

Country Technical Note
on Indigenous Peoples' Issues

Islamic Republic of Pakistan



Enabling poor rural people
to overcome poverty



Country Technical Notes on Indigenous Peoples' Issues

ISLAMIC REPUBLIC OF

PAKISTAN

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Table of Contents

Country Technical Note on Indigenous People’s Issues – Islamic Republic of	1
Pakistan	1
Summary	1
1. Identifying Indigenous and Tribal Peoples in Pakistan	2
2. Characteristics of the tribal peoples	4
3. Situation of Tribal peoples	9
4. National legislation on Tribal peoples	11
5. International treaties, declarations and conventions ratified by Pakistan	12
6. Regional, national and grassroots organizations and networks	12
7. Summary of IFAD’s work in Pakistan with Indigenous Peoples.	13
8. International organizations working with Indigenous Peoples	15
9. Other relevant information for IFAD’s engagement with Indigenous Peoples	16
Bibliography and relevant links.	17

Acronyms and Abbreviations

FATA	Federally Administered Tribal Areas
REDD+	Reducing Emissions from Deforestation and Forest Degradation
ADB	Asian Development Bank
BOK	Bank of Khyber
CBOs	Community-Based Organisations
COs	Community Organizations
DFID	Department for International Development of Kingdom of Great Britain and Northern Ireland
FCRs	Frontier Crimes Regulations
FR	Frontier Regions
GEF	(UNDP) Global Environment Facility
IFAD	International Fund for Agricultural Development
IFIs	International Financial Institutions
ILO	International Labour Organisation
IPAF	Indigenous Peoples' Assistance Facility
ITPs	Indigenous and Tribal Peoples
IUCN	International Union for Conservation of Nature
MCOs	Male Community Organizations
MoE	Ministry of Environment
NADRA	National Database and Registration Authority
NLBI	Non-Legally Binding Instrument
NTFPs	Non-Timber Forest Products
NWFP	North-west Frontier Province
ODA	Overseas Development Assistance
PATA	Provincially Administrative Tribal Areas
PCU	Project Coordination Unit
PDI	Participatory Development Initiatives
PE&D	Planning, Environment and Development Department
PMUs	Project Management Units
PPAF	Pakistan Poverty Alleviation Fund
PRA	Participatory Rural Appraisal
SFM	Sustainable Forest Management
STAR	System for a Transparent Allocation of Resources
TEACH	Task Force for Environment and Cultural Heritage
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organizations
UNFF	United Nations Forum on Forests
UNOPS	United Nations Office for Project Services
WB	World Bank
WOs	Women's Organizations
WWF	World Wildlife Fund

Country Technical Note on Indigenous People's Issues – Islamic Republic of

Pakistan

Summary

To facilitate policy implementation at the country level, IFAD's Policy on Engagement with Indigenous Peoples (2009) recommended that Country Technical Notes be prepared to provide country-specific information on indigenous peoples, as well as to contribute to the development of country programme strategies and project design. A number of them have been prepared by indigenous peoples' leaders with the support of indigenous peoples' organizations. The Notes are intended as 'living documents' to support learning on indigenous peoples' issues.

The government of Pakistan does not recognize indigenous peoples but refers to them as tribal. According to the last census (2008), the national population comprises several main ethnic groups: Punjabis, Pashtuns, Sindhis, Seraikis, Muhajirs, Balochis and others. Tribes are included with 'others', along with the Jhabels, Kihals, Mores and Kutas. The main groups of tribal peoples in the country are the tribal fishing peoples, the pastoral groups of the Middle Indus Valley, the Baloch tribes, fisherfolk of coastal areas, tribal peoples of Sindh, tribal peoples of Gilgit-Baltistan, tribal peoples of Chitral Valley, tribal peoples of Pothohar Region, and the tribal peoples of North-west Frontier Province (NWFP) and Federally Administered Tribal Areas (FATA).

Information derived from proposals submitted to IFAD's Indigenous Peoples' Assistance Facility (IPAF) in 2007 and 2008 shows that the problems and issues faced by indigenous and tribal peoples include poverty, landlessness, inadequate livelihood skills and opportunities, threatened culture, environmental degradation, gender inequalities, lack of access to basic government services, shortage of water, lack of sanitation, poor health, low educational levels and illiteracy, lack of infrastructure and lack of participation in decision-making processes. Their vulnerability increases when development is imposed on them. The construction of big dams, corporate agricultural plantations, commercial logging and large-scale mines threaten tribal groups and indigenous peoples with loss of their rights over their lands and natural resources, which can lead to their ultimate extinction.

Pakistan does not have any national policies on indigenous and tribal peoples. Under special administrative arrangement of Federally Administered Tribal Areas (FATA) and Provincially Administrative Tribal Areas (PATA), the Government has been running the affairs of some tribal areas through regulations or laws enacted during the British rule. In 2009, the Government initiated a national 'apology' to the Baloch people for all the wrongdoings and discrimination they faced at the hands of various governments in Pakistan and announced a package of constitutional, economic and administrative measures for the rights of the Baloch people.

The only international convention specific to indigenous and tribal peoples ratified by Pakistan is the ILO Convention 107 on Indigenous and Tribal Populations in 1960. Pakistan has so far not signed the ILO Convention 169 on indigenous and tribal peoples. In 2007, the country voted for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples by the UN General Assembly.

There are a number of organizations in Pakistan that focus on issues of indigenous and tribal peoples, including the first to do so – DAMAAN Development Organisation. Sindhu Bachao Tarla is an umbrella organization of the people affected by the Taunsa Barrage Remodelling and Rehabilitation Project. The Pakistan Fisherfolk Forum is an alliance of the fishing peoples of coastal and inland fishing zones. The Task Force for Environment and Cultural Heritage (Teach) involves academics, politicians and civil society on indigenous culture and knowledge protection issues. International organizations indirectly addressing or providing spaces for indigenous and tribal issues in their programmes are the United Nations Development

Programme (UNDP), World Wildlife Fund (WWF), and International Union for Conservation of Nature (IUCN).

The economic situation of the most vulnerable tribal groups suggests that support is needed from national and international organizations in three areas: (1) needs-based service delivery in education and health; (2) organization and mobilization of the least- heard tribal groups; and (3) support for policy advocacy to influence national policies and practices towards tribal populations of the country.

Over the years, IFAD has financed numerous projects in Pakistan that were aligned according to the national priorities, and addressed issues of land distribution, employment opportunities and microfinance. Most of the projects, while not specifically targeting tribal peoples, were developed in areas with diverse population, largely comprised of tribal and ethnic peoples.

