



Home Office

Country Information and Guidance

Pakistan: Interfaith marriage

Version 1.0

January 2016

Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained within this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Guidance

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1. Introduction

1.1 Basis of Claim

- 1.1.1 Fear of persecution or serious harm by the state and/or non-state actors because the person is in an interfaith marriage.
- 1.1.2 For the purposes of this guidance, interfaith marriage includes marriages between: a Sunni Muslim and a Christian, Hindu, Sikh, or Shia Muslim; and an Ahmadi and non-Ahmadi. In addition the guidance also covers inter-ethnic marriages.

1.2 Other Points to Note

- 1.2.1 In addition to this guidance decision makers should also refer to the Asylum Instructions on [Gender issues in the asylum claim](#) and on [Assessing Credibility and Refugee Status](#).

2. Consideration of Issues

2.1 Is the person's account credible?

- 2.1.1 For information on assessing credibility, see sections 4 and 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Is the person at risk of persecution or serious harm?

- 2.2.1 Marriages between different faiths and sects in Pakistan are not uncommon, though not all are considered legal. Under Islamic law Muslim women cannot marry non-Muslim men. Muslim men can marry other Muslim, Christian or Jewish women (who are considered "People of the Book"). There have been reports of some couples in mixed faith marriages receiving threats, being attacked, or facing pressure to separate by unaccepting families or clerics, or religious extremists (see the individual chapters on [interfaith marriages](#) for further information). Some couples may also find themselves subject to harassment by the Pakistani police, who raid and search their homes, arrest them, and may even charge them with "pre"-marital sex, or adultery (see sections 7.3 and 8 of the [Country Information and Guidance Pakistan: Women fearing gender based harm/violence](#)).
- 2.2.2 Arranged marriages are the traditional norm in Pakistan society and would usually be with a partner from their own religious or ethnic community. Couples who transgress from family expectations (and enter into "love"

marriages) may be subjected to significant pressures, threats, and violence from their families, and may face becoming victims of “honour” crimes. Some families have sought to bring charges of kidnapping against partners they see as forcing their child (usually daughter) into marriage. Forced religious conversions (to Islam) and marriage are known to have occurred against Christian and Hindu women and girls. (See section 6.3 of the [Country Information and Guidance Pakistan: Women fearing gender based harm/violence](#)).

2.2.3 Decision makers must also assess whether:

- the person may be at risk of an “honour” crime (see section 7.3 of the [Country Information and Guidance Pakistan: Women fearing gender based harm/violence](#));
- the person may be charged with committing an offence under the blasphemy laws (for information on the blasphemy laws see section 2 of the [Country Information and Guidance: Pakistan Ahmadis](#));
- the person may be charged with adultery or pre-marital sex (see section 8 of the [Country Information and Guidance Pakistan: Women fearing gender based harm/violence](#)).

2.2.4 See also the individual chapters on [interfaith marriages](#) for further information on the treatment of persons entering into such marriages.

2.2.5 For further information on assessing risk, see section 6 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 [Are those at risk able to seek effective protection?](#)

2.3.1 In the country guidance case of [KA and Others \(domestic violence risk on return\) Pakistan CG \[2010\] UKUT 216 \(IAC\)](#), 14 July 2010, the Upper Tribunal found that the ‘evidence fell well short of establishing ... that in general the police were fundamentally unwilling or unable to carry out law and order functions and ensure the protection of the public’ (paragraph 193).

2.3.2 Decision makers must consider whether the police may unwilling or unable to provide effective protection when an interfaith marriage is not considered legal.

2.3.3 Decision makers must also assess whether effective protection is available in relation to the particular circumstances and profile of the person. Any past persecution and past lack of effective protection may indicate that effective protection would not be available in the future. The onus is on the person to demonstrate why they would be unable to access effective protection.

2.3.4 For guidance on effective protection for religious faiths in Pakistan see the [Country Information and Guidance on Ahmadis; Christians and Christian converts; and Shia Muslims](#), for women see the [Country Information and Guidance Pakistan: Women fearing gender based harm/violence](#), and in general, the [Country Information and Guidance Pakistan: Background information, including actors of protection and internal relocation](#).

- 2.3.5 For further information on assessing the availability or not of state protection, see section 8.1 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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2.4 Are those at risk able to internally relocate?

- 2.4.1 Relocation to another area of Pakistan may be viable depending on the nature of the threat from non state agents and individual circumstances of the person.
- 2.4.2 For guidance on internal relocation for religious faiths in Pakistan see the [Country Information and Guidance on Ahmadis; Christians and Christian converts; and Shia Muslims](#), for women see the [Country Information and Guidance Pakistan: Women fearing gender based harm/violence](#), and in general, the [Country Information and Guidance Pakistan: Background information, including actors of protection and internal relocation](#).
- 2.4.3 For further information on considering internal relocation and the factors to be taken into account, see section 8.2 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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2.5 If refused, is the claim likely to be certifiable?

