



A call to preserve Kalash rights and culture

Report of an HRCP consultation



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Human Rights Commission of Pakistan

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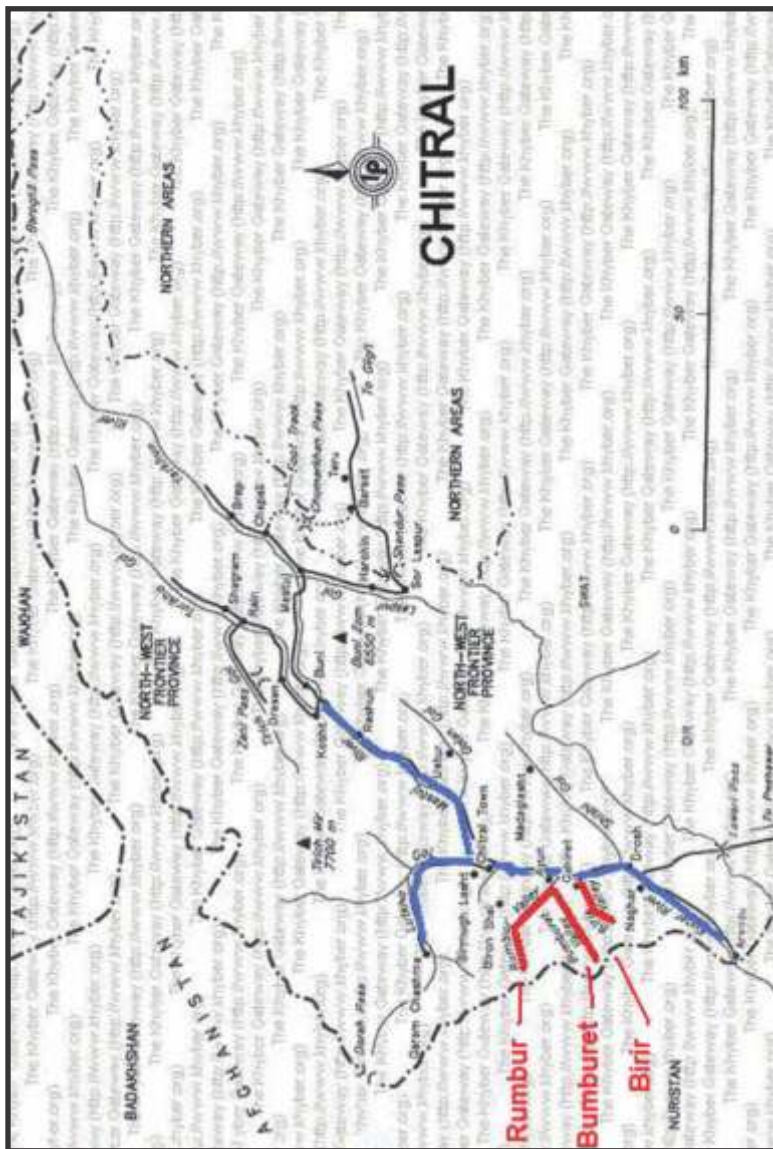
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The Kalash valleys are located in the southern gorges of the Hindu Kush mountain range. The valleys share a 380 km border with Afghanistan in the north and west, and the Central Asian states of Tajikistan, Uzbekistan and Kirghizstan are easily accessible from the area. To the east lies Gilgit, from where one can enter China along the legendary Karakoram Highway.

Map of the Area of Kalash



Kalashas are a Dardic indigenous community residing in the Chitral District of Khyber-Pakhtunkhwa province of Pakistan. They migrated from a distant legendary place in South Asia called 'Tsiyam', a place that features in their folk songs. Their history goes back to 327BC when Shalok Shah came to Chitral with an army and established his writ in the isolated valleys of the high mountains of Hindukush. They ruled the area for a long time but as the years passed and time rolled into centuries their fortune also changed. At present, they are restricted to just three valleys of Bamburate, Birir and Rambur.

Introduction

The Kalashas living in the valleys of Chitral district in Pakistan represent a unique culture. The Kalasha presence in Chitral can be traced back more than 2,000 years and they ruled the area for a long time. At present, Bamburate, Birir and Rambur valleys in Chitral, surrounded by mighty mountains of Hindukush range, are home to the last Kalashas people here, a population of around 4,000.

