
Discrimination Against Lesser Known Religious Minorities of Pakistan



WORLD SINDHI CONGRESS®

22 Newfields, Welwyn Garden City, Herts. AL8 6YT, UK

Tel. +44 (020) 85866609, Fax +44 (870) 1226007

711 7th Street NW, Springhill, LA 71075, USA

Tel. +1-818-917-6910, Fax: +1 (866) 366-9603

60 - 25 Shorehill Drive, Winnipeg, MB R3X 0A9 Canada

Tel. +1 204-480-8431, Fax: +1 204-480-8431

world_sindhi_congress@yahoo.com

<http://www.worldsindhicongress.org>

INTRODUCTION

1. This report is an individual stakeholder submission to the Office of the High Commissioner for Human Rights (“OHCHR”) for consideration in its summary of submissions for Pakistan’s appearance in the fourteenth Universal Period Review.
2. This submission focuses on the increased discrimination against lesser known religious minorities of Pakistan, particularly the Hindus. This review will particularly discuss the recent exodus of the Hindu population out of Pakistan as a result of increased targeted discrimination including: kidnappings; forced abductions and conversions of Hindu women; bonded labour; and the unequal distribution of resources during flood relief efforts.
3. According to the 1998 Census, there were a recorded 2,443,614 million Hindus living in Pakistan. It is estimated that while Hindus consisted of 15% of Pakistan’s population following partition, today the number has rapidly been decreasing, to what is now just over 2% of Pakistan’s 170 million people.¹ Pakistan’s Hindu Council however, estimates that Hindus consist of 5.5% of Pakistan’s total population, with 4.78% of the Hindus living in Punjab province; 1.61% in Baluchistan province; and 93.33% of Hindus living in Sindh province.²
4. There are approximately 40 castes belonging to the ‘Scheduled Castes’ or Dalit Hindus, including the Bheels, Jogis, Kohlis, Meghawals, and Odhs. While official statistics state that the Scheduled Caste population consists of 0.25% of Pakistan’s population³, unofficial figures range much higher. Representatives of Scheduled Castes claim their number is deliberately underestimated and that the Scheduled Caste population in Pakistan is as high as 2,000,000, and 70 to 80% of Pakistan’s total Hindu population.⁴ Despite a specific recommendation in the previous review to take measures to prevent discrimination against this group⁵, the situation has not improved in the period under review.

DISCRIMINATION PATTERNS

5. Forced Marriages and Forced Conversions of Hindu Girls and Young Women

- (a) Whereas Pakistan has accepted the recommendation to take action against forced marriage in the previous review⁶, there has been an increase, particularly in Sindh, of the abduction and forced conversion to Islam of Hindu girls. Young Hindu girls are being kidnapped, subjected to forced marriages with Muslim boys, and converted to Islam.⁷ The Asian Human Rights Commission documents that 20-25 forced conversions are occurring every month in Sindh, and fears that a situation is being created which may force Hindus to leave Sindh.⁸ In 2011, kidnappings of teenage girls in the Aaklee village, Sindh, prompted approximately 71 Hindu families to relocate to India.⁹ Contributing to the crime of abductions and forced marriages of Hindu women is the fact that there is currently no system to register Hindu marriages under Pakistan law; therefore, married Hindu women are also falling prey to abductions and forced second marriages.¹⁰ On March 14, 2011, Pakistan People’s Party lawmaker, Azra Fazal Pechuho addressed the Pakistani Parliament, warning that Hindu girls were being kidnapped and forced to marry Muslims against their will.¹¹ In October of 2010,

Pakistani Senate State Committee on Minorities Affairs, “expressed concern over abduction and conversion of Hindu girls in Sindh,” and recognized that in some cases, “the conversion of a girl from a minority faith began with her abduction and/or rape [...] .”