- 2.5.1 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.5.2 For further information on certification, see the [Asylum Instruction on Certification of Protection and Human Rights claims under Section 94 of the National, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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3. Policy summary

- 3.1.1 Marriages between different faiths and sects are not uncommon in Pakistan.
- 3.1.2 Not all interfaith marriages are legally recognised. Marriages for religious minorities cannot always be registered with local authorities. This may make it difficult for women in those marriages to access services but this treatment will not reach a level of severity to amount to persecution or serious harm.
- 3.1.3 There may be a specific risk in individual cases where a couple in an interfaith marriage may be viewed as unacceptable by the couple's family, cleric, or religious extremists. As a consequence some couples in interfaith marriages are threatened, attacked, or face pressure to separate by unaccepting families or clerics, or religious extremists.
- 3.1.4 As some interfaith marriages are illegal in Pakistan, couples in such unions may be deemed to be having sexual relations outside of marriage, which is considered an offence and is punishable by imprisonment for up to five years and a fine.

- 3.1.5 Effective state protection is generally available but may be unavailable in cases where the police are complicit with families seeking to prosecute transgressing couples or individuals, whether under the blasphemy laws, for having “pre”-marital relations, or if accusing one of the partners of abduction.
- 3.1.6 Relocation to another area of Pakistan may be viable depending on the nature of the threat from non state agents and individual circumstances of the person.

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For general information on religious faiths in Pakistan see the [Country Information and Guidance on Ahmadis; Christians and Christian converts; and Shia Muslims](#).

4. Legal context

4.1 Personal laws on marriage

- 4.1.1 Marriages in Pakistan are registered and performed according to a person's religious group.¹ Personal laws are supplemented by relevant statutory provisions such as the Child Marriage Restraint Act² and Dissolution of Muslim Marriages Act.³ Extra-marital relationships are illegal in Pakistan.⁴ (For further information see the [Country Information and Guidance Pakistan: Women fearing gender-based harm / violence](#) section 6.2 on marriage, divorce and inheritance laws, and section 8 on extra-marital relationships).
- 4.1.2 The Muslim Family Laws Ordinance, 1961, states that 'It extends to [the] whole of Pakistan, and applies to all Muslim citizens of Pakistan, wherever they may be.' The ordinance covers marriage, polygamy, divorce and maintenance.⁵
- 4.1.3 The Christian Marriage Act, 1872, relates to the solemnisation of marriages for Christians in Pakistan.⁶ Bills to amend and update the Marriage Act, and the Christian Divorce Act, 1869, were being drafted at the time of writing this report.⁷
- 4.1.4 Muslim Personal Laws take precedence over the Personal Laws of non-Muslims; therefore, for example, a marriage solemnised under the Christian faith will be annulled if one party converts to Islam.⁸

¹ Immigration and Refugee Board of Canada, Pakistan: Information on marriage registration, including mixed marriages, 14 January 2013, PAK104253.E, available at:

<http://www.refworld.org/docid/51222d762.html>, date accessed 15 September 2015

² Child Marriage Restraint Act [Pakistan], Act No. XIX of 1929, 1929, available at:

<http://www.refworld.org/docid/4c3f19a02.html>, date accessed 25 September 2015

³ Dissolution of Muslim Marriages Act (The), Pakistan, 1939, available at:

<http://www.refworld.org/docid/4c3f1c632.html>, date accessed 25 September 2015.

⁴ Offence of Zina (Enforcement of Hudood) Ordinance, 1979, 10 February 1979, available at:

<http://www.refworld.org/docid/4db999952.html>, date accessed 3 November 2015.

⁵ Muslim Family Laws Ordinance, 1961, available at: <http://www.refworld.org/docid/4c3f1e1c2.html>, date accessed 6 July 2015.

⁶ Christian Marriage Act, 1872,

<http://www.punjabcode.punjab.gov.pk/public/dr/CHRISTIAN%20MARRIAGE%20ACT,%201872.doc.pdf>, date accessed 15 September 2015.

⁷ The Express Tribune, The way forward: Draft bills on Christian marriage registration ready, 31 August 2014, <http://tribune.com.pk/story/755978/the-way-forward-draft-bills-on-christian-marriage-registration-ready/>, date accessed 15 September 2015.