Today their unique religion, language and culture are on the verge of extinction due to a combination of official apathy and threats from violent and other non-state actors.

The constitution of Pakistan guarantees the preservation of such distinct languages and cultures. Article 28 of the constitution affirms these rights and states that “...any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and subject to law, establish institutions for that purpose.”

In June 2014, the Supreme Court of Pakistan gave a landmark judgment, directing the government to take various measures to protect the rights of religious minorities at both the provincial and federal levels. This included ensuring the implementation of a 5% quota in jobs for religious minorities, developing appropriate curricula for primary, secondary and tertiary levels of education, and constituting a national council for minorities. Although the judicial pronouncement was significant in terms of acknowledging religious minorities' rights in the country, this has had little effect on the ground so far as concrete measures for implementation have been lacking.

In recent years, the Kalashas have been confronted with ever-mounting challenges to protect their identity, religion and culture that have threatened their very existence. The inability of the state to effectively address these challenges and protect the Kalashas' rights has further compounded their woes.

Since its inception in 1986, Human Rights Commission of Pakistan (HRCP) has closely monitored the freedom of thought, conscience and religion and has been conducting related advocacy as an integral part of its mandate.

In its work on promoting religious freedoms, HRCP is guided by the international human rights law, as well as the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly resolution 47/135 of 18th December 1992.

On May 25th 2017, HRCP conducted a consultation in Islamabad in order to highlight the issues and problems Kalashas were facing with in the mountainous terrain of Chitral. The focus of the discussion was on identifying the security challenges and the threats to the religious and cultural practices of Kalashas and also to look for a way forward for the protection and preservation of the Kalash community and their way of life.

HRCP decided to organise the consultation in the federal capital in order to benefit from the advice of various civil society organisations working on rights issues. It was also considered that the media presence in Islamabad and the reach of the media will help highlight the situation of the Kalash citizens of Pakistan.

The Participants



The participants at the consultation represented a broad spectrum of people who could contribute to promote the cause of Kalashas. Representatives of Kalasha community who had been working for the representation and the rights of the community not only participated but also led the process of discussions and deliberations. Lawmakers, writers, researchers and activists working for the indigenous communities also participated in the consultation. A large number of print and electronic media professionals covered the event and used the opportunity of communicating with representatives of the community to talk about the issues faced by the Kalasha.

A member of the Senate Human Rights Committee and a member of the National Assembly were also part of the consultation.

The Consultation

The deliberations were remarkable in their constant solution-oriented focus.

The consultation began with the presentation of the situation of the Kalashas by Luke Rehmat, social activist and founder of Kalash People's Development Network. The subsequent session focussed on the most pressing issues for the community.

The participants highlighted the growing threats of violence and encroachment not only on their way of life but also places of religious and cultural significance for the community.

Preservation of the Kaalash religion and culture is the first and foremost issue. Unless Kalasha identity is recognized, their issues and problems cannot be addressed. They are the children of the soil. They ruled the area for hundreds of years. But they were later defeated and pushed to the mountains.

Kalashas are a unique race. A study by Rosenberg et al. (2006) employing genetic testing among the Kalash population concluded that they are a distinct aboriginal population with only minor contributions from outside peoples. In other words, they are indigenous people of the area.

In 2012, they launched a campaign for recognition of their religion

and culture. In 2015, National Database and Registration Authority (NADRA) accepted their stance but still they do not have their own identity for other legal documentations. In order to get documents like passport, etc., they are forced to write other religions in the religion column.

They filed a petition in Peshawar High Court for inclusion of their faith as a separate religion in the population census. The Court adjudged favourably in 2015, directing the authorities that Kalash religion should be included in the population census. The federal government appealed the decision. The Kalasha participants believed that unless they were legally recognized as a separate religion in Pakistan, attempt to have Kalasha religion, culture and community preserved and included in the world heritage list might not be successful. The community thought that including them as a separate religion was doable as they are a small community.

Those Kalashas who said that they wanted read the Supreme Court judgment¹ on minority rights before filling out the population



Representatives of Kalasha Community with the members of Civil Society Organisations

1. *Judgement of the Supreme Court of Pakistan in SMC No. 1/2014, etc., available at www.supremecourt.gov.pk/web/user_files/File/smc_1_2014.pdf*

census forms were intimidated and threatened with imprisonment for non-compliance.