Two micro projects were approved in Pakistan through the Indigenous Peoples Assistance Facility (IPAF). One is the "Sustainable Livelihoods and Indigenous Cultural Preservation Project" which aimed: (a) to address key issues of Brahui tribes' livelihoods by enhancing opportunities for sustainable alternative livelihoods, especially for women; and (b) to promote the threatened indigenous Brahui language and preserve Brahui traditional cultural heritage and folklore. The second is a project to develop on-farm livelihoods of indigenous people through entrepreneurial development of honey bee-keeping for household structures in Kalash.

1. Identifying Indigenous and Tribal Peoples in Pakistan

Upon the partition of the subcontinent in 1947, Pakistan was established as a unit with four provinces, namely Sindh, Punjab, Balochistan and North Western Frontier Province (NWFP). The first three provinces drew their names from three main languages i.e. Sindhi, Punjabi and Balochi whereas the fourth one, the NWFP, was named after its frontiers. This geographical and political arrangement was, however, later criticized and rejected by the indigenous, socio-lingual and cultural groups of the country for being a carbon-copy of the British policy of controlling the geographical, ecological and cultural frontiers of the region. For example, the central Seraiki¹ region was divided into all the four provinces in terms of area; most of the area was brought under Punjab and, under Punjabi domination, its cultural, linguistic and economic identities were threatened. Similarly, there were some independent states which were, mostly against their will, merged into Pakistan.



Charged with creating a coercive "one nationhood", the government of Pakistan could never afford any political and legal discourse on indigenous people. The population census mentions tribes in the category of 'others':

"Other tribes include Jhabels, Kihals, Mores and Kutas. Most important of them are the Jhabels and Kutas. Jhabels came originally from Sindh. However, it cannot be ascertained as to when they came. They still speak Sindhi (language which is mixed with Seraiki) and make baskets, but many of them have now marched to the field of agriculture also. Jhabels are generally religious-minded people. The Kihals and Mores are said to be one tribe. They eat crocodiles, tortoises and even wild boars. Muslims do not associate with them. Like Jhabels, they also live by fishing. The Kutas are said to be Chuhra converted to Islam. They are mainly engaged in sewerage and drainage works and live by cutting of reeds and

¹ Seraiki is the name of the people who live in the middle Indus valley of Pakistan and their language.

grass. Some of them are really good experts of reed-work i.e. making thatched roofs, ropes, reed huts etc”².

The national population census, laws and policies do not identify or count tribal peoples of the country (even though Pakistan is a signatory of ILO Convention 107). Administratively, the Government only considers the provincial division of the population, while “ethnic” references are used in politics. According to the last census in late 2008, the population comprises several main ethnic groups: Punjabis (44.15%), Pashtuns (15.42%), Sindhis (14.1%), Seraikis (10.53%), Muhajirs³ (7.57%), Balochis (3.57%), and others (4.66%). This administrative scheme does not reflect the tribal population of the country at all.

The lack of any political or academic discourse on the tribal peoples (ITPs) in Pakistan makes their identification a tricky task. In recent years, peoples’ movements for land, water and forests rights have, however, created some debate and expressions in political circles which are worth considering.

The economic and political developments during the last six decades and the ever increasing inter-provincial conflicts over natural resources (e.g. water, gas, minerals) and their royalties have created political space for the “unheard-voices” of the country. An effort to identify tribal peoples, beyond the above-mentioned administrative setup, would undoubtedly bring more tribal peoples to light (e.g. the Hindku-speaking peoples in the Swat and Chitral valleys, tribal peoples in the recently established Gilgit-Baltistan autonomous administrative region in NWFP, and the Seraiki and Pothoari peoples in Punjab).

Another approach, which emerged during right-based movements, associates peoples’ right to their ecological abodes and values the relationship between their ecologies, livelihoods, cultures, knowledge and their gender patterns. Such an approach makes way for those tribal peoples who remain “unregistered” citizens of the country. These are the peoples who still live within the ecological zones -the rivers, forests, desert and mountains- with which they are cultured (e.g. the tribal peoples of river Indus- the Kihals and Mors).

Considering the above socio-political situation and following the ILO definition of tribal peoples, it seems that a multifaceted approach to identifying tribal peoples in Pakistan would be more appropriate at this stage. The most vulnerable groups -the unregistered peoples of river Indus and the discriminately counted population groups- are given priority in the following account of the tribal peoples of the country.

² 1998 - District Census Report of District Layyah (Population Census Organization, Statistics Division, Government of Pakistan, Islamabad, June 2000).

³ Muhajirs are people who migrated from India on the partition in 1947.

2. Characteristics of the tribal peoples

Tribal Peoples of river Indus

The tribal fishing peoples, Kihals and Mors, inhabit the Middle Indus Basin between two barrages, the Chashma Barrage and the Taunsa Barrage. They were never counted by the census organization of the country; thus, there is no exact information about their population size. They estimate their own population to be between 40,000 and 45,000 families in the two barrages.

The territory and livelihoods of these tribal peoples lie within the Indus Basin- an area 170 km long and 15 km wide- between latitudes 30-32° N and longitude 71-72° E in the districts of Dera Ismail Khan (NWFP), Layaah and Dera Ghazi Khan (South Punjab), Pakistan.



Equal responsibility ensures equal rights - indigenous way: Kihal men and women fish together

Kihals and Mors live by weaving baskets and birdcages from *kanb*, fishing and providing seasonal harvesting labour. Fishing has been a source of food and livelihoods for the tribal peoples of the River Indus – it used to provide 60% of their food needs- and they remained free of any administrative control for revenue: “Fishing provides an industry for a fair number of people, and food for many. The fishing tribes – Jhabels, Kihals and Mors – live entirely by it, and other people take to fishing for support as well as amusement”⁴.



A team work in times of challenge: Kihals - weaving birdcages to pay money they borrowed from shopkeepers when there is no *kanb* forest

The oral testimonies from fishing communities also confirm these historical references⁵. They had a well-defined system of barter trade of fish with neighbouring communities. Over the decades, however, construction of dams, barrages and canals after the Indus Basin Treaty in 1960 halted the flow of fish into the traditional Indus streams and lakes⁶.

International financial institutions (IFIs) have been investing in water development in Pakistan for a long time and are still keen on more investments. For instance, the World Bank (WB) insists that “Pakistan has to invest, and invest soon, in the costly and contentious big dams”.⁷ Such developments along the Indus have

facilitated new sources of revenue such as food industries (e.g. sugar mills), corporate farming, hydropower and fishing. On the other hand, these developments have significantly cut the tribal peoples’ food supply and livelihoods and restricted their mobility within barrages.