⁸ Movement for Solidarity and Peace, Forced Marriages & Forced Conversions in the Christian Community of Pakistan, April 2014,

http://d3n8a8pro7vhmx.cloudfront.net/msp/pages/162/attachments/original/1396724215/MSP_Report_-_Forced_Marriages_and_Conversions_of_Christian_Women_in_Pakistan.pdf?1396724215, page

- 4.1.5 Hindu marriages are not recognised in Pakistan. At of December 2015, the Hindu Marriage Bill, 2014, a private members bill introduced at the National Assembly, awaited approval, and a similar government bill of 2015 had not been ratified.⁹
- 4.1.6 The Sikh Marriage Act was passed by the Pakistan president in January 2008¹⁰, although the Human Rights Commission of Pakistan noted in its report for 2013 that the Sikh community faced the same problems as Hindus over the lack of mechanism to register marriages.¹¹ (See [Marriage registration](#))
- 4.1.7 Although the US International Religious Freedom (US IRF) report for 2014 stated that the government of Pakistan does not recognise civil marriage¹², a source consulted by the Research Directorate at the Immigration and Refugee Board of Canada (IRB) in 2013 indicated that ‘civil marriages are “accepted in Pakistan legally,” but the “social acceptance” is very low.’¹³
- 4.2 **Marriage registration**
- 4.2.1 An article in The Express Tribune described the process of registering a marriage in court.¹⁴ Some sources reported that there was no legal mechanism for the government to register the marriages of Hindus, Sikhs and Baha’is.¹⁵ ¹⁶ The US Department for State International Religious Freedom Report for 2014, the Asian Legal Resource Centre and the Sunday Guardian all reported that women of those religious minorities faced difficulties in inheritance, accessing health services, voting, obtaining a passport and buying or selling property on account of their inability to register their marriages.¹⁷ ¹⁸ ¹⁹ Minority Rights Group International report of

10, date accessed 9 October 2015.

⁹ The Sunday Guardian, Hindu couples in Pak wait to be proclaimed man and wife, 1 August 2015, <http://www.sunday-guardian.com/news/hindu-couples-in-pak-wait-to-be-proclaimed-man-and-wife>, date accessed 15 September 2015.

¹⁰ Daily Times, No marriage registered under Sikh Marriage Act, 15 April 2008, <http://archives.dailytimes.com.pk/national/15-Apr-2008/no-marriage-registered-under-sikh-marriage-act>, date accessed 25 September 2015.

¹¹ Human Rights Commission of Pakistan, State of Human Rights in 2013, March 2014, <http://www.hrcp-web.org/hrcpweb/report14/AR2013.pdf>, pages 97-98, date accessed 13 October 2015.

¹² US Department of State, International Religious Freedom Report for 2014, 14 October 2015, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dlid=238504>, Section II, date accessed 22 October 2015.

¹³ Immigration and Refugee Board of Canada, Pakistan: Information on marriage registration, including mixed marriages, 14 January 2013, PAK104253.E, available at: <http://www.refworld.org/docid/51222d762.html>, date accessed 15 September 2015

¹⁴ The Express Tribune, Court marriage: Daring to say ‘I do’ in court, 15 May 2012, <http://tribune.com.pk/story/378785/court-marriage-daring-to-say-i-do-in-court/>, date accessed 15 September 2015.

¹⁵ US Department of State, International Religious Freedom Report for 2014, 14 October 2015, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dlid=238504>, Section II, date accessed 22 October 2015.

¹⁶ Minority Rights Group International, Searching for Security: The Rising Marginalization of Religious Communities in Pakistan, 9 December 2014, available at: <http://www.refworld.org/docid/556eaaf24.html>, page 15, date accessed 25 September 2015.

¹⁷ US Department of State, International Religious Freedom Report for 2014, 14 October 2015,

2014 added that 'Hindu community members have also reported that these issues have exposed them to harassment by police.'²⁰

4.2.2 The Express Tribune reported in July 2011 that the government had ordered the National Database and Registration Authority (NADRA) to register Sikh marriages. NADRA confirmed in a statement that they would verify certificates from the respective Gurdwara as well as the Sikh council.²¹

4.2.3 According to the US Department of State:

'Marriage certificates for religious minorities (Christians, Hindus, Parsis) are issued by church or temple leaders and are not generally registered with local authorities. The internal procedures for marriage documentation vary between institutions and denominations. Christian marriages can be made a matter of civil record with subsequent preparation of registrar certificates witnessed by magistrates under the Christian Marriage Act of 1892, though this procedure is rarely followed.'²²

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5. Interfaith marriage

5.1.1 Under Islamic law Muslim women cannot marry non-Muslim men. Muslim men can marry Muslim women, or women who are 'People of the Book', identified as Christians and Jews.²³ As marriages between Muslim women and non-Muslim men are considered illegal, a non-Muslim man would have to convert to Islam in order to marry a Muslim woman.²⁴

5.1.2 According to information provided to the delegation of the Austrian Fact Finding Mission to Pakistan, undertaken in March 2013, inter-marriages between different religious groups were common²⁵, although Freedom

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dliid=238504>, Section II, date accessed 22 October 2015.

