



General Assembly

Distr.
GENERAL

A/HRC/10/NGO/39
25 February 2009

ENGLISH ONLY

HUMAN RIGHTS COUNCIL
Tenth session
Agenda item 4

HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION

**Written statement* submitted by the Asian Legal Resource Centre (ALRC),
a non-governmental organisation with general consultative status**

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

[18 February 2009]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Pakistan: Extra-judicial violence and killings of women ongoing in tribal areas

In May 2008, a Jirga (an illegal tribal court), was held to “try” a 17-year old girl after she had already been killed. As a result of the trial, she was declared as being Kari (having had an illicit relationship). This was done, according to the tribal traditions, to justify her earlier murder by members of her own family. Prior to the Jirga being held, Ms. Taslim Solangi, had been subjected to a savage ordeal. On March 7, 2008, she was made to run while being chased by a pack of dogs that bit at her legs until, exhausted, she fell to the ground where they continued to maul her. At this place, she was then shot by father in law, in the presence of her father in order to intimidate him. During one inquiry, the inquiry officer found that the Jirga has documented the proceeding to justify the killing of the girl and several members have signed the document.

The Jirgas have become a strong tool in the hands of powerful people, particularly land-lords, in Pakistan’s tribal areas. They are used to commit or enable a range of brutal human rights violations. The government’s support for the illegal Jirga judicial system is plain to see. Two federal ministers have been involved in conducting Jirgas that decided that the practice of live burials is an acceptable tribal custom.

Through the Jirgas many women in remote areas are made victims and killed every year. Over 4,000 people have died in Jirga sanctioned murders over the last six years and two thirds of them have been women. Their killings have often been carried out under the most barbaric of circumstances. Many are charged with having a relationship out of marriage, which is often a fabricated claim, and others are suspected of planning love marriages (in direct opposition to the marriages planned by their families). It is believed that these killings have become a way of resolving property disputes, particularly by male family members who resent losing property to another family through marriage.

In the feudal, fiercely patriarchal north, women’s lives are worth little. It is a matter of prestige to have more than one wife, and young girls are often sold into marriage to settle disputes. In one recent case, under the orders of a Jirga and with the knowledge and apparent acquiescence of the police, three young girls (aged 10, 12, 13) were handed over as compensation to a man who claimed that their father had slept with his wife. The complainant had also already openly killed his wife.

In another horrific case, five women - Ms. Fatima, Ms. Jannat Bibi, and Ms. Fauzia, all aged between 16 and 18 years-old, and two older women - were buried alive near the village of Baba Kot in Balochistan. The women were travelling to conduct marriages for the three younger women to men of their choice; not those that had been arranged for them by their families. On hearing of this, Mr. Abdul Sattar Umrani, the brother of a provincial government minister, and six other men abducted them at gun point. They were taken in a Land Cruiser jeep, bearing a Balochistan government registration number plate, to Nau Abadi, a remote area outside of Baba Kot. Abdul Sattar Umrani and his six henchmen reportedly took the three younger women out of the jeep and beat them before opening fire on them with their guns. The girls were seriously injured but were still alive, at which point the men buried them alive in a ditch, covering them with earth and stones. The two older women, one of whom was Fauzia’s aunt and the other was a

mother of one of the other younger women, protested and tried to stop the burial but were also pushed into the ditch and buried alive.

Recommendations:

The government of Pakistan must respect and fulfill its obligations under international human rights law and ensure the protection of the right to life, and punish all perpetrators of killings.

The government should declare the Jirga courts illegal and unconstitutional, and bring to justice for murder the persons responsible for holding Jirgas that award death sentences.

An independent investigation, including international observers, must be held without delay concerning the cases of burial alive of women and other extra-judicial killings carried out as the result of the Jirga decisions.

Those who have conducted Jirgas should be banned from holding public office, and those already in office must be ejected. A clear signal should be sent that the constitutional law of Pakistan needs to be respected.

Honour killings are murder and the legal rights of the victims must be recognized and acted on. This includes the right to an investigation and trial of the perpetrators of such abuses. Under Article 2 of the ICCPR (International Covenant on Civil and Political Rights), which Pakistan has signed, the state is under obligation to take measures to protect rights and provide remedy for victims of rights violations.