Instead of strictly following one single religion, the *Kihals* and *Mors* have a flexible system of beliefs. However, when they had to adapt to Islam because of their increasing dependence on the neighbouring Muslim communities, they chose a comparatively secular interpretation of Islam – the *Shaafi* sect, founded by Hazrat Imam Shaafi (one of four *imams* – the interpreters of Islamic *Sharia*). Contrary to the other three imams, Hazrat Imam Shaafi consented that in times of prolonged hunger, Muslims may eat the seafood otherwise abominable and prohibited

⁴ Punjab District Gazetteers, Volume xxxiv – A, Muzaffargarh District, 1929, p-14.

⁵ Oral Testimonies, Indigenous Peoples of river Indus, Wasim Wagha, Javed Iqbal & Asmatullah, Islamabad, 2006.

⁶ So far, 2 large dams, 19 barrages and 43 canals been built over Indus to irrigate 43 million acres.

⁷ The World Bank’s water strategy entitled “Pakistan’s Water Economy: Running Dry”.

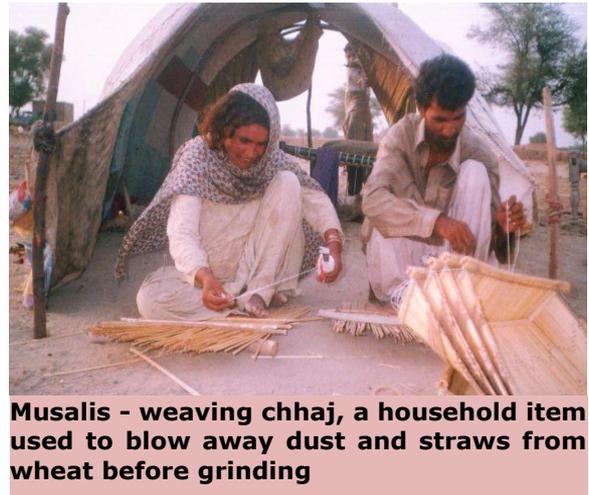
in Islam. The Kihal and Mor men are fast adapting to Muslim practices and are now called *Sheikhs* (new Muslims).

Tribal pastoral groups of the middle Indus valley

The tribal pastoral groups of the Middle Indus Valley are spread in the urban areas of Punjab. Although they are registered citizens, they are not registered as distinct right-holding groups.

Ode: Before settling in Pakistan during the partition in 1947, they used to live a pastoral life rearing livestock over a large area that was later divided between two countries. They introduce themselves as Ode Rajpoot and mostly live in the Thal desert – to the east of river Indus. Most of them have bought lands and learned cultivation. They speak a unique coded language which the other language speaker cannot understand and which is slowly dying unnoticed.

Musali: They originally lived in the Thal; however, they were later displaced because of settlements of Indian immigrants after the construction of Thal Development Authority (TDA) Canal in 1956. They used to make their livelihoods by making toys and household items like chhaj (which are used to blow away dust and straws from wheat before sending it for grinding) from special straw-like-bush, Sar (*Saccharum munja Saccharum*) and Kanh forests on river banks. Once displaced, they shifted to begging and to cleaning streets, sanitary drains and toilets.

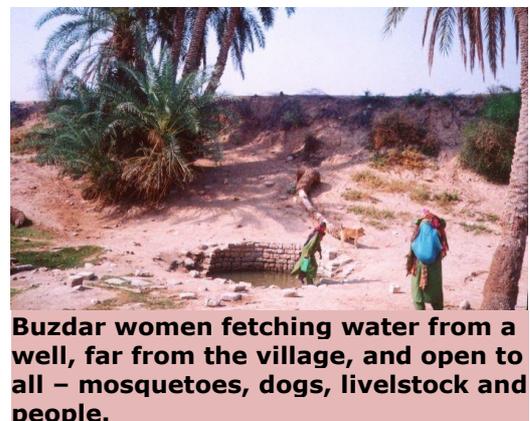


Musalis - weaving chhaj, a household item used to blow away dust and straws from wheat before grinding

The Baloch Tribes

Although most of the Baloch tribes live in Balochistan province, a large area and many tribes were administratively included in Punjab province, namely the Ligharis, Mazaris, Khosas, Qaisranis, Nutkanis, Khitrans and Buzdars. The Buzdars are the most vulnerable among the Baloch groups in terms of rights and poverty⁸.

Buzdars of the De-Excluded Area of Sulaiman Mountains: The Buzdars, one of the Baloch tribes with a number of sub tribes, live in area called *Andar Pahar* located inside the Sulaiman Mountains in the western borders between Pakistan and Afghanistan. Instead of including them in Greater Balochistan, the British declared them as "independent tribes" until their forced inclusion in Punjab province as a "de-excluded area" in 1950. Compared with other Baloch tribes of Sulaiman Mountains, Buzdars have been less visible on the local and national political scene. Like other tribal groups in Pakistan, Buzdars also suffer the discriminatory citizenship policy. Under this policy, instead of writing their area as "tribal" on their National Identity Cards (which is their basic citizenship document), NADRA officials write their area as '*Ilaqa-e-gher*', an Urdu word for "foreign land". The area is rich in minerals like oil, gas, gypsum, Uranium, fuller-*miti* and many others. The Government extracts these resources without paying any royalty to Buzdars. Buzdars rely mainly on livestock and seasonal agriculture for



Buzdar women fetching water from a well, far from the village, and open to all – mosques, dogs, livestock and people.

⁸ Final report on the first regular settlement of the Dera Ghazi Khan district in the Derajat division, Effected by F.W.R. FRYER, Esquire , B.C.S., 1869 to 1874 AD, Lahore, Printed at the Central Jail Press, 1876.

their livelihoods. They are a peaceful tribe that had fallen prey to Britain's colonial gaze: "*The British initially viewed the Bozdars, at annexation a tribe confined largely to the hills, as 'inveterate plunderers and cattle thieves (in spite of their controlling several rent-free villages on the plains originally given to them by Diwan Sawan Mal). But (...) an expedition against them in the late 1850s revealed that they also controlled considerable kalapani cultivation in the hills'*"⁹.

Along with other Baloch tribes, Buzdars resisted the British colonization until the end, and later launched a movement against their inclusion in Punjab. On 7th December 1967, the Government of Pakistan ordered a military operation in the de-Excluded areas of D G Khan to suppress their peaceful resistance against the land settlement in Suleiman Mountains. Five Buzdar Baloch nationalists were martyred in this military operation. Since then, Buzdars observe the tragic day, entitled "Haft December", each year, to mark their struggle.

