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OHCHR REGISTRY

12 JUL 2012

Recipients: SPD / MINORITIES
Freedom of R.
VAW / IJEPERMANENT MISSION OF PAKISTAN
TO THE UNITED NATIONS AND
OTHER INTERNATIONAL
ORGANIZATIONS56 rue de Moillebeau
1211 Geneva 19

Tel: (4122) 7491930

Fax: (4122) 734 8085

E-mail: mission.pakistan@ties.itu.int

No.Pol/IE-Minor/2011

12 July 2012

My dear Special Procedures,

I have the honour to refer to your letter No. No.UA G/SO 218/2 G/SO 214 (56-23) G/SO 214 (3-3-16) Minorities (2005-4) G/SO 214 (89-15) PAK 4/2012 dated 27 March 2012 regarding abduction and forcible conversion of Ms. [REDACTED] to Islam.

2. We are in receipt of the following information from the relevant authorities in Pakistan in response to the questions raised in the above communication:

i. **Are the facts alleged in the summary of the case accurate?**

Allegations made in the summary of the case are not correct as Ms. [REDACTED] converted to Islam and got married to Mr. [REDACTED] of her own free will. According to her recorded statement before the Supreme Court of Pakistan, Ms. [REDACTED] expressed her willingness to go with her husband, Mr. [REDACTED]. The Supreme Court after establishing this fact, allowed her to go with her husband with whom she is presently living.

ii. **Has a complaint been lodged with regard to the incident mentioned?**

On 24 February 2012, Mr. [REDACTED] s/o Mr. [REDACTED], a resident of the village Hayat Pitafi, lodged an FIR (No.21/2012 U/S 365-B PPC) at PS Mirpur Mathelo. The FIR stated that Ms. [REDACTED], d/o Mr. [REDACTED] was forcibly abducted by Mr. [REDACTED] and Mr. [REDACTED] Shah and two other unidentified accused. The complainant also claimed that cash and gold ornaments were missing.

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iii. Please provide the details and where available, the results of any judicial investigation or any criminal charges and other inquiries carried out in relation to this case and emerging trend of kidnapping, forced marriage and conversion

No judicial investigation or other inquiry was conducted in this case as both parties i.e. a) Ms. [REDACTED] & Mr. [REDACTED] and b) [REDACTED] (uncle of Ms. [REDACTED]) filed separate Constitutional Petitions in the High Court of Sindh, Sukkur and Karachi Benches respectively.

Details of these Constitutional Petitions (CPs) along with their hearings/orders passed thereupon are as follows:

Constitutional Petition filed by [REDACTED] ([REDACTED]) & [REDACTED]

Mr. [REDACTED] and his wife [REDACTED] filed a Constitutional Petition before the Sindh High Court, Sukkur bench against P.O. Sindh and others to seek protection from harassment by P.O. Sindh and others. The High Court ordered the relevant authorities to provide protection to the petitioners.

Constitutional Petition filed by [REDACTED] (Uncle of [REDACTED])

Mr. [REDACTED] filed a Constitutional Petition against PO Sindh and others seeking a) to produce Ms. [REDACTED] before the Court, b) to provide protection to Ms. [REDACTED] and c) to arrest all the accused. After hearing the two parties, the High Court ruled that Ms. [REDACTED] be lodged at Panah Shelter Home. The Court directed Inspector General Police Sindh to provide full and proper security to Ms. [REDACTED]. The Court also ordered that no one, (neither from parent's side nor from her husband's side) shall be allowed to meet her during this entire period.

In compliance of Court orders, Ms. [REDACTED] was lodged at Panah Shelter Home, Karachi.

In a separate development, Supreme Court of Pakistan took suo moto notice of the incident and re-opened a pending petition against forced conversions of Hindu girls, filed by Pakistan Hindu Council (PHC). The Supreme Court directed relevant authorities to produce Ms. [REDACTED] before the Supreme Court on 26 March 2012.

On 26 March 2012, [REDACTED] was produced before the Supreme Court in Islamabad. The Court ordered to keep Ms. [REDACTED] in Shelter Home,

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Karachi, till 18 April 2012. The Court heard Ms. [REDACTED] in the absence of other parties including her husband and uncle. This provided an opportunity to Ms. [REDACTED] to reflect on her choice and decision.

On 18 April 2012, Ms. [REDACTED] again appeared before the Supreme Court of Pakistan. The Supreme Court ordered that Ms. [REDACTED] was *sui juris* and free to go with wherever she desired and accordingly asked Ms. [REDACTED] of her choice. Ms. [REDACTED] reiterated her desire to go with her husband. At that time, she again stressed that she had converted to Islam of her own free will.

iv. Please provide information regarding the whereabouts of Ms. [REDACTED]

On 18 April 2012, the Supreme Court of Pakistan ruled that Ms. [REDACTED] is *sui juris* and directed the police authorities to take her to the places of her choice and wherever she wished to stay. Ms. [REDACTED] articulated her willingness to go with her husband, Mr. [REDACTED]. Since the Court decision of 18 April 2012, she is residing with her husband in Mirpur Mathelo, District Ghotki, Sindh, Pakistan.

Yours sincerely,

(Shafqat Ali Khan)

Acting Permanent Representative

Mr. Heiner Bielefeldt,
Special Rapporteur on Freedom of Religion or Belief

✓ Ms. Gabriela Knaul,
Special Rapporteur on the Independence of Judges and Lawyers

Ms. Izsak Rita,
Independent Expert on Minority Issues

Ms. Rashida Manjoo,
Special Rapporteur on Violence against Women, its Causes and Consequences
Office of the High Commissioner for Human Rights,
Geneva