- (b) It is reported that the police, in many cases, are refusing to register the First Information Reports (‘FIR’) Complaints, rendering the girls’ families with little recourse against the assailants.¹² And in those cases in which FIR Complaints are registered, and which are brought to trial, the girls’ relatives are often not allowed inside the courtroom; and are unaware of the whereabouts of the girl.¹³ Further, pending the Court’s final ruling, girls have been sent to Islamic school centers, or returned to the alleged kidnapper’s home, rather than to secular women shelters or to the girls’ families.¹⁴ The Human Rights Commission of Pakistan (HRCP) ‘Working Group on Communities Vulnerable Because Of Their Beliefs’ report that the courts’ practice in such cases 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.¹⁵

6. Increase of ‘Kidnapping for Ransom’ Cases Against Hindus:

- (a) Hindu businessmen in Sindh are increasingly subject to extortion or kidnappings for ransom.¹⁶ Additionally, Baluchistan has seen a rise of ransom related kidnappings: 43 Hindus were abducted in Baluchistan province between 2008 and 2011.¹⁷¹⁸ And within the past few months, at least 23 Baluchistan Hindus were kidnapped.¹⁹ According to the Human Rights Commission of Pakistan, 2009 Report, the Hindu minority community in Baluchistan, suffered because of increased “kidnappings for random and forced conversion of girls.” In certain areas, “Hindus did not feel safe ... and were avoiding going out in the daytime due to security reasons.”²⁰ According to the Society for the Protection of the Rights of the Child, 23 Hindu children were kidnapped between 2008 and 2010.²¹ The Human Rights Commission of Pakistan reports that many of the victims’ families are failing to register cases with police “out of fear of violent retaliation.”²²
- (b) Police failure to register complaints has left Hindus without protection. “The failure of government authorities to protect Hindus has forced many to pay local gangs ‘protection money’ to avoid being kidnapped for ransom. Often times, however, a family is unable to pay “protection money” and cannot afford the demanded ransom, resulting in the abducted victim being murdered.”²³

7. Discrimination Specific to Hindu ‘Schedule Caste’ Members:

- (a) Bonded Labour: An estimated 1.7 million people are enslaved as bonded labourers in Pakistan, as a result of outstanding financial debts.²⁴ A report by Anti-Slavery International reported a prevailing practice of bonded labour, with the majority of the victims belonging to the Scheduled Caste Hindu populations.²⁵ Bonded labour, including bonded labour of children, continues to exist, despite the Government’s 2001 extension of the 1992 Bonded Labour System Abolition Act, and recommendations made in the previous review.²⁶²⁷ “As the Asian Human Rights Committee states: “[T]he Hindu community in Sindh province, along the borders of India, is from different scheduled castes like, Bheel, Kohli and others, and their women are subjected to abduction, rape, arbitrary arrest, torture, displacement and

killings. Most of the bonded labour in Sindh is from the Hindu community and has been for many centuries. The women are the worst sufferers of the bonded labour. In the districts of Badin, Mirpukhas, Sanghar, Umerkot, Tharparker the Hindu women had been made as slaves because of religious hatred and debts claimed by their masters.”²⁸ Local government officials have failed to enforce the Bonded Labour Abolition Act and police often fail to register complaints against abusive landowners.²⁹ The bonded labour system is characterized by patterns of abuse, detention, and exploitation.³⁰

- (b) Lack of Political Representation: In the allotted seats for the minorities in the Pakistan National Assembly, Senate, and provincial assemblies, not a single Hindu from the Scheduled caste holds a seat. This is largely due to the fact that since 1997, there has been no electoral option for minorities to choose representatives, as political parties select the candidates for minority representation, none of which have been of a Scheduled Caste.³¹ Pakistan Government has failed to provide any official data on the representation of the Scheduled Castes in the political arena. In the federal political level, in 61 years, only one Scheduled Caste member has been a minister in the federal government.³² The Human Rights Commission of Pakistan reported that in 2010, “there was a growing feeling of lack of effective representation in parliament for non-Muslim citizens even under the joint electorate system, as well as little possibility of holding to account lawmakers nominated to seats reserved for minorities.”³³
- (c) Discrimination of Scheduled Caste in Flood Relief Distribution: Between July and September of 2010, unprecedented flooding in Pakistan displaced approximately 7 million people, and destroyed 1.9 million homes.³⁴ Sikhs and Hindus were observed as being pushed away from flood distribution points in Sukkur, following the 2010 floods.³⁵ Scheduled Caste members in particular were lacking in basic shelter aid relief.³⁶ In the Badin town in Sindh district, where 6000 villages were destroyed, though 20% of the population consists of Scheduled Caste members, none of the almost 300 government camp shelters were allocated for Scheduled Caste.³⁷ Without allocated shelters, groups such as Kohli, Meghwars, Jogis and Bheels were denied entrance to camps on the basis of discrimination, and were left to find shelter on the roads.³⁸ Scheduled caste members also faced looting due to fact that they did not have resources to retaliate. Government officials did not acknowledge or account for the religious and caste based discrimination.³⁹ This policy is contrary to the government’s responsibility to provide disaster relief without discrimination, which has been detailed in the UN Guiding Principles on Internal Displacement.⁴⁰

