

**Mandates of the Working Group on the issue of discrimination against women in law and in practice; the Special Rapporteur on the right to education; the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on minority issues; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Special Rapporteur on violence against women, its causes and consequences**

REFERENCE: AL  
PAK 1/2015:

22 June 2015

Excellency,

We have the honour to address you in our capacities as Chairperson-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice; Special Rapporteur on the right to education; Special Rapporteur on freedom of religion or belief; Special Rapporteur on minority issues; Special Rapporteur on extrajudicial, summary or arbitrary executions; and Special Rapporteur on violence against women, its causes and consequences pursuant to Human Rights Council resolutions 23/7, 26/17, 22/20, 25/5, 26/12, and 23/25.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **alleged violent attacks and discrimination against individuals belonging to Shia, Christian, Ahmadi, Hindu, Sikh and Sufi minority communities in Pakistan, and the apparent lack of action by the authorities to prevent these acts, protect religious minority communities, and investigate those acts with due diligence with a view to bring to justice the perpetrators, curb these violations, prevent their recurrence and ensure the right to peacefully exercise one's religion without fear.** Several of the acts described below have been the subject to earlier communications by several of our mandates.

Since 2013, there have been a growing number of reports of severe human rights violations perpetrated against members of religious minorities. These acts have included intimidation, forced marriage - including child marriage - forced conversion, discrimination, physical attacks and killings, including mob killings, as well as other acts of violence against religious buildings, targeting members of the religious minority communities in Pakistan, including Shias, Christians, Ahmadiyya Muslims, Hindus, Sikhs and Sufis. In many reports, attacks were either committed or incited with apparent impunity by Tehrik-i-Taliban Pakistan, Lashkar-e-Taiba, Lashkar-e Jhangvi, Jamaat-ul-Ahrar and other radical militant extremist groups, individuals or mobs. The law-enforcement authorities of Pakistan have failed to act with due diligence to prevent, investigate and punish the perpetrators of these crimes, as well as to provide compensation to the victims.

***Violent attacks against Shias:***

From 1 January 2013 to 27 February 2015, 1145 people were allegedly killed and another 1525 people injured in what appears to be acts of violence against adherents of Shia Islam because of their faith. The following are few examples of violent attacks against these persons:

- On 10 January 2013, the suicide bombing perpetrated against a snooker club in Quetta frequented by the adherents of Shia Islam killed 96 people and injured at least 150.
- On 17 February 2013, a bomb exploded in a vegetable market in Quetta's Hazara Town, predominantly inhabited by Shias, allegedly killing at least 84 people and injuring more than 160 others.
- On 23 October 2014, eight Shias were shot dead in Quetta, Pakistan.
- On 1 January 2015, a Shia was shot dead by armed motorcyclists as he was leaving his clinic near the Bismillah roundabout in Saeedabad, Karachi.
- On 4 January 2015, a bomb exploded during a volleyball match at the Hussaini sports ground killing four people and injuring another eight. The Hussaini ground is owned by the local Shia community in the Kalaya neighborhood of Orakzai (North of Quetta province).
- On 9 January 2015, a bomb was detonated at the Shia worship place outside an Imambargah in Chittian Hattian area of Rawalpindi, Punjab, killing five Shias and injuring 16 others. The explosion also killed two other persons and a policeman not belonging to the Shia faith.
- On 16 January 2015, an advocate belonging to the Shia faith, along with his two nephews, were shot dead at Chara Road, Rawalpindi, Punjab, as they were returning home from attending a religious gathering.
- On 30 January 2015, at least 61 Shias were killed and 50 others were injured in a bomb explosion at Karbala Maula Imambargah in Lakhi Dar area of Shikarpur District of Sindh.
- On 13 February 2015, 22 people were killed and another 60 people were injured as heavily-armed militants attacked with machine guns and suicide bombs a Shia mosque in Peshawar.
- On 30 March 2015, two persons were killed and six wounded in an attack targeting a Shia mosque in Karachi.

