Hagler Bailly Pakistan

DIGBY WELLS ENVIRONMENTAL

Appendix C: Indigenous Peoples Assessment

Hagler Bailly Pakistan

Reko Diq Mining Project

Environmental and Social Impact Assessment

Final Indigenous Peoples Screening Memo

HBP Ref.: D4IP7RKI

January 21, 2025

Reko Diq Mining Company

Quetta

1. Introduction

1.1 Background

Barrick Gold Corporation (hereafter Barrick) through its subsidiary Reko Diq Mining Company (RDMC), in a Joint Venture partnership with the Government of Pakistan and the Government of Balochistan, is completing a feasibility study for the Reko Diq Mining Project (also referred to as the 'Project') in the western part of Balochistan Province of Pakistan. As part of the feasibility study, an Environmental and Social Impact Assessment (ESIA) has been conducted, including specialist studies. The ESIA will be part of the environmental permitting process and will provide a basis for the integration of environmental and social considerations into the Project design. RDMC appointed Digby Wells Environmental (hereafter Digby Wells) and Hagler Bailly Pakistan Pvt. Ltd (hereafter HBP) to carry out the proposed environmental and social studies and permitting process for the Project.

Under the International Finance Corporation's (IFC) Performance Standard 7 (PS7),[1] projects are obligated to assess the presence of Indigenous Peoples (IPs) communities in and around a project area during the screening phase of the environmental and social risks and impacts assessment process. According to IFC PS7, IPs are defined as social groups with identities distinct from mainstream groups in national societies and who, by virtue of their distinct identities, are often among the most marginalized and vulnerable segments of the population. IFC PS7 also identifies IPs as communities or groups whose identity as a group or community is linked, to distinct habitats or ancestral territories and the natural resources therein. It may also apply to communities or groups that have lost collective attachment to distinct habitats or ancestral territories in the project area, occurring within the concerned group members' lifetime, because of forced severance, conflict, government resettlement programs, dispossession of their lands, natural disasters, or incorporation of such territories into an urban area.

If such a group of people is identified, the project is obligated to ensure that they are not adversely impacted by the project or any of its activities and to establish and maintain an ongoing relationship based on Informed Consultation and Participation (ICP) through the life of the project. For any of the activities associated with the project, it must ensure the Free, Prior, and Informed Consent (FPIC) of the affected IPs communities if PS7 is triggered.[2]

Similarly, the Asian Development Bank's Safeguard Policy Statement (SPS), specifically Safeguard Requirement 3, establishes a comprehensive framework to ensure that projects impacting Indigenous Peoples (IPs) are implemented in a culturally appropriate and equitable manner.[3] It emphasizes meaningful consultation with IPs throughout the project cycle to mitigate adverse impacts and enhance benefits. These consultations must be

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1 Performance standard 7 - Indigenous Peoples. International Finance Corporation. https://www.ifc.org/content/dam/ifc/doc/2010/2012-ifc-performance-standard-7-en.pdf

2 Guidance Note 7. International Finance Corporation. https://www.ifc.org/content/dam/ifc/doc/2010/2012-ifc-ps-guidance-note-7-en.pdf

3 Asian Development Bank Safeguard Policy Statement. https://www.adb.org/sites/default/files/institutional-document/32056/safeguard-policy-statement-june2009.pdf

inclusive, gender-responsive, and culturally sensitive, particularly addressing the needs of vulnerable groups.

This Memo has been prepared to assess and screen out IPs that may be impacted by the Project and whether FPIC requirements or requirements of the ADB SPS are triggered.

Dr Hafeez Ahmed Jamali[4,5], an independent expert on socio-cultural anthropology and with significant experience of working in the Balochistan province was engaged by HBP to carry out an independent peer-review of the findings of this Memo. The recommendations and feedback of the peer-review have been incorporated within this Memo where appropriate.

1.2 Project Location

The Project is in the Chagai District of Balochistan Province of Pakistan. The nearest town is Nok Kundi, approximately 70 kilometres (km) southeast from the mine site. The site is in the western part of the Chagai district between the Iran (approximately 40 km away) and Afghanistan (approximately 35 km away) borders. The nearest community to the site is Humai, which is approximately 20 km away. The other nearby settlements include Mashki Chah, Nok Chah, and Darband Chah. **Exhibit 1** provides an overview of the Project location and components.