8. Pakistan’s Failure to Protect Hindu Minority Citizens Violates Pakistan’s National and International Legal Obligations

- (a) Pakistan’s Failure to register complaints: Pakistan’s failure to lodge complaints, investigate, and prosecute the growing abductions, forced marriages and forced conversions of Hindu girls, as well as the failure to investigate and prosecute the growing number of kidnapping ransom cases of Hindus, is in violation of Pakistan’s constitutional safeguards against all forms of discrimination. Pakistan’s Constitution also guarantees the security of life and liberty of every citizen; the inviolability of man; freedom of movement, assembly, and

association; the right to free speech and expression, the right to profess, practice and propagate religion; and guarantees that all citizens are equal before law and are entitled to equal protection of the law.⁴¹ Pakistan's failure to investigate and prosecute kidnapping and forced marriages of young girls and women specifically, is also in violation of Pakistan's Penal Code, which prohibits the rape and the abduction of women⁴² and Article 16 of the Universal Declaration of Human Rights, requiring that "marriage shall be entered into only with the free and full consent of the intending spouses."⁴³ Additionally, it is in conflict with international documents including the United Nations Convention on Rights of the Child⁴⁴, and the United Nations Convention on the Elimination of all Forms of Discrimination against Women⁴⁵, both of which have been ratified by Pakistan. The state's inaction also violates the Universal Declaration of Human Rights (UDHR), specifically, the right to equality before the law and protection against discrimination; the right to life, liberty and security of person; the right to a fair and public hearing; and the right to freedom of thought and religion.⁴⁶ The laws are also in violation of Articles 2, 3 and 4 of the UDHR, which categorically condemn religious discrimination and all forms of intolerance based on religion and belief. The state police failure to register or investigate these acts of violence against Hindu citizens, is in conflict with the International Covenant on Civil and Political Rights (ICCPR), article 26 which states that all persons are equal before the law and the law prohibits "discrimination on any ground such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".⁴⁷

- (b) Pakistan's policy towards Scheduled Caste members is in violation of Pakistan's Constitutional safeguards against all forms of discrimination, specifically right of individuals "to enjoy the protection of law"; Article 9 guarantees the security of life and liberty of every citizen; Articles 15 to 17 ensure the "inviolability of man" and "freedom of movement." Further, such discrimination is in violation of the Bonded Labour (Abolition) Act which declares all customs, traditions, practices, contracts or agreements concerning bonded labour void and inoperative. Pakistan's Penal Code also prohibits buying or disposing of any person as a slave; human trafficking of slavery; and unlawful compulsory labour.⁴⁸ The discrimination against Scheduled Castes also constitute violations of the Universal Declaration of Human Rights namely the right to life, liberty, and security of person; the prohibition of slavery, the right to be equal before the law; the right to an effective remedy; the right to freedom of movement; and the right to rest and leisure, including reasonable limitation of working hours."⁴⁹ Pakistan's failure to end public advocacy of discrimination against Scheduled Caste populations is in violation of Article 20 and 26 of the International Covenant on Civil and Political Rights (ICCPR).⁵⁰

9. Evidence of Religious Based Discrimination Contributing to Hindu Emigration Out of Pakistan:

- (a) Increasing discrimination and violence directed towards Pakistani Hindus, including the abductions of young girls, is prompting an observed emigration of Hindus out of Pakistan. In 2010, 500 Hindu families in Baluchistan, because of fear of abduction for ransom or death threats, migrated to India.⁵¹ The Pakistani Hindu Seva, community welfare organization, estimates that while 10 Hindu families migrated to India from Sindh every month since 2008, in the past 10 months, 400 families have left to India due to fear of safety.⁵² In 2009, the Times of India reported that official statistics recorded 5,000 Hindus migrating to India from Pakistan in the past 4 years out of fear of safety due to increasing discrimination as well as security concerns from Taliban related extremists, but that actual figures were much higher.⁵³ Additionally, Pakistan's Hindu Council estimates that at least 1,000 Hindu families are now leaving Pakistan per year.⁵⁴ The Diocese of Rawalpindi reported on the observed rise in Hindu emigration, "The Hindus in Sindh live a hard life. The reality is getting harder for them; they are forced to migrate because the state is unable to protect them and their property."⁵⁵