¹⁸ Asian Legal Resource Centre, Pakistan: Government must guarantee fundamental right of freedom of religion to all, 4 March 2015, <http://alrc.asia/pakistan-government-must-guarantee-fundamental-right-of-freedom-of-religion-to-all/>, paragraph 13, date accessed 18 December 2015.

¹⁹ The Sunday Guardian, Hindu couples in Pak wait to be proclaimed man and wife, 1 August 2015, <http://www.sunday-guardian.com/news/hindu-couples-in-pak-wait-to-be-proclaimed-man-and-wife>, date accessed 11 December 2015.

²⁰ Minority Rights Group International, Searching for Security: The Rising Marginalization of Religious Communities in Pakistan, 9 December 2014, available at: <http://www.refworld.org/docid/556eaaf24.html>, page 15, date accessed 25 September 2015.

²¹ The Express Tribune, Minority rights: NADRA ordered to register Sikh marriages, 6 July 2011, <http://tribune.com.pk/story/203443/minority-rights-nadra-ordered-to-register-sikh-marriages/>, date accessed 25 September 2015.

²² US Department of State, Bureau of Consular Affairs, Pakistan Reciprocity Schedule, undated, <http://travel.state.gov/content/visas/en/fees/reciprocity-by-country/PK.html>, date accessed 25 September 2015.

²³ Islam.org, Marriage (Part I of II), undated, <http://www.al-islam.org/islamic-laws-ayatullah-ali-al-husayni-al-sistani/marriage-part-i-ii>, Issue 2406, date accessed 9 October 2015.

²⁴ Immigration and Refugee Board of Canada, Pakistan: Information on marriage registration, including mixed marriages, 14 January 2013, PAK104253.E, available at: <http://www.refworld.org/docid/51222d762.html>, date accessed 15 September 2015

²⁵ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, available at: http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-

House reported in 2013 that most interfaith marriages were considered illegal, adding that ‘...women who attempt to choose their own spouse often face severe pressure and retribution from family members, including murder.’²⁶ The 2012 UNHCR Eligibility Guidelines stated ‘Inter-faith marriages may also attract serious reprisals, including acts of violence from the Muslim community.’²⁷

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6. Muslim and Christian marriage

6.1.1 Sources consulted by the IRB’s Research Directorate confirmed that marriages between Muslim men and Christian or Jewish women are allowed by Islam and that such women do not have to convert to Islam to marry Muslim men.²⁸ However, sources in the Pakistan Christian community consulted by the Foreign and Commonwealth Office stated that ‘A Christian woman marrying a Muslim man is permissible, on the basis that the woman will convert to Islam.’²⁹ In correspondence with the IRB in 2004, the Human Rights Commission of Pakistan (HRCP) said that ‘The existing law does not force conversions on Christian women wedding Muslim men, though by custom and in practice a name change and kind of “cosmetic” conversion is very often made.’³⁰

6.2 Societal treatment and attitudes

6.2.1 According to the HRCP, marriages between Muslim men and Christian women are usually “unproblematic” although the reverse situation can cause “troubles”.³¹ A Pew Research Center survey published in 2013 indicated that in Pakistan, only 9 per cent of Muslims would be comfortable with their son marrying a Christian, and only 3 per cent would find their daughter marrying a Christian acceptable.³²

[06.pdf](#), page 47, date accessed 24 September 2015, English translation available on request

²⁶ Freedom House, Freedom in the World 2013 - Pakistan, 10 June 2013, available at:

<http://www.refworld.org/docid/51b7359e16.html>, date accessed 25 September 2015.

²⁷ UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, 14 May 2012, HCR/EG/PAK/12/02, available at <http://www.refworld.org/docid/4fb0ec662.html>, page 27, date accessed 11 December 2015.

²⁸ Immigration and Refugee Board of Canada, Pakistan: Information on marriage registration, including mixed marriages, 14 January 2013, PAK104253.E, available at:

<http://www.refworld.org/docid/51222d762.html>, date accessed 15 September 2015

²⁹ Home Office, Country Information and Guidance Pakistan: Christians and Christian converts, February 2015, <https://www.gov.uk/government/publications/pakistan-country-information-and-guidance>, page 16, date accessed 24 September 2015.

³⁰ Immigration and Refugee Board of Canada, Pakistan: Societal attitudes toward a foreign Christian woman who is married to a Muslim man, 29 September 2009, PAK103266.E, available at:

<http://www.refworld.org/docid/4b7cee841e.html>, date accessed 24 September 2015.

³¹ Austrian Federal Ministry of the Interior, Pakistan: Challenges and Perspectives – Religious minorities by Martina Schrott, http://www.ecoi.net/file_upload/1729_1413272641_pakistan.pdf, page 121, date accessed 24 September 2015.

³² Pew Research Center, The World’s Muslims: Religion, Politics and Society, 30 April 2013, <http://www.pewforum.org/2013/04/30/the-worlds-muslims-religion-politics-society-interfaith-relations/>, Chapter 6: Interfaith relations, date accessed 8 October 2015.

