
HUMAN RIGHTS VIOLATIONS OF LABOUR
AND WOMEN IN PAKISTAN

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ABSTRACT

This study explores qualitatively the issue of human rights' violation in Labour and Women in Pakistan. Bonded labour and bonded women have great thematic connection. The concept of human rights is conveyed besides its historical connection and start. The study was carried out in regions of Baluchistan, Punjab and Sindh. It has revealed that bonded labour and women-related violations are excessively reported in studied region.

Keywords: Bonded Labour, Human rights, Women, Violation.

INTRODUCTION

Human Rights can be defined as the most inalienable rights of the people ensured by the constitution and safeguarded by the judiciary and criminal justice system. Human rights in Islam are derived from the Will of God. God has created humans equally and there is no discrimination on the basis of caste, creed and color. However, before Allah the righteous are highly valued. No political authority but Allah alone has sole power of governing the rights of global humanity.

The Human Rights of labouring class is highly challenging theme especially in context of Pakistan. Pakistan belongs to kind of a country where millions of people are undergoing hard labour. There are substantial pockets of labouring in all provinces of Pakistan. The earliest theorists like Karl Marx and Max Weber meticulously focused on labouring perspective, labour economy, capitalistic injustices and low wages of labouring population. Capitalists have created an unequal structure for the poorest classes enabling powerful class to control their fate. Social and economic structures thus created will never secure and protect the labouring population on any part of the globe. World would be never stable without balancing the inequitable resources. Slavery and labour victimization are continued all over the world in various forms and manifestations. Country like Pakistan is no exception to the bitter scenario.

Women in Pakistan are highly persecuted in social, economic and political terms. Women labouring in agriculture and routine life activities are highly ignored by tribal structures. The violation of labouring women is very common in Pakistan. Women fail to get any benefit of their labour economically. Women are harassed and abused in labouring circumstances. The state institutions have completely failed to protect women from different violations. Women working in factories are ill-protected in terms of health and insurance.

This study is conducted in provinces of Sindh, Punjab and Baluchistan on the labouring in the context of their human rights status. Interviews, witness opinions, case-profiles and secondary information were utilized in the study. As research design the study included data collected from twenty one (21) districts along with information related to twenty six (26) districts of Baluchistan. The study focused the eleven (11) localities from Sindh province and seven (7) regions of Baluchistan. Further, the field study included its activity to talking to respondents (52 percent) of area of Sindh and twenty seven (27) belonging to Baluchistan.

Women have been symbolized as commodity for male members in tribal structure. Women are considered Zar (wealth) which is possessed by men. There are terms like Zar (wealth), Zamin (land) and Zan (woman) which actually portray and reflect how we treat our women. Women face all sorts of sacrifices when revenges/enmities are settled (Mehdi, 2000). Women are commodified by values and customs of Pakistani society in some social tiers. The attitudes developing from religion and class system have lowered status of women in society. Women do not belong to any class, creed, religion but a lowest of all generated by the name of female. Women have no privileges but only restrictions. Women or property, commodity or thing which can be traded, sold and purchased (Tahira, 1999).

KEY PARAMETERS & FOCUS

This study explores the issue of human rights of bonded labour and women in Pakistan. Bonded labour and women are very weak segments of our policy focus and empirical research. The study provides new insights into the thematic exploration in a qualitative study. The data was accessed through interviews, witnesses and oral opinions from the respondents. Meetings, observations and informal methods of data collection were also used. The study focuses areas/regions of Baluchistan, Punjab and Sindh province. This has focused to investigate how, when and where human rights of bonded/fortified workers have been violated.

The study provides a theoretical perspective on the roots and history of human rights.

HUMAN RIGHTS BACKGROUND

Human Rights can be defined as inalienable rights of the individual who has equal access all personal freedoms and associations. Human Rights' can be traced back in ancient history of Code of Hammurabi, traced in French Revolution, Magna Carta, Bill of Rights, American Declaration of Independence, Social Contract and philosophical connotations of Socrates, Plato and Aristotle. Its imperatives can be gained by Last Sermon of Prophet Muhammad (SAW) and Quranic verses. Human Rights are inalienable rights and values of an individual unified with him/her in world of community (Boutros-Ghali, 1993). These are rights of people which are beyond powers of any government or régime. According to *Coloumbia Encyclopedia*, human rights are rights of the people inseparable from them socially, culturally and economically.

BONDED LABOUR VIOLATIONS IN PAKISTAN

It is very complex to investigate the issue of bonded labour in Pakistan due to several constraints rooted in culture, society and political milieu. It is very difficult to know and address the slavery and servitude in Pakistan. Asian Development Bank has indicated a significant volume of destitution and slavery occurring in Sindh and Baluchistan. People are bonded by strangers and kept in captivity.

