international law, and Pakistan is entirely failing to enforce those protections.

In a case that further highlights the lack of justice for non-Muslim girls, Mahnoor Ashraf, a Christian teenage girl, went missing and the police have made no advancements on her investigation. In January 2022, after leaving her home with her nephew to go to the store, Mahnoor was kidnapped and forced to convert to Islam and marry a 45-year-old Muslim neighbor, Muhammad Ali Khan Ghauri, who is already married and has two children.[3] Mahnoor's father filed a police report against Ghauri and his accomplices but the police have not done anything to help find Mahnoor.[4]

There are stark similarities in Mahnoor's and M.J.'s case. In both cases, the girls are Christian teenagers and the suspects are much older Muslim men. In both cases, the suspects are neighbors. The only difference is that, in Mahnoor's case, the Muslim neighbor converted her to Islam and married her, and in M.J.'s case, the Muslim neighbor was in continuous contact with her but there is no information about any conversion or marriage and M.J. is still missing.

In another case, Meerab Abbas, a twelve-year-old Christian girl, was kidnapped in November 2021, and has not been found.[5] The kidnapping was reported to the police and, although some suspects were arrested, no progress has been made on finding the girl.[6]

In a similar case, a Hindu teenager, Pooja Kumari, was murdered during an attempted kidnapping. It is reported that a forced conversion and marriage was planned for Pooja. Before Pooja's murder, she was threatened and harassed by a Muslim man, Wahid Bux Lashari.[7] Her family asked the local police for help, but the police had no interest in helping the family. However, there are reports that the police arrested Lashari after the murder.[8]

In contrast to the four cases involving non-Muslim victims, Dua Zehra is a 14-year-old Muslim girl who was allegedly kidnapped on April 16, 2022, and forced to marry.[9] After she got married, Dua sent a picture of her marriage certificate to her father on an instant messaging application.[10] The father informed the police of her disappearance. Though there were issues between the Karachi police and the Lahore police regarding jurisdiction, these issues were resolved rather quickly. The police also actively searched for Dua using the information found on her marriage certificate and assigned this as a high profile case with multiple law enforcement agencies involved in the investigation. Due to the advancements made in her case, Dua has already been found. This case is now in court for further investigation concerning the legality of Dua's marriage.[11]

This discriminatory treatment of Muslim girls versus Christian and Hindu girls shows there is more progress in police investigations and court proceedings when the investigations do not involve minorities. The four cases involving non-Muslim girls have been waiting months for support from the authorities, whereas the cases involving a Muslim girl was resolved in a matter of a few weeks, made a matter of top police priority, and awaits further resolution in court.

4. RECOMMENDATION

Pakistan has a fundamental responsibility to protect all girls from violence, regardless of religion or background. Pakistan is a party to the ICCPR, CEDAW, and CRC, and is obligated to provide due process of law, protection of fundamental rights, including life and liberty, to all of its citizens, especially the vulnerable groups such as women and minorities. We urge this Council to remind the Government of Pakistan of its national and international obligations, and to follow through on its commitment to protect all of its citizens, especially young girls who belong to minority religions. All women, regardless of religion, should be protected from violence and persecution.

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