

# Pakistan through CDWD Lens

Country Report on Status of Communities  
Discriminated on Work and Descent in Pakistan



## **The Inclusivity Project**

The Inclusivity Project (TIP) is a non-profit organization founded to advocate for the rights of communities discriminated on work and descent (CDWD) and raise awareness on their issue. TIP works towards Capacity Building, Collaboration, and Research to support CDWD communities by enhancing the Social, Economic, and Political Integration and increasing their visibility at the National, Regional and platforms. TIP works on the sustainable development goals (SDGs), especially on the monitoring and follow-up/review, and providing data and evidence for the nation-state for effective and inclusive programme implementation.

<https://www.theinclusivityproject.org/>

## **Global Forum of Communities Discriminated on Work and Descent**

Global Forum of Communities Discriminated on Work and Descent (GFoD), founded in 2021 is a platform to voice the rights and entitlements of the communities in Africa, Asia, Europe, Latin America and North America discriminated on work and descent. GFoD aims for full realization of the Universal Declaration of Human Rights of the Communities Discriminated on Work and Descent and to ensure access to sustainable development goals (SDGs).

<https://www.globalforumcdwd.org/>

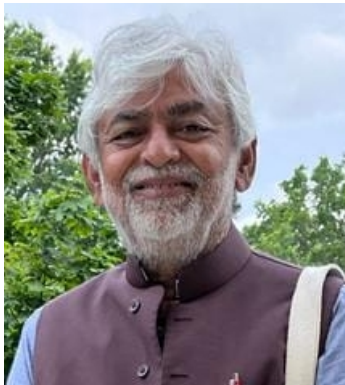
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# Foreword



*Dr. Sono Khangharani*

While one seeks equality and progress in the Pakistan diverse society, we find communities that have long been subjected to discrimination based on their work and descent, especially, Dalits. This discrimination, rooted in historical and deeply ingrained prejudices, has perpetuated an unjust hierarchy that keeps these communities at the fringes of society. This report endeavors to shed light on the status of these marginalized communities, their unique challenges, and the pressing need for change.

The discrimination based on work and descent is a deeply embedded issue in Pakistan. It affects a variety of communities, including but not limited to Dalits, lower-caste Hindus, and Christian minorities, who often find themselves relegated to low-paying, menial labor and denied access to fundamental human rights. It is imperative that we acknowledge and address this issue to create a society where every citizen can live a life of dignity, irrespective of their background.

This report has been meticulously crafted, with research and data collection to provide a comprehensive view of the situation faced by these communities. We aim to offer an honest and unbiased assessment of the challenges they confront daily, as well as the historical context and the existing legal and policy framework governing their rights.

The individuals within these communities have exhibited immense resilience and courage in the face of adversity. We hope that this report serves as a platform for their voices to be heard, their experiences to be acknowledged, and their rights to be upheld.

We urge all stakeholders, including policymakers, civil society organizations, and individuals, to use this report as a valuable resource for advocating for change. It is our collective responsibility to address the injustices faced by these communities, challenge deeply rooted prejudices, and work towards building a more inclusive, equitable, and just Pakistan.

This report is not merely a compilation of facts and figures; it is a call to action. By understanding the challenges faced by these communities, we hope to ignite a broader conversation and inspire tangible reforms that will ensure the rights, dignity, and opportunities of all citizens are respected.

I would like to congratulate the whole team of Global Forum of Communities Discriminated on work and Descent and especially Paul Divakar Namala, Aloysius SJ and Naveen Gautam for conceptualising the whole structure of the report. I would also specially like to congratulate to the author of the report Mr. Pirbhu Satyani and Ms. Bhagwani Rathore and ensuring that the report comes out well.

In conclusion, we envision a Pakistan where discrimination based on work and descent is a relic of the past, where every citizen is afforded the same opportunities, and where diversity is celebrated as strength rather than a source of division. Let this report serve as a catalyst for that vision.



# PREFACE



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In a world that constantly seeks to progress towards equality, it is imperative that we shed light on the challenges faced by marginalized communities, especially the Dalits in Pakistan. This report aims to provide a comprehensive assessment of the status of Communities discriminated on Work and Descent (later referred as CDWD), also known as Dalits, in Pakistan, their living conditions, social and economic hardships, and the various forms of discrimination they endure. It also strives to examine the historical context and the existing legal and policy framework governing their rights and welfare.

The CDWD in Pakistan has long been subjected to systemic oppression and discrimination, often relegated to the fringes of society, denied access to basic human rights, and relegated to low-paying and degrading occupations. This report seeks to capture the lived experiences and struggles of the Dalit community, and it is an essential step towards raising awareness about their plight and advocating for meaningful change.

The research for this report involved extensive fieldwork, and data collection, and it has been meticulously reviewed and compiled to ensure accuracy and reliability. We aim to present a balanced and comprehensive view of the Dalit community's current situation in Pakistan.

We hope that this report serves as a valuable resource for policymakers, civil society organizations, and individuals committed to promoting social justice, inclusivity, and equality. By shedding light on the challenges faced by the CDWD, we aspire to facilitate a deeper understanding of their struggles and work towards positive change, ensuring that no individual is denied their inherent rights and dignity based on their caste or social background.

We would like to express our gratitude to all the individuals who participated in this research, shared their stories, and extended their support to this project. This report would not have been possible without their courage and cooperation. Lastly, we urge all stakeholders to use the information provided in this report as a foundation for action, to rectify the injustices faced by the CDWD in Pakistan and to create a more just and equitable society for all.

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# Glossary

**Dalit:**

'Dalit' is a term used for oppressed classes including scheduled castes communities, that are traditionally and intergenerationally discriminated in the country. The term emerged from the Sanskrit language, which means "divided, split, broken, scattered" people. Dalit is commonly used interchangeably for scheduled castes in India and Pakistan.

**Scheduled Caste:**

Presidential Ordinance of Pakistan of 1957 declared 40 communities as scheduled castes, giving them special status for their socio-economic and political development and mainstreaming through affirmative action by providing proportionate reservations in fund allocations and jobs.

# Abbreviations

ASR	Applied Socio-economic Research Resource Centre
BIF	Bheel Intellectual forum
CDWD	Communities Discriminated on Work and Descent
CLJ	Center for Law and Justice
CERD	UN Committee on the Elimination of Racial Discrimination
DVC	District Vigilance Committee
DST	Dalit Sujaag Tahreek Pakistan
HRCP	Human Rights Commission of Pakistan
IDSN	International Solidarity Network
IIDS	Indian Institute of Dalit Studies
LFS	Labour Force Survey
MC	Municipal Committee
NCHR	National Commission For Human Rights
NCRC	National Commission for the Rights of Children
NCSW	National Commission on Status on Women
NPPA	National Policy and Plan of Action
SCEF	Scheduled Castes Federation of Pakistan
PDI	Pakistan Darawar Ithahad
PDSN	Pakistan Dalit Solidarity Network
PLSM	Pakistan Social and living standard measurement Survey
PTI	Pakistan Tehreek-e-Insaf
SC	Scheduled Caste
UPR	Universal Periodic Review



# Executive Summary

Pakistan is an Islamic nation with a multi-ethnic, multicultural society. The caste system prevails in Pakistani society across religions and regions and that has socioeconomic, cultural, political, legal, and structural consequences. The power and privilege among the dominant communities have been used to suppress, discriminate, segregate, and fragment the CDWD communities in the country. While Hindu Dalits are counted as a group ignored the most, however, many from other religions including Christian Dalits are also ignored in legal representation.

CDWD communities are suppressed in various forms, mainly through violence and atrocities. The dominant communities have used atrocities as tools to suppress the Dalit communities. These can be seen missing in the policies of development in the country. Women are used as a soft target of violence. Force conversion and forced marriage of Dalit women are rampant phenomena by other religions, resulting in social abuse, and sexual and mentally tortured, thus creating fear in the minds of all Dalit women and girls. The legal systems have lacunas and lack full protection of women and young girls giving space for the perpetrators to go Scott-free.

Pakistan is one of the highest-ranked countries with a proportional population in modern slavery.<sup>i</sup> Bondage of Dalit communities in different heinous forms of labour is a key issue in Pakistan including the only availability of indecent and menial jobs. Manual Scavenging and sanitary jobs are specifically performed by CDWDs, which pushes them further away from socio-economic development activities.