Baloch of Greater Balochistan: Balochistan is the largest province of Pakistan in terms of area, but it has a strikingly low percentage of the population and is economically destitute. It has around 7 million inhabitants with a population density of 12 per kilometre, the lowest in Pakistan. It is ethnically divided in Baloch (54.7%) and Pashtun (29%).¹⁰

Baloch are further divided in the following sub-tribes: Rind, Lashari, Magsi, Denari, Jatoi, Umrani, Buledi and Dombaki, whereas the sub-tribes of Brahuis include, for example, Shahwani, Bangalzai, Lahri, Kurd, Raeesani, Zehri, Qambrani, Mengal and Langah¹¹.

Western Baluchistan is mostly inhabited by the Baloch and their age old allies, the Brahuis. Eastern Baluchistan is more developed and prosperous; it is inhabited by Pashtunes, who are more advanced than the Baloch. Other tribes of low social status as Lasis, Jats and Medes.



Balochi boats used by fishing peoples in coastal areas of Balochistan

Because of lack of education and technical expertise, formal employment could not developed as a potential source of income for Baloch peoples. Most of them live nomadic life, raising camels, sheep and goats. Other livelihoods include subsistence farming, forests and fruits. Fruit growing valleys are, however, occupied by migrant Pashtun people whereas Baloch are left with dry lands¹². As a result of drought since 1998 and rangeland losses, the fruit farms and forests have dried up, and agriculture activities and livestock have shrunk. The military operation against Baloch nationalists and war against terrorism have adversely affected the ecotourism industry of Balochistan. Balochistan is, however, fortunate to have considerable mineral wealth of natural gas, coal, chromate, lead, sulphur and marble. The reserves of natural gas at Sui are among the largest in the world. Baloch peoples complain of discriminatory and unjust benefit-sharing.

Fisherfolk of Coastal Areas

The coastline of Pakistan stretches over 1,050 km along the Arabian Sea and falls in two provinces, Sindh and Balochistan. The coastal communities of these areas, with a population of approximately 1.25 million, live entirely from their fisheries, mangroves and seafood. The

⁹ Irrigation and the Baloch frontier, David Gilmartin, included in the "Sufis, Sultans and Feudal Orders", edited by Mansura Haider, 2004.

¹⁰ The National Census 1998 is available at: www.statpak.ov.pk/

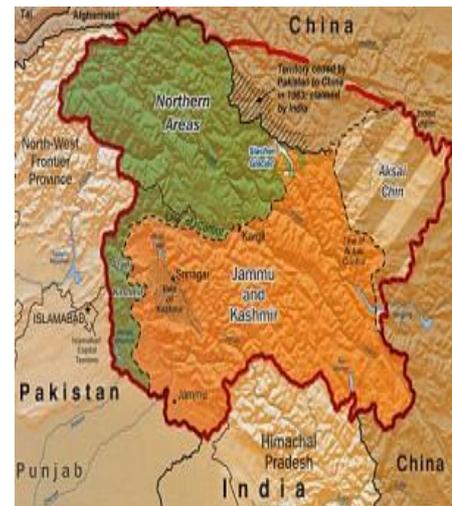
¹¹ 'Balochistan ke qabail - Zila Gazetteer sey intekhab', Translated by Prof M Anwar Rooman, Quetta, Matbuaat-al-nesa, 1990.

¹² <http://www.whiteband.org/regions/asia/pak/testimony-from-qambarani-district-quetta-pakistan>.

coastal waters of Pakistan are bestowed with a variety of about 350 commercially important fish species¹³. Balochistan contributes more revenue from seafood and fish than the rest of the country. Fisherfolk of Gwadar, Jewani, Gadani, Dam, Sonmiani, Pasni, Ormara and other coastal areas claim that fishing is under threat because of the unfair fishing policies and the ill-treatment meted out by the marine agencies. Allowing foreign investors in the fishing industry has left little room for traditional boat owners to operate. The fishing communities of Sindh coastal areas face similar issues regarding fishing rights because the coastal fisheries in Sindh have remained mostly under the control of rangers and Pakistan army for one reason or another.

Tribal peoples of Sindh

The original inhabitants of ancient Sindh are believed to be aboriginal tribes speaking languages of the Indus valley civilization since around 3,000 BC. At the partition in 1947, millions of Urdu-speaking Muslim refugees arrived from India and settled in the urban areas of Sindh, where they enjoyed a strong hold on economy and business; later there was an influx of Pashtun and Punjabi immigrants to Karachi, and these developments caused a resentment among the local Sindhi population. The Sindh Qaumi Mahaz movement (1972) was aimed at the liberation of Sindh and ethnic Sindhis from Pakistan. In recent years, Sindhi dissatisfaction has grown over issues such as the construction of large dams upstream, inter-provincial distribution of Indus waters and discrimination in military and government jobs.



Map of Former Northern-Areas of Pakistan

Haris of Sindh: In terms of economic livelihoods, legal rights and human rights, the most vulnerable tribal group in Sindh province are the fisherfolk (mentioned above) and the *Haris*. Hari is the local name for farmer, derived from the term *Harijan* (Hindi word meaning "God's children"), formerly used to describe the Dalit people of India. They are generally believed to be the descendants of tribal populations that were enslaved by various invading people. Many still live under abject poverty and in slave-like conditions in rural Sindh¹⁴. Among their many issues is bonded labour, which deprives them of all their rights. Some civil society organizations are actively working for the rights of the Haris. Some prominent cultural and identity makers for Sindhis include the "*Ajrak*" (a cotton stole), "*Rilli*" (small pieces of cloths in different geometrical shapes sewn together) and the "*Sindhi Topi*" (a distinctive cap).



Sindhi Quilt or Rilli

Tribal Peoples of Gilgit-Baltistan
 Gilgit-Baltistan has a population approaching one million and an area of approximately 28,000 square miles. It shares borders with Afghanistan, China and India. Urdu is the *lingua franca* of the region,



Sindhi Topi

¹³ Study on Knowledge, Attitudes & Practices of Fisherfolk Communities about Fisheries and Mangrove Resources, Sonamiani (Final Report), WWF, Pakistan, 2005.

¹⁴ The People and the Land of Sindh – Historical Perspective, Ahmed Abdullah, Reproduced by Sani H Panhwar, Los Angeles, California, 2009

understood by most male inhabitants.

According to UNESCO estimates, among the 200 world languages that are at the verge of extinction, 27 are Pakistani languages and most of them are spoken by the tribal peoples of Gilgit-Baltistan, Chitral and neighbouring areas.

The population consists of many diverse ethno-linguistic groups. Shina is the mother language of 40% of the Shina population. Another tribal group is Wakhi, who live in Gojal and Ishkoman valleys in Gilgit-Baltistan and Boroghil in Chitral and speak the Wakhi language¹⁵. The Kho and Burusha tribes of the area speak Khowar and Burushaski languages. Another interesting language is Domaaki, spoken by the musician clans in the region.