- 6.2.2 In October 2014, according to Fides, a Christian news agency, a Christian boy, Akram Masih, was arrested for marrying a Muslim girl, Maria Bibi, after her family filed a complaint against him, claiming he had forced Maria to get married, despite his conversion to Islam. According to Akram's family, the couple married of their own free will. However, after an appearance in court, at which Maria was allegedly forced to sign a statement against Akram, the marriage was declared null and void. Christian lawyer, Mushtaq Gill, told Fides "In Pakistan, the level of religious extremism is too high to tolerate marriage between a Christian man and a Muslim woman, even if the Christian converts to Islam".³³
- 6.2.3 The Christian news site, Asia News, reported in August 2015 that a Christian man who married a Muslim woman in 2010 (after she had converted to Christianity the same year), were frequently having to move home due to threats against them because of the wife's Muslim past. Khurram Naveed claimed that he was accused by other Muslims of forcibly converting his wife to Christianity and that they were subjected to threats by imams trying to force them to convert to Islam.³⁴
- 6.2.4 Morning Star News reported on 26 August 2015 that a Christian man and his wife, who had converted to Christianity from Islam, were kidnapped, beaten and shot by members of the wife's family which, according to the couple's solicitor, was "to avenge the shame their daughter had brought upon them by recanting Islam and marrying a Christian". The man died, whilst his wife was left with life-threatening injuries.³⁵
- 6.2.5 In a 2014 report the International Federation for Human Rights (FIDH) stated that 'The societal discrimination is such that the media has published positive stories on Christian girls converting to Islam and marrying Muslim men, when at the same time reports have been received of mobs of Muslims attacking Christian homes simply because a Christian man is courting a Muslim woman.'³⁶
- 6.2.6 For information on forced conversion and marriage of Christian women and girls see section 6.3 of the [Country Information and Guidance Pakistan: Women fearing gender-based harm / violence](#) and section 4.3 of the [Country Information and Guidance Pakistan: Christians and Christian converts](#).

³³ Fides News Agency, Interreligious marriage canceled after threats to a young married couple, 22 October 2014, http://www.fides.org/en/news/36598-ASIA_PAKISTAN_Interreligious_marriage_canceled_after_threats_to_a_young_married_couple, date accessed 22 October 2015.

³⁴ Asia News, Faisalabad: Christian family forced to flee from place to place after wife converts from Islam, 25 August 2015, <http://www.asianews.it/news-en/Faisalabad:-Christian-family-forced-to-flee-from-place-to-place-after-wife-converts-from-Islam-35131.html>, date accessed 23 October 2015.

³⁵ Morning Star News, Christian in Pakistan Killed, Wife Shot by Muslim Relatives, Attorney Says, 26 August 2015, <http://morningstarnews.org/2015/08/christian-in-pakistan-killed-wife-shot-by-muslim-relatives-attorney-says/>, date accessed 23 October 2015.

³⁶ International Federation for Human Rights, Minorities under attack: Faith-based discrimination and violence in Pakistan, 2014, https://www.fidh.org/IMG/pdf/20150224_pakistan_religious_minorities_report_en_web.pdf, page 16, date accessed: 11 December 2015

7. Muslim and Hindu or Sikh marriage

7.1.1 Islamic law does not recognise Muslim marriages to Hindus or Sikhs³⁷, though there were reportedly cases of such marriages occurring.³⁸ There were allegations of kidnappings of Hindu women and girls, forcibly converted to Islam and married to Muslim men.³⁹ The Secretary-General of the All Pakistan Hindu Panchayat estimated that around 1,000 girls in Sindh were forcibly converted each year.⁴⁰

7.2 Societal treatment and attitudes

7.2.1 In 2012, whilst reporting on the forced conversion and marriage of a Hindu girl, IRIN quoted a 20-year-old Muslim student as saying “Hindus are non-believers. They believe in many gods, not one, and are heretics. So they should be converted...”.⁴¹

7.2.2 Al Jazeera reported in August 2014 that Muslim cleric, Mian Abdul Malik, discounted the complaints of the Hindu community regarding forced conversions. He told Al Jazeera “There’s no such thing as forced conversions in Islam and in Pakistan,” adding, when questioned about his conversion of 15 Hindu women, that “Hindu women come readily to us because after conversion we facilitate their marriages to Muslims.”⁴²

7.2.3 Hindu women who were forcibly converted to Islam and married to Muslim men reportedly faced difficulties when they or their families tried to register complaints with the authorities. In 2014, Minority Rights Group International reported that ‘Although the families of women who have allegedly been victims of forced conversion have attempted to bring these issues to court, they often confront authorities who are unwilling or unable to help. Similarly, they encounter obstacles in attempting to “prove” that a given conversion

³⁷ Islam.org, Marriage (Part I of II), undated, <http://www.al-islam.org/islamic-laws-ayatullah-ali-al-husayni-al-sistani/marriage-part-i-ii>, Issue 2406, date accessed 9 October 2015.

