



Pakistan – Researched and compiled by the Refugee Documentation Centre of Ireland on 7 April 2010

Religious aims and objectives imposed by the State on females and children in Pakistan.

In a section titled “Political Rights and Civil Liberties” The 2009 *Freedom House* report on Pakistan states:

“Pakistan is an Islamic republic, and there are numerous legal restrictions on religious freedom. Blasphemy laws provide steep sentences, including the death penalty, and injuring the ‘religious feelings’ of individual citizens is prohibited.” (Freedom House (16 July 2009) *Freedom in the World - Pakistan (2009)*)

In a section titled “Violence against women” the *Asian Human Right Commission* annual report on Pakistan states:

“Pakistan’s women face a many human rights abuses and violence. They face discrimination based on centuries-old customs and traditions. Women make up 49% of the population of Pakistan, yet they are marginalized and discriminated against by the political, social and economical structures of the country. As an explicitly Muslim state, the women of Pakistan are beholden to a number of Islamic principles. For one, the family is seen as the nucleus of society, the fundamental building block from which the rest of society emerges and evolves. Women are seen to be responsible for maintaining the sanctity of the family, and are thus those who are most likely to disrupt this sanctity. As such, the woman becomes the lynch pin of an ordered society; it is on her back that responsibility and power lies, both for her family and by extension, for all of society. While the violence against women enacted in this society occurs for manifold reasons, it seems that this understanding of women as both the lynch pin and the one with the power to unravel society, is a contributing factor to the continual mistreatment of women in Pakistan.” (Asian Human Right Commission (10 December 2009) *The State of human rights in Pakistan in 2009*, p.31)

This section of the report also states:

“Women face all kinds of violence perpetuated by the state and its agents, ranging from rape, gang rape, torture by state agents, registration of false cases of adultery, killing in the name of honour, Jirga (an illegal and parallel judicial system for the exchange of minor girls in land disputes) no free choice of marriages, restriction of freedom of movement and expression, domestic violence, sexual harassment at the workplace, forceful conversion to Islam, arbitrary punishment for blasphemy, deprivation of property rights, disappearance after arrest and being used as sex slaves in military torture cells. In extreme cases, punishments can include being buried alive or having acid thrown on them.” (ibid, p.32)

Paragraph 28 of a report from the *UN Committee on the Elimination of Discrimination Against Women* states:

“The Committee is strongly concerned about pervasive patriarchal attitudes and deep-rooted traditional and cultural stereotypes regarding the roles and responsibilities of women and men in the family, in the workplace and in society, which constitute serious obstacles to women’s enjoyment of their human rights and impede the full implementation of the Convention. The Committee is also concerned that prevailing trends of fundamentalism, intimidation and violence incited by non-State actors, including through illegal media, are seriously undermining women’s enjoyment of their human rights in the name of religion.” (UN Committee on the Elimination of Discrimination Against Women (CEDAW) (11 June 2007) *UN Committee on the Elimination of Discrimination against Women: Concluding Comments, Pakistan*, p.5)

In a section titled “Freedom of Religion” the 2010 *US Department of State* country report on Pakistan states:

“The constitution states that adequate provisions shall be made for minorities to profess and practice their religions freely, but the government limited freedom of religion in practice. Islam is the state religion, and the constitution requires that laws be consistent with Islam. The Federal Shariat court ensures that laws are consistent with Shari’a. All citizens are subject to the blasphemy laws. Freedom of speech is constitutionally subject to ‘any reasonable restrictions imposed by law in the interest of the glory of Islam.’” (US Department of State (11 March 2010) *2009 Human Rights Report: Pakistan*)

In a section titled “Societal Abuses and Discrimination” this report states:

“The National Commission for Justice and Peace noted that abductions and forced conversions of Christians and Hindus were on the rise. It reported in December that 20 Christian and 21 Hindus were forced to convert to Islam during the year, of whom 15 were men, 13 women, and four children. Authorities argued that the law prohibits minor girls’ return to non-Muslim families following their conversion to Islam, even in cases where the minor girls were abducted and then converted to Islam. Although families alleged the minor girls’ conversions and the affidavits that authorities produced to verify them were fraudulent, the authorities did not return the minor girls to their families after releasing them from their abductors.” (ibid)

