



LEGAL AID SOCIETY,
BLOCK C, FIRST FLOOR, FINANCE &
TRADE CENTER, SHAHRAH E FAISAL
KARACHI CANTONMENT
TEL: +92 (0)21 35634112-4

**TESTIMONY BEFORE THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS
FREEDOM**

Virtual Hearing: The Impact of Freedom of Religion or Belief Violations on Children

Thursday, April 30, 2025 | 10:00 AM EST

Testimony of Maliha Zia

Director, Gender, Inclusion and Development, Legal Aid Society, Pakistan

Thank you, Commissioners. My name is Maliha Zia. I am the Director of Gender, Inclusion and Development at the Legal Aid Society in Pakistan. I am not a member of a religious minority community. I want to say that plainly at the outset, because it shapes how I approach this work. I have not personally experienced what the girls and families in these cases have endured. But I have sat with those who have. I have read their case files, attended their hearings, and work alongside the lawyers and advocates who stand with them. I appear before you today as someone who bears witness — and who believes that bearing witness creates an obligation to act.

I. What Drives Forced Conversion Through Marriage

Forced conversion through child marriage — FCM — is not a random crime. It is a calculated one. Its targets are girls who are female, non-Muslim, predominantly from the Christian and Hindu communities in a constitutional framework that formally categorises citizens by religion, and overwhelmingly from impoverished households. These vulnerabilities: age, religion, sex and economic status, compound each other in ways that make certain girls predictable targets in specific communities.

Pakistan's Constitution formally categorises citizens as Muslim or non-Muslim. Non-Muslims constitute approximately four percent of the population — a figure that has declined significantly over decades due to emigration driven by institutionalised discrimination. The blasphemy provisions of the Pakistan Penal Code carry life imprisonment and death respectively, and have been disproportionately weaponised against minority communities. This constitutional and legal architecture positions non-Muslim citizens as categorically other in their own state, with fewer political rights, greater exposure to accusation-based violence, and less institutional protection when targeted.

For predominantly Hindu and Christian girls, this constitutional otherness translates into daily material reality: schools where they face discrimination, workplaces that confine them to menial roles, neighbourhoods where their places of worship are vulnerable to attack, and a police force that regards their complaints with institutional scepticism. The girl who is abducted for FCM is not abducted into a vacuum. She is abducted into a system in which every actor — the cleric, the Notary, the Nikah Registrar, the police officer, the Magistrate — is embedded in the same cultural and institutional context that produced her vulnerability in the first place.

FCM rarely begins with abduction. It begins with what I would describe as ideologically motivated sexual grooming — a deliberate process of targeting, cultivating, and then entrapping a vulnerable child. The pattern documented across cases is consistent: an initial period of relationship-building in which the perpetrator presents himself as understanding or protective; followed by gradual isolation from family; followed by the creation of dependency — emotional, financial, or through compromising the girl's reputation in ways that close off her alternatives; and finally exploitation.

A subset of perpetrators are motivated by the sincere belief that converting a non-Muslim to Islam is a religious obligation and a meritorious act. This framing allows the perpetrator to present himself — to his family, his cleric, and potentially to courts — as having performed a good deed rather than a crime. It provides psychological insulation from guilt and social

insulation from community pressure to desist. It also explains why local religious institutions sometimes actively participate in facilitating FCM rather than simply tolerating it.

Others are motivated by sexual gratification, preying upon minority girls specifically because their vulnerability makes them easier targets with less risk of accountability. Still others are motivated by financial gain — we have documented cases of trafficking across provincial boundaries, with girls passed between multiple abductors or forced into sexual exploitation.

The conversion of faith, in this context, is not a spiritual event. It is a document. It is produced after abduction to serve two functions: to assert that the girl is an adult — by writing a false age — and to create the legal appearance of a voluntary interfaith marriage. The Sanad-i-Islam, as this conversion certificate is known, does not precede the crime. It is part of its paperwork.

II. The Effects on Survivors

I will not pretend I can fully convey what survivors carry. What I can tell you is what the case files record, what those who work directly with these girls describe, and what survivors themselves have shared with me.

The physical harms are documented and severe: girls abducted from their families, communities and lives, girls raped and impregnated while in their abductor's custody; girls moved across provincial boundaries during periods of delayed recovery. The psychological harms are equally grave and far more lasting — PTSD, anxiety, and depression that persists long after physical safety is restored. One colleague described a survivor who screamed every night for two years after she was finally out.

What is particular to FCM — and is often missed in broader child marriage discussions — is the severing of religious identity. These girls are not simply removed from their families. Their faith, which is constitutionally protected, is documented away from them. Recovery of the body does not restore what was taken.