***Violent attacks against Christians:***

From 1 January 2013 to 15 March 2015, an estimated 150 persons were killed and another 350 were injured in violent attacks apparently targeting Christians. A few examples include:

- On 9 March 2013, a large mob of people attacked and vandalized the Joseph Colony in Lahore, which is predominantly inhabited by Christians. The attackers looted and torched an estimated 198 Christian homes, shops and churches. Hundreds of Christian families were reportedly displaced as a result of the attacks. It is reported that the police did not attempt to stop the attackers. After the incident, the police registered charges against 1,000 people. However, the State authorities reportedly did not prosecute any of the alleged perpetrators, who were subsequently released on bail. This case has been the subject of a joint allegation letter sent on 16 April 2014 (case PAK 5/2014). While your Excellency's Government acknowledged receipt of the joint urgent appeal, we regret that no response has been received to the substance of the allegation.
- On 22 September 2013, two suicide attacks on All Saints Church in Peshawar killed 127 people and injured over 250 others. State authorities reportedly did not prosecute any of the alleged perpetrators. None of the victims receive compensation.
- On 4 November 2014, a Christian couple was burned to death in a village in Punjab province following rumors that they had "desecrated the Koran".
- On 15 March 2015, suicide bombers targeted two Christian churches, St. John's Catholic Church and the Protestant Christ Church, in the city of Lahore, killing at least 17 people and injuring more than 70. The attacks resulted in violent protests by the Christian community over the failure of the police to protect religious minorities; and in the killing by a Christian mob of two men suspected of the bombing.

***Violent attacks against Ahmadis:***

From 1 January 2013 to 31 March 2015, 19 Ahmadiyya Muslims were killed reportedly because of their religious beliefs. The following are few examples:

- On 27 July 2014, three Ahmadi women, including a seven-month old infant, died in an arson attack in Gujranwala, where eight homes and four shops were looted, gutted and torched by a mob, allegedly in the presence of the police.
- On 16 May 2014, **Mr. Khalil Ahmad** was shot dead inside the police detention facility where he was held, reportedly by a teenager who had concealed a gun in a lunch box. It is unclear why the teenager was allowed by police to meet Mr. Khalil Ahmad. This case has been the subject of a joint allegation letter sent on 30 May 2014 (case UA PAK 8/2014). While your

Excellency's Government acknowledged the receipt of the joint urgent appeal, we regret that no response was received to the substance of the letter.

- On 22 September 2014, **Mr. Mubashar Ahmad Khosa Sahib**, a member of the Ahmadi community from Satellite Town, Mirpur Khas, was shot dead by two unknown motorcyclists. On 15 October 2014, Mr. Lateef Alam Butt, a member of same community from Kamrah, District Attock, was shot dead by unknown assailants when returning home from work. Mr. Alam Butt's house was a prayer centre for local members of that community (Jamaat). Both cases were the subject of a joint allegation letter sent on 23 October 2014 (case PAK 11/2014). We regret that we have not yet received a reply from your Excellency's Government.
- On 21 March 2015, **Mr. Nauman Najam** was shot dead in his shop in Karachi by unidentified killers. He was an active member of the Ahmadi Youth Association. Reportedly, Mr. Najam was targeted by extremists who had attacked him for the first time six months before the murder and since then they had been following him. At that time he was robbed of his valuable at a busy junction in Karachi at gunpoint. The perpetrators of the first attack informed that they were supposed to kill him but that they allowed him to go free in exchange for the money they stole.

***Violent attacks against Hindus:***

The following are few examples of incidents of attacks against Hindus:

- On 13 December 2012, a Hindu spiritual leader, **Dr. Lakhvi Chand**, was shot dead in a market in Mastung, Balochistan. He had been kidnapped and released a few months earlier.
- On 16 March 2014, a Hindu temple in Larkana was attacked by a mob following an accusation of blasphemy against its worshipers. The mob arrived at around midnight, armed with clubs. They smashed statues, looted gold artifacts and set the temple ablaze. Reportedly, March 2014 was the month with the highest number of attacks against Hindus in 20 years: five temples were vandalized and set on fire. During 2013 nine such attacks were reported.
- On 21 November 2014, a Hindu temple was vandalized by unidentified men in Tando Mohammad Khan, Sindh province, leading to protests by the community members and local political parties. An idol and religious books were burned to ashes.

***Violent attacks against Sikhs:***

In 2014, two Sikhs were killed reportedly because of their religious beliefs:

- On 26 January 2014, **Mr. Sardar Kalyan Singh**, a Sikh community member, was killed in Karachi, allegedly because he refused to pay *jizya*, a tax imposed on non-Muslims by radical extremist groups.
- On 22 January 2014, a local Sikh trader from Charsadda was killed in Tangi Bazaar, Charsadda, by unknown perpetrators.

