



SPEAK AND CHANGE

Press Conference

Court Orders Registration of FIR in Child Marriage and Conversion Case

Under-age marriages and conversions blemish on society: Zia Awan

Karachi, Jan 09: Noted human rights attorney Zia Ahmed Awan has said that the under-age marriages and conversions on blemish on our society and all stakeholders including government need to take serious steps to end the menace, adding this sensitive issue mostly affects children and young people; hence, it is also a grave violation of rights.

He was addressing a crowded press conference here Monday at the Madadgaar National Helpline along with parents of a female victim of under-age marriage and conversions.

Zia Awan, who is also founder of the Madadgaar National Child Helpline, National Child Commissioner for the Federal Ombudsman and Member of the Child Protection Authority Sindh said the cases of under-age marriages and conversions are being reported from almost all areas of the country and there is a dire need that all four provinces strictly implement the anti-child marriage laws. He said all people involved in arranging and facilitating child marriages and conversions should be deal with an iron hand. He said that in the regard the role of Ulema is crucial and they should ensure that the victims of conversion are not issued religious decrees for validation of their marriage contracts and conversion statements. He said strict action is also necessary against Nikahkhuwans and witnesses of such illegal marriages.

On the occasion, Venus and her husband Gul Nawaz told the media that an accused Shahzad had coaxed their underage daughter, Teresa, a 10th class student to elope with him. They said that accused Shahzad had managed to get fake decrees about conversion of Teresa to Islam and marrying him as per Islamic jurisprudence. They said that Teresa was an under-age girl and her alleged conversion and marriage is against the laws of land. They said that accused Shahzad is a bad character man and he had already married to another girl using the same tactics. They appealed to the higher authorities to dole out justice to them and help in safe recovery of their minor daughter.



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Zia Ahmed Awan said the parents of Teresa aka Kafia were running from pillar to post but no one helped them. Later, they contacted Madadgaar National Helpline which provided them urgent legal help and filed their case in a court of law, which has already ordered to lodge an FIR of the case.

Advocate Awan demanded of the government to strictly implement the child protection laws and also implement the international charters and instruments regarding the child protection, signed by the government of Pakistan. He said it also need community mobilization and arranging courses for police, judiciary, lawyers, prosecutors and other related stakeholders to sensitize them about the child rights. He appealed to the Inspector General of Police Sindh to take action against the SHO who had refused to lodge the complaint of the parents of Teresa. He also demanded action against the Nikahkhuwans, witnesses and other facilitators involved in this conversion and underage marriage case.

Sharing further details, Zia Awan said that on a criminal Misc. application filed by us, the court of Rajesh Chander Rajput, the 11th Additional Sessions Judge/ Justice of Peace, Karachi South, directed the SHO, Police Station Mehmoodabad to register the FIR of the petitioner and investigate the same strictly in accordance with law. He said that now the FIR is registered but under sections that were not part of our application in the court and different than the order and direction by the honorable court to lodge the FIR. Furthermore, no accused has been arrested as yet. Zia Awan demanded that Deputy Inspector General of Police (Karachi East) should immediately make sure the FIR is lodged under sections as per court order and our application, accused are arrested hastily and this case is investigated rigorously. He further demanded the Inspector General of Police (Sindh) and Deputy Inspector General of Police (Karachi East) to strictly punish the responsible police officers as per the law. He said that the major barrier in accessing justice in such cases is carelessness of Police, untimely action and lodging of cases under irrelevant and wrong sections of the law by the Police.

Zia Ahmed Awan said the according to the Section 3 of Sindh Child Marriage Restraint Act 2013 whoever being a male above eighteen years of age, contracts a child marriage shall be punished with rigorous imprisonment which may extend to three years but shall not be less than two years and shall be liable to fine.

According to the section 4 of the Act, whoever performs, conducts, directs, brings about or in any way facilitates any child marriage shall be punished with rigorous imprisonment with may extend to three years but shall not be less than two years and shall also be liable to fine, unless he proves that he the reason to believe that marriage was not a child marriage.

As per the section 8 of the Act, the offence punishable under the Act shall be cognizable, non-bailable and non-compoundable.

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