FORCED CONVERSION OF MINORITY GIRLS AND WOMEN IN PAKISTAN

Submission to the UN Office of the High Commissioner for Human Rights for the consideration of the 3rd Universal Periodic Review of the Islamic Republic of Pakistan during the 28th Session

By

The World Sindhi Congress (WSC) is one of the most prominent human rights education and advocacy organizations for Sindh and Sindhis. The main objective of WSC is to establish an infrastructure to teach and disseminate educational material to the public, including, but not limited to, material relating to culture and literature of Sindhi people, their persecuted status in Pakistan, and their peaceful struggle for the human rights including the right to self-determination through publications, lectures, media or otherwise.

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The Unrepresented Nations and Peoples Organization (UNPO) is an international nonviolent and democratic membership organisation. Its members are indigenous peoples, minorities, and unrecognised or occupied territories that have joined together to protect and promote their human and cultural rights, to preserve their environments, and to find nonviolent solutions to conflicts which affect them.

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# Table of Contents

I. Introduction 3

II. Forced Conversions 4  
   a. Forced Conversions in Sindh 5  
   b. Compilation of Reported Cases of Abduction and Forced Conversion of Hindus in Sindh (2012-2016) 8  
   c. Pakistani Law Relating to Forced Conversions 13

III. Recommendations 14
Keywords: forced conversions; persecution; minorities; human rights violations; violence; religion

I. Introduction

1. This report, jointly submitted by the World Sindhi Congress (WSC) and the Unrepresented Nations and Peoples Organization (UNPO) on the occasion of the 28th Session of the Universal Periodic Review during which the Islamic Republic of Pakistan is under consideration, draws attention to human rights violations occurring in the country, more specifically regarding forced conversions in the Sindh province. The report opens with a brief overview of current issues in the region. Then, it focuses on the forced conversions, outlining the core causes of the problem and the most vulnerable areas, in light of a brief analysis of Pakistani Law relating to forced conversions. Finally, the report presents a series of recommendations aimed to facilitate constructive discussions during the 28th Session of the UPR in 2017.

2. The report is based mainly on reports by organizations and initiatives such as Movement for Solidarity and Peace (MSP), the United States Institute of Peace and AWAAZ Project, but also on information from newspapers, academic articles and distinguished research centres such as the Oxford Poverty & Human Development Initiative (OPHI).

The Sindh Region

3. Sindh forms a province in south-eastern Pakistan, bordering the Pakistani provinces of Punjab and Balochistan to the north and the west and the Indian states of Rajasthan and Gujarat to the east and southeast. Sindh has remained independent for much of its history but has periodically suffered invasions and occupations. In 1946, the Sindh Assembly voted to join Pakistan, based on the 1940 Lahore Resolution – which stipulated "protection for minorities" and "sovereignty and autonomy" for constituent units – which has
afterwards been contravened by Pakistan’s centralized pro-Islamist rule.

4. Although the last census in Pakistan (1998) indicated a population of 30 million living in the region, it is estimated that it has rapidly increased since then and reached over 50 million people. As reported by the 1998 Census, approximately 6.5% of Sindhi population is Hindu, most of them living in the rural areas.

5. The 2014 report “Multidimensional Poverty in Pakistan” – developed by Pakistan’s Planning Commission and OPHI, and released by the United Nations Development Programme (UNDP) – shows a poverty ratio of 75.5% in rural areas of Sindh, resulting in an overall ratio of 43.1% (urban ratio of 10.6%). Sindh is, therefore, the second poorest province in Pakistan, only behind Balochistan.

6. The Hindu minority is particularly affected by oppressive national laws and discrimination – the application of blasphemy laws, for example, reveals the level of institutionalization of discrimination in the country. In a resolution of 27 November 2014 on Pakistan, the European Parliament expressed concern that blasphemy laws are susceptible to misapplication, being used to target minority groups and to hinder their right to freedom of expression. These laws prescribe life sentence or even death penalty for alleged cases of blasphemy and, according to the report, attempts to discuss them in the media were met with harassment, from the Pakistani government included.