#### ***Violent attacks against Sufis:***

In 2014, 22 Sufis were killed and 59 were injured reportedly because of their religious beliefs. The following are few examples of these attacks:

- On 19 September 2013, three persons were killed and several were injured in an explosion near a Sufi mosque in Achini Bala, Peshawar. Reportedly, dozens of worshippers were participating in a religious gathering when the attack took place.
- On 8 January 2014, six people were killed at the shrine of Ayub Shah Bukhari in Gulshan-e-Maymar, Karachi. A note was found at the scene stating: "Stop visiting shrines - from the Pakistani Taliban".
- On 10 February 2014, eight people were killed and 12 were injured by unidentified gunmen riding on motorcycles who opened fire at the Sufi shrine Aastana of Baba Pir Mehrban Shah in Karachi.
- On 20 June 2014, 44 people were injured by an explosion outside the Sufi shrine Banga Sarkar, in Pindorian near Shahzad Town, Islamabad

#### ***Climate of impunity and blasphemy laws:***

Many of the attacks described above were not investigated, let alone, punished. The impunity for the crimes committed is allegedly fostered by blasphemy and anti-Ahmadi laws, in particular section 298-B and 298-C of the Pakistan Penal Code, Act XLV of 1860 (PPC), which are widely used and result in violations of human rights. Those legal provisions prohibit Ahmadis, *inter alia*, to call themselves Muslims and to preach or propagate their faith. Since 1984, when these provisions were promulgated, thousands of Ahmadiyya Muslims were prosecuted and punished with fines and up to three years of imprisonment for peaceful practicing their beliefs.

Other legal provisions of the PPC, including sections 295, 295-A, 295-B and 295-C prohibit blasphemy against any recognized religion and provide penalties ranging from a fine to death. Little evidence appears to be required to accuse someone of blasphemy under these provisions, and false blasphemy accusations appear to be common and often used to settle personal disputes, to target religious minorities and other minority groups, or to promote extremist views and agendas. Currently, there are at least 17 people on death row and 19 people serving life sentences for blasphemy in the country's prisons.

The following are few examples of persecution on blasphemy charges:

- On 27 March 2014, **Mr. Sawan Masih**, a Christian, was sentenced to death after he was found guilty of blasphemy under Section 295-C of the Criminal Code. This case has been the subject of a joint allegation letter sent on 16 April 2014 (case PAK 5/2014) to the Government of Pakistan. While the Government acknowledged receipt of the letter, we regret that no reply has been received.
- On 8 November 2010, **Ms. Asia Bibi**, a Christian woman from the village of Ittanwali, was sentenced to death by a court in Nankana, Punjab, on blasphemy charges for allegedly insulting the Prophet Muhammad during an argument with a group of women over a pot of water. This case has been the subject of three joint urgent appeals sent to the Government on 22 November 2010 (case PAK 15/2010), on 22 March 2012 (case PAK 3/2012) and on 5 November 2014 (case PAK 13/2014). While the Government acknowledged receipt of these urgent appeals, no response has been received.

Individuals who attempt to defend or speak out on behalf of the rights of religious minorities such as lawyers, journalists and human rights and other activists are also at risk, as illustrated by the murder in May 2014 of **Mr. Rashid Rehman**, lawyer and regional coordinator of the Human Rights Commission of Pakistan. This murder was the subject of a joint allegation letter sent on 22 May 2014 (case PAK 7/2014) to the Government. While the Government acknowledged the receipt of the letter, we regret that no response has been received.

***Forced conversion and forced marriage, including child marriage:***

According to the information received, women and girls belonging to religious minorities in Pakistan are being subjected to forced conversion and forced marriage, including child marriage. Amongst the most persecuted are Christian and Hindu women and girls. Some of the situations reported show that in some instances, discriminatory legislation or even court decisions contribute to these violations. Furthermore, Hindu women are being victimized with punishments for adultery, under a system of institutionalized discrimination whereby Hindu marriages are not recognized or registered under Pakistani law, thus allowing police to make accusations of adultery, which is a severely punishable offence in Pakistan.

Despite the National Assembly passing the Prevention of Anti-Women Practices (Criminal Law Amendment Act) on 15 November 2011, which rendered forced marriage a criminal offence punishable by imprisonment for up to 10 years, Christian and Hindu women and girls continue to be particularly at risk of forced conversion to Islam and forced marriage by Muslim men, and also other forms of sexual and gender based violence. Law enforcement authorities are reportedly unable or unwilling to protect victims of forced marriage and other forms of

sexual and gender based violence. Reportedly, the police's Forced Marriage Unit dealt with 1,400 such reported cases in 2014 alone, though, it is thought that the actual number may be over 6,000 cases.