The 2009 *US Department of State* religious freedom report for Pakistan states:

“Marriages are performed and registered according to one’s religious group. The marriages of non-Muslim men remain legal upon conversion to Islam. If a non-Muslim female converts to Islam, and her marriage was performed according to her previous religious beliefs, the marriage is considered dissolved. Children born to Hindu or Christian women who convert to Islam after marriage are considered illegitimate unless their husbands also convert. The only way the marriage can be legitimated and the children made eligible for inheritance is for the husband to convert to Islam. The children of a Muslim man and a Muslim woman who both convert to another religious group are considered illegitimate, and the Government can take custody of the

children.” (US Department of State (26 October 2009) *Pakistan – International Religious Freedom Report 2009*)

A report from the *Asian Human Rights Commission* states:

“The Asian Human Rights Commission deplores the situation faced by the Hindu and Christian groups in general but the women from these communities are the worst victims of hate attitudes of the authorities, political groups, religious parties, the feudal structure and the Muslim majority. The laws recently made about violence against women, domestic violence and sexual harassment at the workplace are laudable but these have not changed the mindset of the Muslim society for the plight of minority groups.” (Asian Human Rights Commission (8 March 2010) *Pakistan: Religious minority groups have nothing to celebrate on International Day on Women*)

See also *Asian Human Rights Commission* report referring to “honour killings” which states:

“Not much can be done against the murderers, especially if the wife has been branded kari by a Jirga, a tribal assembly of elders that dispense so-called justice according to customs and tradition. Jirgas are illegal in Pakistan, but the rule of tradition is often more powerful than the rule of law. Jirgas not only justify killings, they also order some in order to ‘restore justice’. Jirgas claim to dispense justice under the name of religion, but Islam is actually used as an excuse to avoid critics and gain more power. Plus, their members are powerful people – tribal leaders, members of the parliament – which can explain why the government has difficulties to shut down these court-like gatherings.” (Asian Human Rights Commission (5 February 2010) *Pakistan: Constant violence against women in 2009*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Asian Human Rights Commission (8 March 2010) *Pakistan: Religious minority groups have nothing to celebrate on International Day on Women*
<http://www.ahrchk.net/statements/mainfile.php/2010statements/2458/>
(Accessed 7 April 2010)

Asian Human Rights Commission (5 February 2010) *Pakistan: Constant violence against women in 2009*
<http://www.ahrchk.net/statements/mainfile.php/2010statements/2401/>
(Accessed 7 April 2010)

Asian Human Rights Commission (10 December 2009) *The State of human rights in Pakistan in 2009*
<http://material.ahrchk.net/hrreport/2009/AHRC-SPR-006-2009-Pakistan-HRReport2009.pdf>

(Accessed 7 April 2010)

Freedom House (16 July 2009) *Freedom in the World - Pakistan (2009)*
http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2009&country=7678&pf

(Accessed 6 April 2010)

UN Committee on the Elimination of Discrimination Against Women (CEDAW)
(11 June 2007) *UN Committee on the Elimination of Discrimination against Women: Concluding Comments, Pakistan*
<http://www.unhcr.org/refworld/pdfid/468b60722.pdf>

(Accessed 7 April 2010)

US Department of State (11 March 2010) *2009 Human Rights Report: Pakistan*

<http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136092.htm>

(Accessed 6 April 2010)

US Department of State (26 October 2009) *Pakistan – International Religious Freedom Report 2009*

<http://www.state.gov/g/drl/rls/irf/2009/127370.htm>

(Accessed 6 April 2010)

Sources Consulted:

Amnesty International
Asian Human Rights Commission
BBC News
Child Rights Information Network
Electronic Immigration Network
European Country of Origin Information Network
Freedom House
Google
Guardian
Human rights Commission of Pakistan
Human Rights Watch
IRIN News
Immigration and Refugee Board of Canada
International Crisis Group
International Organization for Migration
Lexis Nexis
Minority Rights Group International
Refugee Documentation Centre Query Database
UK Foreign & Commonwealth Office
UK Home Office
UNHCR Refworld
US Department of State