7. The section below will focus on the issue of forced conversions. Starting by the definition of the phenomena, it will then provide an overview of the way this problem has been affecting the population in the Sindh region.

II. Forced Conversions
8. Forced conversions happen when some sort of violence – physical, emotional and/or psychological – is used in order to ensure a religious conversion. Thus, victims of forced conversions are usually abducted and submitted to force, duress and/or threats, being coerced to choose between bearing the abuses and converting. Violence is commonly directed not only to the victims, but also used or threatened to be used on their loved ones. On occasion, as stated by MSP in their 2014 report, forced conversions and marriages are used to conceal other crimes – human trafficking and sexual abuse, for example.

a. Forced Conversions in Sindh

9. As intolerance towards religious minorities grows in Pakistan, so does the practice of forced conversions. As indicated by the former vice-chairperson of the Human Rights Commission of Pakistan (HRCP), Amarnath Motumal, 20 or more Hindu girls are abducted and converted every month in Pakistan, although exact figures are arduous to obtain. The most vulnerable areas for forced conversions in Sindh are the Thar region (Umerkot, Tharparkar and Mirpur Khas districts), Sanghar, Ghotki, and Jacobabad.

10. While there are different methods used to force people to convert, two common forms in Pakistan are bonded labour and forced marriage. Most bonded labourers in Sindh belong to the Hindu minorities, mainly belonging to the Scheduled Castes. Bonded labourers are enslaved as a result of debts, using their labour as a form of payment and living under surveillance (although there are also cases of individuals who have been enslaved simply due to religious hatred). Working in agriculture, brick kilns, tanning, and carpet industries, they are usually submitted to physical and/or sexual violence. Government officials fail to enforce the national law on Bonded Labour Abolition (1992), while police recurrently fails to register complaints against landowners. Three factors sustain this trend: social acceptance of the phenomenon (traditional authoritarian and hierarchical rural society), vulnerability due to extreme poverty and inequality, and the influence of powerful
abusive landlords, which affect national levels of administration and constraining political force\textsuperscript{13}.

11. The incidence of reported cases of non-Muslim girls being forced to marry Muslim men and convert to Islam due to their marriage has noticeably increased\textsuperscript{14}. After forcefully converting, moreover, girls are often prohibited from contacting their families. Those who manage to go back to their homes are considered traitors of the faith, which implies persecution and threats to their lives\textsuperscript{15}.

12. Sindhi Hindu minority’s susceptibility to forced conversions is related, among other factors, to social and economic vulnerability, such as poverty and social alienation. Minorities lack proper space in education, jobs and community life. Furthermore, conservative Muslim groups influence local power structures in order to perpetuate and institutionalize discriminatory practices against non-Muslim communities, while misogyny and rigid patriarchy affect women from minorities even further than others, hindering their access to education and participation in the job market\textsuperscript{16}.

13. Religious Institutions play a central role in maintaining the status quo, avoiding the creation a specific legal framework for forced conversions and constraining the action of police officers and judges involved once a case is reported. Well-known religious institutions which support forced conversions of young Hindu girls in Sindh are Bharchundi Sharif, Sarhandi Pir\textsuperscript{17} and Bharchundi Pir, all reportedly backed by Pakistan People’s Party (PPP)\textsuperscript{18}.

14. In furtherance of conducting conversions, they must be registered at the local shrines. Nevertheless, most religious institutions do not question the nature of the conversion, and information provided by the abductor – often false – is usually accepted. The certificates issued by these institutions become official documents and, given credibility by the law, can be used to excuse violations during investigations and trials\textsuperscript{19}.

15. In order to report a forced conversion, the victim’s family or individual attend a police station and register a First Information
Report (FIR) of abduction. MSP reports that statements compiled by the police are not always factual, mainly when there’s involvement of influential members of the community. In some cases, police officers even refuse registering the FIR, rendering the girls’ families with little recourse against the assailants. In cases where a police report is filed, the courts’ practice has typically been to not decide custody matters in favor of the girl's family, even when the girls are 12 or 13 years old. Thus, it is clear that political allegiances or traditional sympathies ordinarily constrain police action. The result has been the further isolation of minority religious groups from the public sphere and contributed to the increasing exodus of religious minorities out of Pakistan.