The community members noted that absence of identity bred a range of other human rights issues. Kalashas did not have ownership rights over their temples and alters. Their places for religious festivals and rituals and the centuries-old routes for religious ceremonies were being encroached upon and grabbed. Lack of legal title for their places of worship made them increasingly susceptible to encroachment. Land grabbing by the influential people who manage to use law in their favour is a huge challenge to the Kalash religion. Land grabbers are bent upon owning the whole area.

Minority Threat

The participants stressed that the Kalash were not only a community vulnerable on account of their faith but also an indigenous people who should be entitled to a special status and protection. Contrary to that, their very existence was under serious threat. Quite numerous before the 20th century, the Kalashas had seen their numbers dwindle over the past century. According to SRSP, at

The region is extremely fertile, covering the mountainside in rich oak forests and allowing for intensive agriculture, despite the fact that most of the work is done not by machinery, but by hand. The powerful and dangerous rivers that flow through the valleys have been harnessed to power grinding mills and to water the farm fields through the use of ingenious irrigation channels. Wheat, maize, grapes, apples, apricots and walnuts are among the many foodstuffs grown in the area, along with surplus fodder used for feeding the livestock. With the growing intolerance, it has become very challe.

present, the total population of Kalashas in Chitral was 4,114.

Security Challenges

The Kalash community faced high levels of security risks and threats from both from within the country as well as from across the border in Afghanistan.

Militant extremists have been a major threat to their existence in recent years. In 2009, Taliban militants kidnapped Professor Athanasion Larounis, a Greek aid worker who had generated around £2.5 million for the building and development of schools, clinics, and a museum in the Kalash valleys. According to the local police at the time, the Taliban targeted Professor Larounis because he was supporting and preserving the Kalash culture and community.

In 2011, the militants targeted border troops and police in Arandu, south of the Kalash valleys, in a night ambush. Around 35 soldiers were killed. The attack shattered decades of relative peace in the Chitral district, and spread fear that the Kalash would be the next target for the Taliban.



Senator Farhatullah Babar and other participants at the Consultation

In 2014, the Pakistani Taliban announced an armed struggle against the Kalash people by releasing a 50-minute video. They warned the Kalashas to convert to Islam or face death. The video also accused international NGOs of creating an 'Israel-like' state in Chitral by attempting to protect the Kalash people and keeping them away from Islam. They also warned them against making their homemade wine or they'll be sent to hell by the will of God. When the Supreme Court of Pakistan took suo motto notice of the challenges, the authorities stated that there was no problem and nothing but peace in the valleys.

The Kalashas are goat herding and subsistence farming people. Nature plays an extremely important role in their household and community economy.

Taliban remain a constant sword hanging over their heads. Kalashas are peaceful and peace loving people. Effective measures need to be taken to protect them from the threat of extinction.

Intolerance and Forced Conversions

Life in the Kalash valleys and Chitral used to be a model of inter-faith harmony. Muslims and Kalashas participated not only in each other's festivals but also helped in burials of the dead, but unfortunately intolerance is now on the rise. With the influx of outsiders, the culture of peace and harmony has changed for the Kalashas to uphold their right to practice their faith. Zealots try and persuade the local Muslims and ask them to convert the *kafirs* they have been living with. The KPK government has admitted before the Supreme Court that Kalashas are being forcibly converted. Some Kalashas convert to Islam in an attempt to gain rights that they are denied as members of a minority group. Religious groups

have a free play in Chitral to forcibly convert Kalashas to Islam.

In June 2016, a 14-year old Kalasha girl's home was attacked by Muslims with rocks and sticks. The girl had converted to Islam. Next day, she went to her parent's home and put on the traditional Kalash dress which led some Muslims to believe that she had reverted to her Kalash faith. The situation became so grave that police had to intervene and fire shots into the air to disperse the crowd. The police took the girl from her home to Chitral. To the Kalash the incident was a reminder of the intolerance that has crept in the otherwise peaceful area and also asked questions about conversions of minors.

In May 2017, an organized effort was made to stop Chilim Joshi--the spring festival. Posters were also distributed to disrupt the festival. An environment of fear is being created in the valleys. The Kalash expected and demanded that the state must create a conducive environment to ensure peace and order.

Desecration through Development and Tourism

Kalashas were once the rulers of Chitral and had control over all the valleys but today had legal control over a mere 4-5% of the land; the rest had been bought by non-Kalasha from outside the region. Outsiders owned 95% of the hotels built in the area.

