



POLICY BRIEF

FEBRUARY 2020

# Rohingya Citizenship Saga in Pakistan: Women's Human Rights at Stake

## MAJOR RECOMMENDATIONS

This policy paper is based on Women's Regional Network's (WRN) research study, entitled *Rohingya Citizenship Saga in Pakistan: Women's Human Rights at Stake* conducted in 2020, by Farhat Parveen and edited by Dr. Jennifer Bennett. The Full Report is available at [www.womensregionalnetwork.org/](http://www.womensregionalnetwork.org/)

### Introduction

The mass exodus and displacement of the Rohingya people is a case of gross violation of human rights and a situation of humanitarian concern. Their continued subjection to a series of extradition drives have resulted in their status as a stateless, predominantly Muslim Indo-Aryan ethnic group. This nomadic existence has fed into the process of a specific religio-ethnic Rohingya identity formation, both in their home country, Myanmar, and among the diaspora, including in Pakistan, where they have reinvented themselves in accordance with the demands of various political and cultural contexts.

Currently, over half a million Rohingya live in Karachi, the capital of the Sindh province, with no official citizenship status. No official naturalization policy was ever made to accommodate them even when the Zia regime (1978-88) brought them in large numbers to Pakistan to support the war effort in Afghanistan, nor any steps were taken in this regard by later governments. The Rohingya in Karachi received a slight glimmer of hope in 2018, when after the Prime Minister, Imran Khan (2018-todate), announced they would be given CNICs, the key citizenship document. After the announcement, there was a flurry of activity and large numbers of Bengalis and Rohingyas were issued this document. But then again, this ended up being a short-term

desultory endeavor, that resulted in uncertainty and inequalities in the Rohingya community.

While the problems faced by the Rohingya have been highlighted in general, women have remained largely absent. This policy paper, based on the WRN study, was designed to highlight women's concerns and voice to this lack of a gender sensitive analysis. As such, its purpose included identification, understanding, and deciphering the major challenges faced by Rohingya women in Pakistani society due to their insecure and uncertain citizenship status.

### Methodology

Primary data was collected using qualitative method, comprising of Community Conversations (Focus Groups Discussions -FGDs) and Key Informant Interviews (KIIs) to obtain information on the socio-cultural and economic conditions of the Rohingya community living in Karachi. Three large communities, namely, Orangi, Korongi and Sindh Industrial and Trading Estate-SITE (the three areas are located in the district West of Karachi), were randomly selected for this research.



WOMEN'S REGIONAL NETWORK  
AFGHANISTAN • PAKISTAN • INDIA

## Major Findings

This research provides evidence to the multi-dimensional crises being experienced by the Rohingya community in Karachi, in Sindh province. Information obtained clearly demonstrates that the community and women specifically, have long been experiencing a range of human rights violations including social, economic, legal, as well as state-sponsored neglect and exclusion. The following are the major findings (discussed under sub-headings in the full report):



