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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Jubilee Campaign, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2021]

* Issued as received, in the language(s) of submission only.



The Human Rights Council must work to stem the abduction and forced conversion of religious minority women and girls

The United Nations Office on Drugs and Crime (UNODC) released a report in October 2020 documenting the interlinkage between human trafficking and forced marriages. While the report is extensive, it admitted that the data collection did not include interviews with victims or perpetrators, nor representatives of different minority groups. In addition, while valuable resolutions relating to child, early and forced marriages have been drafted by the Office of the UN High Commissioner for Human Rights (OHCHR), one of their key resolutions on strategy only highlights religious and minority groups as often tolerant of child marriage¹ (A/HRC/35/5 para.13) without also flagging the trends of abductions and forced conversion and marriage of minority women and girls, mentioned in the Secretary-General report on Child, Early and Forced Marriage. The Human Rights Council must recognise the ongoing abductions, forced conversion and early marriages of religious and ethnic minority girls and include a strategy to address this in their wider initiatives to tackle child, early and forced marriage.

Unique vulnerabilities faced by religious minority women and girls

It is paramount to address the abductions and forced conversions of religious minority girls specifically, in order to find an effective solution. Religious minority women and girls face unique vulnerabilities in that law enforcement and societal actors' have a prejudice against those not from the mainstream religion. This can be observed in countries or states where there is religious registration requirements, where religious laws run parallel with the civil laws or are ingrained in administrative and legal frameworks, and where there is corruption of law enforcement.

Jubilee Campaign would like to bring to the Council's attention three specific countries where these patterns of vulnerability can be found: Pakistan, Nigeria and Egypt.

Pakistan

The UN Special Rapporteur on freedom of religion or belief has noted in his Annual Report to the Human Rights Council how Pakistani women and girls, in particular those belonging to Hindu, Christian, and other minority communities, are "forced to convert and marry in large numbers" (A/75/385).² On October 13, 2020, 13-year-old Catholic girl "A.R."’s neighbour kidnapped her outside her home in Karachi. Two days later, "A.R."’s parents were told that their daughter had been the latest victim of a forced religious conversion and forced marriage. The perpetrator was Azhar Ali, their over-40-year-old Muslim neighbour.

Jubilee Campaign highlighted the case of "A.R" in 2020 in the report "Abduction, Conversion and Child Marriage of Religious Minority Girls in Pakistan". In it we highlighted the different factors in the country which allow these abductions to continue, amongst others: the religious and social context, the silence of the media in reporting cases, the prejudice of the judicial system. The report highlights how lower courts in Pakistan often acquiesce to pressure from Islamist groups to approve child marriages and forced conversions of girls to Islam, based only on falsified documents or the mere – often coerced – statement of the girl that she had converted and married willingly. This is because these lower courts, in contrast to the Supreme courts, do not have resources for protection against pressure or violence they might be subjected to by these radical groups that often support the kidnappers or the forced conversion. The report also notes that the subordinate position

¹ UN Human Rights Council, Preventing and eliminating child, early and forced marriage: Report of the Office of the United Nations High Commissioner for Human Rights, 2 April 2014, A/HRC/26/22, available at: <https://www.refworld.org/docid/53999c1b4.html> [accessed 30 January 2021].

² Also in his interim report: A/68/290.

of Christians and Hindus in Pakistan's society make it more common for girls of these communities to be kidnapped with impunity. It is very unlikely that the police, politicians, judges and other persons of influence- who are predominantly Muslim- will campaign for and secure the return of these girls and subsequent punishment of the perpetrator(s). They can themselves risk being accused of questioning the status quo.