The new land ownership and land use patterns had posed serious challenges for Kalashas to practice their religion and culture. The construction of new roads and hotels without showing sensitivity to Kalasha religious practices has blocked access to their festival routes and adversely affected their religious and cultural practices. They feel forced to find and use alternative routes. In some cases, their livestock grazing routes have also been blocked.

The new development paradigm is throwing the Kalash history into oblivion. Many local Kalash areas that had been mentioned in the folklore have been renamed and now have Muslim-sounding names, such as Qaziabad and Ahmedabad. The Kalash names of these places would being confined to the folklore alone have serious consequences for the preservation of the community's culture and way of life. A budget of PKR four billion has been approved for road construction in Kalash valleys, which is commendable but insensitive planning and designing of roads can pose a huge threat to the Kalasha religious practices and culture.

Increased tourism, leading to around 25,000 tourists visiting Chitral every year, has also caused a disturbance in the cultural practices of the Kalasha. They have their own concepts of 'pure' and 'impure' places. Men cannot go to places, called "bashaleni", where childbirth occurs, noted as 'impure' places, and those who are in the delivery areas cannot enter the villages, known to be 'pure'. However, tourists violate all these restrictions and enter both pure and impure places, which causes emotional trauma for the community and a violation of their religion.



Tahira Abdullah expressing her views

Security arrangements at the spring festival-Chilim Josh-are not adequate. The influx of tourists is much more than the festival site can accommodate. The tourists outnumber the Kalashas at the festival and for the latter it becomes a real challenge to find enough space to perform the rituals. The tourists descend on the festival in droves with their selfie cameras and disturb the rituals. Younger generation of Kalashas hesitate and feel harassed to perform the rituals in the presence of so many outsiders. Some tourists make intimidating and offensive remarks and ridicule the Kalashas for their traditional rituals. For example, many Muslims look down on the Kalasha for 'allowing' the women to wear colourful clothes and dance in public in front of men. Regulation of tourism in these areas is of utmost importance so as to not damage the traditional culture of the Kalasha people.

White tourism is encouraged in the area but efforts are not made to protect the local heritage. A local museum in one of the Kalash valleys was closed down after it was occupied by three dozen policemen of the Elite Force. It took considerable time and efforts to get the museum vacated.

Kalashas are poor and there is extensive unemployment. They have the right to development and they are keen for development but it has to be the kind of development that is sensitive to their religion and traditions. They need roads, educational facilities and health services. There is a lack of economic opportunities for the younger generation. They cannot compete in the market despite education. Development of these areas will also create more economic opportunities for the Kalasha by opening up new avenues of work and employment.

Threat to Economy

Livestock and dairy products are an integral part of Kalash

religion and culture. Without goats, pastures and other natural resources, it is almost impossible for them to continue their rituals and festivals. Bandits from across the border infiltrate and snatch away their precious livestock which adversely affects the already precarious economic condition of the Kalashas. In 2012, these bandits took away 700 goats and killed a shepherd but not much remedial action was taken. In July 2016, armed bandits from Afghanistan entered the Bamburate Valley and killed two shepherds and stole 300 goats.

Kalash shepherds are being stopped from going to high pastures for animal grazing because the security forces that can protect them are positioned at lower elevations. Without accessing their pastures, the Kalash cannot keep livestock, without which they would not be able to make dairy products and without dairy products their rituals would not be possible. With such hurdles, the Kalash customs and rituals will gradually die down. The Kalash consider that if their intangible heritage disappears, just having temples and altars will not save their unique religion and culture from becoming extinct.

Educational Opportunities

Kalash want that in schools their children should not be taught about any religion other than their own. They worry that teaching of Islamiyat in schools and criticism or insensitive remarks about their religion in schools leave an impression on the impressionable minds of the young learners. Being a tiny minority, antagonistic education puts a huge social pressure on children. A Kalasha participant at the May 25 consultation said, “I was a grade six student and my Islamiyat teacher would ask me every day, 'would like to go to hell or heaven?' I was so fed up of this daily question. That was when I realized how seriously threatened our religion and culture were by the schooling system.”some participants called such education a form of state-supported attempts at conversions



Kalash students learning Kalasha alphabets at Dur School and Community Center in Brun village

and a huge threat to Kalash religion.

