

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



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Keywords: minorities; religion; human rights violations; violence forced; conversions; persecution

Introduction

1. This report, submitted by the *Nonviolent Radical Party, Transnational and Transparty* on the occasion of the 28th Session of the Universal Periodic Review, during which the Islamic Republic of Pakistan is under consideration, highlights the issue of forced conversions in the region of Sindh. The phenomenon of forced conversions involves different violations of elemental human rights, and it has become increasingly frequent in Sindh. The report commences by presenting a definition for forced conversion and an overview of Sindh – population, poverty ratio etc. Subsequently, the report deliberates on the circumstances in which forced conversions take place in Sindh: the main causes of the Hindu minority's vulnerability, the Pakistani Law relating to this phenomenon. To conclude, a series of recommendations is proposed to the Government of Pakistan with a view to contributing for fruitful discussions during the 28th Session of the UPR.
2. The **Nonviolent Radical Party, Transnational & Transparty** (NRPTT) enjoys general category consultative status with the United Nations Economic and Social Council (ECOSOC) since 1995.

In its campaigns NRPTT seeks to enhance awareness of and compliance with international human rights and democratic standards on both a national, regional and international scale. The NRPTT and its affiliate organizations have mounted a series of global campaigns to improve the effective enjoyment of international human rights worldwide. Such campaigns range from the campaign against starvation in the world (aimed at redirecting military funds to civil means), over the establishment of the special International Criminal Tribunals for the Former Yugoslavia and Rwanda and the International Criminal Court, to the UN moratorium on the death penalty, the UN ban on Female Genital Mutilation, the participation in the initiative for a Community of Democracies launched in 2000.

The above-stated campaigns have led to numerous initiatives at the heart of the United Nations bodies, aimed at the promotion and affirmation of human rights by the United Nations General Assembly.

The Sindh Region

Forced Conversions in Sindh

3. In Pakistan, forced marriage and bonded labour are the prevalent methods used for forced conversions, although various methods exist. Hindus, particularly the ones from Scheduled Castes, are typically the victims of bonded labour in Sindhⁱ, enslaved in order to pay debts and living under a high level of surveillance. These labourers – who might also suffer physical violence, including sexual abuses – commonly work in fields such as agriculture, tanning, carpet industries or brick kilns. One of the factors which uphold this trend is that rural society in Pakistan tends to be highly based on hierarchy and authoritarianism and, as a result, bonded labour is frequently viewed as acceptable. Other key-factors are the socio-economic vulnerability of the victims and the power of abusive landowners, who exert strong influence over the police and even the government, leading to many of the cases not being registered. National law on bonded labour (Bonded Labour Abolition, 1992), therefore, fails to be enforced. Also concerning preoccupying are the occurrences of victims enslaved simply because of religious odiumⁱⁱ.
4. In relation to forced marriages, cases of Hindu girls forced to convert to Islam and to marry Muslim men have reportedly increased in the last yearsⁱⁱⁱ. These conversions are not only traumatic and violent in their process, but also afterwards: girls commonly remain isolated from their families, and going back to practicing their original religion is considered treachery, leading to death threats and persecution^{iv}. Former vice-president of the Human Rights Commission of Pakistan (HRCP), Amarnath Motumal, affirmed that around 20 or more Hindu girls are kidnapped and forced to convert in the country every month, although it is difficult to achieve exact figures^v.
5. Sanghar, Jacobabad, Thar – the districts of Umerkot, Tharparkar and Mirpur Khas – and Ghotki are the most susceptible areas for forced conversions in Sindh^{vi}. The susceptibility of the Hindu minority is strongly related to the socio-economic vulnerability of the victims: poverty, alienation from community life, difficult access to education and jobs. At the same time, power structures are heavily influenced by conservative Muslim groups which act in order to perpetuate prejudice against non-Muslims, and women from minorities are all the more affected by misogynistic practices of the patriarchal social arrangement. Religious intolerance, which is increasingly growing, has been leading to an ever more frequent practice of forced conversions^{vii}.
6. Conversions must be registered in local religious institutions in order to have a legal status. These institutions issue certificates which are given credibility by the law, but many of them produce these documents without inquiring on the nature of the process. Certificates are, therefore, often built on false information given by the abductors, and can be used before the police and before courts of justice to excuse violations^{viii}. Some religious institutions are key actors in the maintenance and strengthening of the practice of forced conversions, as well as in hampering

the establishment of a legal framework dedicated specifically to this abuse. In Sindh, some of the most well-known shrines which endorse the practice are Bharchundi Pirs, Bharchundi Sharif and Sarhandi Pir^{ix}, allegedly supported by the Pakistan People's Party (PPP)^x.