The government of Pakistan has adopted certain policies to ensure protection and to advance the development of the DWD communities through affirmative actions. However, it was argued that the policies are not been implemented properly to the advantage of the Dalit Community. The policies of development have become a barrier for the communities to access due to the caste system hierarchy and denial of Dalit castes making them part of development and allowing them to participate in the political process.

International agencies like the UN and ILO have strongly recommended avoiding caste-based discrimination in the country and have advised the country to adopt suitable policies to improve the conditions of people in the community including abolishing modern slavery practices. Further, INGOs and national NGOs have discussed issues of human rights violations and developmental policies of the CDWD, but there is still a long way to go.

## Key Recommendations:

1. **Government Land Distribution and Development Budget:** The government should distribute government-owned land to landless Dalit populations. This initiative will provide them with resources to support their livelihoods. Additionally, the government should allocate a specific development budget for Community-Based Organizations working with Dalits. This budget should prioritize the provision of essential services such as health, water, and sanitation facilities in rural areas where Dalit communities are predominantly located.

2. **Job Quota for Scheduled Castes:** The government of Pakistan should reinstate a six percent job quota for scheduled castes (Dalits) in various sectors, including civil services, law, and the judiciary. This affirmative action will ensure representation and opportunities for Dalits in these sectors and help combat discrimination.
3. **Poverty Reduction and Social Safety Net Programs:** Governments, Non-Governmental Organizations (NGOs), and International Donor Agencies should collaborate to design and implement targeted poverty reduction programs for Dalit communities. These programs should include provisions for land distribution, low-caste housing, financial grants, and interest-free loans. Such measures will address the socio-economic vulnerabilities faced by Dalit communities, who often occupy the bottom rungs of the caste system.
4. **Inclusion in Government and NGO Work:** United Nations (UN) organizations, human rights institutions, and International Non-Governmental Organizations (INGOs) operating in Pakistan should actively engage with the government and other NGOs to ensure the inclusion of Dalit communities in their initiatives. By actively involving Dalits in their work, these organizations can contribute to their empowerment and advocate for their rights and equality.
5. **Adoption of UN Principles and Guidelines:** The UN should adopt the draft UN Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent as a comprehensive framework to address caste discrimination. This framework provides a basis for developing policies and strategies to combat caste-based discrimination and promote equality and social justice.

By implementing these recommendations, the government of Pakistan, international organizations, NGOs, and other stakeholders can work together to address the challenges faced by Dalit communities and promote their socio-economic inclusion and human rights.



CHAPTER

01

Country Profile

## Country Profile

Pakistan, officially known as the Islamic Republic of Pakistan, is a country in South Asia with the fifth-most population of over 207 million,<sup>ii</sup> including 48.6% children, 25.9% men and 25.4% women, and .01% transgenders. Though ideologically, Pakistan is an Islamic state, however, it's traditionally been a multi-ethnic and multi-cultural society with a variety of geographical features divided into six regions - the Northern High Mountainous Region, the Western Low Mountainous Region, the Balochistan Plateau, the Potohar Uplands, and the fertile plains of Sindh and Punjab. Administratively Pakistan has four provinces, federally administrated tribal areas (FATA) and Gilgit Baltistan, and Azad Kashmir. The majority of people in Pakistan are Muslims with 96.4% population. The rest of the 3.6% population includes minority communities such as Hindus, Christians, Ahmedi/Qadiani, Scheduled castes, and others.<sup>iii</sup> The country depends upon the agriculture, livestock, industry, and services sectors as the main livelihood for the population.<sup>iv</sup>

Dalits in Pakistan face multiple forms of discrimination, especially due to their social status at the bottom of the caste hierarchy in an Islamic society. Women from Dalit communities face additional discrimination as a woman in a highly traditional and patriarchal society. These communities are known for victimizing through social, economic, and political discrimination and violence. In Pakistan, these communities are known as Scheduled Caste (hereby referred to as SC). There are no official records on the status of DWD communities in Pakistan. However, Government has considered counting the Scheduled caste as a separate category in the census which was held in 2017 and recently in 2023.

The majority of the victims of preputial violence and discrimination are DWD communities. These communities face discrimination and violence in the social, economic, political, and religious spheres. Major forms of exploitation include unfair labor relations, withholding of wages, confinement, physical and psychological control, forced marriage, physical psychological, and sexual abuse, domestic servitude, etc. This exploitation and violence are perpetuated by both Muslims, dominant caste Hindus, and DWD communities due to the hierarchal caste system.





## CHAPTER 02

### Profile of Communities Discriminated on Work and Descent

# Profile of Communities Discriminated on Work and Descent

Pakistan became a separate state after the partition of the Indian subcontinent, country's social stratification is based on shared history, culture, and traditions. It is divided based on ethnicity, language, sects, and tribes which further divide the people into class, caste, descent, and occupation. Although being an Islamic state, Pakistan denies the caste system, it still exists in Pakistan's social structures.

Tracing back the history of scheduled castes in Pakistan, the nomination of Jogendra Nath Mandal as law and labour minister of the first constituent assembly is evidence of acceptance of scheduled caste existence in the newly established state. This acknowledgment did not last for long, soon after the death of Quaid-E-Azam, scheduled castes' needs and expectations were denied and the difference between caste Hindus and scheduled castes was omitted to create legible categories of minorities where they were seen as undifferentiated from Hindus as a whole. Constituent Assembly debates from 1947 to 1950, along with contemporary private correspondence by Mandal and others reveal that in the early years of Independence, any hopes for caste emancipation in Pakistan were slowly closed off and absorbed into concerns about Hindus as a religious minority.<sup>v</sup> This denial and veiling of socio-political identity have multiple consequences for the scheduled castes of Pakistan. They are seen as a Hindu religious minority where they are facing dual discrimination -being a religious minority and lower caste. Till now official census never represents their actual number and they are being shown minority within the Hindu minority. That is the reason they are missing in development agendas and at political forums.

In 1956, the Pakistan government declared about 32 castes and tribes as Scheduled Castes in the country. 90 percent of the Scheduled Caste population live in villages and rural areas and only 10 percent are living in urban areas. The majority of the Pakistani rural population are agricultural workers with no rights or facilities.<sup>vi</sup>

According to the Presidential Ordinance of Pakistan 1957 below is the list of 40 scheduled castes:

1. Ad Dharmi 2. Bangali 3. Barar 4. Bawaria 5. Bazigar 6. Bhangi 7. Bhanjra 8. Bhil 9. Chmar 10. Chanal
11. Charan 12. Chuhraor Balmiki 13. Dagiand Koli 14. Dhanak 15. Dhed 16. Dumna 17. Gagra
18. Gandhila 19. Hala-Khor 20. Jatia 21. Kalal 22. Khatik 23. Kolhi 24. Kori 25. Kuchria 26. Mareja or Marecha
27. Megh (war) 28. Menghwar 29. Nat 30. Odh 31. Pasi 32. Perna 33. Ramdasi 34. Sansi
35. Sapela 36. Sarera 37. Shikari 38. Sirkiband 39. Sochi 40. Wagri

The official census of 2017 stated that there are 849,614 scheduled caste communities residing in Pakistan, which include 446,123 males and 403,408 females.<sup>vii</sup> Dalit groups, scheduled caste representatives, and rights experts challenge these figures and they argue that the numbers do not represent actual realities. The argument states that counting the SC population was only based on religious status. Thus, only Hindu SC was counted under this disaggregation which even does not represent the actual numbers of SC within the Hindu population. It is estimated that about 90% of the total Hindu population are scheduled castes. The argument was made by some rights experts that the

intentional under representation of the SC population is providing more strength to the dominant caste communities to continue their suppression of Dalits in the provinces. The disproportionate official numbers of the SC population might be due to various factors such as the biases of caste perpetrators, lack of probing skills of enumerators, and the fact that the majority of the SC population counted themselves as Hindu because of their statutory religious identity.<sup>viii</sup>

### **DWD community Affected by Modern Slavery**

No official data is available on DWD communities in modern slavery. According to Global Slavery Index 2018 as cited in HRCP 2022 report 3,186,000 people in Pakistan living in a slavery-like condition. As different reports suggest that 80-90% of bonded labourers are scheduled caste. Taking reference from Shah 2007 which shows that 84% of bonded labours are scheduled caste communities,<sup>ix</sup> it is estimated that 2,676,240 DWD communities are involved in modern slavery.