As Kalashas have their own language and script, books and teachers, their children should be allowed to learn about their own religion in schools. Kalash songs, stories, and other literature should be part of the curriculum. The Supreme Court of Pakistan in its 2014 judgement also directed the government to take various measures to develop appropriate curricula for primary, secondary and tertiary levels of education for Kalashas but nothing has materialized so far.

The Kalasha religion and cultural practices and traditions are all passed down through generations orally; there is little to no documentation or written expression for all that the Kalash people do, including festivals, cultural traditions and language. Only a few books have been written in the past, including a book of 20 Kalashsongs, however these are not enough.

Recommendations

The participants, particularly those from the Kalash valleys stressed the need for a solution-oriented discussion. The key ideas they proposed as the way forward are recounted below. The faith-based challenges that the Kalashas face every day cannot and must not be ignored any longer. The federal and provincial governments must pay serious attention to the Supreme Court judgment which reiterated the need to protect the rights of the Kalashas. Implementation of the prevalent positive discrimination measures in the short-term and effective steps to do away with the need for such measures must be made a priority. The government must formulate and implement policies to promote tolerance, freedom of expression and harmonious co-existence of the Kalasha alongside other groups with different faiths. Developing appropriate curricula for primary, secondary and tertiary levels of education, and constituting a national council for minorities might be of particular significance in pursuit of that ambition.

In order to give Kalashas identity and to protect their culture state-subject rule should be restored in Chitral and Kalashas should be given usufruct rights over the lands their ancestors used.

Kalasha are citizens of Pakistan; their identity as a distinct section of Pakistani society must be recognised. Their religion and

language must be included in the lists of religions and languages for the national population census.

In order to ensure the fundamental rights of Kalashas, representations should be made to the Senate's Special Committee for the Marginalized Communities. They should be asked to have regular representation of Kalash people as observers and participants in the committee to make their voice heard. The forums of National Assembly and Senate should be used as a mega phone. There are some members of both forums who can be a great support to the cause. The elected federal lawmaker from Chitral has been trying to raise the issue of Kalasha identity, especially recognition of their language and declaration of Kalasha culture as world heritage in the parliament since 2013, though with little success.

State-subject rule should be restored in Chitral. When Chitral was part of Kashmir, outsiders were not allowed to buy land in Chitral and elsewhere in Kashmir. Later, the law was abolished and outsiders were allowed to settle there.

Ancestral land use rights should be recognized. Kalashas should be given usufruct rights over the lands their ancestors used.

The state should play an active role in resolving the issue of forced conversion or conversion by minors before they have reached the legal age for consent.

To help protect and preserve Kalashas from losing both their livelihood and lives, they should be added to the UNESCO World Heritage List. In order to achieve that, their basic right to identity as a distinct religion, culture and ethnic group should be honoured.

Militant extremists remain a problem for the indigenous group in

Chitral. the army and border security forces must play a key role in ensuring the physical, economic and cultural security of Kalashas.

Members of the Kalash community should be made aware of the Supreme Court judgment which can enable them to prepare more informed cases for their struggle.

The Kalash culture is essentially oral , including festival rituals, songs, folk tales and their unique languages. There has been some attempt at documenting certain songs and folk stories; for example, around 20 songs were published in a book. However, this is not even a drop in the ocean. The documentation calls for urgent attention as the older generation is dying out fast.

There should be only Kalash teachers in Kalash schools. And Kalash students should be given scholarships for higher education to eradicate poverty and unemployment.

Annexure

Annex 01

List of participants **Consultation on** **Challenges for the Kalash** **community: the way forward** *At Islamabad Hotel – May 25, 2017*

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Annex 02

Senate Resolution for Kalash

A resolution moved by Mr Babar to preserve the culture and heritage of the people of Kalash in Chitral and for the inclusion of this area in the Unesco World Heritage Site was passed unanimously when Law Minister Hamid Zahid said he did not oppose it.

Published in Dawn, August 29th, 2017



RESOLUTION NO. 339

"This House recommends that the Government should take necessary steps to preserve the culture and heritage of the people of Kalash, Chitral and to make arrangements for inclusion of that area in UNESCO World Heritage sites."

Moved by Senator Farhatullah Babar
Unanimously passed by the Senate of Pakistan
on 28th August, 2017



Today the Kalashas' unique religion, language and culture are on the verge of extinction due to a combination of official apathy and threats from violent and other non-state actors. – An excerpt from the report.