



No. 2(113)2021-(NCHR)
GOVERNMENT OF PAKISTAN
NATIONAL COMMISSION FOR HUMAN RIGHTS
5th Floor Evacuee Trust Complex, F-5/1,
Agha Khan Road, Islamabad.



CHAIRPERSON

Tel:051-9216771

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Islamabad, the 26th January, 2022

SUBJECT: URGENT APPEAL TO END DISCRIMINATION AGAINST MINORITY CITIZENS OF PAKISTAN

Dear Dr. Mazari,

The National Commission for Human Rights (NCHR) is a statutory body set up under the NCHR Act XVI of 2012, in accordance with the Paris Principles.

The NCHR Act, 2012 stipulates a broad and overarching mandate for the promotion and protection of human rights, as provided for in Pakistan's Constitution, domestic law and international treaties. Amidst others, the primary functions of the NCHR include investigating into allegations of human rights abuses and advising the Government on legislative, policy and administrative matters pertaining to the situation of human rights in the country.

As Chairperson of the NCHR, I would like to bring to your notice, the systemic discrimination in employment of sanitary workers in Pakistan. In 2009, the government introduced a quota of 5% for minorities on all federal and provincial Government posts. According to the Annual Statistical Bulletin of Federal Government Employees (2017-18) however, only 2.8% of employees were minority citizens with most of them concentrated in low paid work. Even though Christians constitute 1.6 % of the population of Pakistan, they represent over 80% of the sanitation workforce.

Data collected by World Watch Monitor states that 824 out of 935 sanitation workers in the Peshawar Municipal Corporation are Christian. About 6,000 out of 7,894 sanitation workers in the Lahore Waste Management Company are Christian. And 768 out of 978 workers in the Quetta Municipal Corporation are Christian. Islamabad's Capital Development Authority (CDA) has 1,500 sanitation workers and all of them are Christian.¹

Most disturbingly, there is ample evidence to demonstrate that government organizations meet the minority quota requirement by advertising sanitation jobs and other low paying work as exclusively for Christians or other Non-Muslims. Despite notifications by various Government departments - amending eligibility rules for sanitation workers to remove the condition of 'Non-Muslims Only,' - most job advertisements for sanitation workers in newspapers across the country continue to include this precondition. In 2021, the Government of Sindh placed over 100 such discriminatory newspaper advertisements.

¹ Akbar Bajwa, "Ending Discrimination: Eligibility Rules Changed for Sanitation Jobs," The Express Tribune (ExpressTribune, November 29, 2015)

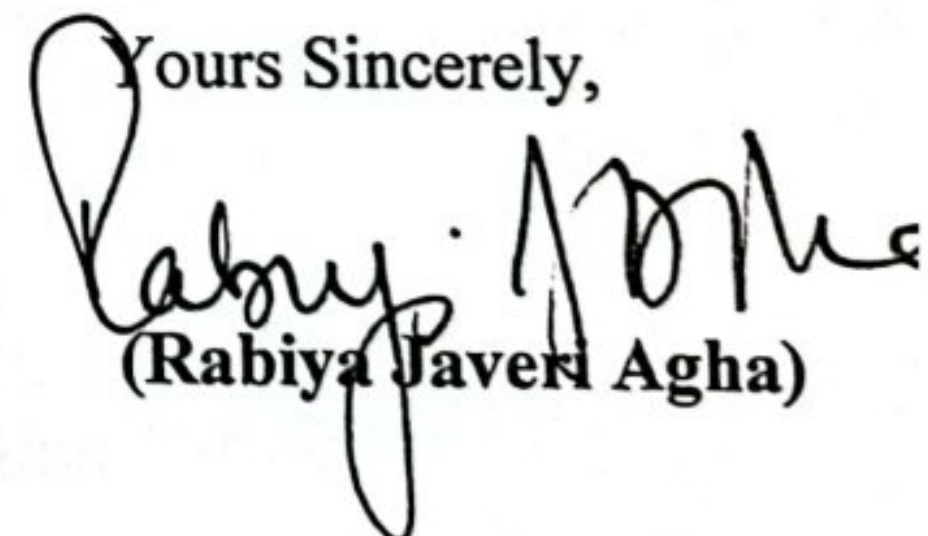
In light of this, The NCHR on 25th January, 2022 launched an awareness campaign on the systemic discrimination in advertisement and hiring of non-Muslims for sanitation/sweeper positions.

It is pertinent to stress that advertisements discriminating on the basis of religion are in violation of Article 27 (1) of the Constitution of Pakistan, which safeguards against discrimination in services and states, "No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth." Moreover, Article 1 of the Universal Declaration of Human Rights describes: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." The demand to treat all citizens equally is also reflected in Articles 1-7 of the United Nations Convention on the elimination of Racial Discrimination (CERD), ratified by Pakistan in 1966.

In lieu of the foregoing, NCHR requests the Ministry of Human Rights to move summary to Cabinet for the following actions as pertaining to the Federal Government:

- a) Declare all discriminatory advertisements as illegal, unlawful and against the Constitution of Pakistan;
- b) Restrain all government institutions and departments within the preview of the Federal Government from adopting, approving or following any practice and policy of issuing discriminatory advertisement;
- c) Issue directives to the Ministry of Information, particularly the Press Information Department to ban publication of such advertisements;
- d) Move for affirmative action/introduction of policies for the uplift and empowerment of the minority citizens of Pakistan

The National Commission for Human Rights hopes that this matter is accorded the highest priority and looks forward to a quick response.

Yours Sincerely,

(Rabiya Javeri Agha)

Dr. Shireen M. Mazari,
Federal Minister of Human Rights
9th Floor, New Pak Secretariat,
Kohsar Block, Sector F-5,
Islamabad

Cc.

Federal Secretary for the Ministry of Human Rights,