



3rd Cycle of the Universal Periodic Review Factsheet for the UPR of Pakistan (28th session, 13 November 2017)

Dalits in Pakistan

Majority of Dalits in Pakistan belong to the Hindu minority group, known as Scheduled Caste. They fall victims of double discrimination - due to their religious status as non-Muslims in a Muslim state and due to their “low” caste. Dalits in Pakistan concentrate mainly in rural areas of Sindh and Southern Punjab and are among the poorest, landlessness and/or asset-less peasants. Majority of them are in debt bondage and suffer numerous forms of abuse. Dalit women in Pakistan fall victims to sexual abuse, abduction and forced religious conversions. “Untouchability” is practiced in all spheres of private and public life and crimes against Dalits are often committed with impunity.

Implementation of the 2nd UPR cycle recommendations

Pakistan has completed two cycles of the UPR, receiving several recommendations regarding the protection and empowerment of religious minorities and scheduled castes, but unfortunately, the progress is slow to invisible. Treaty bodies also raised concerns in their concluding observations. In 2016 the Committee on the Elimination of Racial Discrimination (CERD) expressed its deep concerns about the continuing discrimination against Dalits, particularly in employment and education, as well as *‘abduction of Dalit women and girls for the purpose of forced conversion to Islam and forced marriage’*ⁱ. In June 2017, the Committee of Economic, Social and Cultural Rights (CESCR) recommended to the government to *‘carry out a study on the situation of the “scheduled castes” or Dalits, with the participation of the members of that community and of relevant experts’* and *‘take effective measures to eradicate stigma and prejudice against members of the “scheduled castes” or Dalits, including awareness-raising campaigns, and to combat discrimination against them, particularly in the employment and education sectors’*ⁱⁱ.

However, during the first review of Pakistan under the CESCR, in June 2017, the Government of Pakistan (GoP) claimed there is no caste-based discrimination in the country and it was unaware of where Dalit population livedⁱⁱⁱ. This indicates that the issues faced by Dalit and minority communities in Pakistan are not a priority for the government.

Pakistan is a Muslim dominant country and Islam is the state religion and laws are required to be consistent with Islam. The existing legal and social framework of the country does not support non-Muslims, including Dalits, the same way it supports Muslims. For instance, the Constitution of Pakistan does not allow a non-Muslim or a Dalit to be the head of the country. Moreover, discriminatory blasphemy law, biased school curriculum and emerging role of Madrassahs pose serious threats to the Dalit and minority communities in Pakistan. Most recently, dozens of Dalit activists have been falsely charged of blasphemy in the districts of Sindh and Tharparkar.

Pakistan has no laws criminalising “untouchability” practices or caste-based discrimination. There are no affirmative action measures, such as quota in employment, education or political participation, nor any dedicated development programmes to empower Dalits and address the challenges, including poverty, that they face in Pakistan. Dalit and minority girls often fall victims of forced conversions and forced

marriages, the issue that has been highlighted in the previous UPRs and treaty body reviews, however, the lack of protection against such practices pertains.

Key issues faced by Dalit community in Pakistan

- Every year thousands of Dalit girls/women in Pakistan fall victims to sexual abuse, abduction, rape and forced religious conversion. These crimes often go with impunity.
- Forced and bonded labour in Pakistan is widespread, particularly in agriculture and brick making sectors. The majority of bonded labourers come from marginalised Dalit communities as 84% of Dalit population are landless and/or asset-less.
- Dalits in Pakistan have limited access to equal and meaningful political participation despite being the biggest minority group in Pakistan.
- More than 80% of Dalit communities live in far flung rural and segregated areas with limited livelihood options due to their low status in society, “untouchability” practices, high levels of poverty and landlessness.
- About 75% of the Dalit population are illiterate.

RECOMMENDATIONS

1. The GoP should adopt a law prohibiting discrimination on the basis of caste and take effective and immediate measures to ensure its effective implementation to protect those discriminated against on the basis of caste, as recommended by the CERD.
2. The GoP should pass the Criminal Law (Protection of Minorities) Bill 2016 without any delay and adopt it in the other three provinces of Pakistan.
3. The GoP should restore the 6% job quota for Scheduled Castes in government services and announce a quota in higher education so the Scheduled Castes can get quality jobs in higher positions.
4. The GoP should commit to taking serious measures to strengthen equal access to basic services, with an emphasis on the most marginalised communities, including Scheduled Castes.
5. The GoP should make attempts to amend or repeal the blasphemy law that facilitates persecution of religious minorities and legitimizes impunity for perpetrators of violence against religious minorities.
6. The GoP should take effective measures to prevent and investigate cases of forced conversions of girls, with an emphasis on the most vulnerable groups such as Scheduled Caste girls.
7. Ensure an effective implementation of the Bonded Labour System (Abolition) Act 2015, establish effective district vigilance committees and ensure immediate rehabilitation of the freed bonded labourers so they can get out of bondage.
8. The GoP should ensure that Scheduled Caste peasants are given their due share of agricultural productions, so that labourers are not subjected to bonded labour. This can be achieved by making progressive changes in the Tenancy Legislation (especially the Sindh Tenancy Act).

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ⁱ [Concluding observations on the combined twenty-first and twenty-third periodic reports of Pakistan](#), October 2016, page 6, para 31 & 32.

ⁱⁱ [Concluding observations on the initial report of Pakistan](#), July 2017, page 5, para 31 & 32.

ⁱⁱⁱ [Consideration of Pakistan, 13 June 2017, 32nd meeting, 61st session, Committee on Economic, Social and Cultural Rights](#), answers to follow up questions by the Minister of State for Law and Justice, Barrister Zafarullah Khan.