10 . Recommendations

(a) Recommendations Regarding Kidnapping and Forced Conversions of Hindu Girls and Young Women:

- The police must be instructed to lodge FIR complaints in all cases of alleged abduction of Hindu girls and women.
- Judicial safeguards must be built in to any hearings that adjudicate kidnapping and conversion cases.
- The alleged victim's age must be accounted for in whether or not she can give legal consent to the marriage and conversion.
- In alleged abduction and forced marriage cases, third parties are to be prevented from interference in a case through the use of intimidation or threats towards the victim or her family.
- Victims to be given a place in safeguarded women's shelter up to the time of her final hearing .
- The victim's family should be given access to court proceedings.
- The victim's family shall be given police protection if needed.
- Police must be given special training on working with female kidnapping victims.
- State to keep record of number cases which are being reported to the police versus number of cases being lodged, and record of cases being prosecuted and punishments rendered by the courts, to discourage further kidnapping schemes.
- Pending Court's final judgment in forced kidnapping and conversion cases, the State is to Implement Temporary Safe Home/Women Shelter guidelines for victim

placement.⁵⁶ The shelter's staff should include religious minorities; and victims should have access to community social workers, and psychological counselors.⁵⁷ Furthermore, human rights or social workers, should have access to visit the victim, and the opportunity to report on the victim's conditions.⁵⁸ The shelter or safe house must also be kept free from undue influence, threats, or intimidation. The girls' parents/family should be given the opportunity to visit their daughters, while they reside in the safe homes, if so requested by the victims.⁵⁹

(b) Recommendations Regarding Kidnappings for Ransom Cases of Hindus:

- Police to be instructed to lodge FIR complaints in cases of alleged kidnappings for ransom.
- Judicial safeguards to be built in to all hearings that adjudicate kidnapping cases.
- State to keep record of number cases which are being reported versus number of FIR complaints actually being lodged by police as well as record of cases being prosecuted and punishments rendered by the courts.

(c) Recommendations Regarding Disparate Treatment of Scheduled Caste Populations:

- State to investigate reported bonded labour cases, and to prosecute and fine landlords who utilize bonded labor.
- State government to make visible efforts of paying any outstanding debts owed to landlords in order to secure the release of any bonded laborers, and provide safe accommodation and economic support to the released laborers.⁶⁰
- Creation of an independent secular body that serves as a shelter/rehabilitation center for bonded laborers.
- State to provide free public service announcements and education to scheduled caste populations regarding the illegality of bonded labour and freedoms afforded to each citizen.
- State to allocate percentage of flood rehabilitation resources for scheduled caste populations who are otherwise being denied access.
- State to publicize in flood ravaged areas that the denial of flood resources to Scheduled Caste members is punishable under the law.
- State to enact quota for representation of Scheduled Caste in national and provincial government.
- State to ensure that members of the religious minorities, including Scheduled Caste members, have access to representatives of the National Committee of Minorities.

¹Mark Magnier, *Pakistani Hindus' Ashes Brought to India to be Scattered in Ganges*, LA Times, July 25, 2011, <http://articles.latimes.com/2011/jul/25/world/la-fg-pakistan-hindus-20110725>; Hindu America Foundation, *Hindus in South Asia and the Diaspora, A Survey of Human Rights, 2007*, estimates Hindu population in Pakistan at 1.6% of the total population, available at: <http://www.hafsite.org/pdf/HHR2007.pdf>.

² Pakistan Hindu Council, population statistics, available at: <http://www.pakistanhinducouncil.org/hindupopulation.asp>

³ Population Census Organization, 'Population by Religion' available at: <http://www.census.gov.pk/Statistics.php>.