7. Reporting a forced conversion requires registering a First Information Report (FIR) of abduction at a police station, which is typically done by the family of the victim. Nonetheless, if influential members of the community are involved in the abuse, the registration tends to be compromised or even dropped. Sometimes, death threats prevent families from even reporting the cases. Hence, it is clear that political/traditional allegiances recurrently hinder effective police action against forced conversions^{xi}.
8. If the police report is filed and the case is brought before a court, the victim's families is rarely given the custody of the victims, regardless of their age. As a result, under pressure and in fear of retaliation, the victim is more prone to produce a testimony in favour of the abductor/abuser^{xii}. Forced conversions are one of the main reasons for Hindu families to flee from Pakistan and, according to the Pakistan Hindu Council, 50 families migrate to from Sindh to India every month due to persecution^{xiii}.
9. In the first cycle (2008) of the Universal Periodic Review regarding Pakistan, the Human Rights Council report of the Working Group contained notes and recommendations by Sweden (p. 12, para. 68) and Switzerland (p. 9, para. 43) regarding forced marriages, but forced conversions were not mentioned^{xiv}. However, in the second cycle (2012) the delegations of Denmark (p. 9, para. 67), Thailand (p. 22, para. 122.121), Canada (p. 21, para. 122.102) and Austria (p. 21, para. 122.103) not only recommended the creation of effective laws and mechanisms to protect minorities and to prevent forced marriages, but also voiced their concern about forced conversions^{xv}.

Forced Conversions in the Pakistani Law

10. Current Pakistani laws regarding issues which are often associated with the phenomenon of forced conversions: the "Abolition of Forced Labour Convention", 1957 (No. 105), International Labour Organization, ratified by Pakistan^{xvi}; Sindh Child Marriage Restraint Act 2013; rape under Sections 375 and 376 of the Pakistan Penal Code 1860; kidnapping or abducting from lawful guardianship under Section 361 of the Pakistan Penal Code; forced marriage under Section 498B of the Pakistan Penal Code 1860; kidnapping or abducting a person under the age of fourteen under Section 364A 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^{xvii}.

11. Sindh Assembly approved a bill against forced conversions in November 2016, which was a triumphant landmark in human and minority rights. Nonetheless, due to massive pressure from conservative and extremist Islamic groups, the Criminal Law (Protection of Minorities) Act^{xviii} was sent back to the Assembly two months later without being ratified, by Sindh then Governor Mr. Saeed-uz-Zaman Siddiqui (who passed away shortly after that)^{xix}. Currently, while religious minorities increasingly suffer with forced conversions, the bill remains at a standstill.

Collection of cases related to the kidnapping and Forced Conversion of Hindus in Sindh (2012-2016)

12. 2012:

9th January, Hindu girl named Shamim Marwai kidnapped from Ghouspur 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 Jacobabdad, forced to convert to Islam and to marry Murtaza Ujjan;

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, Sunni 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 Muhammad, district Mirpur Khas;

8th November: Leela Bhagri kidnapped in Larkana;

13th November: twelve-year-old girl Moomal kidnapped in Kunri city^{xx}.

13. 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 Nawabsha, 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 Kaloi;

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^{xxi}.

14. 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 Muhmmad Khan;

5th June, Phoolan Bheel and her young daughter Guddi kidnapped in Mirpurkhas;

14th June, Reena Kumari kidnapped in Thari Mirwah;

19th June, Raziya Kumari kidnapped, forced to convert and to marry a salesman in Kandhkot;

19th September, Shirimati Rami Soochi kidnapped in Mahrabpur;

3rd October, young Hindu girl Neelan Kollhin kidnapped in Kot Ghulam Muhmmad by Javed and Akbar;

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

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

11th November, eighteen-year-old Parsha Kollhi kidnapped in Kunri;

12th November, Kajol Bheel kidnapped in Uderolal by Aslam Sahiwal and Ramzan Dars;

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

20th November, thirteen-year-old Parwati Kollhi kidnapped in Samaro;

21st November, Rejo Kollhi kidnapped in Samaro city;

2nd December, fourteen-year-old Marvi Kollhi kidnapped and converted in Samaro^{xxii}.

15. 2015:

11th February, Sheela Meghwar kidnapped and forced to convert by Ayoub Jaan Sarhandi;

12th 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 man^{xxiii}.

16. 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^{xxiv}.

Recommendations

Given the above-mentioned situation regarding forced conversions in the Islamic Republic of Pakistan, the Nonviolent Radical Party, Transnational and Transparty proposes the following recommendations for consideration of the Government of Pakistan:

1. *To ensure the exercise of all human rights to religious minorities with no discrimination, in compliance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities^{xxv}.*
2. *To ensure better life conditions for religious minorities, including access to education, to community life, and to the job market.*
3. *To ensure the implementation and the proper application of the Sindh Criminal Law (Protection of Minorities) Act against forced conversions.*
4. *To hold accountable members of the police and of the judiciary who act based on political allegiances, leading to iniquitous ruling and impunity for the abusers.*
5. *To ensure protection for the victim, the victim's family and lawyer, and even for the judges involved in the trials on forced conversions, in order to avoid testimonies and ruling under pressure/threats.*
6. *To hold accountable both the perpetrator of the forced conversion and the religious institutions*

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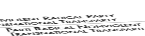
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