



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Information on the caste system in Pakistan.

A report by the *US Department of State* under the heading 'Discrimination, Societal Abuses, and Trafficking in Persons' states:

"The constitution provides for equality for all citizens and broadly prohibits discrimination based on race, religion, caste, residence, or place of birth; in practice, however, there was significant discrimination based on each of these factors." (US Department of State (25 February 2009) *2008 Human Rights Report: Pakistan*)

It also states under the heading 'Prohibition of Forced or Compulsory Labor'

"A large proportion of bonded laborers were low caste Hindus, or Muslim and Christian descendants of low caste Hindus.

Bonded laborers often were unable to determine when their debts were fully paid. Those who escaped frequently faced retaliation from former employers. Some bonded laborers returned to their former status after being freed, due to a lack of alternative livelihoods. Although the police arrested violators of the law against bonded labor, many violators bribed the police to secure their release. Human rights groups reported that landlords in rural Sindh maintained as many as 50 private jails housing approximately 4,500 bonded laborers. Ties between such landlords and influential politicians hampered effective elimination of the problem." (ibid)

A report by the *Home Office UK Border Agency* under the heading 'Dalits' states:

"The International Dalit Solidarity Network (IDSN), a network of national solidarity groups for Dalit rights, based in Denmark, reported on a workshop that took place on 3 June 2007 on "Caste-based discrimination in Pakistan". The report noted that "It is estimated that about two million scheduled caste people are among the poorest of the poor and are discriminated against in day to day life. Scheduled caste communities include the Kolhi, Meghwar, Bheel, Balmiki, Oad, Jogi, Bagri and other communities."

Quoting from a BBC report on the workshop, the same source noted that:

"The survey revealed that the worst form of discrimination — from both upper caste Hindus and Muslims — came in the shape of untouchability, which means they were denied access to public places like restaurants, barber shops, etc. In some places they were served in separate crockery and in other areas they were even denied entry to certain restaurants and shops. They had segregated

housing, while the situation is worse in rural areas as 95 per cent of Dalits living in Rahimyar Khan reported untouchability as compared to 35 per cent living in Multan. Sixty-nine per cent of those surveyed said that their upper caste Hindu and Muslim neighbours either do not invite them to their social gatherings like weddings, or if invited they are served food separately. This attitude was relatively more prevalent in Rahimyar Khan (87 per cent) than in Tharparkar (60 per cent)." (Home Office UK Border Agency (18 January 2010) *Country of Origin Information Report – Pakistan* pg 119 -20.06)

It also states:

"The research revealed that very little information was available on the status of issues being faced by marginalised groups like the scheduled castes. Also, there was no legal protection or affirmative action policy to combat caste-based discrimination in Pakistan, unlike in India." (ibid)

A report by the *Human Rights Commission of Pakistan* under the heading 'Freedom of thought, conscience and religion' states:

"Discrimination on the basis of caste is prohibited under our law. Efforts are made to eliminate discrimination wherever it exists and to give maximum support to scheduled castes. The Federal Government has relaxed upper age limit for the scheduled castes for government jobs. The Ministry of Minorities intends to associate one member from the scheduled caste of Hindu community in the National Commission for Minorities. The Government of the Province of Sindh, where most of the scheduled caste Hindus live, has appointed an advisor from scheduled castes. We are encouraging NGOs to highlight the issues of scheduled castes to seek redress to their grievances." (Human Rights Commission of Pakistan (1 April 2009) *State of Human Rights in 2008 - Chapter 3: Fundamental freedoms Freedom of movement; Freedom of thought, conscience and religion; Freedom of expression; Freedom of assembly; Freedom of association*)

It also states under the heading 'Hindus'

"The Hindus of the scheduled class were neglected and ignored in every walk of life.