⁴ International Dalit Solidarity Network ("IDSN"), CERD 74th Session, *Suggestions for Inputs to the List of Issues (October, 2008) Submitted by IDSN, Caste- Based Discrimination in Pakistan*, available at: http://www2.ohchr.org/english/bodies/cerd/docs/Pakistan_LoI_CERD74.pdf; see also 'Minority Rights: Dalits Want Greater Share In Census Over Upper Case Hindus' (26 July 2011) available at: <http://tribune.com.pk/story/217136/minority-rights-dalits-want-greater-share-in-census-over-upper-caste-hindus/>.

⁵ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review (Pakistan)* (4 June 2008) A/HCR/8/42, 20, recommendation 31.

⁶ UN Human Rights Council, *Report of the Working (n 7)*, recommendation 7.

⁷ Asian Human Rights Commission, *Pakistan: The Failure of the Judicial System- Another Hindu Girl Was Forcibly Converted to Islam and Her Whereabouts are Unknown*, (March 7, 2012,) available at: <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-042-2012>), Also mentioned in <http://indiatoday.intoday.in/story/hindus-in-pakistan-victims-of-abduction-forced-conversions-and-oppression/1/138751.html>.

⁸ *Ibid*

⁹ World Sindhi Congress *Report on Forced Conversions to United Nations Minority Forum*, November, 2011

(<http://www.worldsindhicongress.org>); also see Middle East Media Research Institute (MEMRI) report; Gopiniath Kumar, 'Lawmaker Marvi Memon Slams Anti-Hindu Violence in Pakistan' (January 13, 2011) *Pakistan Hindu Post* available at:

<http://pakistanhindupost.blogspot.com/2011/01/pakistani-lawmaker-marvi-memon-slams.html>

¹⁰ *Id.*, also see, Zahid Gishkori, *Divorce Remains Sticking Point in Hindu Marriage Act*, The Express Tribune, October 12, 2011. (Reporting that while Pakistan has no current system to register marriages for Hindus, a proposed Hindu Marriage Act is being considered in Pakistan's National Assembly.)

¹¹ *Hindu Girls Are Forced to Marry Muslims: Zardari's Sister*, Indian Express, March 15, 2012, available at:

<http://www.indianexpress.com/news/hindu-girls-are-forced-to-marry-muslims-zardaris-sister/924247/1>

¹² Human Rights Commission of Pakistan (n 18) p 125, (reporting: Investigation, prosecution against agents of violence and intimidation against minority groups was not a priority, charges were "seldom brought against those responsible for violence, intimidation, and discrimination. . . There was growing feeling of lack of effective representation in parliament for non-Muslim citizens...")

¹³ *Discussions with Samir Kalra, Esq., Director and Senior Fellow for Human Rights, Hindu American Foundation*; also see U.S. Congress Representative Brad Sherman letter addressed to Pakistan President Asif Zardari on issue of forced Hindu conversions, March 12, 2012.

¹⁴ *Discussions with Samir Kalra, Esq., Director and Senior Fellow for Human Rights, Hindu American Foundation.*

¹⁵ Human Rights Commission of Pakistan, *State of Human Rights, 2010* [Lahore 2010] p 137.

¹⁶ The U.S. Commission on International Religious Freedom Annual Report, Pakistan 2011 (recommending that Pakistan is declared a "country of particular concern" pursuant to the US International Religious Freedom Act for failure to protect religious freedom), p. 114, documenting attacks on Hindus and Sikhs, available at: <http://www.uscirf.gov/images/book%20with%20cover%20for%20web.pdf>

¹⁸ Hassan, Nadir, 'Minority rights: For Hindu Community, Asylum May be the Only Option', June 11, 2011, *The Express Tribune*, <http://tribune.com.pk/story/186683/minority-rights-for-hindu-community-asylum-may-be-the-only-option/>

¹⁹ '23 Hindus Kidnapped in Pakistani Province', March 3, 2012, *Deccan Herald*, <http://www.deccanherald.com/content/231810/23-hindus-kidnapped-pakistani-province.html>

²⁰ Human Rights Commission of Pakistan, *State of Human Rights, 2010* [Lahore 2010] p 125.

²¹ US Commission on International Religious Freedom Annual Report, Pakistan 2011, p. 114, available at:

<http://www.uscirf.gov/images/book%20with%20cover%20for%20web.pdf>.

²² *Ibid.*, p. 114.