16. Throughout the whole process of pressing charges and testifying, the girl or woman remains in custody of the perpetrator of the forced conversion, which facilitates a testimony in favour of the perpetrator as a result of constant pressure and fear of violent retaliation. Many families choose not to report cases against influential abusers due to death threats. According to United States Institute of Peace, the number of Hindu families migrating from Sindh to India has increased in the last years. These families – 50 per month, as stated by the Pakistan Hindu Council – flee in order to escape persecution of all kinds, including forced conversions.

17. In the 2012 Human Rights Council report of the Working Group on the Universal Periodic Review on Pakistan (2nd cycle), the delegations of Denmark (p. 9, para. 67), Austria (p. 21, para. 122.103), Thailand (p. 22, para. 122.121) and Canada (p. 21, para. 122.102) drew attention on the issue of forced conversions in the country. Recommendations made by these delegations included the adoption of effective legislation and measures to protect religious minorities, to prevent forced or early marriage. According to the report, Denmark “referred to the legal ambiguity whereby secular laws might be subject to sharia law” in Pakistan. In the 2008 report of the Working Group (1st cycle) Switzerland (p. 9, para. 43) and Sweden (p. 12, para. 68) had already stressed the issue of forced marriages, although the report did not address forced conversions specifically.

18. 2012:

9th January, Hindu girl named Shamim Marwai kidnapped from Ghauspur city, released 10 days later in Sanghar;

12th February, Nimirta Kumari kidnapped from Shahi Bazaar Daharki city, report launched at the nearest police station;

25th February, Hindu girl Rinkal Kumari kidnapped from Mirpur Mathelo city, converted to Islam and forced to marry Naveed Shah at the Dargah of Bharchundi;

3rd March, Aisha Kumari was kidnapped from Jacobabad, forced to converted to Islam and marry with an eighteen-year-old Muslim;

3rd March, citizen of Jacobabad and doctor of the Agha Khan hospital, Lata Kumari was kidnapped in Karachi, FIR registered against Nadir Dahri and others;

7th March, Amina Kollhi was kidnapped by a landlord in Tando Bagho and forced to convert, according to her parents;

24th March, citizen of Mahrabpur, Marusi Marwai was kidnapped from Chandia Morh district Khairpur;

5th April, young couple Rekha and Kailash forced to convert in Pangrio city;

17th April, Nurse Yoked Alias Mehak Maseeh was kidnapped from Sukkur, report launched;

8th August, fourteen-year-old girl Mansha kidnapped from Jacobabad, forced to convert to Islam and to marry Murtaza Ujjjan;

15th August, two bangle sellers aged 12, Gulzari and Bhagwani, were kidnapped from Gharo, district Thatto;

16th August, young girls Hemi and Pooja kidnapped from Golarchi, district Badin;
5th September, **Meera Bheel** kidnapped in Tando Adam;

8th September, **Suni Kollhi**, a girl from Tando Masti, was kidnapped by landlord Raja Sheikh, according to her parents;

18th October, **twelve-year-old girl** named Kaweeta suffered an abduction attempt by a government employee, according to the registered FIR;

2nd November, **Tulji Bheel and his daughter** were kidnapped in Kot Ghulam Muhmmad, district Mirpur Khas;

8th November: **Leela Bhagri** kidnapped in Larkana;

13th November: **twelve-year-old girl Moomal** kidnapped in Kunri city.