Labour violations in Sindh are deep-rooted in land holdings and nature of distribution of lands. There is very high number of landless farmers in Sindh. Punjab has proprietorship on seven sections of land and Sindh has possession on twenty eight sections of land. International Labour Organization (ILO) depicts 1.8 million people who are involved in fortified work in Pakistan while majority of them are landless peasants found in Sindh.

Today, Sindh has the most elevated rate of landlessness in Pakistan. More than 40 percent of the area in Sindh is tenanted out by enormous proprietors. There are about 1.2 million who are fortified in work along with their women and children. Sindh Tenancy Act has failed to protect the purview- fortified workers. The Bonded Labour Abolition Act has also failed to abolish Bonded Labour in Pakistan.

It is ten years since Pakistan's Supreme Court proclaimed fortified work to be illegal and made the first moves to abrogate it. It is very nearly seven years since the National Assembly passed a law formally canceling

fortified work and forbidding the practice, and four years since the production of the official "Guidelines" delineating how the law was to be executed. Fortified work, or "obligation subjugation" as it is marked at worldwide level, is a practice denounced by the United Nations as "like bondage" and subsequently an infringement of Article 4 of the Universal Declaration of Human Rights. It is considered by the International Labour Organization (ILO) to constitute constrained work and to be an infringement of the ILO's Convention No.29 on Forced Labour.

In the days and months after the Supreme Court's judgment of 1989, countless reinforced workers in Pakistan's block furnaces left the occupations which they had been doing as an aftereffect of the weight of obligation servitude. Advancement was quick and it appeared that the huge number of individuals answered to be held paying off debtor's subjugation in the nation would soon be free. Then again, in 1999 we are obliged to reason that, in spite of provisional advancement taking after the Supreme Court's judgment, obligation servitude stays both boundless and practically unchallenged by the Government of Pakistan. Undoubtedly, it is both surprising and awful how little government authorities have been willing to do to implement the nation's laws and to convey an end to obligation servitude, and how readily they seem to endure its tirelessness.

By and large it is whole families which are reinforced in Pakistan. Obviously, there are particular instances of kids being vowed or reinforced in kind for credits to their parent(s) or watchman, quite in the rug business and in horticulture. The way the youngsters are consumed and obliged to work fluctuates, however as an issue of schedule the offspring of reinforced families don't go to class, yet begin helping their guardians function when they achieve school age, if not anytime recently. There have been different endeavors to gauge the quantity of youngster workers in Pakistan, quite including the ILO; however no measurements have been distributed thus concerning either the quantity of youngsters, or the aggregate number of individuals in Pakistan, who are casualties of obligation servitude.

BRICK KILNS IN PUNJAB

The judicial activism and press activism have helped labouring population getting their working conditions improved. The Supreme Court 1989 judgment took serious notice of block ovens in which various young workers and subjugated workers were used in labour violating human rights. The owners have always claimed that the labour they use has got credit which is the sole reason of them being kept in forced labour.

Practically without special case, then again, these cases have been conveyed to court after neighborhood government authorities declined to make a move or neglected to do as such when cases were conveyed to their consideration. In late 1998, for instance, a court requested the arrival of 14 reinforced workers held at a block oven in Rawalpindi District. The 14 comprised of seven grown-ups (four men and three ladies) and seven kids - all considered by the court to be in subjugation. The court in the long run dispatched its bailiff to do the discharges, and these happened around evening time. The bonded labour abolition laws command that state/cases of fortified workers should not be eluded from court of Law.

WOMEN RIGHTS VIOLATIONS IN PAKISTAN

Women are conceived as property and treated miserably impacting their role in social, economic and political terms. Women are highly ill-treated and subjected to worst forms of violence. Women homicide is considered suicide in many cases due to pathology of social attitudes regarding women. The criminal justice administration ignores all issues of women rights abuses. Women can get no relief because their fate is decided by male-dominated social members (Yasmeen Hassan, 1995).

As per Adams (1995) in Pakistan, as in other creating nations, settlements can have a significant impact on rustic wage dissemination. The country earnings have a tendency to be lower than wages earned in the urban part. It is this difference in the middle of rustic and urban wages that causes villagers to look for work somewhere else, either in urban communities or abroad (Adams, 1995). Women are target of various injustices in Pakistani society. This is more critical the case due to tribal customs and self-willed execution of Islamic laws by the power structure of tribes. Women are maltreated due to gender weaknesses and ascribed and associated roles given by social structure (Simi & Asma, 1997).

Women had been suffering from all sorts of lower status due to work of tribal codes, customary practices, Islamic codes and pro-male traditions. Women are highly persecuted and their opportunities have been blocked by male members. Women homicides have been defined as private affair of family members who name such offences as automatically granted by status of women. The state may not interfere as state is no party. They define it issue of family or crew. The father or any other powerful male member has authority to kill women on pretext of honour violation. There are no witnesses to protect women from getting slaughtered any ways (Hassan, 1998).