Under the 1961 Pakistan Muslim Family Law Ordinance, the legal age for marriage is 16 for girls and 18 for boys. However, police, who are required to investigate the ages of those entering a marriage upon the complaint of a parent, are generally reluctant to register or investigate allegations of abduction, forced conversion and marriage. It is also reported that in abduction cases the courts rarely release the girl from the marriage and grant custody to the girl's family.

On 21 October 2014, Ms. [REDACTED], a 12 year old Hindu girl, was abducted, taken to a Madrassa "Dar Ul Uloom Ahsan Al Barakat", forcibly converted to Islam and forced into marriage in Sindh province. This case was the subject of a joint allegation letter sent on 1 December 2014 (case PAK 14/2014), to which no response has been received. In this connection, recent information that we have received concerning this case indicate that the legal proceedings related to Ms. [REDACTED]'s case are still ongoing. On 3 March 2015, the court postponed the hearing for the sixth time since November 2014, and failed to reschedule a new hearing. Meanwhile, Ms. [REDACTED] remains in the custody of her alleged abductor.

In another case, which was also the subject of a joint allegation letter sent to the Government on 1 December 2014 (case PAK 14/2014), Ms. [REDACTED], a 12 year old Hindu girl, was abducted on 30 October 2014, forcibly converted to Islam and then forcibly married to one of her kidnappers in Ghotki district in Sindh. We have since been informed that on 14 January 2015, a court rendered a decision to remove Ms. [REDACTED] from a shelter for women and girls and ordered that she be handed over to her abductor.

#### ***Education and religious intolerance:***

According to an independent study conducted in 2013, discriminatory content against religious minorities was found in 22 Sindh and Punjab provincial textbooks for all grades.<sup>1</sup> These conclusions echoed another study, which was conducted in 2011, and which found an alarming number of public schools and privately-run madrassas devaluing religious minorities in both textbooks and classroom instruction.<sup>2</sup>

Despite the Government's efforts to regulate madrassas and to promote a more inclusive and tolerant education system through a 'National Plan of Action to Accelerate Education-Related Millennium Development Goals for 2013 – 2016', the impact of these measures appears to be marginal.

<sup>1</sup> <http://www.ncjp-pk.org/media/publications/Education%20English.pdf>

<sup>2</sup> [http://www.uscirf.gov/sites/default/files/resources/Pakistan-ConnectingTheDots-Email\(3\).pdf](http://www.uscirf.gov/sites/default/files/resources/Pakistan-ConnectingTheDots-Email(3).pdf)

While we do not wish to prejudge the accuracy of these allegations, we reiterate once again our grave concern at what appears to be widespread, systematic and persistent discrimination and violations of their human rights, including outright violence, often resulting in deaths and injuries, of individuals belonging to Shia, Christian, Ahmadi, Hindu, Sikh and Sufi minority communities in Pakistan, apparently targeted because of their choice and peaceful practice of their religious beliefs. We are further concerned at the Government's failure to protect them against actual and/or institutional discrimination and violence. The impunity of perpetrators in numerous cases appears to further encourage such violence.

These allegations appear to be in contravention of several fundamental norms of international human rights law which are binding on Pakistan by virtue of its ratification of international human rights treaties, including the rights to life and not to be arbitrarily deprived of life, to security of person, to freedom of religion or belief, as well as the obligations of States to prohibit any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, including those based on gender, and to ensure that education to be provided without discrimination.

States have the responsibility to protect persons from human rights violations committed by non-state actors, by exercising due diligence to prevent, punish, investigate and bring perpetrators to justice. While we do not underestimate the difficulties involved in combating violence by groups advocating extreme religious and political views, and to protect individuals or groups targeted by them, we reiterate our appeal to your Excellency's Government to redouble efforts to protect and ensure the security of the members of all religious minority communities in Pakistan. We are concerned that unpunished acts of violence may lead to revenge violence that may engulf communities in a devastating cycle of violence.

We regret that we have not received any response concerning several of the serious acts of violence described above, which have been the subject of earlier communications.

We are drawing your attention to the **Reference to international law Annex** attached to this letter which describes international human rights instruments and standards relevant to these allegations, including those ratified by Pakistan.