The Gilgit-Baltistan Empowerment and Self-Governance Order 2009, passed by the Pakistani cabinet and later signed by the President on 29 August 2009, granted self-rule to the people of the former Northern Areas, now renamed "Gilgit-Baltistan", by creating, among other things, an elected legislative assembly. It was formerly known as the Northern Areas of the Federally Administered Tribal Area (FATA), which was simply a geographical expression of the area and people. The people of this remote region obtained freedom from Dogra Raj on 1 November 1947 and voluntarily annexed to Pakistan.



Tribal peoples of Chitral valley

Chitral Town is situated on the west bank of the Chitral or Kunar River at the foot of Tirich Mir which at 7,708 m (25,289 feet) is the highest peak of the Hindu Kush¹⁶. Administratively, Chitral District is part of the NWFP. It was a former princely state of Pakistan and British India, which ceased to exist in 1969 and was formerly incorporated into Pakistan on 1 January 1971. The official language of the state was Persian, which was later replaced by Urdu. The people of the Kho tribe, one of the tribal groups, speak Khowar language, which literally means the language of Kho, also called Chitrali. Chitral is also famous for being home to the Kalash or Kalasha tribe who are indigenous people of the Hindu Kush mountain range and reside in three remote valleys south-west of Chitral Town. The Kalash people, their unique way of life, festivals, music, folklore, ancestor worship and their primitive culture are a huge lure for the tourists. The Kalash people, however, are unable to draw benefits from tourism, as it is mostly non-Kalash people who control enterprises.

Tribal Peoples of Pothohar Region

The natives of the Pothohar region also claim their separate socio-cultural and language identity and hence a province separate from Punjab. The Pothohar is a plateau in Punjab, lying between river Jhelum on the east, River Indus on the west, Kala Chitta mountain range and Margalla Hills on the north and Salt range in the south. River Swan is an important river in Pothohar region which starts from the nearby Muree hills.

The Pothohar area falls mainly in five districts of Punjab. These are Rawalpindi, Attock, Jehlum, Chakwal and the capital district Islamabad, which is also carved out of district Rawalpindi. The original residents of the present day Pothohar are the Gakhar clan, who now live all over the region. The economy in the area is changing rapidly from agrarian to industrial. Because of low rainfall, extensive deforestation, coal mining and oil and gas exploration, the valley is becoming devoid of vegetation. The two main sources of work are low-paid labour in the oil sector in Arab countries and employment in the army as soldiers. The completion of a motorway through the region is also rapidly changing its socio-development scenario.

¹⁵ A threatened language, Dr Tariq Rehman, daily DAWN, December 24, 2009.

¹⁶ www.chiefacoins.com/Database/Countries/Gilgit.htm.

The peoples of the North-Western Frontier Province (NWFP)

The people of Pakistan's North-West Frontier Province (NWFP) and Federally Administered Tribal Areas (FATA) are overwhelmingly Pashtun with a total population of around 38-40 million. Pashtuns are immigrants from Afghanistan. There are approximately 60 Pashtun tribes but the figure rises above 400 if all subclans are counted. The largest and most influential tribes are the Afridi, Achakzais, Bangash, Durrani, Khattak, Mehsuds, Mohammadzai, Mohmand, Orakzai, Shinwari, Yusufzai and Waziri.

Around 68 per cent of the households in NWFP speak Pashtu, 18 per cent speak Hindko and 4 per cent speak Seraiki. Only 2 per cent are migrants who speak Urdu and Punjabi. Nearly one-third of the population of NWFP is non-Pashtunes. In the border areas of Hazara and Derajat, social norms more closely resemble that of Punjab and Kashmir. Around 8 percent of households speak local languages such as Kohwar in Chitral district. Most of the them are the tribal Kalash, whose traditions are rapidly becoming extinct because of their conversions to Islam.

Geographically, FATA runs north to south, forming a 1,200-kilometre wedge between Afghanistan and the settled areas of the NWFP. According to the 1998 census, close to 3.2 million peoples (the current estimate is 3.5 million) live in FATA, which covers an area of 27,220 square kilometers. For administrative purposes, FATA is divided into seven agencies, namely Khyber, Kurram, Orakzai, Mohmand, Bajaur, North Waziristan and South Waziristan. There are also six additional small pockets of tribal areas known as Frontier Regions (FR), namely FR Tank, FR Dera Ismail Khan, FR Laki, FR Peshawar, FR Kohat and FR Bannu. These are transition areas between FATA and adjoining settled districts of the NWFP, and have a combined population of 275,000.

3. Situation of Tribal peoples

Baloch of Balochistan

Pakistani planners are bound to view Balochistan as a safety valve for surplus population. In a period of growing energy scarcity, exploitation of Balochistan's natural gas, coal and mineral resources has become a crucial aspect of Pakistan's overall development vision and a significant source of controversy. The Sui gas fields, discovered in 1953 in the Bugtli tribal area of Balochistan, have recoverable reserves estimated at nearly 9 trillion cubic feet. Coal is another mineral resource that has been developed in Balochistan. Political tensions between the Baloch and federal governments have intensified over issues including non-payment of royalties for gas, oil and coal, the establishment of military cantonments in Balochistan, military operation since 2006, and the development of the Gwadar port.

In 2009, the Government, led by the Pakistan Peoples' Party, initiated a national "apology" to the Baloch people and their leaders for all the wrongdoings and discrimination they faced at the hands of various governments in Pakistan. On 24th November 2009, the Government announced a promising and much-awaited '*Aghaz-e-Huqooq-e-Balochistan*' package on constitutional, economic and administrative measures for the rights of the Baloch people.

Alongside this political and economic tension, various developments, (e.g. the Gwadar port and the creation of cantonments in coastal areas) are causing displacement and livelihood destruction for the Baloch fisherfolk. While there have been positive political developments between the Government and the Baloch leaders, there is a need for support for the rights of Baloch groups like the fisherfolk and the pastoralists dependent on livestock and forests. Other sectors needing immediate attention are education, communication and infrastructure development.

Buzdar Baloch of de-excluded area

Among the Baloch tribes in the area, Buzdars are the most vulnerable in terms of political and economic status. They need substantial development and support for livelihoods. Lack of safe drinking water and education facilities need to be addressed immediately. Education of girls is almost negligible. According to the 1998 Census Report of District D G Khan, the total literacy rate in the de-Excluded area is 23.08% whereas the literacy figure for females is only 6.94%. There are only three basic health centres, and they don't have any doctors. Women and children are the worst victims of the lack of health services.

