

Europe Solidaire Sans Frontières > English > Asia > Pakistan > Women (Pakistan) > Women, fundamentalism (Pakistan) > **Pakistan: A young couple is in hiding after a tribal court sentenced them to (...)**

Pakistan: A young couple is in hiding after a tribal court sentenced them to death for their inter-tribal marriage

Thursday 27 May 2010, by [AHRC](#) (Date first published: 25 February 2009).

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME

Urgent Appeal Case: AHRC-UAC-018-2009

25 February 2009

PAKISTAN: A young couple is in hiding after a tribal court sentenced them to death for their inter-tribal marriage

ISSUES: Honour killing; right to life; rule of law; violence against woman

Dear friends,

The Asian Human Rights Commission (AHRC) has received information that two young Pakistanis who chose to marry out of their tribal boundaries are currently in hiding, after the leaders of both tribes sentenced them to death in a jirga, or tribal court. The pair has a baby, and the husband's family members have since been beaten and robbed by the rival tribe, with two relatives abducted. The couple narrowly escaped with their lives, and now either need significant protection from the government, or help to leave the country.

CASE DETAILS:

Ms. Saira Jatoi, 22, and Mr Mohammad Ismail Soomro, 30, met and married in May 2007. However their union was almost immediately ruled a breach of Islamic-tribal law by the leader of the woman's Jatoi tribe, originally from Balochistan. The feudal lords demanded that they both, as Karo-Kari ('black marked'), be handed back by the husband's tribe for an honour killing.

According to the wife, Saira, she had earlier rejected a potential husband proposed by her parents, an elderly, wealthy man of her own tribe, and had been severely beaten and tortured at home as a result. Ismail Soomro agreed to marry her and the ceremony took place in Sukkur on the 15 June, 2007. Realising the danger, the two moved away from their tribal areas and kept a low profile, however in July of that year a Jatoi jirga was held, lead by Sardar Abid Hussain Jatoi, and the couple

were condemned to death in absentia.

On 3 June, 2008 Jatoi members stormed the house of Ismail's uncle, during which they robbed and beat family members, and abducted Ismail's cousin and his cousin's wife (Dr. Javaid Soomro and Samia Soomro; FIR 85/2008). Meanwhile the husband's Soomro tribe had located the couple and proposed to swap them for the kidnapped couple. Ismail and Saira were convinced to return home by Sardar Junaid Soomro, who falsely promised to protect them. Ismail was asked by family members to divorce Saira, and he refused.

After the switch, the couple were detained and moved to a house in Shiakrpur in the run up to their executions, however friends of Ismail's had called the police. The couple escaped the same day with the help of Sukkur Deputy Inspector General (DIG) Bashir Ahmed Memon, and have now gone into hiding. A second FIR was registered by DIG Memon (FIR 97/2008) against both Sadars, for kidnap. However staff dealing with their case at the Human Safety Foundation say that the couple are still in very real danger of abduction and death by any Jatoi at any time.

In August 2008 the foundation lodged a constitutional petition on their behalf (D1571), accusing several of the Jatoi tribe and Soomro tribe members and demanding compensation, and the case has been validated in the court by police officers involved in the case. Of the Jatois, the accused are: Sardar (chief) Abid Hussain Jatoi, Mir Khan, Allahdino Jatoi, Abdul Khaliq, Deedar and Abid (sons of Habibullah Jatoi) and Sijjad (son of Allahdino Jatoi), resident of Shalimar Phattak, Old Sukkur. Of the Soomro tribe are Ali Sher and Khadm, of Micro Colony Sukkur. Those accused have refused to withdraw the jirga death sentence.

The government has since failed to secure an assurance of the couple's safety, should they return to the area. The pair has no means of supporting themselves in hiding, are in a place ill equipped for living in, and have reported hunger—receiving just one meal a day—and mental anguish. The lives of the husband's family members are also in danger. Under the circumstances, the couple has expressed a wish to find asylum overseas, considering the failure of their own country to protect or provide for them.

ADDITIONAL INFORMATION:

Tensions between tribes are not uncommon in Pakistan, and Balochi tribes such as the Jatoi consider it a particular dishonour if their women marry into another group. The groups are strictly feudal and religiously conservative, with justice meted out by tribal courts or jirgas: illegitimate gatherings of elders, in which women have no voice and hearsay more often than not, replaces evidence. In cases of female dishonour these cases often result in a woman being marked as Kari. A Kari or 'black marked' woman can be killed by any member of the tribe with impunity, for the sake of honour.

Recent statistics have reported that about 300 women are killed every year in Pakistan sbecause of Kari, often in land distribution disputes, and often by male relatives. This kind of rural vigilante justice is generally tolerated by local police, due to the influence of powerful tribal leaders, and few cases reach the courts. A man who is accused of having an illicit relationship with a woman is generally fined to the tune of a young female member of his family, who is give to the complainant, or killed.

The Supreme Court and the Sindh High Court have declared the Jirga courts as illegal and unconstitutional, however the custom prevails.

SUGGESTED ACTION:

Please write to the authorities, urging them to provide security to the couple and their infant, who

are currently under threat from warring tribes, and appealing for an end to illegitimate jirga trials.

Please be informed that the AHRC has also written separate letter to the UN Special Rapporteur on the violence against women and extrajudicial, summary or arbitrary executions calling for their intervention in this case.

To support this appeal, please click here:

<http://www.ahrchk.net/ua/mainfile.php/2009/3118/>