The Project includes the development of an open pit copper-gold mine, including processing facilities, mine water supply and infrastructure, a route for the transport of supplies to and product from the mine, either by road or railway, port facility and other ancillary facilities in support of the mine's operations. The Project will use the port facility for the export of the concentrate at Port Qasim, Sindh Province of Pakistan.

The Project will also enhance incomes and skills of the communities by providing employment and training opportunities. The Project's impacts, both positive and negative, will permeate through various socioeconomic strata of society within the Balochistan Province. The Project impacts may be disproportionate on groups of people that have unique ways of life.

1.3 Objectives

The term indigenous peoples have no fixed definitions and is instead context-specific and based on several definable characteristics. Some countries also have a national definition which is used interchangeably with IPs. Although the Project is following IFC PS7 definition for IPs in the ESIA of the Project, in view of various interpretations and definitions of IPs that exist, there is a risk that the stakeholders may interpret the term differently from the definition specified by the IFC. Thus, the objectives of this Memo are to:

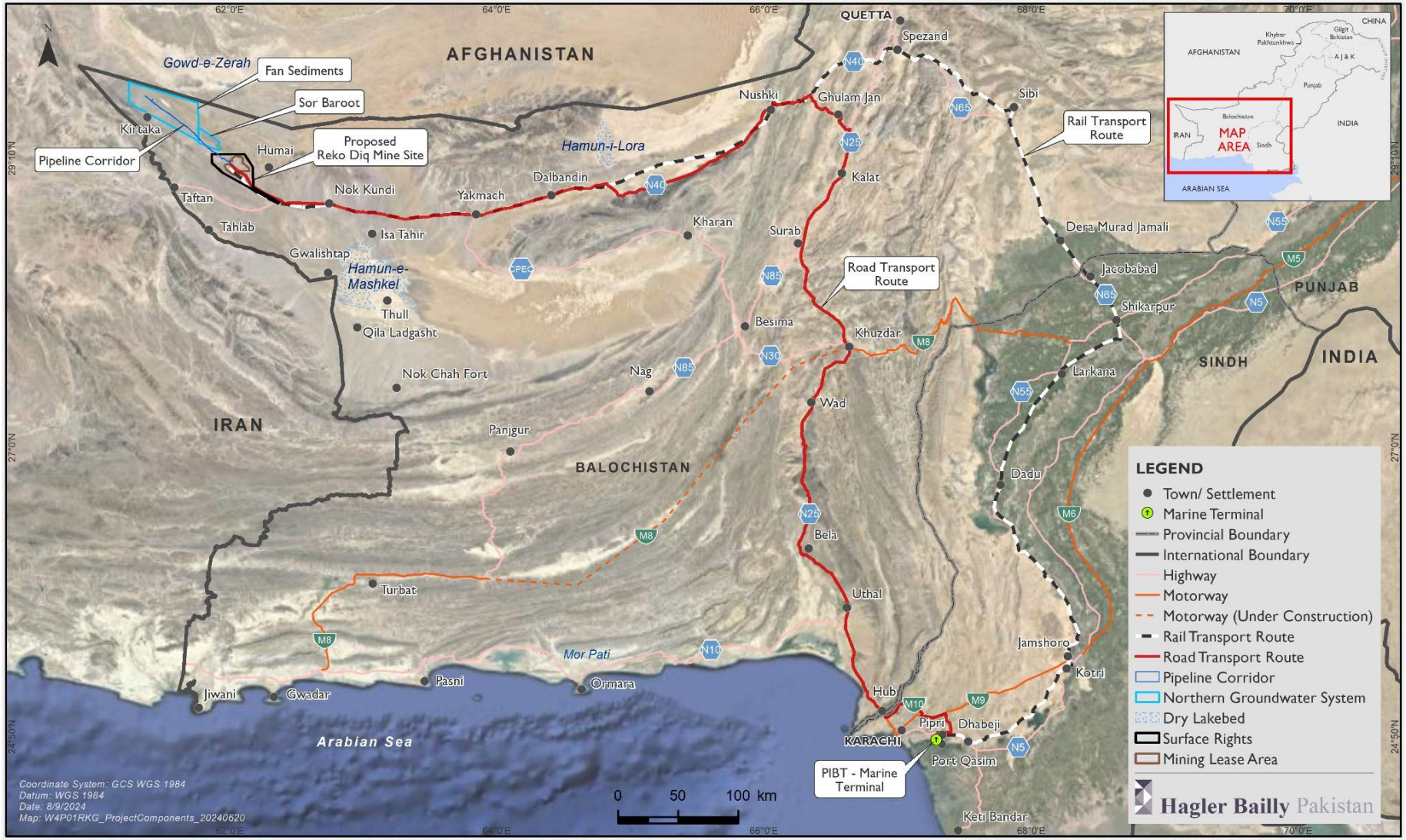
- Review various definitions of indigenous peoples and other terms commonly used interchangeably with IPs and whether they are consistent with the IFC definition.