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Women are murdered in our country like sheep and goats. State and society cannot protect women being weaker to powerful customs (Asma Jehangir, 1999). Women are target of honour killing leaving male members free and safe. Male members or co-culprits escape any sort of revenge. Women are highly exploited. Every murder gets coloring of honour killing freeing male members from getting prosecuted (Amnesty International, 1999). Women are violently victimized by society leaving women to knock no door of justice. Women have been lowered to exist in no social position. Women face violence as permanent feature of typical male behavior (Human Rights Commission of Pakistan, 1999).

SUMMARY OF RESULTS

- It is very hazy, unclear and fluid if one investigates into knowing the cases of slavery and their quantum in Sindh. Thus, experts used irregular method of determining the regions of subjugation in Baluchistan. Subjugation in Baluchistan existed in flooded regions located in eastern outskirts connected to Sindh province. There exists no evidence of the phenomenon in Barani Districts or around power plantations. Slavery was found in areas of Jhal Magsi and Dera Bugti in Baluchistan. The respondents from Nawabshah and Larkana were very hesitant and reluctant to discuss/talk about the issue.
- Human Rights violations are being observed against women in all walks of life. Women face greatest challenges across the globe especially in poor countries and regions. The economic and gender-disparities have harmed women role in globally.
- Human societies still face grave issues of poor-child rearing, poor nutrition, forced labour, lack of sanitation and illiteracy. Girls face more severe social challenges in poor families and regions. The study concluded that seventy (70) percent rural women and eighty (80) percent urban women are thought inferior to men comparatively. Popularly; women are born for social bondage and marriage.
- Female babies born from age one to four are highly susceptible to death, disease and mal-nutrition. Women are highly victimized physically in South East Asia besides hindering them in development role. Women are denied access to human rights in rural areas in the study region and its purview.

- Children are engaged/forced/involved the activities in which children are employed are hazardous, including rag picking, leather tanning, coal mining, deep-sea fishing, brick making, carpet weaving, and manufacturing surgical instruments and glass bangles. Children working in the glass bangle sector are exposed to high temperatures, unstable material, fumes, and sharp objects. Children working in the tannery sector are exposed to toxic chemicals, and those working in the brick sector lift heavy loads. Children working in carpet-weaving suffer eye and lung diseases due to unsafe working conditions. Child miners, child domestics, and other working children who are far from their families are particularly vulnerable to sexual abuse. ▸ Bonded child labour reportedly exists in the coal, brick, and carpet industries. Some children working in mining, domestic service, and agriculture are from families who are bonded or indebted to their employers. Commercial sexual exploitation of children continues to be a problem. Children are trafficked within Pakistan for the purposes of sexual exploitation and bonded labour. Girls are trafficked internationally for forced labour. ▸ There are reports of children being kidnapped, maimed, and forced to work as beggars. There are also reports of children under the minimum voluntary recruitment age of 17 years being involved in armed conflict.
- Children below age of 14 are employed in hard labour and industrial work. This is pure violation of their human rights. Children are exposed to all types of hazards in Pakistan.
- Bonded labour is gross violation of law leading to maximum five years of prison and fine. International Law on children also prohibits trafficking of children and amounts to criminal implications for the offender. Prostitution of all kinds is globally prohibited by world laws and penal codes of all respective countries.
- There are no generally acknowledged figures for the quantity of reinforced youngster workers in India. Once more, Government's dedication to general instruction and destitution annihilation projects have brought about noteworthy diminishing in number of reinforced works. In the customary commercial ventures of astounding hand-woven fabrics and painstaking work, expanded mindfulness by universal purchasers and stringent weighs put set up by multinational companies on their suppliers has brought about suppliers and producers to supplant reinforced tyke work by rather offering instructive offices to offspring of their representatives and labourers. Global Tourists to places like Rajasthan additionally have influence and have at commonly reported occurrences of tyke work to powers who quickly act to check any youngster work. Conversely, of 20 million fortified workers in Pakistan 7.5 million are youngsters.

- It was learnt that only eight (8) percent women had permission to choose partner in Sindh.
- Fates of women are settled by tribal *jirga* laws which have no statutory status in Pakistani laws but are popularly practiced in backward areas of Pakistan. Killing and other serious issues related to women are settled by family or tribal chief reviewed by tribesmen.
- Aside from contemplations of human respect of ladies, there are additionally convincing social and financial motivations to do this. The quantity of instances of brutality in diverse classes of offenses and their territory insightful breakdown is as per the following. There were: 4.10 Cases of Violence against Women: Comparison between 2008 & 2009 As indicated by the information gathered by Aurat Foundations workplaces in Islamabad, Lahore, Karachi, Peshawar and Quetta amid 1st January to 31st December 2009, through its squeeze cutting Administration, the instances of roughness against ladies have expanded in 2009 when contrasted with the earlier year in 2008. There were 7571 instances of brutality against ladies in 2008, which have hoped to 8548, an increment of right around 13 percent. This is regardless of the way that fewer measurements were accessible from a few areas of NWFP and Baluchistan because of security circumstance.

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