³⁸ Jinnah Institute, A Question of Faith: A Report on the Status of Religious Minorities in Pakistan, 2011, http://jinnah-institute.org/wp-content/uploads/2013/11/Jinnah_Minority_Report20511-PDF.pdf, page 56, date accessed 13 October 2015.

³⁹ US Commission on International Religious Freedom, Annual Report 2015 - Tier 1 CPCs recommended by USCIRF: Pakistan, 1 May 2015, available at: <http://www.refworld.org/docid/554b356077.html>; Minority Rights Group International, State of the World’s Minorities and Indigenous Peoples 2015 - Pakistan, 2 July 2015, available at: <http://www.refworld.org/docid/55a4fa494.html>, date accessed 13 October 2015.

⁴⁰ Human Rights Commission of Pakistan, State of Human Rights in 2014, March 2015, <http://hrcp-web.org/hrcpweb/data/HRCP%20Annual%20Report%202014%20-%20English.pdf>, page 126, date accessed 13 October 2015.

⁴¹ IRIN, Pakistan: Abducted and forced into a Muslim marriage, 27 February 2012, <http://www.irinnews.org/report/94969/pakistan-abducted-and-forced-into-a-muslim-marriage>, date accessed 23 October 2015.

⁴² Al Jazeera, Forced conversions torment Pakistan’s Hindus, 18 August 2014, <http://www.aljazeera.com/indepth/features/2014/08/forced-conversions-torment-pakistan-hindus-201481795524630505.html>, date accessed 23 October 2015.

was “forced”, as women are often pressured to declare that their conversion was of their own free will.⁴³

- 7.2.4 For further information on forced conversion and marriages of Hindus see section 6.3 of the [Country Information and Guidance Pakistan: Women fearing gender-based harm / violence](#)).
- 7.2.5 The Muslim Times reported on the marriage between the Pakistan Prime Minister’s niece to the grandson of retired Indian Army General PN Hoon, which took place in India on 27 September 2013. According to the report, ‘While [the] entire family from the boy’s side was present, only the mother of the girl, Nawaz Sharif’s sister-in-law was in attendance’, adding that ‘the marriage was kept a low-key affair for political and religious implications it may have in Pakistan as the fundamentalists there may not accept the marriage of the niece of their Prime Minister to a Hindu boy from India.’⁴⁴

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8. Ahmadi and non-Ahmadi marriage

8.1.1 According to the Eastern Canada Regional Amir of Ahmadiyya Muslim Jama'at Canada, in a telephone interview with the IRB Research Directorate in 2009, marriages between Ahmadis and non-Ahmadi Muslims were rare. The Research Directorate also reported that, according to the General Secretary of Ahmadiyya Anjuman Lahore, ‘since Ahmadis have been declared non-Muslims in Pakistan, intermarriage between a non-Ahmadi Muslim and an Ahmadi “would not be recognized as legal marriage”...’⁴⁵ In correspondence with the UK Home Office on 26 October 2015, the International Human Rights Committee (HRC), an independent organisation dedicated to defending, promoting and protecting human rights, focusing specifically on the Ahmadiyya Muslim Community, concurred that intermarriages were uncommon, and that an Ahmadi and non-Ahmadi marriage would not be recognised in Pakistan as Ahmadis are classified as non-Muslims.⁴⁶

8.1.2 The IRB Research Directorate reported in 2009 that:

‘In contrast, the National General Secretary and the Eastern Canada Regional Amir of Ahmadiyya Muslim Jama'at Canada both stated that intermarriage between a non-Ahmadi Muslim and an Ahmadi is legal in Pakistan... However, the Eastern Canada Regional Amir stated that while

⁴³ Minority Rights Group International, Searching for Security: The Rising Marginalization of Religious Communities in Pakistan, 9 December 2014, available at: <http://www.refworld.org/docid/556eaaf24.html>, page 15, date accessed 25 September 2015.

⁴⁴ The Muslim Times, PM Nawaz Sharif niece gets married to Indian General’s grandson, 27 September 2013, <http://themuslimtimes.info/2013/09/27/pm-nawaz-sharif-niece-gets-married-to-indian-generals-grandson/>, date accessed 3 November 2015.

⁴⁵ Immigration and Refugee Board of Canada: Intermarriage between a non-Ahmadi Muslim and an Ahmadi; whether the marriage would be legally recognized; the consequences for the couple and the officiant of the marriage [PAK103292.E], 19 November 2009, available at: http://www.ecoi.net/local_link/130677/230498_en.html, date accessed 25 September 2015.