It is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. We would therefore be grateful for your observations on the following matters:

1. Please provide any additional information and comment you may have on the above-mentioned allegations;
2. Please provide the full details of any investigations, which have been undertaken into the killings of, and other acts of violence against, individuals belonging to Shia, Christian, Ahmadi, Hindu, Sikh and Sufi minority communities, including the instances cited in this letter; as well as of any judicial,



disciplinary or administrative proceedings undertaken against the perpetrators of these crimes, and their results;

3. Please indicate what policy, legislative, institutional and operational measures have been taken to ensure the protection of religious communities in Pakistan, against discrimination and acts of violence based on religious grounds. Please also indicate any step taken to promote religious tolerance, dialogue and cooperation between communities to prevent violence committed in the name of religion;

4. Please provide detailed information on the measures taken to ensure the right to freedom of religion or belief, in particular, the freedom to have or adopt a religion or belief of one's choice and the freedom to manifest one's religion or belief, in line with Pakistan's international human rights obligations;

5. Please provide details of any measures taken to address, prevent, and prosecute perpetrators of forced and child marriages and to desist from punishing women for adultery, including in minority communities, in conformity with Pakistan's international human rights legal obligations;

6. Please indicate what measures are being taken to ensure that textbooks, curricula and other teaching materials are in conformity with its international human rights legal obligations.

We would appreciate receiving a response within 60 days.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

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Heiner Bielefeldt

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Rashida Manjoo

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**Annex**  
**Reference to international human rights law**

These allegations appear to be in contravention of the right to life, and not to be arbitrarily deprived of life, the right to security of person and the right to freedom of religion or belief, as set forth in article 3 and 18 of the Universal Declaration for Human Rights (UDHR), and 6, 9 and 18 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan on 23 June 2010, as well as the obligations of States to prohibit any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, as set forth in article 20 paragraph 2 of the ICCPR, and the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55), to protect individuals from human rights violations committed by non-state actors, by exercising due diligence to prevent, punish, investigate and bring perpetrators to justice, as required by article 2 paragraph 1 of the ICCPR, and to ensure that education to be provided without discrimination, as set forth in article 13 paragraph 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Pakistan on 17 April 2008.

Article 18 (1) of the ICCPR provides that "[e]veryone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." Furthermore, in its paragraph 2, article 18 requires that "[n]o one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice."

Recognizing that Shias, Christians, Ahmadis, Hindus, Sikhs and Sufis are minority groups in Pakistan, and that minority issues are highly relevant to the information provided, we would like to bring to your Excellency's Government's attention the international standards for the protection of the rights of minorities. The ICCPR establishes in article 27 that persons belonging to 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. The 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities requires States (article 1) to "protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories" and "adopt appropriate legislative and other measures to achieve those ends." Furthermore, the Declaration establishes the right of persons belonging to religious minorities to profess and practice their own religion without interference or discrimination (article 2.1), and to exercise all their human rights and fundamental freedoms without any discrimination and in full equality before the law (article 4.1). We also draw your Excellency's Government's attention to the recommendations of the sixth session of the Forum on Minority Issues on "Guaranteeing the rights of religious minorities" (2013).

Article 2 paragraph 1 of the ICCPR requires from each State Party to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant, without distinction of any kind, including religion. In connection to this, in paragraph 8 of its General Comment No. 31, the Human Rights Committee has noted that there is a positive obligation on States Parties to ensure the protection of the rights contained in the Covenant against violations by private persons or entities, which includes the duty to take appropriate measures to prevent, investigate, prosecute and punish those responsible and repair the damage caused by private persons or entities. A failure to investigate and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR (CCPR/C/21/Rev.1/Add.13, paragraph 18).

Article 9 of the ICCPR provides, *inter alia*, for the right to security of person, which according to paragraph 9 of the Human Rights Committee's General Comment No. 35, protects individuals against intentional infliction of bodily or mental injury, regardless of whether the victim is detained or non-detained. The right to personal security also obliges States parties to take appropriate measures in response to death threats against persons in the public sphere, and more generally to protect individuals from foreseeable threats to life or bodily integrity proceeding from any governmental or private actors. States parties must take both measures to prevent future injury and retrospective measures, such as enforcement of criminal laws, in response to past injury.

We would like to remind your Excellency's Government of the duty to investigate, prosecute, and punish all violations of the right to life. We urge your Excellency's Government in line with the Principles on Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions (Prevention and Investigation Principles; resolution 1989/65 Economic and Social Council), in particular principle 9, that there must be thorough, prompt and impartial investigations of all suspected cases of extra-legal, arbitrary and summary executions.