The harm extends beyond individual survivors. Every case that ends without accountability sends a message to minority communities that their daughters are unprotected. Parents respond by restricting girls' movements, limiting education, sometimes arranging early marriages within the community as a defensive measure. FCM thus generates the very conditions of vulnerability that it preys upon.

III. The Motivations of Perpetrators

Perpetrators commit FCM because the procedural gaps in implementation make it possible. The crime relies on a chain of actors — a cleric, a Notary, a Nikah Registrar, a Union Council — each of whom performs a specific function. Pakistani law makes each of these actors liable where

they facilitate a child marriage. The challenge has been ensuring that liability is enforced in practice, and that is where the work of this project — and the engagement of Pakistan's own institutions — has begun to make a difference.

Perpetrators have also relied on a specific judicial dynamic: a girl in custody who, when produced before a Magistrate, says she went willingly, that the marriage was her choice. Courts have sometimes accepted this at face value. This is not because the law permits it — it does not. Pakistani law is unambiguous that a minor lacks legal capacity to consent to marriage, to sexual activity, or to religious conversion for legal purposes. The Federal Shariat Court has affirmed this twice. The challenge has been closing the distance between what the law says and what happens in a courtroom. That distance is exactly what targeted judicial training is designed to address — and, as I will describe, has begun to address.

IV. Progress Made

I want to be specific here, because I think it is important for this Commission to hear not only the challenges but the genuine progress that has been made, and that Pakistani institutions, particularly in Sindh, have shown the will to make.

Under the DRL – US State Department funded project, that ran between 2023 – 2026, Legal Aid Society conducted targeted training with judges on the specific legal framework governing FCM cases — the cross-cutting laws, the evidentiary standards, the legal incapacity analysis, and the sensitivity required when a girl in custody says what she has been conditioned to say. That training produced a result that none of us take for granted: in 2026, a judge who had received that training presided over an FCM case. The girl was in the accused's custody. She claimed she was an adult and that the marriage was her choice. The judge applied the law. There was a conviction within one week.

That outcome is a testament both to what training can achieve and to the fact that Pakistan's judiciary, when equipped, is capable of delivering justice in these cases.

The Government of Sindh has demonstrated meaningful engagement on this issue. Sindh Police has agreed to develop a specific Standard Operating Procedure and investigative checklist for FCM cases — a practical tool that will give officers a clear, step-by-step roadmap grounded in the existing legal framework. The Sindh Child Marriage Restraint Rules are being revised to include provisions specifically addressing FCM, targeting the implementation gaps that have historically allowed perpetrators to exploit procedural ambiguity. Both are in progress, and we are working closely with the government to finalise them. That the Government of Sindh is at the table — engaged, responsive, and willing to put these commitments into regulation — is itself significant progress.

Perhaps the shift I find most significant is a discursive one. When we began this work, FCM was framed almost exclusively as a minority community issue — a niche concern, peripheral to the mainstream. That framing isolated it and allowed broader institutions to de-prioritise it.

That is changing. FCM is increasingly understood as part of Pakistan's broader conversation on child marriage, coerced marriage, and the legal protections owed to women and girls. It is being integrated into the normative justice sector response — not as a minority add-on, but as a constituent part of how Pakistan must address gender-based violence and child protection. That integration reflects a maturing of the policy conversation, and it makes the political will to act on FCM more durable — because it is no longer dependent on political will to protect minorities specifically, but on the stronger and more broadly-held commitment to protecting children.

For the U.S. government, I would respectfully recommend:

Designating Pakistan as a Country of Particular Concern under the International Religious Freedom Act sends a clear diplomatic signal that impunity for FoRB violations has consequences. It should be accompanied by targeted engagement with Pakistan's criminal justice institutions — not merely its legislature.

Funding should be directed toward legal aid organisations working directly with FCM survivors and their families — organisations with established trust in minority communities and the legal expertise to navigate a system designed to exclude them.

Support for judicial and prosecutorial training programs that incorporate the specific legal framework for FCM cases — not generic human rights training, but evidence-based curriculum drawn from the case law and procedural failures documented in research like ours.

The girls I have spoken about, those in the shelters, in our case file, are not statistics. They are children whose lives were derailed by a crime that a functioning legal system could have prevented, and that a functioning criminal justice system could have prosecuted. The law exists. The failure is institutional. And institutional failures, unless legislative gaps, respond to accountability, political will and sustained external pressure.

The U.S. Government has the tools — diplomatic, financial and political — to create the space and pressure. I urge you to use them.

I am grateful for this opportunity to testify, and I welcome your questions.