²³ Hindu America Foundation, Summary of Violence/Discrimination Against Hindus in Pakistan, 2012, citing: Asian Centre for Human Rights, *"Pakistan: The Land of Religious Apartheid and Jackboot Justice, A Report to the UN Committee Against Racial Discrimination*, (August 2007), available at: <http://www.achrweb.org/Review/2007/179-07.htm>.

²⁴ Bakshi, Roopa, "Bonded Labour," (November 2002), The-South-Asian.com; "Bonded Labour in Pakistan," Report Prepared for UN Economic and Social Council, (June 23-July 9, 1999), Anti-Slavery International, available at: <http://www.antislavery.org/archive/submission/submission1999-08Pakistan.htm>.

²⁵ Hindu America Foundation, *Hindus in South Asia and the Diaspora: A Survey of Human Rights*, citing "Chronology of Events Related to Bonded Labour in 2008," Human Rights Commission of Pakistan, available at: http://www.hrcp-web.org/hrcpDetail_cs.cfm?catId=209.

²⁶ UN Human Rights Council, *Report of the Working Group* (n 7) p 20 recommendation 37.

²⁷ International Dalit Solidarity Network ("IDSN"), CERD 74th Session, *Suggestions for Inputs to the List of Issues (October, 2008) Submitted by IDSN, Caste- Based Discrimination in Pakistan*, available at: http://www2.ohchr.org/english/bodies/cerd/docs/Pakistan_LoI_CERD74.pdf; (reporting that in 2001 Pakistan Government implemented the National Policy and Plan of Action for the Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labourers).

²⁸ Asian Human Rights Commission Statement, *"Pakistan: Religious Minority Groups Have Nothing to Celebrate on International Day on Women*, March 8, 2010, available at: <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-043-2010>.

²⁹ Hindu America Foundation, *Hindus in South Asia and the Diaspora: A Survey of Human Rights, 2007*, available at: <http://www.hafsite.org/pdf/HHR2007.pdf> p 63.

³¹ Ayesha Shahid, *Caste Makes them Outcast*, Dawn Pakistan, January 21, 2012, available at: <http://www.dawn.com/2012/01/21/caste-makes-them-outcast.html>; stating that 10 of the 342 National Assembly seats, and 23 of all provincial assembly seats are reserved for non-Muslims; Ramesh Jaipal, Chairman of Scheduled Caste Movement states that a substantial number of Scheduled Caste members want "some sort of electoral option where their representatives are 'elected' rather than 'selected'".

³² International Dalit Solidarity Network ("IDSN"), CERD 74th Session, *Suggestions for Inputs to the List of Issues (October, 2008)*, p. 4, Submitted by IDSN, *Caste- Based Discrimination in Pakistan*, available at: http://www2.ohchr.org/english/bodies/cerd/docs/Pakistan_LoI_CERD74.pdf.

³³ Human Rights Commission of Pakistan (n 18)

³⁴ Human Rights Commission of Pakistan (n 18)

³⁵ See *Ibid*.

³⁶ Zofeen T. Ebrahim, *Untouched by Aid, Relief*, (report on lack of available shelters for Bheels, Meghwars and Kohlis following flooding in Badin, Sindh) Dawn.com, September 23, 2011, available at: <http://www.dawn.com/2011/09/17/untouched-by-aid-relief.html>).

³⁷ Zofeen T. Ebrahim, *Flood Relief by Caste, Creed*, Dawn.com, September 23, 2011, available at: <http://www.dawn.com/2011/09/22/flood-relief-by-caste-creed.html>

³⁸ See *Ibid*. Also see: Maria; *Pakistan's Dalits Denied Flood Aid Because of Caste Discrimination* (reporting that hundreds of thousands of Dalits have been denied shelter and relief items due to discrimination), Minority Voices Newsroom, available at:

<http://www.minorityvoices.org/news.php?action=view&id=830>

³⁹ See *Ibid.*

⁴⁰ United Nations [UN] High Commissioner on Refugees, *Guiding Principles on Internal Displacement* (22 July 1998) UN Doc E/CN.4/1998/53/Add.2, pp 4,1.

⁴¹ Government of Pakistan, *The Constitution of the Islamic Republic of Pakistan* (as amended 30 April 2010), available at: <http://www.infopak.gov.pk/Constitution30April2010.pdf> arts 9, 15-17, 19, 20, 25 (1).