- Uncertainties of statelessness and lack of citizenship documents has led the Rohingya to live in constant fear of displacement and deportation. The majority are skeptical of declaring themselves as Rohingya, and instead identify themselves as Bengalis.
- The absence of a state policy on Rohingya citizenship not only deprives them of access to social services — education and health — but also other public services, including access to bank accounts, employment or a formal stable job, thus subjecting them to exploitation in the labor market where they can be denied a wage by an employer. In the absence of citizenship status, Rohingya are also not eligible for government employment and income subsidy programs such as Ahas Program (previously known as Benazir Income Support Program), Insaf Health Card, Kamiyab Nowjawan (a loan for youth), *inter alia*.
- If the parents do not have CNICs, children are denied admission to schools even if one parent possesses citizenship documents. For this reason alone, most parents have no other option but to send their children to religious seminaries that do not require official documents.
- In the absence of CNICs, they are not entitled to medical treatment in hospitals, even in emergency cases. As a result, most women give birth at home by untrained attendants. Many small children, including those with fractured limbs, end up being treated by unqualified health-care personnel.
- In most cases, acquisition of a CNIC often takes an illegal and an expensive route. Nadra authorities are reluctant to issue CNICs to Bengalis and Rohingyas, especially if they applied for it later than 18 years of age. For this reason, it is difficult for the police to check criminal activities in which they may be involved as the government simply does not have any data on them.
- Religion is a dominant force in Rohingya politics and the Jamaat-e Islami has a strong vote bank among them, especially in Korangi, where its influence extends into the social life of the people because of the number of religious seminaries in these areas. Their culture is strictly traditional and women must follow the Deobandi edicts, which discourages them to participate in public life.
- Rohingya livelihood is dependent on running small shops, working in small scale textile units in their localities, and most importantly, running roadside cane juice vendor machines. They also work as cooks in major city areas, and they get jobs without CNICs in large-scale factories. If they are required to provide the employers with their CNICs, all they need to do is get a CNIC. It does not have to be theirs — leading to corrupt and unaccountable practices. A large majority believe lack of CNICs encourages a culture of crime. With no jobs available to them, these people easily fall prey to criminal gangs.
- Despite the litany of 'the women's place is in the home,' economic pressures are driving Rohingya women to the job market. In the absence of a CNIC, many are denied a decent job or wage, job security, the ability to open a bank account in their name for the receipt of salaries, etc., exposing them to exploitation in the labor market.
- Boys have a better chance of being educated than girls, as the preference is to marry girls off as soon as they attain puberty, leading to widespread underage marriage of daughters.
- Women can only be wedded to men from their own community. Anyone attempting to marry outside the community must face the consequences.
- Most Rohingya women have never heard of the Child Marriage Restraint Act 2019, Domestic Violence (Prevention and Protection) Act 2012, and Sexual Harassment of Women at Workplace Act 2010.
- Absence of CNICs has added to and enhanced Rohingya women's social and psychological isolation.
- Women bear the disproportionate burden owing to women's sexual and reproductive health as linked to conventional social and cultural norms — emphasizing modesty and shame and the imposition of silence on critical areas of women's emotional, psychological and physical health.
- Family planning is not favored by the Rohingya. Women are supposed to bear as many children as they can, leading to large numbers of stateless and unsettled children bearing the burden of identity crises.

## Recommendations

- 1. The Rohingya citizenship issue should be resolved on the SAARC platform to effectively put an end to the uncertainty and fear in which the people of this community have continued to live for more than seven decades.** The member states should ensure compliance with the SAARC Charter through active collaboration for social progress. To uplift Rohingya's status in each member status, the SAARC social agenda for the region should address Rohingya community issues under all four thematic areas,<sup>1</sup> a) Health and Population Activities; b) SAARC Social Charter; c) Children and Youth; and d) Gender Related Issues through the SAARC Development Fund.
- 2. As a first step towards addressing this issue, a policy framework regarding Rohingya citizenship must be formulated by the concerned SAARC countries with the active involvement of Rohingya representatives from Pakistan, Bangladesh and India, particularly women.** This will foreground and provide insights into the problems faced by the Rohingya in their different social and political contexts, with a particular emphasis on the problems faced by women regarding the multiple ways in which their unsettled citizenship status impacts on their lives as well as those of their children.
- 3. Pakistan is a signatory to several international human rights treaties. The Pakistani government should examine the feasibility of issuing temporary residence to those who have lived in the country for more than four decades, till the time their status is approved for CNIC and citizenship.** Where appropriate, the government should pro-actively devise a strategy to facilitate voluntary repatriation. It should, simultaneously, in political dialogue with the cooperation of UNHCR and other international organizations, including SAARC to monitor and facilitate the repatriation of those who wish to return, alongside obtaining guarantees from the Government of Myanmar for full reintegration of all returnees and full protection of their rights.
- 4. Advice should also be taken from National & Provincial Human Rights Institutions (NHRIs) and human rights organizations including Rohingya right-based groups.** As a result of the 18th Constitutional Amendment in 2010, Provinces have Provincial Human Rights Institutions such as Sindh Human Rights Commission (SHRC). The SHRC should proactively take up the citizenship issue of Rohingyas based in Karachi & Hyderabad. SHRC has a problem-solving mechanism in which individuals and groups can raise their issues through simple applications along with relevant documents.
- 5. The government of Pakistan should sign and ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness** and fulfill its obligation to prevent statelessness promoting full local reintegration within the ambit of human rights.
- 6. In the absence of any legal documents, an activist approach is needed to resolve some of the basic issues faced by the Rohingya in general and Rohingya women in particular.** Urgent facilitation regarding access to government hospitals and other privately run facilities, including those run by NGOs should be provided to the marginalized Rohingya community.
- 7. The majority of Rohingya are currently struggling to attain employment. Creating income-generating opportunities for the Rohingya could help give them more agency.** Because of the potential impact of workforce competition on wages and opportunities for Pakistani locals, and to avoid ill-effects and possible friction, support needs to be the same for other surrounding communities. The government, donors, NGOs and institutions such as the United Nations Aid agencies, the World Bank and Asian Development Bank should develop livelihoods programs after conducting research on specific needs/skill-based and demands.
- 8. Regardless of the curriculum and language of instruction, it is important that the authorities scale-up education quickly, in consultation with Rohingya community leaders and those running informal education programs.** While their future is uncertain, education will be an asset wherever they end up. Pakistani officials, the international organizations and various NGOs, should consult the Rohingyas and local workers on key initiatives. Providing the Rohingya with education and vocational opportunities as part of this effort could help not only avert militancy and criminality but also support their reintegration in the society.
- 9. The rights of the child should be especially protected, in accordance with the government's commitment to children's rights through its signing and ratification of the Convention on the Rights of the Child in 1990.** In particular, the government should seriously look into granting nationality to all those children who were born in Pakistan.
- 10. The policy of the National Data Registration Authority (NADRA) in issuing Computerised National Identity Cards (CNICs) needs revisiting to iron out the anomalies, irregularities and inconsistencies that exist within the system.** It should establish a formal one window mechanism to ensure consistency of issuing legal documentation across the different settling population, like Rohingya and Bengalis.