There is no water or vegetation in the area, and diverting the hill-torrents into drains to save newly constructed Chashma Right Bank Canal has dried the area further. This adversely affects the major livelihood of livestock rearing. Buzdars demand the rehabilitation of the hill-torrents to save the area from a drought-like situation. They also want a fair share as royalty for the oil, gas and other exploration in the area. The Budzars also carry on a long-standing struggle for an end to the present administrative status of "de-Excluded Area" under Punjab, which undermines their citizenship rights.

Tribal peoples of river Indus:

Fishing rights:

The fishing peoples- who live upstream in NWFP, in the Middle Indus valley in Punjab and downstream in Sindh, struggle against the contract system on fishing. The revenue collected from the auction of fishing contracts is negligible as compared to the livelihood loss suffered by the tribal fishing peoples. For example, the total revenue collected by the government of NWFP (the Directorate of Fisheries) from fishing contracts over 350 km during year 2006 was Pak Rs.3,524,180 ¹⁷(41,441 US\$). The Kihals and Mors of the Middle Indus Valley do not have any fishing rights. They are the least organized and least visible compared with the fisherfolk of Sindh province. The fish potential in Sindh province consists of the coastal and the inland fisheries. The coastal fisheries remained under the control of rangers and Pak army. Inland fishing, spread over 1,209 fishing grounds, includes lakes, ponds, depressions and the Indus river¹⁸. Currently, the contract system in fishing has been replaced with the license system. However, local fishermen fear that the Government may switch back to the contract system any time while the Fisheries Ordinance of 1960 is still intact. The fisherfolk of Sindh are working to replace the Ordinance with a right-based fishing policy.

Interestingly, the exploitative contract system is creating conflicts among fishing communities. After the construction of the Kotari Barrage on Indus, the fishermen of downstream Sindh shifted to the upstream areas of Indus, where the Kihals and Mors live. Sindhi fishermen purchase fishing permits and hire Kihals as fishing labour for low wages. Strict restrictions are imposed on fishing by the Kihals, even for their own kitchens. Another threat to fishing livelihoods is the contamination of Indus waters. The urban settlements along the river Indus discharge their effluents into the river. For example, the total effluent of Dera Ismail Khan city is discharged into the river just before the *Kihals'* abode on the riverside. Residual waste from Chashma Sugar Mill is another source of river contamination in the area. The contamination threatens the fish's spawning grounds, upsets their reproductive cycle and blocks the migration process¹⁹. Apart from depleting fish life and livelihoods, the contamination has created a drinking water crisis for the riverine peoples and for the city dwellers, which has led to a health crisis.

¹⁷ Letter No.47/DF/, Dated Peshawar: the 10/1/2007, Office of the Director Fisheries, Shami Road, Peshawar, NWFP (the letter was in fact a response to DAMAAN Development Organization).

¹⁸ Contract System on Inland Fisheries in Sindh & PFF's Struggle, Shujauddin Qureshi, Al-Jannat Printing Press, Krachi, 2005.

¹⁹ An Introduction to Freshwater Fishery Biology, Syed Sabir Ali Dr, University Grants Commission, Islamabad, 1994.

Health

Oral testimonies and baseline surveys on Kihals and Mors' health situation show a steep rise in water-borne diseases and a decline in their traditional medicinal practices. The support base for traditional medicinal knowledge and practices is swiftly vanishing, as most of the plants, birds or fish used for medicinal practices are becoming extinct or under administrative control²⁰. Women, who have no reproductive health facilities, and children, who don't receive vaccinations, are the worst victim of this health-crisis.

4. National legislation on Tribal peoples

The Government of Pakistan does not recognize indigenous peoples in Pakistan but refers to them as "tribal". It does not have any specific policy on the indigenous and tribal peoples. Under special administrative arrangement in FATA and PATA, the Government has been running the affairs of some tribal areas through regulations or laws enacted during the British rule. These include:

- The Frontier Crime Regulations, 1901 (Regulation III of 1901): This regulation provides for the suppression of crime in certain frontier districts (i.e. divisions of Quetta and Kalat, district of Lasbela, Nasirabad Sub-Division of Jacobabad district, the added areas of the Hazara and Mardan district, and former excluded areas of Upper Tanawaland, the Baluch area of Dera Ghazi Khan).

Note: On 13 August 2009, President Asif Ali Zardari announced political, judicial and administrative reforms for the tribal areas, which include changes in century-old Frontier Crimes Regulations (FCRs) and an extension of the Political Parties Order 2002 to the tribal areas. These reforms include: setting up an appellate tribunal curtailing arbitrary powers of political agents, giving people the right to appeal and bail, and excluding women and children from the territorial responsibility clause.

- The Pakistan (Punjab Boundary) Order, 1950: This Order, enacted on 13 April 1950, merged the Baloch tribal area of Suleiman mountains into Punjab (district Dera Ghazi Khan) as a de-Excluded Area.

There are, however, some national policies that the tribal peoples in various part of the country have been using (or can use in mobilization and advocacy initiatives) as reference in their struggle for rights. For example, the national forest policies and practices have been a matter of serious concern for the forest people of the country. The country's first forest policy was announced in 1955, followed by the forest policies of 1962, 1975, 1980, 1988, 1991 and 2001²¹. The current draft "National Forest Policy, 2005, Ministry of Environment, Government of Pakistan" was announced in 2005 as an umbrella policy to provide guidelines to the provincial governments and FATA, which may develop their own policies.

The forest peoples, however, have rejected these policies as against their rights. The "NWFP Forest Ordinance, 2002", currently applied in the NWFP province, is rejected as exploitative by peoples hailing from the forest areas of Dir-Kohistan, Swat-Kohistan, Hazara division, FATA and central and southern districts of NWFP province, under the banner of Sarhad Awami Forestry Itehad (an alliance of small forestholders). They have struggled for a long time for forest royalties and against the illegal felling of forests by private contractors.

Some similar provincial laws on fisheries, forest and wildlife resources are:

²⁰ Right to Fish & Forests: the Case of Indigenous Minorities of Indus (IMI) - The Kihals and Mors, Wasim Wagha, DAMAAN/DFID, October 2005.

²¹ 'A Critical Analysis of Forest Policies of Pakistan: Implications for Sustainable Livelihoods', Babar Shahbaz, Tanvir Ali and Abid Qiyum Suleri, University of Faisalabad & SDPI, Islamabad, July 2004.