19.2013:

1st February, Hindu girl **Dhani Bheel** kidnapped by a landlord in Khipro;

1st February, **Motaan Bheel** kidnapped in Khipro;

5th February, **Meena Meghwar** kidnapped from Kunri city, forced to convert to Islam and to marry Riaz Kappri;

5th June, married Hindu girl **Suneeta Mahesh** kidnapped from Karhio Ghanwar city;

19th July, young girl **Baari Bheel** kidnapped from Kunri, forced to convert and to marry Ali Murad Noohani;

11th July, **Bhagwanti** kidnapped from Kunri, forced to convert and to marry Javed Sahto;

15th July, **Koonj Bheel** kidnapped from Nawabshah, forced to convert muslim at the Dargah of Jhandu Pir;

17th July, a girl from Tando Jam named **Bibi** was kidnapped in Kotri, forced to convert and to marry Muhammad Ali Machi;
9th August, Raaj Bai kidnapped in Tando Jam city, forced to convert at the Dargah Ayoub Jan Sarandi and to marry Essa Kaloï:

10th December, Bhagori Meghwar kidnapped from Chachro city, forced to convert to Islam and to marry Zulfiqar Ali Rind:

26th December, Shirimati Meeran kidnapped from Kunri and forced to convert.

2014:
3rd January, Ghori Bheel kidnapped, forced to converted, and killed by local militant group:

5th January, Hazar Bhagri kidnapped in Pano Akil, forced to convert at the Dargah of Bhurchundi:

17th January, young girl Shabana Soochi kidnapped from Gadap town:

29th January, eighteen-year-old girl Pooja kidnapped and converted in Jamia Banoriya, Karachi:

8th January, seven-year-old Jamna and eleven-year-old Pooja kidnapped in Mirpur Khas, both forced to convert in Bhaan Singh’s Madrassa:

10th February, Farzana Christen kidnapped by Hakeem Sargani in Khanwahan:

22nd February, Mariam Meghwar kidnapped, forced to convert and to marry Asif Lund at the Dargah of Bhurchundi:

23rd February, three Hindu girls – Gulpari, Bhaghi and Kokia Baghri – kidnapped in Makli (Thatta), while trying to get water from a hospital:

15th March, Rani Baghri kidnapped in Jacobabad, located two weeks later:

15th May, daughter of Harichand Thakur kidnapped and forced to marry Rameez Raja in Tando Muhammad Khan:
5\textsuperscript{th} June, **Phoolan Bheel and her young daughter Guddi** kidnapped in Mirpurkhas;

14\textsuperscript{th} June, **Reena Kumari** kidnapped in Thari Mirwah;

19\textsuperscript{th} June, **Raziya Kumari** kidnapped, forced to convert and to marry a salesman in Kandhkot;

19\textsuperscript{th} September, **Shirimati Rami Soochi** kidnapped in Mahrabpur;

3\textsuperscript{rd} October, young Hindu girl **Neelan Kollhin** kidnapped in Kot Ghulam Muhammad by Javed and Akbar;

30\textsuperscript{th} October: **twelve-year-old girl Anjeli Meghwar** kidnapped, forced to convert and to marry Riaz Siyal;

7\textsuperscript{th} November, **fourteen-year-old Kiran** kidnapped, forced to convert the on November 8\textsuperscript{th} and to marry Qurban Samo in Nawabshah;

11\textsuperscript{th} November, eighteen-year-old **Parsha Kollhi** kidnapped in Kunri;

12\textsuperscript{th} November, **Kajol Bheel** kidnapped in Uderolal by Aslam Sahiwal and Ramzan Dars;

13\textsuperscript{th} November, **Lali Meghwar** kidnapped in Samaro, forced to convert at the Dargah Pir Ayoub Jan Srahndi;

20\textsuperscript{th} November, thirteen-year-old **Parwati Kollhi** kidnapped in Samaro;

21\textsuperscript{st} November, **Rejo Kollhi** kidnapped in Samaro city;

2\textsuperscript{nd} December, fourteen-year-old **Marvi Kollhi** kidnapped and converted in Samaro\textsuperscript{27}.