At a conference at the Lahore Press Club, the Haray Rama Foundation and Guru Gorakh Naath Sewa Mandal director protested that there was no lower caste Hindu or other caste MPA or MNA representing the non-Muslims in Punjab. He stated that the lower caste was given no representation in the 10 national assembly and 23 provincial assembly seats. (N, Jan 5) In Hyderabad, the low caste Hindus staged a demonstration outside the press club protesting discrimination towards them by successive governments. They said that the lower caste constituted 95 percent of the Hindu population; the 5 percent upper caste Hindus became MPAs and MNAs and patronised only their own class" (ibid)

A report by *Minority Rights Group International* under the heading 'World Directory of Minorities and Indigenous Peoples - Pakistan : Hindus' states:

"The Hindu population of Pakistan makes up a small minority of about 1.96 million, or 1.2 per cent, of the total population. An overwhelming majority of the Hindus (96 per cent of the total Hindu population in Pakistan) live in rural areas of Sindh. There are heavy concentrations of Hindus in Sanghar and Tharpakar district, which borders with India. There are also small pockets of Hindus in interior Baluchistan and Punjab. The Hindus of Pakistan – residing in the interior of Sindh or Baluchistan – belong principally to the so-called untouchable class, the Scheduled Caste Hindus. Many of them are landless bonded labourers, working on the lands of big Sindhi landlords (known as Jagirdars). Those who live in towns and cities also have a menial standing and are generally employed as sweepers or Jamadars." (Minority Rights Group International (2008) *World Directory of Minorities and Indigenous Peoples - Pakistan: Hindus*)

It also states under the heading 'Current issues'

"A significant proportion of the Hindus within the province of Sindh are the so-called untouchables, the Scheduled Caste Hindus. As far as these Scheduled Caste Hindus make up part of the pool of landless bonded labour of the province of Sindh. Sindh's agricultural wealth, to a large extent, has depended on the intensive and strenuous work of bonded labour in producing hugely profitable cash crops such as sugar cane. While huge profits are made by the wealthy landlords, this landless bonded labour, consisting of substantial number of Scheduled Caste Hindus, continues to suffer from abject poverty. They remain tied to the land where they are forced to work literally as slaves. The landlords ensure that these bonded labourers and their future generations remain illiterate and unable in any way to challenge the unfair system of exploitation. The National Assembly of Pakistan abolished bonded labour through the Bonded Labour Abolition Act 1992. However, the banned practices continue to thrive in many parts of Sindh; officials remain reluctant to interfere for fear of incurring the wrath of powerful ruling families."(ibid)

A report by the *Internal Displacement Monitoring Centre* under the heading 'Displacement of Hindus' states:

"The Caste Hindus, though small in numbers, dominate the minority politics through support of their convert relatives and government functionaries. The incidents of atrocities and caste-based discriminations on Dalits are increasing day by day in Tharparkar - a district where 35 per cent people belong to different Dalit communities among a million people - because of growing awareness and assertiveness of the Dalits. Several hundred Dalit employees of Dalit communities were transferred to far-flung areas under different obnoxious pretexts. Cases were initiated against the Dalit political activists. Their rural folks were threatened and even disallowed to graze their livestock on government lands called Gauchar." (Internal Displacement Monitoring Centre (2 December 2009) *Pakistan: Millions of IDPs and returnees face continuing crisis*)

It also states:

“In Tharparkar, violence against Dalits is normally treated as a very minor and marginal issue, even by the law-enforcement machinery, whether be it police, the prosecution, or the medico-legal fraternity or often even the judiciary. Non-registration of crimes against Dalits is one of the main problem in Tharparkar. Political influence over the police, and caste, class, religion and gender biases are rampant. It is extremely difficult for helpless Dalits to file complaints, particularly against the powerful individuals and or perpetrators. The theft of livestock of Dalits in Tharparkar is rampant as police never registers any such case. These are very few examples as to how Dalits are dealt with if they display an act to show equality. Hundreds of the incidents of caste discrimination go unreported.” (ibid)

References:

Home Office UK Border Agency (18 January 2010) *Country of Origin Information Report – Pakistan*

http://www.homeoffice.gov.uk/rds/country_reports.html#countries

(Accessed 18th February 2009)

Human Rights Commission of Pakistan (1 April 2009) *State of Human Rights in 2008 - Chapter 3: Fundamental freedoms Freedom of movement; Freedom of thought, conscience and religion; Freedom of expression; Freedom of assembly; Freedom of association*

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints.

This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted:

Amnesty International

BBC News

Electronic Immigration Network

European Country of Origin Information Network

Freedom House

Human Rights Watch

Immigration and Refugee Board of Canada

Internal Displacement Monitoring Centre (IDMC)

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UK Home Office

UNHCR Refworld

US Department of State