In this context, we would like to refer your Excellency's Government to paragraph 6(b) of the General Assembly resolution 69/182, which urged States to ensure the effective protection of the right to life of all persons and to conduct prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons, such as killings of persons belonging to national or ethnic, religious and linguistic minorities killings committed in the name of passion or in the name of honour and killings committed for discriminatory reasons on any basis, to bring those responsible to justice before a competent, independent and impartial judicial body and to ensure that such killings, including those committed by state agents, paramilitary groups or private persons, are neither condoned nor sanctioned by State officials or personnel.

With regards to allegations of imposition of the death penalty on blasphemy charges, we would like to recall that article 6(2) of the ICCPR states that the sentence of death may be imposed only for the most serious crimes. The UN Human Rights Committee has interpreted this to mean that the death penalty must be an "exceptional measure and should not be used on non-violent crimes" (Communication No. 838/1998,

20 December 2002, paras. 6.3,7). The Human Rights Committee also noted that the imposition of the death penalty for crimes that do not result in the loss of life is incompatible with the Covenant (CCPR/C/79/Add.25).

In the light of the above standards we would like to appeal to your Excellency's Government to urgently undertake all necessary measures in order to ensure the security of the members of all religious minority communities and their worship places, businesses and other property in Pakistan, as well as to show the citizens of your Excellency's country an example of respect of religious diversity and peaceful co-existence. In this context, we would like to bring to your Excellency's Government's attention the Rabat Plan of Action, which plays a crucial role as an important part of the global movement towards prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. The full realization of the freedom of religion or belief in conjunction with freedom of expression and peaceful assembly, as well as all other human rights plays a pivotal role in prevention of further inter-communal violence and in restoring mutual trust between communities.

The above-mentioned alleged facts indicate prima facie violations of a minimum age of marriage and prevent the marriage of children; the obligation to prevent violence against women and girls; the right to enter a marriage freely (article 23 (3)); and the right to protection, as a minor, without discrimination (article 24 (1)) as set forth in the ICCPR.

In addition we would like to remind your Excellency's Government of its obligations under the Convention on the Elimination of all forms of discrimination against women (CEDAW), which was acceded to by Pakistan on 12 March 1996. In particular: article 2, which condemns all forms of discrimination against women; article 5, which requests the modification of social and cultural patterns of conduct in order to eliminate the prejudices based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women; article 16, which requires the adoption of all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations including vis à vis the rights and responsibilities as parents.

The CEDAW Committee, in its general recommendation No. 21 (1994) on Equality in marriage and family relations, specified that "the minimum age for marriage should be 18 years for both man and woman. When men and women marry, they assume important responsibilities. Consequently, marriage should not be permitted before they have attained full maturity and capacity to act" (para. 36).

Furthermore, we would like to emphasize the fact that child marriage can be considered as a form of slavery, taking into consideration the lack of the requirement of free and full consent of both parties to enter into a marriage, as required by international human rights treaties, including article 23 of ICCPR, article 10 of ICESCR and article 16 of CEDAW. The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, which was acceded to by Pakistan on 20 March 1958, implicitly prohibits forced early marriage (articles 1 and 2).

The CEDAW Committee in its 2013 Concluding Observations on Pakistan (CEDAW/C/PAK/CO/4) was deeply concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes concerning women's roles, their discrimination and subordination within the family and society. The fact that the minimum age of marriage for girls is 16 has been stressed as a matter of serious concern, as well as the abduction of women and girls belonging to religious minorities for the purpose of forced conversion and forced marriages (para.37). In this regard, a recommendation has been addressed to your Excellency's Government in order to conduct research on the extent of the phenomenon of abduction of girls for the said purposes and develop a comprehensive strategy to address this phenomenon (para.38 d).

Furthermore, Article 4 of the United Nations Declaration on the Elimination of Violence against Women urges States to act with due diligence to prevent, protect, prosecute and sanction all acts of violence against women; and calls on States not to invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. Due diligence should also be applied by States to protect individuals from violations by non-state actors. A failure by a State to exercise due diligence to prevent, punish, investigate or to bring to justice perpetrators (including private persons or entities) of such violations could in and of itself give rise to a separate breach of the ICCPR (CCPR/C/21/Rev.1/Add.13, paras. 8 and 18).

With regard to the right to education, we would like to refer your Excellency's Government to the obligation contained in article 13 paragraph 2 of the ICESCR, which requires education to be provided without discrimination.