Caste-based hierarchal social structure makes some communities stand at the bottom within DWD communities and do low-paid work including cleaning. They are the poorest of the poor, shelterless, and voiceless. Bhangi, Balmaki, and Churra (Christian) are the castes stigmatized due to sanitation work. Bheel, Kolhi, and Meghwar are also at the bottom of caste hierocracy due to caste-based work division.

Most manual scavenging, village/city cleaning, working with waste or recycling, and Gutter cleaning /manhole cleaning work is assigned to DWD communities which include Christians and lower caste Hindus. They work in life-threatening conditions in return they face hate and humiliation and neglect at every step of life.

Traditionally some communities had been involved in carcass disposal and leather tannery and received the worst form of discrimination including untouchability.

Due to education, these communities are making good progress and breaking centuries-old traditions of caste-specific work. Education not only plays a key role in changing occupational practices, but it is also one of the major factors in changing the forms of discrimination based on work and descent.

Most DWD communities are poor, voiceless, and landless and stand at the bottom of the caste hierarchy. Poverty is considered one of the main reasons for exploitation, but their caste intersecting with class, religion, and geographic location constructs a helpless position that limits them to the least-paying jobs and traps them in the vicious cycle of poverty and discrimination. Although, education has brought a progressive change in some groups, their socioeconomic and political status, illiteracy and demographic location increase their vulnerability to discrimination and violence.





# CHAPTER 03

## Socioeconomic Profile of CDWD



# Socioeconomic Profile of CDWD

## Literacy

Literacy in Pakistan is defined as the ability to read and understand simple text in any language from a newspaper or magazine and write a simple letter whereas numeracy skills refer to the ability to perform basic mathematical calculations (i.e. counting and addition/subtraction). According to Pakistan Social and Living Standard Measurement Survey – PSLM (2020), 70% of the male and 49% female adult population are literate.<sup>x</sup> It is important to mention that only 37.6 million men and 25.9 million women can read and write. Ministry of Federal Education and professional training states that 60 million of the total population is illiterate.

No official data is available on the literacy rate among the adult population of DWD communities. However, a study conducted by the Indian Institute of Dalit Studies – IIDS and International Dalit Solidarity Network – IDS in 2007 found that 26% of the surveyed adult population of DWD communities were literate.<sup>xi</sup> International Dalit Solidarity Network Report shows that overall, 75% of Dalits and 90% of Dalit women are illiterate in Pakistan.<sup>xii</sup> It shows a huge difference in national figures of literacy among the overall literacy and literacy among DWD communities. A rational comparison about the literacy rate of DWD cannot be made based on the information collected 16 years ago in comparison with recent national demographic information.

## Employment

The Pakistan Bureau of Statistics reports that there are 67.25 million employed people in Pakistan. Labour Force Survey (LFS) 2020-21 states, “overall employment to population ratio is 42.1 percent and this ratio is higher in males (64.1 percent) as compared to females (19.4 percent).”<sup>xiii</sup> The legal working age is defined as 10 Years & above in the country. There is no data on the employment and unemployment rate of DWD communities available. It is important to mention that 93% of scheduled caste communities reside in rural areas. A study conducted in six districts of Punjab and Sindh provinces where 89% of the total scheduled caste lives shows that 83.5% of the SC population does not own land and the majority of them are trapped in bonded labor and working as wager laborers, working on low wages as compare other communities in these districts. The majority of the SC population is involved in agriculture as labourers without their land, they work as sharecroppers with a high risk of exploitation and bondage. They do work as wage labourers in agriculture, construction, brick kilns, etc. Other livelihood sources include snake charming, shoemaking, tailoring, driving, cooking, sweeping, and other manual jobs which are considered important but less respected and low-paid jobs.<sup>xiv</sup> In 1948, a six percent job quota was reserved in the federal government and three-year age relaxation in jobs and for admission to higher education for scheduled castes but, in 1998 this law was scrapped.<sup>xv</sup> There is a five percent quota reserved for minorities in government services and there are reserved seats in the Senate, national assembly, and provincial assemblies for minorities. There is no reserved seat for scheduled caste due to under-reported census figures.

## Mortality Rate and Life Expectancy

According to United Nations, the projected average mortality rate for five years in Pakistan is 6.83.<sup>xvi</sup> According to the World Bank child mortality rate under the age of five was 62 per 1000 live birth as of 2021<sup>xvii</sup> and the female mortality rate as of 2020 was 140. Life expectancy in Pakistan is 66 years and 69 for females and 64 for males.<sup>xviii</sup>

Regarding the DWD population, there is no data available on both of these health indicators. However, studies had indicated that mother and child mortality rates were very high in DWD communities. DWD communities living in rural areas lack basic health facilities. It also reported that they face discrimination and do not get equal treatment from healthcare staff. Urban localities where DWD communities live mostly lack health facilities and poor sewerage and hygiene services making them vulnerable to diseases. Thus it could be fairly concluded to say that the mortality rates and life expectancy among these communities are much shorter than the general population.

### Land Ownership and Housing

Land ownership is not a common feature of CDWD in South Asia, which also reflects in Pakistani society. Dalits don't have any legal ownership of the small piece of land even where they reside. Although the majority of DWD communities live in rural areas only 16% of them own land and 84% are deprived of land where they work.<sup>xix</sup> There is no segregated data available on the housing of DWD communities. However, it is understood that the majority of DWD communities do not own housing or have deplorable housing facilities both in rural and urban areas. In rural areas, most DWD communities live at their workplace and they do not have legal ownership of their houses. In cities, these communities live in slums on land with no legal registration and lacking basic infrastructure and services. Only 32% of households have pipeline water.<sup>xx</sup> There is no data available on sewage, toilet, and electricity facilities.

#### ***Case Study – Forced Eviction of Dalit Families from their village in Tharparkar***

A shocking incident of an entire Dalit community being forced to evict and migrate from their village has raised the eyebrows of many. This story has reimagined the structural discrimination faced by the CDWD groups in Pakistan. The case of the Meghwar community in the village of Vakrio, who were forcefully evicted from their homes. The community has been living in the District Tharparkra for generations. However, the dominant Muslim communities have been oppressing these communities because of the land they were living in. Meghwar relied on agriculture and livestock rearing for their livelihoods and were denied access to communal lands, water sources, and even basic services like healthcare and education. Despite their attempts to seek justice and fair treatment, there has not been much progress.

In April 2023, a hostile mob belonging to the dominant community attacked the Meghwar community with weapons and threaten to kill them. They forced the community to evict from their homes demanding them to move out of the village. Scared for their lives, the community members had to leave their houses and moved out of the village. They were forced to flee, leaving behind the memories of their childhood, the sweat and toil of their labor, and the dignity of their existence. The injustice was palpable, and the violation of their human rights was glaringly evident. These actions were condemned by human rights organizations and activists stating the blatant violation of the Meghwar community's right to live in peace, dignity, and security.



### **Culture and Art**

More than 80% of DWD communities in Pakistan are followers of Hinduism and Christianity. The majority of them are involved in low-paid basic jobs such as working in fields, wage labor, cleaning work, etc. Some castes are doing skilled work such as cobblers, carpenters, masons, ironmongers, potters, weavers, entertainers, etc. Women are skillful in making handicrafts. Their embroidery work is famous in Pakistan and abroad. They are landless and do not own legal possessions of their homes as well.

Some castes are nomadic and lack a permanent place to live. Their livelihood sources are entertaining people and begging. It is seen that DWD communities are tolerant to other religions and their likelihood to conversion to other religion is also seen. The factors behind religious conversion need to be explored to find out the elements behind it.





## CHAPTER

# 04

## CDWD and Modern Slavery in Pakistan



# CDWD and Modern Slavery in Pakistan

Modern slavery is a term used for involuntary, exploitative, and compulsory work or service that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.<sup>xxi</sup> It may be inter-generational, ritualistic, sexual, and involve trafficking.

A report published by Asia Dalit Rights Forum on the Status of Modern Slavery for Communities Discriminated on Work and Descent (2021)<sup>xxii</sup> extensively looks at the concepts of modern slavery within the Dalit communities in Pakistan. The report explores various forms of modern slavery concepts and identifies data from each country in South Asia including Pakistan.