21. 2015:
11\textsuperscript{th} February, **Sheela Meghwar** kidnapped and forced to convert by Ayoub Jaan Sarhandi;

12\textsuperscript{th} February, **Jenni Baghri** kidnapped in Ghotki;
20th February, a married girl named Seeta Kollhi kidnapped in Khipro;

2nd March, Walhi Kollhi kidnapped in Jam Nawaz Ali city and forced to convert;

31st March, fourteen-year-old Anarkali kidnapped in Karachi;

31st March, Beghum Oad kidnapped in Nawabshah;

31st March, Hindu girl Aisha kidnapped in Sukrund by Rajab Chohan;

2nd April, sixteen-year-old Soniya Meghwar kidnapped in Amarkot;

4th April, Chandar Mati Baghri kidnapped in Ghotki (the girl had to run away from the abductor in order to testify before the court);

11th April, Chanduri Kollhi kidnapped in Badin and forced to marry Asif Khaskheli;

13th April, Dyina Bheel kidnapped in Sukkur and forced to convert in Karachi;

21st May, Sheeva Baghri kidnapped in Ghotki;

31st May, Meera and Amina Bheel kidnapped in Badin;

3rd June, fifteen-year-old Madhuri kidnapped and converted in Ammar Kot;

18th December, fifteen-year-old Ramila Meghwar kidnapped and forced to marry eighty-year-old man28.

22. 2016:

2nd January: two Hindu girls named Sapna and Raj Kumari kidnapped from Thul city, forced to convert and marry with Muslim men before being released from Amort Sharif;
17th January, a Hindu girl named Radhika Meghwar kidnapped, forced to convert and marry a Muslim man:

23rd January, two Hindu girls named Samjo Kolhi and Sonari Kolhi kidnapped by Halepoto Tribe, forced to convert and to marry members of the tribe:

16th April, a Hindu girl named Perma Bheel was abducted, forced to convert and to marry Hayat Hingorjo:

31st May, a Hindu girl named Guddi Bheel shot dead by a landlord for resisting to a forced conversion in Khahi Khipro:

8th December, a Hindu girl named Angeli Meghwar was handed over by a court order to the person who forced her to conversion and marriage.

C. Pakistani Law Relating to Forced Conversions

23. In November 2016, Sindh Assembly unanimously passed a bill, presented to the Assembly in 2015, against forced religious conversions, a milestone for human rights and minority rights in the region. The Criminal Law (Protection of Minorities) Act. The bill, however, was returned two months later by Sindh then Governor Mr. Saeed-uz-Zaman Siddiqui without being ratified, due to pressure from influential conservative and extremist Muslim groups. Mr. Siddiqui passed away shortly after that, and the bill is still on hold.

24. Other legislations touching upon aspects of forced conversions: Sindh Child Marriage Restraint Act 2013; forced marriage under Section 498B of the Pakistan Penal Code 1860; rape under Sections 375 and 376 of the Pakistan Penal Code 1860; wrongful confinement and restraint under XVI-A of the Pakistan Penal Code 1860; kidnapping, abducting or inducing a woman to compel for marriage under Section 365B of the Pakistan Penal Code 1860; kidnapping or abducting from lawful guardianship under Section 361 of the Pakistan Penal Code; kidnapping or abducting a person under the age of fourteen under Section 364A of the Pakistan Penal Code.
1860\textsuperscript{32}; and International Labour Organization’s ratified convention Abolition of Forced Labour Convention, 1957 (No. 105)\textsuperscript{33}.

III. Recommendations

Given the above-mentioned situation in the Islamic Republic of Pakistan, the Unrepresented Nations and Peoples Organization urges the Government of Pakistan to consider the following recommendations:

1. To ensure the ratification and implementation of the Sindh Criminal Law (Protection of Minorities) Act against forced conversions, approved by Sindh Assembly in 2016.

2. To ensure protection for all relevant parties involved in the investigation and the trial of forced conversion cases – the victim, the victim’s family, her lawyer, and even the judges.

3. To hold accountable investigation officers and judges who base their action on political allegiances, resulting in biased trials in cases of forced conversions.

4. To hold accountable all parties responsible for forced conversions, including not only the abductors, but also religious institutions which do not inquire and check on the nature of conversions before issuing certificates.

5. To provide better life conditions for the religious minorities, ensuring equal access to education, jobs and community life, which would reduce their vulnerability to abuses such as forced conversions.
6. To ensure the exercise of all human rights to religious minorities with no discrimination and in judiciary equality, in accordance with Article 4 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities\(^3\).
27 Ibid, p. 11-12.