⁴⁶ International Human Rights Committee <http://hrcommittee.org/>, email dated 26 October 2015.

such a marriage is legal in Pakistani courts, religious leaders are “not concerned with the courts”... Similarly, the National General Secretary stated that such marriages are “condemned by religious clerics and ... [that] a biased judge can declare the marriage null and void...”. The General Secretary of Ahmadiyya Anjuman Lahore noted that Ahmadis have their own system to register their marriages and that couples may legally register their marriage with the Ahmadiyya authorities.⁴⁷ The HRC stated that “All Ahmadi marriages (even if inter-sect) must be performed by an Ahmadi cleric.”⁴⁸

8.2 Societal treatment and attitudes

- 8.2.1 In further correspondence, the HRC stated that, due to the possible consequences, an Ahmadi man or woman wishing to marry a non-Ahmadi would require permission from the Ahmadi community.⁴⁹ The HRC also noted “There are very strict conditions on women marrying outside the faith and this would only happen, with permission, in extreme circumstances. Women risk ex-communication if they do inter-marry, especially without consent.”⁵⁰
- 8.2.2 According to the HRC, if a Sunni or Shia Muslim acknowledged the Ahmadi Muslim community, they may face “pressure and persecution” from their own families and society. In cases where only one partner in a conventional mainstream Muslim marriage is accepting of the Ahmadi Muslim community, their marriage may be renounced by their family, or clerics. This in turn could cause problems for the other partner.⁵¹
- 8.2.3 The IRB Research Directorate report noted:
- ‘With respect to the consequences of intermarriage, the Eastern Canada Regional Amir stated that families may try to influence the couple not to marry and may contact a religious leader to exert additional pressure ... The National General Secretary noted that religious clerics may pressure families to disown children who marry outside of their faith ... According to the General Secretary of Ahmadiyya Anjuman Lahore, if the authorities become aware of an intermarriage, the couple may face prosecution and the marriage may be “declared invalid which may result [in] three years’ imprisonment” ... The National General Secretary stated that section 298C of the blasphemy laws can be applied to the marriage because Islamic terminology is used in the marriage ceremony.’⁵²

⁴⁷ Immigration and Refugee Board of Canada: Intermarriage between a non-Ahmadi Muslim and an Ahmadi; whether the marriage would be legally recognized; the consequences for the couple and the officiant of the marriage [PAK103292.E], 19 November 2009, available at: http://www.ecoi.net/local_link/130677/230498_en.html, date accessed 25 September 2015.

⁴⁸ International Human Rights Committee <http://hrcommittee.org/>, email dated 26 October 2015.

⁴⁹ International Human Rights Committee <http://hrcommittee.org/>, email dated 29 October 2015.

⁵⁰ International Human Rights Committee <http://hrcommittee.org/>, email dated 26 October 2015.

⁵¹ International Human Rights Committee <http://hrcommittee.org/>, email dated 26 October 2015.

⁵² Immigration and Refugee Board of Canada: Intermarriage between a non-Ahmadi Muslim and an Ahmadi; whether the marriage would be legally recognized; the consequences for the couple and the officiant of the marriage [PAK103292.E], 19 November 2009, available at: http://www.ecoi.net/local_link/130677/230498_en.html, date accessed 25 September 2015.

9. Sunni and Shia Muslim marriage

- 9.1.1 In 2013, the IRB Research Directorate quoted correspondence in 2011 with a University of Oregon professor of international studies who specialises in women's rights and Islam in Pakistan, who stated that arranged marriages between Sunni and Shia Muslims were “not uncommon”, although they occurred less amongst Pashtun, Ismaili and Bohra Shia and Memon communities. The professor added that ‘that there can be great variance in the level of knowledge that each family has of the other before the consent to marriage is given. Although each family should in theory know the other very well, they often do not, and cases exist wherein the bride's family “barely met” the bridegroom prior to the marriage.’⁵³
- 9.1.2 In contrast, a representative from the women’s rights organisation, Shirkat Gah, in correspondence with the Refugee Directorate in January 2012, stated that arranged marriages between Sunni and Shia Muslims were “very rare”, and indicated that ‘it is normal for two families arranging a marriage to be familiar with each other's beliefs, particularly if they live in the same community.’⁵⁴
- 9.1.3 According to Christophe Jaffrelot, senior research fellow at the National Center for Scientific Research, Paris, ‘Until the 1980s, marriages between Sunni and Shia Muslims were common... and there were no public assertions of Sunni or Shia identity.’⁵⁵

9.2 Societal treatment and attitudes

- 9.2.1 In 2003, corresponding with the IRB Research Directorate, a professor at the Institute of Islamic Studies, McGill University, stated that intermarriages between Sunni and Shia Muslims are less problematic in Pakistan than marriages between Muslims and Christians. The professor further noted, in regard to a Sunni and Shia marriage, that ‘In practice, the marriage agreement between both spouses will determine whether the woman joins her husband's religious community and whether the children will grow up in that community. In general, the children born into Sunni-Shia intermarriages are normally raised within the father's sect; however, there are cases where the children are brought up in the mother's sect.’⁵⁶

⁵³ Immigration and Refugee Board of Canada, Pakistan: Arranged marriages between Sunnis and Shias, including whether families are aware of the religions of both families before they agree to the arrangement, particularly in the city of Mirpur, Azad Jammu and Kashmir [PAK103957.E], 9 February 2013, available at: http://www.ecoi.net/local_link/237358/346380_en.html, date accessed 09 October 2015.