## Forced Labour

The primary forms of modern slavery in Pakistan are forced labour which includes bonded labour and child labour mainly in agriculture, brick kilns, domestic servitude, embroidery, and handicraft industry (carpet weaving, bangle making, and other small-scale industries), etc. Different research studies have validated that the majority of victims of forced and bonded labor are from DWD communities. These communities are poor, illiterate, and landless families including women and children specifically from Sindh and south Punjab and generally from all over Pakistan. They are exploited by withholding wages, confinement, unfair physical and psychological control, etc.

### *Case Study – Living realities of Dalit Christians through the story of a Sanitary worker*

Samson (name changed) is a 33-year-old sanitary worker, living in Allahwali Chowrangi, New Karachi. His mother is also a sanitary worker at Karachi Municipal Corporation (KMC). Being the eldest one in the family, he has taken the majority of the responsibilities of the family, especially after the death of his father, five years ago. He has three children and two unmarried sisters. However, he doesn't have a stable permanent job, thus, he also works in factories to earn his living. When he has a job, he earns 16-17 thousand (\$55-59) a month. They also had to depend on private doctors for their health care.

Samson believes that his lack of high school education and untouchability in the low caste community has enforced his choice to become a sanitary worker. His father was also a sanitary worker with Karachi Water and Sewerage Board. He is a Christian, thus not considered equal by society while following untouchability. There are various forms of discrimination they face as low-caste Christians; however, he believes that it is part of life. He doesn't complain and ignore such discriminatory behaviours and taunts because others hold power and privilege over them. They don't have any other place to go.

Samson also faces discrimination while working in the factory, as he is asked to use separate utensils to drink and eat. He has accepted the discrimination as part of his life reality; however, he believes that he doesn't want his children to have the same fate. He doesn't want his children to follow the traditional occupation of sanitary work, but study and become part of a decent job. Many sanitary workers (manual scavengers) die at work or due to continuous health issues associated with such inhuman and indecent employment. Samson believes that neither authorities nor society is bothered about the sanitary workers because they are from Dalit communities or are poor. Thus, society doesn't treat them with respect, dignity, and honour, as all they want is to be treated like a human beings.

In Pakistan, a 2019 study found evidence of caste-based occupation assigned by the state, where Christians are considered to be 'born' for the janitorial service, owing to their descent from Hindu 'Chuhra's or 'Bhangis', who were historically assigned manual scavenging and sweeping work. The urban sanitation and waste management departments, Water and Sanitation Agency of Lahore (WASA) and Lahore Waste Management Company (LWMC)<sup>130</sup> were found to engage 71.8 percent of the 2,240 sanitation workers in WASA and 100 percent of 9,000 sanitation workers in LWMC. This proportion of employment of Dalit Christians is significantly high since Christians comprise only 4 percent of Lahore's population (and 1.27 percent of the total population according to Census 2017). Till September 2016, before it was struck down, Punjab Health Department's policy clearly stated that only non-Muslims would be recruited for sanitation work.

The sanitation workers work in dire conditions, with inadequate protective equipment (83% of workers experienced) and many inhaling poisonous gases (40% of workers experienced). They are required to enter into open manholes and sewage pits (38% of workers experienced) despite the knowledge of poisonous gases in said pits (25% experienced). At least 250 sanitation workers have been reported dead while at work. About 57 percent of workers in the study were second-generation sanitation workers.

### **Forced Marriage**

The practice of forced marriage exists in Pakistan but it is defined in a narrow context. Social, cultural religious norms reinforce patriarchal structures that normalize forced marriage. Although, both Sharia and state laws give the right to consent in marriage in most cases this right is denied and generally not considered forced marriage. Girls and women suffer from physical, sexual, and mental violence. Even some harmful practices such as marrying a girl to settle a dispute or repay debt, selling and buying girls, and deciding about marriage before birth, and child marriage are considered customary marriages.<sup>xxiii</sup>

Women of DWD communities are at high risk of forced marriage. Gender intersecting with class, caste, religion, and geographical location makes them vulnerable to exploitation. Incidents of forced conversion by getting DWD women married to Muslim men are common. They are lured for having a better life after conversion or kidnapped and forcibly converted to Islam and married and sometimes abandoned. These incidents are under reported and if reported hardly any girl or woman recovered to her home because it is made a religious issue. Majority of victim of forced conversion or marriage girls are under age however on other side marriage of such girls before 18 is restricted as per Sindh Child Marriage Restraint Act 2013. Other than forced conversion women of DWD communities are easy targets of sexual violence due to their weak position.<sup>xxiv</sup>

### Case Study- Forceful conversion and marriage of a Dalit teen

Juhi (name changed), is a 14-year-old girl belonging to the Dalit community in the village of Bukhu of Tharparkar district, Sindh Pakistan. She used to work in the forest due to the poor economic conditions of the family. In 2022, while working in the forest, she was kidnapped by Rashid (name changed) from the dominant Muslim community.



Rashid, a middle-aged married man, and father of 6, abducted Juhi and forcefully married her in a religious seminary. He imprisoned her in her house while inflicting sexual, physical, and mental abuse as well as tortured her by chaining her to the house. Upon understanding Juhi's whereabouts, her father confronted Rashid and even begged for returning their daughter. She saw his daughter chained, which broke him down, however, he was beaten up senseless by Rashid.

After a few days, Juhi was able to escape from Rashid's house. When walked back home, however, she couldn't find anyone at her home. She went to the neighbors and community members for help from Rashid. The police were informed and they have taken her statement. The news began to circulate through local newspapers and social media about this forced marriage and conversion of the Dalit girl. She was protected by the law, who filed a case against Rashid.

On April 2023, Juhi was presented in front of the Magistrate and was allowed to go back to her parents. While there was no immediate action taken against Rashid, the family is aiming to continue the case till a positive verdict is sentenced.

### Human and Child Trafficking

Pakistan is a source, transit, and destination country for human trafficking, particularly for forced/bonded labour and sex trafficking. The evidence of Sex trafficking in Pakistan is seen through the reportage of bride trafficking of Christian (Dalit) girls and women from Pakistan to China. The girls so trafficked through marriage are pushed into the sexual slavery of their so-called husbands and other clients. Though known to exist, there is less documented evidence of external and domestic sex trafficking.<sup>xxv</sup>

Child Trafficking within Pakistan was found to be increasing. Children were found to be largely trafficked from rural and other poorer areas to medium and large-sized towns. Child sex trafficking in the Gulf States involves girls as young as 10. Child sex trafficking of boys providing massage services and paid sex is hardly reported because of its linkage with homosexuality. The estimates of high-risk groups (including the Dalit community) in sex and child trafficking are not known owing to a lack of understanding and research and most researchers/reports document victim profiles as belonging to poor families from rural settings.

## Child Labour

In Pakistan, 3.7 million children are engaged in child labour, in the age group 10-17 years. Of these, 2 million (55%) come from the 10–14 years of age group, and the remaining 1.6 million (45%) are from the 15–17 years of age group. Among the children aged 15–17 years, 89 percent (1.47 million) are boys engaged in hazardous work.<sup>xxvi</sup>

In urban areas, a good number of DWD communities work in factories for low wages and poor working conditions. In Karachi, a good number of DWD communities work in the garment industry for unfair wages and poor working conditions. Incidents of severe danger took place in these industries which swallowed thousands of lives. Furthermore, studies have shown that DWD communities are forced into menial low-paid jobs, construction of buildings and roads is one of them where these communities work in hazardous conditions. There are some communities involved in begging and entertainment such as singing, drum beating, snake charming, etc.





## CHAPTER 05

### Forms of Discrimination Faced by CDWD

# Forms of Discrimination Faced by CDWD

## Economic Discrimination and Prohibition

The majority of DWD communities in Pakistan are involved in low-paid and less respected jobs such as farming and cleaning, and other menial jobs such as snake charming, shoemaking, tailoring, driving, cooking, sweeping, etc. According to an IIDS study in 2007, they earn 35% less than the average national monthly income, in the case of women they are paid even less than men. Most scheduled caste communities reside in geographically disadvantaged areas which mainly depend on rain-fed agriculture and livestock. In drought, they have to migrate to irrigated areas to work on lands for their livelihood. Being asset-less, they take loans from landlords which mostly they cannot pay back, and trap themselves in bondage where they are not only exploited economically but they are discriminated against socially, and politically. Being at the bottom in all social development indicators, SC communities are discriminated government development programs and policies. No serious effort was ever made for the economic upliftment of these communities specifically by the government and other international donor agencies.<sup>xxvii</sup>

Education has brought changes in the occupational practices of some communities. Educated DWD community people are working in government and private jobs. This change is bringing a positive impact on the economic empowerment of DWD communities. A lot must be done at different levels to scale up this change.