⁴² *Pakistan Penal Code, 1860* [Pakistan] Act XLV of 1860 (6 October 1860), available at: <http://www.pakistan.org/pakistan/legislation/1860/actXLVof1860.html#140> s 375, 366-368.

⁴³ Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) UDHR, art 16.

⁴⁴ Convention on the Rights of the Child (adopted 20 November 1989, entry into force 2 September 1990) GA Res 44/25, arts 3,8,9,16,30.

⁴⁵ Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entry into force 3 September 1981) A/Res/34/180 (CEDAW), art 16.

⁴⁶ CEDAW (n 33) arts 7, 8, 10, 18.

⁴⁷ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), Article 26, (*also see*, Article 27 stating that: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language").

⁴⁸ *Pakistan Penal Code* (n 30) s 368, 379, 374.

⁴⁹ UDHR (n 31) arts 4, 7, 8, 13, 24.

⁵⁰ ICCPR (n 35) art 20 stating that, "any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law,"; Article 26 stating that "the law shall... guarantee all persons equal and effective protection against discrimination..."

⁵¹ Human Rights Commission of Pakistan (n 18)

⁵² Vimal Bhatia, *Fearing Taliban, Pak Hindus take Thar Express to India*, September 10, 2009; http://articles.timesofindia.indiatimes.com/2009-09-10/india/28087838_1_pak-hindus-indian-citizenship-munabao.

⁵³ *Id.* (Reporting: Official numbers of Pakistani Hindus entering India via the Thar Express Train port: 2006- 392 persons; 2007- 880; 2008- 1,240; 2009- 1000. Actual numbers expected to be much higher based on railway employees' observations.)

⁵⁴ Discussion on behalf of the stakeholders with Pakistan Hindu Council Directors, March, 2012.

⁵⁵ Jibran Khan, *Hindu Girl Tells Supreme Court She Will Rather Die Than Convert to Islam*, Asia News, March 28, 2012 (interviewing Friar Anwar Patras, the Diocese of Rawalpindi, who reports of the increasing number of forced kidnappings and conversions of Hindu and Christian girls in Pakistan; and reporting on the pending forced marriage and conversion Pakistan Supreme Court case of 19 year old Rinkle Kumari, and threats her family received after identifying the perpetrators.), available at: <http://www.asianews.it/news-en/Hindu-girl-tells-Supreme-Court-she-would-rather-die-than-convert-to-Islam-24358.html>

⁵⁶ See Pakistan Christian Post, *Enforcedly Converted Hindu Women Under Life Threat in Shelters*, March 28, 2012 (Dr. Nazir Bhatti,, President of Pakistan Christian Congress (PCC), states that it is common knowledge that the women shelters known as Darul-Amans, are run by provincial governments, have Muslim employees, and have a reputation of running 'forced prostitution rings,' and are therefore, not in fact providing a safe temporary shelter for female kidnapping victims. Also reporting that victims of forced conversions are kept silent with death threats on the grounds of 'apostasy', which decrees death to those who leave the religion after conversion), available at: <http://www.pakistanchristianpost.com/viewnews.php?newsid=1799>.

⁵⁷ Discussions with Samir Kalra, Esq., Director and Senior Fellow for Human Rights, Hindu American Foundation regarding recommendations for combating forced conversion practices, and temporary safe homes for alleged victims.

⁵⁸ *Ibid.*

⁵⁹ Discussions with Samir Kalra, Esq., Director and Senior Fellow for Human Rights, Hindu American Foundation regarding recommendations for combating forced conversion practices, and temporary safe homes for alleged victims. *Also see*, Jibran Khan, *Hindu Girl Tells Supreme Court She Will Rather Die Than Convert to Islam*, Asia News, March 28, 2012 (reporting that alleged kidnapping and forced marriage victim, Rinkle Kumari, states that's that she would rather be killed than to return to the Darul-Aman [Koranic school], where she was placed by the Supreme Court as a temporary 'safe house,' pending the final ruling in her case), available at: <http://www.asianews.it/news-en/Hindu-girl-tells-Supreme-Court-she-would-rather-die-than-convert-to-Islam-24358.html>.

⁶⁰ Discussions with Samir Kalra, Esq., Director and Senior Fellow for Human Rights, Hindu American Foundation regarding recommendations for combating bonded labour.