⁵⁴ Immigration and Refugee Board of Canada, Pakistan: Arranged marriages between Sunnis and Shias, including whether families are aware of the religions of both families before they agree to the arrangement, particularly in the city of Mirpur, Azad Jammu and Kashmir [PAK103957.E], 9 February 2013, available at: http://www.ecoi.net/local_link/237358/346380_en.html, date accessed 09 October 2015.

⁵⁵ Christophe Jaffrelot, Pakistan's Sunni-Shia Rift, 5 December 2013, available at: <http://www.middle-east-online.com/english/?id=63047>, date accessed 30 October 2015.

⁵⁶ Immigration and Refugee Board of Canada, Pakistan: The consequences of a Shia-Sunni inter-

- 9.2.2 In correspondence with the IRB Research Directorate in May 2005, the Human Rights Commission of Pakistan stated '[t]here is no legal discrimination against inter-religious couples or their children. As far as the social situation is concerned, it depends on the beliefs of their extended family or the circle they move in. The society in general does not discriminate against them.'⁵⁷
- 9.2.3 For information on sectarian violence, see the [Country Information and Guidance Pakistan on Shia Muslims, and the Security and humanitarian situation](#).

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10. Inter-ethnic marriage

- 10.1.1 In a telephone interview on 2 December 2009, with the Australian Government's Refugee Review Tribunal Country Advice Service, Dr Shakira Hussein, a visiting fellow at the Australian National University, advised:

'Marriage outside your own ethnic community is generally disapproved of by most Pakistani families. Arranged marriages within a person's own ethnic community tend to be the norm. This is very much the case across Pakistan as a whole. Western observers are often surprised to discover that affluent urban Pakistani families (who may otherwise seem outwardly no different to a Western family in their dress and behaviours) will nonetheless still expect their children to meet the expectation of entering into an arranged marriage with a partner from their own ethnic community. Some inter-ethnic marriage does occur, with family approval, where there are family connections of a caste and/or tribal nature but, generally speaking, marriages of this kind are not the norm. Moreover, love marriages which transgress family expectations can result in considerable family pressure being brought to bear. Again, violence could be a part of such pressure. In instances where the male partner to the marriage was from an ill-regarded community or caste then he, as much as the female partner to the marriage, could likely find himself the subject of a violent reprisal. In a city like Karachi where there is a long history of tensions and violence between the various ethnic communities such a response would be all the more likely.

'As per the above it could not be guaranteed that police would assist a couple who were being threatened by family members in such instances. It is just as likely that local police would assist the family in asserting pressure on the transgressing couple rather than offering effective protection to them.

'There have been some cases where higher courts have ruled in favour of couples in such predicaments in recent years but it should be noted that the

religious marriage, including the treatment of the couple and their children (October 2003 - May 2005), 25 May 2005, PAK100048.E, available at: <http://www.refworld.org/docid/440ed7432.html>, date accessed 30 October 2015

⁵⁷ Immigration and Refugee Board of Canada, Pakistan: The consequences of a Shia-Sunni inter-religious marriage, including the treatment of the couple and their children (October 2003 - May 2005), 25 May 2005, PAK100048.E, available at: <http://www.refworld.org/docid/440ed7432.html>, date accessed 30 October 2015

progression of such a case to higher courts can take years and, in most cases, the offending couple will not have the opportunity or the means to argue their case in this way. The statistics associated with honour killing indicate the extent to which numerous individuals are never able to survive family reprisals. Moreover, in the lower courts the effects of the Qisas and Diyat law are such that the persons accused of such killings may be forgiven, or subject to little punishment or a financial settlement, if such is the choice of the murdered victim's family.⁵⁸

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⁵⁸ Australian Government, Refugee Review Tribunal, Country Advice Pakistan, Pakistan – PAK35842 – external advice –women – veil / purdah – marriage, available at: http://www.ecoi.net/file_upload/1997_1298295662_pak35842.pdf, date accessed 30 October 2015.

Version Control and Contacts

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the [Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the [Guidance, Rules and Forms Team](#).

Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **7 January 2015**
- this version approved by **Sally Weston, Head of Legal Strategy Team, International and Immigration Policy Directorate**
- approved on: **6 January 2015**

Changes from last version of this guidance

First version

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