## Social Discrimination and Prohibition

DWD communities live in separate localities lacking basic facilities. They are considered unclean and polluted and are prohibited from drinking and eating from the same utensils. There are improvements in the situation due to education, access to information, and communication however, there are discriminatory practices exist in different forms in the country. Inter-caste marriages are still unusual with dominant caste and other DWD communities. In the case of inter-caste marriage, the Dalit family takes the blame and faces a social boycott from the community. Even facing the wrath of the authorities including the police due to their weaker position in society. In many cases, Dalits involved in inter-caste marriage converts themselves to Islam to avoid any persecution. Islamic conversion is an irreversible process as once converted, they have no option/choice to convert back to their religion of choice. Forced conversion is one of the most significant issues in DWD communities. Women and young girls are lured for a better life, converted to Islam, and married to a Muslim man, and in some cases, they are abandoned after sexual exploitation.<sup>xxviii</sup>

### **Case Study – Story of a Dalits girl, who was forcefully converted and married, with legal assistance**

Leela (name changed), a 26-year-old Dalit girl from District Mirpur Mathilo, was forced into conversion and married Ali Dhar (name changed). She was house arrested and exploited physically and sexually by Ali. Ali as an influential Muslim, was able to dictate the law enforcement action against him. Thus, the Police initially refused to file a complaint against the perpetrator. However, the constant pressure built by Leela's family and the Dalit community forced the police to register the complaint against Ali Dhar.



The battle for custody of the girl soon followed, with Leela's father and relatives trying to save her from the grasp of Ali Dhar. When the efforts failed, they filed a petition in the District Court of Gotki. The girl was presented as summoned by the court in front of the Magistrate. As a conversion certificate was produced, she was not allowed to go with her parents by the Magistrate. This decision was challenged by the parents in the High Court of Hyderabad. However, the case is pending and Leela is still under the custody of Ali Dhar.

### **Cultural Discrimination and Prohibition**

There had been cultural differences in many aspects among different castes. There used to be noticeable variance in dressing, jewelry, cultural customs, and accent in the case of the same languages. In the past, DWD communities specifically scheduled caste communities were not allowed to dress as of the dominant caste. Communication has changed things but still one can easily recognize the caste of a person, especially of a woman by her dress, jewelry, accent, etc. There is a slight difference in cultural tradition and norms in different castes such as rituals on birth, marriage, and death and other cultural events have slight variance.

### **Religious Discrimination and Prohibition**

Religious discrimination and prohibition exist in Pakistan. DWD communities specially Scheduled caste people have separate worship places and their religious practices have minor differences. In the past, scheduled castes people were not allowed to enter temples or other worship places. On religious days, physical and verbal contact like touching or talking to scheduled caste people was considered impure. This practice is still alive in some areas and has been seen within scheduled caste communities as well.

### **Political Discrimination and Prohibition**

In contrast to their population, DWD communities specially scheduled caste communities have minimal political representation. Although, it is authenticated that more than 80% of the total Hindu population are scheduled castes but one can hardly find a model of SC in legislative bodies, district governments, and party positions. They are discriminated against and prohibited from political participation from counting in the census, registration for voting, and casting a vote. As a result of the lack of voice in the development process affecting their lives, they are neglected in the development process and cannot receive their due share in developmental programs.<sup>xxix</sup>

### **Atrocities and Violence**

There is no data available on the cases of atrocities and violence with DWD communities but Human Rights Watch's World Report 2022 states, "In Pakistan Women, religious minorities, and transgender people continue to face violence, discrimination, and persecution, with authorities failing to provide adequate protection or hold perpetrators to account." Being a minority group DWD communities face discrimination, exclusion, and violence. Different news reports state incidents of violence against these groups.<sup>xxx</sup>

### **Perpetrator of Discrimination**

Caste, poverty, landlessness, and climatic hazards are some contributing factors to the marginalization of DWD communities. The perpetrators are mostly from the dominant Muslim community, they are landowners and middlemen, contractors, religious leaders, brokers, employers and community leaders, politicians, shopkeepers, hotel owners or staff, etc.<sup>xxxi</sup>

DWD communities are compelled to work on un negotiable terms of landowners or employers and trapped in debt bondage and become helpless victims of violence. Women in bonded labor face the worst form of discrimination and violence in a patriarchal society. They are paid less than men and mostly men of the family receive their payment, they are at high risk of mental, physical, and sexual violence.

Due to a lack of understanding and denial of the caste system and a weak mechanism to identify/report cases of discrimination and violence, there is a lack of data about DWD communities. The prosecutions and convictions of cases are very low, and the perpetrators are not punished strictly. The perpetrators have political influence leaving limited options for DWD communities for legal action against violence.



### ***Case Study – Sanitation worker who died due to alleged negligence of Municipal Committee Officers and Doctors in the Hospital***

On 1st June 2017, three sanitary workers, Yaqoob, Shaukat, and Irfan, fell unconscious while cleaning a deep manhole in Umerkot, Sindh Pakistan. They were brought to the Civil Hospital Umerkot where Irfan Masih, a young sanitary worker died whereas two others were taken to Karachi for further treatment. The victim's family members claimed, and the media also reported that he died because the doctor(s) on duty refused to treat him, asking to first wash his body as he was covered in sludge. After protests by victims and civil society, an FIR was lodged against three doctors and the lower cadre of staff of the Municipal Committee (MC), Umerkot. The Medical Superintendent (MS) of the Civil/ District Headquarters Hospital of Umerkot was arrested but later released on bail.



Irfan was alive for 30-35 minutes when he was brought to the hospital and could have survived if immediate medical treatment was provided. The discriminatory attitude of municipal officers for not providing safety gear to its staff and the further biased attitude of doctors took the life of poor sanitation workers. The victim's family was compensated by the Sindh government after pressure from civil society, but the irony is in Pakistan several sanitation workers have lost their lives due to poor sanitation work planning and management, yet there is no remedy to shield them. They face several issues including their job security, health, minimum wage, and discriminatory attitudes from society.



## CHAPTER 06

### Protection & Development Mechanisms for DWD Communities in the Country

# Protection & Development Mechanisms for DWD Communities in the Country

## Constitutional Provisions on Modern Slavery

The Constitution of Pakistan, which declares the country an 'Islamic Republic', talks of equality with a general statement: "All citizens are equal before the law and are entitled to equal protection". It, however, does not mention protection of the rights of Scheduled Castes or CDWD, nor it recognizes the term "Dalit" or provides any mechanisms for protection of their interests.

Article 11(3) of the Constitution of Pakistan prohibits forced labour. Articles 36 and 38 are the most relevant for Scheduled Castes. Article 36 says: "The state shall safeguard the legitimate rights and interests of minorities, including their due representation in the federal and provincial services." Similarly, Article 38 says that the state shall "secure the well-being of people, irrespective of sex, caste, creed or race by raising their standard of living" but unfortunately at the same time the Constitution of Pakistan defines that: "Islam shall be the state religion of Pakistan, and its head must a Muslim man."