- The Punjab Wildlife (Protection, Preservation, Conservation and Management) Act, 1974.
- The Punjab Forest (Sale of Timber) Act, 1913.
- The Balochistan Wildlife Protection Act, 1974.
- The Baluchistan Forest Regulation, 1890.
- The North-West Frontier Province Wildlife (Protection, Preservation, Conservation and Management) Act, 1975.
- The North-west Frontier Province Forest Ordinance, 2002.
- The North-west Frontier Province Protected Forest Management Rules, 2005.
- The Sind Wild-life Protection Ordinance, 1972.

Similarly, the fishing resources in the country have been managed through provincial fisheries ordinances, and a national policy on fisheries was developed in 2006. These are:

- The Punjab Fisheries Ordinance, 1961.
- Sindh Fisheries Ordinance, 1980.
- National Policy and Strategy for Fisheries and Aquaculture Development in Pakistan, Ministry of Food, Agriculture and Livestock, Government of Pakistan, Islamabad, June 2006.

5. International treaties, declarations and conventions ratified by Pakistan

The only international convention specific to indigenous and tribal peoples which Pakistan has ratified (in 1960) is the "ILO Convention on Indigenous and Tribal Populations" (Convention No. 107). The implementation of the convention, however, could not go beyond some service delivery in tribal areas. Pakistan has so far not signed the updated the ILO Convention 169 on indigenous and tribal peoples. In 2007 the country voted for the approval of the United Nations Declaration on the Rights of Indigenous Peoples by the UN General Assembly.

The core international human rights instruments, treaties and conventions signed and ratified by Pakistan are:

- International Covenant on Economic, Social and Cultural Rights (Signed on 3 November 2004 and ratified on 17 April 2008).
- International Convention on the Elimination of All Forms of Racial Discrimination (Signed on 19 September 1966 and ratified on 21 September 1966).
- International Covenant on Civil and Political Rights (Signed on 17 April 2008 and ratified on 23 June 2010).
- Convention on the Elimination of All Forms of Discrimination against Women (Accession on 12 March 1996).
- Convention on the Rights of the Child (Signed on 20 September 1990, ratified on 12 November 1990).
- Biological Diversity Act, 2007 (Access to Biological Resources and Community Rights Act 2007).

The above-mentioned international instruments are not directly binding towards indigenous and tribal peoples, but they can provide a political base for their struggle as well as practical guidance to the Government and concerned institutions on indigenous and tribal peoples and their issues.

6. Regional, national and grassroots organizations and networks

- DAMAAN Development Organization was the first organizations to take up the issues of indigenous and tribal peoples of Indus at local, national and international level through the International Labour Organization (ILO). DAMAAN organized the fishing peoples in the Middle Indus Valley, the Kihals and Mors, through a series of community meetings and cultural festivals. It was impossible to realize the Kihals' right to fish, however, unless they were registered as citizens living in riverine areas. DAMAAN started an intensive advocacy campaign with the National Database and Registration Authority

(NADRA) at the regional level (Multan and Peshawar) and at the head office at Islamabad, and registered 1,000 Kihal families (half men and half women) with NADRA for the NICs. They used grants from UNDP (on biodiversity) and the Department For International Development (DFID).

- DAMAAN has recently initiated a country wide network of grass-roots organizations working with indigenous and tribal peoples. Most of these organizations belong to the tribal areas of NWFP. This was a process parallel to the nomination of the UNPFII Expert Member from the Asia region.
- Sindhu Bachao Tarla is an umbrella organization of the people affected by the Taunsa Barrage Remodelling and Rehabilitation Project. In 2005, the World Bank started the remodelling of Taunsa Barrage and displaced around 300 Mor families who were settled near the Barrage for 30 years. This Mor community, supported by DAMAAN and other local organizations, started to struggle for their resettlement and gradually organized themselves under Sindhu Bachao Tarla (Struggle to Save Indus).
- Pakistan Fisherfolk Forum, an alliance of the fishing peoples of coastal and inland fishing zones, based in Karachi, and works in the inland and coastal fisheries zones of Sindh. The fishing communities of Sindh are more organized than the fishing peoples in the rest of the country.
- Task Force for Environment and Cultural Heritage (Teach) is based in Karachi and works in Sindh. It involves academics, politicians and civil society on indigenous culture and knowledge protection issues.

7. Summary of IFAD's work in Pakistan with Indigenous Peoples.

Over the years, IFAD has financed numerous projects in Pakistan, that were aligned according to the national priorities, and addressed issues of land distribution, employment opportunities and microfinance. Most of the projects, while not specifically targeting tribal peoples, were developed in areas with diverse populations, largely comprised of tribal and ethnic peoples.

Two micro projects were approved in Pakistan through the IFAD Indigenous Peoples Assistance Facility (IPAF):

Sustainable livelihoods and indigenous cultural preservation project for Brahui tribes, 2008

Organization: Participatory Development Initiatives [PDI]

IP Group: Brahui

Project area: Balochistan

Grant amount: US\$ 15,000

This project in Balochistan had a two-fold objective:

(a) to address key issues of Brahui tribes' livelihoods by enhancing opportunities for sustainable alternative livelihoods, especially for women, who were empowered by means of training and marketing of Brahui embroidery; and

(b) to promote the threatened indigenous Brahui language and preserve Brahui traditional cultural heritage and folklore.

As for the first objective, the project mobilized 230 women living in 10 villages by providing them technical and marketing skills to produce and sell traditional Brahui embroideries. The implementation was grounded on the creation of a community organization (CO) in each target village. Every CO identified an "embroidery centre", that was a room arranged as handcrafting facility. Therefore, to sell the handcrafts produced by 10 embroidery centres, a well-structured marketing strategy was implemented. An outlet was established in Kudzar, which served as starting point to build-up for networking with traders operating in the cities of Quetta and Karachi, three different

permanent stalls were positioned in Kudzar, five stalls were arranged in different national events, and an e-commerce platform was set up. The local women were empowered to enhance their livelihood opportunities as well as to improve their social condition, by gaining respect within the community and self-confidence. A behavioural change in the males of the community was registered, and men built their trust that women can support families economically, thus also resulting in a greater participation of women in their household decision making.

As part of the second objective, the project included the collection and publication of folk stories and poetry, the production of the first ever CD on the Brahui Tribal Folk Songs and the publication of an alphabet book with the indigenous words of Barhui tribe; in addition, a Grand Conference on the importance of Mother Language in Child Education was organized.