<sup>1</sup> Social Affairs ([saarc-sec.org](http://saarc-sec.org))



## About the Women's Regional Network

Founded in 2011, the core purpose of WRN is to amplify the voices of unheard, marginalized women, and with them address the inter-linked issues of peace, militarization, forced displacements, (in) security, justice and governance in South Asia. To this end, WRN connects women peace advocates, committed to working collectively within and across national borders and cultures in traditionally conflicted countries. WRN's pursuit is reflected in its history where its unique Community Conversations have been used to deliver specific advocacy campaigns to ensure grassroots women's concerns and their voices shape political discourse, policy development and program implementation which affect them.

Through a combination of comparative analysis, advocacy and capacity building, WRN seeks to promote a unique and valuable regional dialogue by documenting the experiences of women in zones of conflict across South Asia. For this purpose, WRN will continue to work in Afghanistan, Pakistan, India - countries consistently featured among the worst to live in as a woman in terms of inclusion (economic, socio-political), justice (formal laws, informal discrimination) and security (at family, community and society levels).

Emphasizing human security and a people-centric, gender-lens approach, WRN recognizes non-traditional crises and threats also qualify as "conflict" for women, where women's lives, security and peace are jeopardized, all the more so for those who are displaced,

caught in armed-conflict, or face the brunt of exclusionary, divisive and aggressive politics.

The WRN model and approach aims to tap into and coordinate local and regional expertise on key topics related to women's human rights, peace and security across multiple and diverse movements and networks.

### WRN's Achievements

- WRN is first and foremost a network of solidarity, speaking for and supporting women's human rights defenders across South Asia and beyond.
- Choosing to work with women's peace organizations and networks, we have contributed to strengthening the impact and influence of transnational activism around gender inclusive peacebuilding.
- Listening closely to what women living in the shadow of conflict and insecurity tell us, we amplify their voices and concerns in order to raise public awareness and positively influence government policies and actions.
- WRN has steadily expanded its capacity-building platform through discussion, training and outreach on issues relating to women, peace and regional security.



WOMEN'S REGIONAL NETWORK  
AFGHANISTAN • PAKISTAN • INDIA

Women's Regional Network • Box 6552 Denver, Colorado 80206. • **Email:** [infowrn@gmail.com](mailto:infowrn@gmail.com)

**Facebook:** [www.facebook.com/WomensRegionalNetwork](https://www.facebook.com/WomensRegionalNetwork) • **Twitter:** [@WRNnews](https://twitter.com/WRNnews)

[www.womensregionalnetwork.org](http://www.womensregionalnetwork.org)