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Discrimination on the basis of caste and religion in Pakistan

Good morning ladies and Gentleman!

Pakistan Dalit Solidarity Network and IDSN has submitted a joint report focusing on the list of issues prepared by the Committee on Economic, Social and Cultural Rights (CESCR) in relation to the initial report of Pakistan, more specifically on Scheduled Castes/ Dalits and caste-based discrimination under the articles of non-discrimination and access to adequate standard of living. In my short statement I would like to address some of the key issues faced by Dalits and minorities in Pakistan.

If we look at communities around the world, societies are divided into different groups based on ethnic origin, religion, caste, and color. Discrimination on the basis of religion, racism and casteism is serious and seen as a sensitive issue in many countries. In some places less and other places more, but discrimination exists in different shapes and forms which ultimately affect human rights, equality and pluralism.

In the case of Pakistan, discrimination against religious minorities and Dalits is widespread and a complex issue. Religious minorities face multiple types of discrimination, social and religious as well as institutional and legal. Dalits face discrimination on the basis of their caste and low status work. A large number of Dalits work as bonded laborers due to poverty, landlessness, untouchability and illiteracy. They face intense deprivation of basic necessities such as education, health and an adequate standard of living.

Various human rights bodies have mentioned caste-based discrimination in their questions and recommendations for Pakistan related to the ongoing discrimination against Dalits, and strengthening of the legal framework for the elimination of discrimination on the basis of caste and religion but unfortunately there has been no progress yet.

A few months back – in November 2016, the Provincial Assembly of Sindh passed a bill titled the Criminal Law (Protection of Minorities) bill 2016, which recognises that forcing a child under 18 years of age to change their religion and enter into a marriage is a punishable offence. However, some religious and extremist groups argued that the bill is against the teachings of

Islam. Consequently, the Governor of Sindh did not sign the bill against forced conversions, unanimously adopted by the Sindh Assembly. In Sindh and Punjab every year thousands of Dalit and minority girls became victims of forced conversion and forced marriages.

There are no specific provisions in the law prohibiting caste-based discrimination, nor are there any specific laws that give effect to the available anti-discrimination provisions in the Constitution or makes discrimination on any grounds a punishable crime. In Pakistan low grade work such as sanitation and manual scavenging is done only by scheduled caste Hindus and Christians, and Government is promoting it through its job advertisements. This is clearly violation of Article 27 of the Constitution.

On June 1, 2017 a Dalit sanitary worker Irfan Masih died in Umerkot, Pakistan due to criminal negligence of doctors and his own department. 35 year-old Irfan, an employee of the local municipal committee, had dived into a deep manhole to clean it up but fell unconscious after inhaling a poisonous gas. Two more of his colleagues - Yaqoob Masih, and Shaukat - who jumped in to rescue him also fell unconscious. They all three were rushed to hospital where Doctors refused to touch Irfan who was covered with filth. According to parents the main cause of Irfan death was refusal of doctors in the hospital to assist him and not providing safety gear by his own department. Irfan's father has filed criminal negligence case against the doctors and the municipal committee staff.

Recommendations

- GoP officially recognize caste-based discrimination and take legislative and policy measures for its elimination.
- GoP should introduced legislation against forced conversion of young minority and Dalit girls in four provinces in Pakistan.
- To improve the social economic condition of Dalits, the GoP should introduce a development package for Scheduled Caste (Dalits) according to their population in the country. This development package may include restoration of 6 percent job quota, meaningful political participation and distribution of land among landless Dalit populations.