The 18th amendment in the Constitution unanimously passed by the Parliament in 2010 brought some changes as it redefined the structural contours of the state by giving more power to the provinces. After the 18th Amendment, Minority Affairs Department was separated from Religions Affairs. The role of the Minority Affairs Department is the facilitation and formulation of overall policy for the rights and protection of religious minorities. This department provides scholarships and funds for community development/renovation of religious places and the majority of beneficiaries belong to the Dalit community in Sindh. Similarly, in the province of Punjab, Mr. Kanji Ram Member the of Provincial Assembly (MPA) belongs to the Dalit community in South Punjab, he was a member of the human rights and minority affairs departments, which have provided schemes and scholarships to Dalits in South Punjab. Besides, all MPAs in Pakistan have been given a quota of funds. Only in Punjab, each MPA was given Rs 10 million<sup>xxxii</sup> as a minority development fund in the 2013-2014 Budget. Later this fund increased up to 18 million for each MPA throughout Pakistan.<sup>xxxiii</sup>

## Special legislation on Modern Slavery

Article 11(3) of the Constitution of Pakistan prohibits forced labour and slavery, and the Bonded Labour System (Abolition) Act of 1992 along with the Bonded Labour System (Abolition) Rules of 1995 completely outlaw bonded labour. In line with the constitutional guarantee, the following laws are in place to combat the Bonded Labour System, namely:<sup>xxxiv</sup>

- The Bonded Labour System (Abolition) Act, 1992
- The Bonded Labour System (Abolition) Rules, 1995
- The Sindh Bonded Labour System (Abolition) Act, 2015
- The Sindh Tenancy Act, 1950
- The Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act, 2015
- Punjab Bonded Labour System (Abolition) Act, 1992 (Amendment, 2012)
- The Gilgit-Baltistan Bonded/Forced labour system (Abolition) Act, 2020

- The Punjab Prohibition of Child Labour at Brick Kilns Act, 2016
- Prevention of Trafficking in Persons Act, 2018
- The Pakistan Penal Code, 1860

Bonded labour in Pakistan is widespread, particularly in agriculture and brick making, and the majority of the bonded labour community belongs to marginalized and excluded groups such as the Scheduled Caste Hindus, Christians, and Muslim Sheikhs who lack basic facilities and face caste discrimination. The Special Rapporteur on minority issues highlighted the intersectionality of caste and forced and bonded labour in Pakistan, and stated that Dalits, who are mainly minority Hindus, are disproportionately affected by forced and bonded labour, particularly in Sindh.

After the 18th amendment in the constitution in 2010, provinces introduced their laws on bonded labour but unfortunately, the implementation of the laws is not satisfactory. Under the laws, each district must form District Vigilance Committees (DVCs) which can be effective in the implementation of law and rehabilitation of bonded labour but unfortunately, the DVCs are not active.<sup>xxxv</sup>

Tenancy Acts in the Provinces of Pakistan are the only legal frameworks to regularize the relationship between landlords and peasants and to protect the rights of the peasants. The amendments to Sindh Tenancy Act in 1984 in Sindh Province have further Islamized the Act. Such as in the Sind Tenancy Act, 1950, hereinafter referred to as the said Act, in section 10, in sub-section (1), the full stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:- "Provided that if the deceased tenant is a Muslim, the tenancy rights shall devolve on his legal heirs according to the personal law to which the deceased was subject".<sup>xxxvi</sup> Tenancy Act in Sindh does not fulfill the needs of peasants and provide their due rights however there is an urgent need to revise the Sindh Tenancy Act 1950 for congenial relations between landlords and peasants, and to safeguard the rights of peasants.

### **Specific development policies for the members of DWD Communities**

Scheduled caste ordinance 1957 – was the first Presidential Ordinance issued on 12th Nov 1957 by the Ministry of Law soon after the creation of Pakistan. The ordinance formally declared 40 subcastes among scheduled castes which are the most neglected.

There was six percent job quota was reserved for scheduled castes in the federal services of the government system since the law was introduced in 1948, the law provided three years of age relaxation in the jobs and admissions. The law was however scrapped in 1998 during the regime of Mian Nawaz Sharif, a civilian Prime Minister on the other side scheduled caste people could not get the benefit of the quota as the six percent job quota was never implemented in true spirit. At present, there is a five percent job quota for whole religious minorities including scheduled castes. In Pakistan, the Dalit / Scheduled caste community demand for the restoration of a 6 percent job quota for the scheduled caste besides, there is also a need appropriate measures and monitoring mechanisms, so that such affirmative can be implemented in true spirit.

### **Key initiatives to promote SC development**

Benazir income support program Government of Pakistan and Ehsaas Programme is a social safety and poverty alleviation program initiated by the PTI Government formerly known as the Benazir Income Support Program launched by the Government in 2008 not specific to the DWD community but the majority of beneficiaries belong to DWD Communities.



In Pakistan, the federal government has established the National Commission for Human Rights (NCHR) under the National Commission for Human Rights Act, of 2012. NCHR has the power to take Suo moto action in cases of human rights violation. The NCHR receives and hears complaints of human rights violations. Similarly, The National Commission on Status on Women (NCSW), the National Commission on the Rights of Child (NCRC), and the Sindh Human Rights Commission are the new state structures and actively working to address the issues of minority, dalits and children. NCHR and NCSW have provincial offices and NCRC has national office.

On June 19, 2014, the Supreme Court of Pakistan gave clear directions in its landmark judgment to establish the National Commission for Minorities for the protection and rights of minorities, but the compliance of the Supreme Court judgment is slow. Further, the demand for the National Commission for Dalit's Rights needs great effort and advocacy to bring it into the mainstream discourse within the country.

In compliance with the 19 June Judgement, the Supreme Court notified Dr. Shoaib Suddle Commission for the implementation of the SC Judgement on 19 June 2014 in 2018. There is little progress on the implementation of SC Judgement, such as some progress in job quota and curriculum reform. Besides, Government has passed Sindh Hindu Marriage Act 2017 at Sindh and federal levels. Punjab and KPK province notified a 2 percent education quota for minorities in higher education. Suddle Commission acted on several issues of Dalit communities and atrocities such as the increasing suicides among scheduled caste communities in Sindh, and the torture of Dalit Doctors by local feudal belonging to the Pakistan People's Party.<sup>xxxvii</sup>



## CHAPTER 07

### Targeted Budgeting and Expenditure on CDWD

# Targeted Budgeting and Expenditure on CDWD

Parliament of Pakistan adopted the Bonded Labour System (Abolition) Act in 1992 and on that day the bonded labor system stood abolished throughout Pakistan and every bonded labor stood freed and discharged from any obligation to render bonded labour says section 4/1 of the act.

In April 2000, the government created a fund called "Fund for Education of working children and Rehabilitation of freed bonded labourers (BLF)," with an initial amount of Rs 100 million given by the Federal Government of Pakistan. The District Vigilance Committees (DVCs) were supposed to be formed at the district level to assess the bonded labour situation, and their needs and apply for funds for their rehabilitation but unfortunately, DVCs could not use that funds.<sup>xxxviii</sup> The NPPA and Fund could not bring change in the lives of Haris/Peasants. Money was not used for the rehabilitation of those released from bondage.

The Punjab Government, in its 2010-2011 Annual Development Programme has allocated PKR123 million to extend relief and rehabilitation measures including education, adult literacy, skills training, health, microfinance, social security benefits, social protection, and citizenship to workers of brick kilns in Punjab.

Currently, there is no special budget or funds available for the rehabilitation of bonded labour in Pakistan. However, there is another fund available with Minority Affairs Department in Sindh which gives scholarship cheques to minority students focused on Dalit children in Sindh.



## CHAPTER

# 08

## Responses of National level NGOs



## Responses of National level NGOs

In Pakistan, few organizations address the issues faced by Dalit communities and these all organizations or networks are not funded by anyone. They do not have offices or staff but some volunteers who are engaged in other professions spare their time on Dalit Cause as per need or their availability. However, it can be said there is no sustainable organized work on DWD communities in Pakistan.

**Applied Socio-economic Research Resource Centre (ASR)** provided training and conducted research on socio-economic issues in Pakistan. ASR acts as a catalyst, a network, and a resource center for several women's groups, social action bodies, theatre and other communication groups, trade unions, and peasant organizations. In 2004/2005 ASR initiated one project of research and advocacy, building capacities of the youth from the Dalit community. They published a pioneering book on 'Hamey Bhi Jeeney Do Pakistan Mai Acchoot Logon ki Surateha' ('Let us Also Live: The Situation of the Untouchables in Pakistan') by Pirbhu Lal Satyani.<sup>xxxix</sup>

**The Scheduled Castes Federation of Pakistan (SCFP)** was the first organization that submissively raised the issue of human inequality, untouchability, and caste discrimination two decades ago, but it couldn't continue its work with the same passion and there was no funding involved in their work.

**The Pakistan Dalit Solidarity Network (PDSN)** is a coalition of over two dozen rights-based civil society organizations in Pakistan. It was formally launched on 5th April 2009 after the 2007 research study, which identified serious violations of the basic rights of scheduled castes in Pakistan. The main objectives of the network are to highlight the issue of scheduled castes through national and international advocacy. PDSN has no project or funds. It's a volunteer network associated with IDSN and ADRF that assists technically in advocacy at regional and international levels.