Indigenous people on-farm livelihoods through entrepreneurial development of honey beekeeping for household structures in Kalash, 2008

Organization: Hashoo Foundation

IP Group: Kalash

Project area: Chitral

Grant amount: US\$ 15,000

The project focused on enhancing the economic situation of the Kalash in Chitral through training and capacity-building in honey beekeeping and marketing. It provided opportunities for households to generate income locally in order to sustain their families' livelihoods. Eighty people were trained in honeybee farming, modern management practices for improved beekeeping, more efficient honey extraction methods, and improved marketing systems to increase revenues. Four Honey Bee associations were formed to facilitate training, management and the collection/sales mechanism of honey. The honey was branded and hygienically packed and sent to local markets, where the demand for this product was extremely high. Unfortunately, the heavy rains and floods which struck Pakistan during the project implementation damaged or destroyed many bee hives, sensibly reducing the opportunities to collect honey. However, the income of trained bee keepers increased up to 20%, leading to an increase by 30% in school enrolment, a 3% reduction in malnutrition and a 100% increase in social gathering.

Information from the IFAD Indigenous Peoples Assistance Facility (IPAF)

Information deriving from the proposals submitted to the IPAF's 2007 and 2008 calls for proposals suggest interesting opportunities to be explored by IFAD for its future initiatives in support of indigenous and tribal peoples in Pakistan²².

The vulnerability of indigenous and tribal peoples in Pakistan, like in other Asian countries, is increased when development is not determined by them, but rather imposed on them. The construction of big dams, corporate agricultural plantations, commercial logging and large-scale mines threaten tribal groups and indigenous peoples with loss of their rights over their lands and natural resources, which can lead to their ultimate extinction.

In 2008, the problems and issues addressed by 29 project proposals submitted from Pakistan to IPAF focused on poverty and inadequate livelihood skills and opportunities, threatened culture of the indigenous and tribal peoples, environmental degradation, gender inequalities, lack of access to basic government services like education, health, etc., and lack of participation in decision-making processes. The proposals that focused on enhancing livelihood skills and opportunities to address poverty while considering environmental conservation included activities such as:

- promotion and development of the indigenous skills of embroidery and

²² Anita Kelles Viitanen for IFAD, Custodians of Culture and Biodiversity, 2008

- carpet weaving among the indigenous women of Balochistan;
- capacity-building and promotion of goat raising as an alternative livelihood for female-headed households in Sindh, after fishing became no longer feasible because of the pollution of Manchar Lake by dam construction;
- promotion and training on the sustainable harvesting of non-timber forest products (NTFPs) as an income-generating activity towards biodiversity conservation in
- Palas Valley of NWFP;
- skills training and promotion of honey bee-keeping for the Kalash people in NWFP;
- regenerating denuded forests and promoting ecotourism in Elum Valley as a sustainable livelihood for Maingan and Gujjar indigenous women in NWFP;
- rehabilitation of traditional irrigation systems in Balochistan to increase agricultural production;
- capacity-building for women in NWFP on agriculture and enterprise development of apple and potato farming; and
- developing a community-based forestry project by establishing nurseries and
- plantations of sustainable forest resources.

Some projects proposed general programmes to improve livelihood opportunities, including the following:

- enhancing livelihood of the Kolhi, Bheel, Bagri and Manghwar indigenous groups in Sindh by forming community organizations, capacity-building for enterprise development, and providing initial capital assistance;
- biodiversity conservation through capacity-building on sustainable utilization of natural resources of the Kohistani people;
- documentation of existing natural resources management practices and social and cultural heritage;
- training on livestock raising and agricultural enterprise development;
- capacity-building in enterprise development and management for the low-income women of Nasirabad in Balochistan;
- capacity-building towards the socio-economic empowerment of fishermen in Sindh.

Other problems include poverty and landlessness; lack of income generation and employment opportunities; shortage of water and lack of sanitation; poor health; low educational levels and illiteracy; and lack of infrastructure. Proposals also included an agroforestry project to address salination and produce fuelwood with *Acacia Nilotica* for communities in Sindh.

8. International organizations working with Indigenous Peoples

Indigenous and tribal peoples, as rights-based groups with their own culture and identity, have not been involved in any political, development and governance discourse in Pakistan. Only recently, however, the long-rooted Sindhi ethno-nationalism has found expression through debates on indigenous and tribal peoples and cultures in academia and civil society. The following international organizations indirectly address or provide space for indigenous and tribal issues in their programmes:

- UNDP's Global Environment Facility (GEF) Small Grants Programme (SGP): Programmes relevant to indigenous peoples are on biodiversity, livelihoods and marine resource management; the programmes are mostly focused in Sindh and NWFP (see www.undp.org.pk).
- WWF, Pakistan: Indus for All Programme focuses only on the downstream area of the Indus and the wetlands in Sindh province. (See www.wwf-pak.org)
- IUCN, Pakistan: The focus is on biodiversity, livelihoods protection, forest conservation, coastal and marine resource management and the Indus delta. Its geographical coverage is in Sindh, Balochistan and northern areas of NWFP (see www.iucn.pk).

A direct socio-political discourse on indigenous and tribal peoples in policy, governance, development, academia and civil society is strongly needed to channel small and untargeted initiatives into effective advocacy for indigenous and tribal peoples in Pakistan.

9. Other relevant information for IFAD's engagement with Indigenous Peoples

The World Bank and Asian Development Bank (ADB) have been funding mega development projects in Pakistan for a long time. Such projects, particularly in the water sector, have destroyed indigenous peoples' livelihoods. For example, the people affected by the Chashma Right Bank Canal engaged in dialogue with ADB, the main project funder, from 2003 to 2006 regarding the loss of their lands and water rights. The WB and ADB, however, never applied their policies on indigenous peoples in the case of Pakistan. A public debate on their policies on indigenous peoples is needed.

Many attempts at land reform in Pakistan have not had any results so far. The indigenous peoples continue to lose their lands, riverine resources and forests. Only land reform can address the land rights of such marginalized communities.

Environmental issues: UNREDD

Pakistan, as a member of the United Nations Forum on Forests (UNFF), is implementing a non-legally binding instrument (NLBI) which calls for enhancing overseas development assistance (ODA) for sustainable forest management (SFM). Under the international climate change negotiation, the Reducing Emissions from Deforestation and forest Degradation (REDD+) mechanism is bringing new opportunities forward to finance projects on avoided deforestation, forest-carbon stock improvement and SFM. The Global Environment Facility (GEF) under its fifth replenishment cycle has launched an investment programme for SFM / REDD+. This new GEF window for SFM / REDD+ activities essentially requires re-appropriation of the country's System for a Transparent Allocation of Resources (STAR) for the three Rio Conventions and cofinancing from domestic, bilateral and multilateral sources.

The Ministry of Environment (MoE) has made substantial progress recently in bringing REDD into mainstream forestry. A REDD focal point and a Steering Committee has been established in the MoE. Pakistan has also joined the Global REDD Partnership and the case for joining the UN REDD Programme and the World Bank's Forest Carbon Partnership is currently under process.

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