Egypt

In Egypt there is also documented discrimination against those who do not follow the mainstream religion; in this case, the nation's Coptic population is treated as second-class citizens. Individuals who are Coptic and do not convert to Islam cannot hold high positions in political office or in a company, there are also reports that Egyptian Copts are not allowed to excel in the football league unless they convert. In addition, apostasy – or religious conversion – from Islam is not allowed. Copts are permitted to change the religious affiliation on their identity cards to the mainstream religion of Islam, whereas former Muslims cannot change the religious affiliation on their identity card if they become Christian.³ Coptic Solidarity, in their report on forced conversion, early marriage trafficking of Coptic women and girls, estimates that there have been about 500 cases of Coptic women and girls in the last decade being abducted and forcibly converted, and that elements of coercion were used that could amount to trafficking. These are conservative numbers and some fear it could be much greater. The perpetrators of these abductions and forced conversions are often part of Islamist networks that are well-organised, and able to rent apartments to hide the abducted girls until they are of marriageable age. A former "fixer" explains how the kidnappers lure the girls with promises of marriage and that they will convert, but then in the end the girls often do not marry their kidnapper, but someone else.⁴ The cases exemplified in the Coptic Solidarity report show how there is often police complicity in the abductions and forced conversions of the girls.

Nigeria

Nigeria also has reported cases of forced conversion, especially in the North and the northeast. In the majority of these states, governors have introduced religious sharia law which is an applicable parallel to the federal law. In a recent case from 2020, "S. A.", aged 17, went missing from Kaduna in northern Nigeria in the beginning of January. Two days later, men came to force her father to attend a Sharia court hearing. There, a self-proclaimed lawyer and a Sharia judge threatened the father, claiming he was preventing his daughter "S.A." from converting to Islam. The so-called 'lawyer', with the judge, had forged a birth certificate to falsely raise "S.A."s age from 17 to 19 years old to support their claim. The court made a decision – without the presence of "S.A." – saying that "S.A." willingly converted. Furthermore, the court made this decision in spite of the fact that both "S.A."s parents were Christian and therefore should not be under jurisdiction of a Sharia court. "S.A."s abductors kept her in a locked room, though she was finally able to find a way to escape, at which point she confirmed she was kidnapped and locked in the room for over a month.⁵

³ One success story, however, is that a Coptic person who converted to Islam can change in his identity card again if he returns to Christianity.

⁴ Coptic girl, 16, rescued 92 days after Islamists kidnapped her. (2017, October 09). Retrieved January 31, 2021, from <https://www.worldwatchmonitor.org/2017/10/coptic-teenage-girl-rescued-92-days-islamists-kidnapped/>.

⁵ Nigerian girl, 17, escapes month in locked room after abduction and forcible conversion to Islam. (2020, March 25). Retrieved January 31, 2021, from <https://www.worldwatchmonitor.org/2020/03/nigerian-girl-17-escapes-month-in-locked-room-after-abduction-and-forcible-conversion-to-islam/>.

Recommendations

Jubilee Campaign urges the Human Rights Council and observing member states to:

- Recognise how religious freedom violations adversely affect the rights of religious minority women and girls in the case of forced abductions of women and girls;
- Take effective action to train police in how to respond to abduction cases of women and girls, including the best interests of the child;
- Safeguard the rights of the child, including protection from trafficking and child and early marriage by ensuring religious laws do not override the safeguards for the rights of the child;
- Recognise the rights of religious minorities and ensure there is no discrimination in the rights to judicial remedy and the right to a fair trial in cases of abduction and forced conversion;
- Create an appeal or reporting mechanism to flag judges, police officers, religious institutes and other official actors who discriminate against, violate rights of or fail to protect the religious minority girl child in cases of abduction, forced conversion and child marriage;
- Appoint a specially trained taskforce to conduct proper and objective investigation regarding the circumstances surrounding the girl's conversion and marriage;
- Ensure that the girl or woman's testimony in adjudicating the sincerity of the marriage and conversion take place in a safe environment, without fear of the abductor;
- Allow for the presence of a minority representative or ombudsman to review the abduction cases;
- Train judges to interpret laws in favour of international human rights norms.