**Pakistan Darawar Ithahad (PDI)** - newly emerged pressure group by Dalits in Sindh Province focusing on the protection issues of Dalits including forced conversion etc. Similarly, the Bheel Intellectual Forum (BIF) is another organization led by youth from the scheduled caste – The bheel clan. It's a very active and influential pressure group by the Bheel Dalit Community. BIF has thousands of members all over Sindh who support the organization.

**Dalit Sujaag Tahreek Pakistan (DST)** is a social & political movement for the social & political empowerment of Dalits and oppressed classes in Pakistan. DST was formed in 2016. Initially, it worked well but continued its work and for the last three to four years it's dormant.

**Center for Law and Justice (CLJ)** - The Center for Law & Justice (CLJ) is a nonprofit, nonpartisan, non-government organization striving to protect the rights and interests of disadvantaged religious communities, women, and labor rights by engaging in advocacy, strategic litigation, research, and policy analysis since 2011. CLJ has some projects from Water Aid and other organizations focusing on the issues of sanitation workers in Punjab



## CHAPTER 09

Responses of UN Bodies,  
International Governments, and  
Human Rights Organizations  
regarding DWD Communities in  
the Country

# Responses of UN Bodies, International Governments, and Human Rights Organizations regarding DWD Communities in the Country

## *UN Treaty Bodies*

The issue of caste-based discrimination in Pakistan has been addressed by UN human rights bodies on several occasions (see Annex 1 for references by treaty bodies, the Universal Periodic Review, and Special Procedures). In 2009, the UN Committee on the Elimination of Racial Discrimination (CERD) expressed grave concern at the persistence of caste-based discrimination and made specific recommendations to enact a law to prohibit this form of discrimination by its General Recommendation 29.<sup>xi</sup> A second recommendation was to intensify its efforts to implement the laws and programs adopted to put an end to bonded labour and discrimination against marginalized groups such as the scheduled castes.

The Committee on the Elimination of Racial Discrimination has insisted that the GOP end forced conversion and forced marriage for religious minorities, with special attention to Hindu Dalit women.<sup>xii</sup> Moreover, the Committee on the Elimination of Racial Discrimination remains concerned with the increased number of hate crimes directed at Dalits and the ongoing lack of actions taken to investigate and persecute perpetrators, despite supporting recommendations.<sup>xiii</sup> As such, the Committee recommended prosecuting and punishing the abductors with penalties appropriate to the weight of the crime. The Committee also requested GoP to include information on the situation of Dalits in the country, including relevant statistical data, in its next periodic report.<sup>xiii</sup>

The Committee on the Rights of the Child (CRC) made recommendations to protect children in Dalit communities from hate, discrimination, and negative societal norms by mobilizing political, religious, and community leaders to support efforts to eradicate traditional practices.<sup>xiv</sup>

- UN Special Procedures (Working Groups, Independent Experts, and Special Rapporteurs) - The Special Rapporteur on minority issues highlighted the intersectionality of caste and forced and bonded labour in Pakistan, and stated that Dalits, who are mainly minority Hindus, are disproportionately affected by forced and bonded labour, particularly in the Sindh and Balochistan provinces.<sup>xiv</sup>
- In its examination of Pakistan in May 2016, the Committee on the Rights of the Child expressed serious concern over the continuous practice of bonded and forced labour affecting vulnerable children, including Dalit children, and urged the GOP to eradicate all forms of bonded and forced labour of children, and in particular children from marginalized and disadvantaged groups such as Dalit children, and bring the responsible employers to justice. Moreover, the CERD examined Pakistan in 2016 and in its concluding observations



expressed deep concerns that: 'despite the adoption of the Bonded Labour System (Abolition) Act of 1992, bonded labour practices persist in the State party, particularly in the brick kiln and textile industries and among the Scheduled Castes (Dalits). It appears that the Act has not been effectively implemented owing to the lack of awareness about it among people working in debt bondage and among law enforcement and judicial officials (arts. 1 and 5)'. The Committee recommended taking measures to fully implement the Act and intensify labour inspections in workplaces where 'there is a high risk of forced and bonded labour, particularly in the informal economy sector, and investigate cases of labour discrimination and labour exploitation'.<sup>xlvi</sup>

### **Universal Periodic Review (UPR)**

Pakistan has completed the 4th UPR cycle and the latest one was in 2023. In the first two Universal Periodic Reviews of Pakistan (in 2008 and 2012 respectively), several states raised concerns about the issue of religious minorities, including the situation of scheduled castes. This has led to caste-specific recommendations in both UPR reports. In the second report of the UPR Working Group (2012), the following recommendations are included:

*122.92. Continue its efforts for the improvement of the health system and the elimination of discrimination against women and discrimination based on caste (Holy See)*<sup>xlvii</sup>

*122.103. Take effective measures to prevent forced or early marriage, in particular, to end rape, sexual exploitation, and forced conversions of scheduled caste girls (Austria)*

The rights of religious minorities are an increasing area of concern as the number of references in recommendations progressively increased throughout the first to third UPR cycles. Between the first to third cycles, there was a total of 29 recommendations referring to religious minorities, of which 18 recommendations were supported. In the third UPR cycle, in 2017.

**Amnesty International** - In term of Discrimination, Amnesty International Report 2022 explain that forced conversions of Hindu, Christian, and Sikh women and girls continued in the year. Victims, particularly those from lower socio-economic backgrounds, were unable to access justice. Furthermore, it explains that Scheduled Caste Hindus (also known as Dalits) were disproportionately disadvantaged in accessing services, resources, and opportunities. Many remained trapped in bonded labor and were subjected to rape and violence.<sup>xlviii</sup>

**Human Rights Watch** - CASTE DISCRIMINATION: A Global Concern A Report by Human Rights Watch for the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance. Durban, South Africa, September 2001 discusses the issues of Dalits called untouchable in South Asia including Pakistan<sup>xlix</sup> Particularly, in Pakistan the debt bondage system is most prevalent in the agricultural provinces of southern Punjab and Sindh. Most laborers in these areas are minority Hindus from lower castes. In a pattern like that practiced in India, the charging of exorbitantly high-interest rates ensures that loans from landowners never get repaid. Women have also been held in custody by landowners when bonded male members of the family leave the land or area and have even been sold into marriage or prostitution should the male family member fail to return.



**Other international work** – The International Dalit Solidarity Network (IDSN) is an international network that works on a global level for the elimination of caste discrimination and similar forms of discrimination based on work and descent. Members include national Dalit platforms in caste-affected countries such as PDSN; Dalit Solidarity Networks in seven European countries; and international associates, among others ([www.idsn.org](http://www.idsn.org)). IDSN has extensively worked on Pakistan Dalit issues and has participated in UN submissions with ground-level support from Pakistan Dalit Solidarity Network (PDSN).

**Asian Dalit Rights Forum (ADRF)** is a platform for Dalits and those working with Dalits in Bangladesh, Bhutan, India, Japan, Nepal, Pakistan, and Sri Lanka. ADRF is committed to the empowerment and emancipation of communities subjected to descent and work-based (caste-based) discrimination and violence. ADRF has represented and participated in the UN Intergovernmental Negotiations on Post-2015 Sustainable Development Goals in March 2015 and June 2015. ADRF has conducted several research studies on Pakistani Dalits and has taken up their issues at the regional and global levels.



# CHAPTER 10

## Major Findings

## Major Findings

In Pakistan term DWD is new and the majority of people including civil society are not familiar with it. Instead of this, the focus of the study remained to collect information about Dalits or scheduled caste in Pakistan.

Key Finding	Status and the way forward
<b>Lack of Data on DWD Communities</b>	There is ambiguity about the actual number of DWD communities in Pakistan so information on social, political, and economic indicators collected through studies about DWD communities does not portray the actual picture if it is generalized at the country level. The country mapping exercise concluded that the collection of an actual number of DWD communities in Pakistan is the most important task to focus on. To fill this gap, there is a need to conduct research studies at the macro and micro level in collaboration with government, international and national organizations as well as with academia.
<b>Who addresses DWD issues in the country?</b>	In Pakistan, several NGOs and INGOs working on various issues of human rights, particularly focusing on the issues of minorities, children, women, and other marginalized communities but there is no dedicated program or project for Dalit or DWD rights however their issues are being addressed in bits and pieces and such organization avoid to use word Dalit or DWD. Pakistan Dalit Solidarity Network (PDSN) is a voluntary network. Recently, a few community-based Dalit organizations have emerged such as Bheel Intellectual Forum, Darawer Ithad and Dalit Sujag Tehreek but they lack funding however there is no sustainable or organized work in Pakistan.
<b>Gender and DWD</b>	Women in DWD communities are at high risk of abduction, sexual violence, and forced marriage. Gender intersecting with class, caste, religion, and geographical location makes them vulnerable to exploitation. Forced marriage and forced conversion is the biggest threat to the women from the DWD communities.
<b>Modern Slavery</b>	The majority of Manual Scavenging, Village/City cleaning, working with waste or recycling, and Gutter cleaning /manhole cleaning work is assigned to DWD communities which include Christians and lower caste Hindus. They work in life-threatening conditions in return they face hate and humiliation and neglect at every step of life. There is no as such action from the government has been taken.

Key Finding	Status and the way forward
Human Rights and Violence	The lack of data on the violence and discrimination against the DWD communities is due to the denial of the caste system in the country and weak protection mechanisms. Prosecutions and convictions of cases are very low, and the perpetrators are not punished strictly. The perpetrators have political influence leaving limited options for DWD communities for legal action against violence.
Sustainable Development	Different studies have shown that almost 90% of DWD communities reside in rural areas. They are far behind in socioeconomic and political indicators as compared to other communities. Caste-based hierarchical social structure makes some communities stand at the bottom within DWD communities and low-paid work including cleaning. They are the poorest of poor, landless, shelterless, and voiceless. Different studies had indicated that mother and child mortality rates were very high in DWD communities. DWD communities are denied and face discrimination in accessing health care.
What changes are happening?	Due to education, some of the DWD communities are making good progress and breaking centuries-old traditions of caste-specific work. Education not only plays a key role in changing occupational practices, but it is also one of the major factors in changing the forms of discrimination based on work and descent.
Policies and Budget allocation	An Interim budget allocation in 2000, to counter slavery and bonded labour, the government created a fund called "Fund for the Education of working children and Rehabilitation of freed bonded labourers (BLF)," with an initial amount of Rs 100 million donated by Bait-ul-Maal but unfortunately this fund could not utilize due to complicated fund utilization process, nor it could help for the effective implementation of district vigilance committees on bonded labour at the district level. At present there is no devoted fund. <sup>1</sup>





## CHAPTER

# 11

## Recommendations

# Recommendations

**Formulating Policies and Programs for CDWD Development:** An Islamic state based on the principles of equity, Pakistan denies the existence of caste-based discrimination in a Muslim society. Lack of acknowledgment creates limitations in formulating policies and programs to uplift DWD communities. As a result, DWD communities are ignored in the programs of government and other national and international agencies.

The Government of Pakistan should develop and implement a National Action Plan to address all forms of discrimination, including gender and caste-based discrimination, taking guidance from the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent as a comprehensive framework to eliminate caste discrimination.

**Government Land Distribution:** The majority of DWD communities are landless and do not have an entitlement to the piece of land they are living on. Settlements of DWD communities lack basic water, sanitation, and health facilities. Government should distribute land to the landless Dalit population and allocates a budget for the construction of special colonies for Dalit peasants/bonded laborers and manual scavengers with improved health, water, and sanitation facilities in rural areas.

In 1948, a six percent job quota was reserved in the federal government and a three-year age relaxation in jobs and higher education for scheduled castes but, in 1998 this law was scrapped

**Job and education Quota for Scheduled Castes:** The government of Pakistan should reinstate a six percent job quota for scheduled castes (Dalits) in various sectors, including civil services, law, and the judiciary. This affirmative action will ensure representation and opportunities for Dalits in these sectors and help combat discrimination. The GOP should introduce education quota in higher education especially in public colleges, universities and technical training institutes for DWD communities. The government must make it compulsory to clearly advertise Scheduled caste/minority quota. The government needs to train the officials who advertise vacancies and those who are authorized to fill these vacancies. The government needs to spread awareness among scheduled caste and minorities about the quota.

**Poverty Reduction and Social Safety Net Programs:** Governments, Non-Governmental Organizations (NGOs), and International Donor Agencies should collaborate to design and implement targeted poverty reduction programs for Dalit communities. These programs should include provisions for land distribution, low-caste housing, financial grants, and interest-free loans. Such measures will address the socio-economic vulnerabilities faced by Dalit communities, who often occupy the bottom rungs of the caste system.

**Budget allocations** - Based on the 2023 census, Government should allocate a special budget in the annual development budget for Dalit welfare and development in Pakistan. Additionally, the government should allocate a specific development budget for Community-Based Organizations working with Dalits. This budget should prioritize the provision of essential services such as health, water, and sanitation facilities in rural areas where Dalit communities are predominantly located.



**Inclusion in Government and NGO Work:** United Nations (UN) organizations, human rights institutions, and International Non-Governmental Organizations (INGOs) operating in Pakistan should actively engage with the government and other NGOs to ensure the inclusion of Dalit communities in their initiatives. By actively involving Dalits in their work, these organizations can contribute to their empowerment and advocate for their rights and equality.

**Setting up organizational mechanisms (commissions, committees, departments, national mechanisms for reporting and follow-up, etc.):** The Government of Pakistan should establish an impartial and independent Dalit Rights Commission with a broad and overarching mandate for the protection and well-being of the Dalit community in Pakistan. The Commission needs to be vigilant and has monitoring committees at the district level and a complaint cell at the central level so that the Dalit population has access to a recourse mechanism in case of rights violation.

While establishing National Commission for Dalit Rights, GoP must consider dedicated staff, office, power, and resources for the commission to work for policy legislation for Dalit rights and eliminate discrimination based on caste.

**Setting up Review Committees/Commissions:** Until a Dalit Rights Commission is established, the existing human rights commissions in Sindh and Punjab should notify thematic committees to take proactive action for the protection of the rights of the Dalits.

**Targeted Intervention to Combat Violence and Discrimination:** As perpetrators of discrimination and violence generally target the vulnerabilities of marginalized groups such as DWD communities. The government should specifically have targeted interventions for such groups to protect them from exploitation.

**Capacity Building of Law Enforcement Agencies:** Build independence and capacity for the police to better process rights violation cases for Dalits. Police officers and staff should be trained on the importance of first response, fair inquiry, and speedy process in cases of violation of the rights of the Dalits.

**Scholarships Programs** - The Government should introduce scholarships for Dalit students specifically in law colleges across the country. These scholarships would facilitate the access of the community to capacity-building opportunities in law and law-making, which may help in struggles for rights.

**Banning Untouchability:** Work and Descent based discrimination especially untouchability needs to be banned and these practices need to be discouraged in public and private spaces and perpetrators must be punished. The government of Pakistan must criminalize caste discrimination in Pakistan like in neighbouring countries India and Nepal.

**Commission to Deal with Forced Conversion:** The government of Pakistan must constitute a high-level commission to investigate cases of forced conversion and marriage. Involvement of religious groups in such cases must be prohibited.

**Enactment of Government Policies:** As it is well documented that most of the victims are Dalits, especially in bonded labour, early forced marriage, and forced conversion in Sindh, the government should strictly ensure the implementation of laws such as the Sindh Bonded Labor System Abolition

Act, 2015 and Child Marriage Restraint Act, 2013 and bring the uniformity in law to make marriage age 18 years minimum across Pakistan.

**Research:** To ensure the real counting of DWD communities in Pakistan, the government needs to collect caste-wise data in the census. In addition, it is recommended that in collaboration with the Government, NGOs, INGOs, and academia research studies should be conducted to find out the actual picture of DWD communities. It is essential to study the intersection of caste, religion, occupation, gender, and geographical location for policy and practice change.

DWD communities are tolerant of other religions and their likelihood of conversation with other religions is also seen. The factors behind religious conversion need to be explored to find out the elements behind community conversion.



## End Note

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Country Report

# PAKISTAN



South  
Asia



Global Forum of Communities Discriminated  
on Work and Descent-2023