[4] Dr. Hafeez Jamali's curriculum vitae can be accessed at: https://habibuniversity.academia.edu/HafeezJamali/CurriculumVitae

[5] A list of Dr. Hafeez Jamali's publications can be accessed at: https://habibuniversity.academia.edu/HafeezJamali

- Conduct a screening based on socioeconomic data collected and secondary information sources.
- Provide recommendations for management and engagement with IPs if any are identified in the screening.

Exhibit 1: Overview of the Project



2. Definitions and Criteria

There are several terminologies for indigenous peoples which have a wide array of interpretations which are generally context specific. These terminologies, and the rationale for selecting the IFC definition as a basis for the screening is presented below.

2.1 International Definitions of Indigenous Peoples

2.1.1 International Finance Corporation

According to IFC Performance Standard 7 (PS7),[6] Indigenous Peoples (IPs) are defined as social groups with identities distinct from mainstream groups in national societies and who, by virtue of their distinct identities, are often among the most marginalized and vulnerable segments of the population. Due to their marginalized status, their ability to defend their rights to and interests in land, natural, and cultural resources is limited, and their ability to participate in and benefit from development is restricted. As a result, Indigenous Peoples are more vulnerable to the adverse impacts associated with project development than non-indigenous communities. In PS7, the term "Indigenous Peoples" is used to refer to a distinct social and cultural group possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the mainstream society or culture; or
- A distinct language or dialect, often different from the official language or languages of the country or region in which they reside

2.1.2 Asian Development Bank

The Asian Development Bank (ADB) does not have a single, fixed definition of Indigenous Peoples (IPs) but uses the following criteria to identify them as defined in ADB's Indigenous Peoples Safeguards - A Planning and Implementation Good Practice Sourcebook[7]:

- Self-identification as indigenous communities, which are distinct from the mainstream society, often based on shared ancestry, language, or cultural practices.
- Distinct social, cultural, and economic practices, often with a long-standing connection to ancestral lands and territories.

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6 Performance standard 7 - Indigenous Peoples. International Finance Corporation. https://www.ifc.org/content/dam/ifc/doc/2010/2012-ifc-performance-standard-7-en.pdf

7 Indigenous Peoples Safeguards - A Planning and Implementation Good Practice Sourcebook. https://www.adb.org/sites/default/files/institutional-document/33748/files/ip-good-practices-sourcebook-draft.pdf

- Distinct languages, traditions, and ways of life that distinguish them from dominant national or regional societies.
- Face specific vulnerabilities due to their marginalization within the larger society, including political, economic, and social exclusion.
- Have a strong connection to their ancestral lands and natural resources, which are essential for their livelihoods, identity, and cultural practices.

The ADB definition is largely similar to the UNPFII, IFC and IFAD definitions. However, the ADB definition also includes marginalization and political, economic and social exclusion. This aspect has been taken into account in the IP screening in **Section 4** under "Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories" which discusses political oppression and marginalization.

2.1.3 United Nations Permanent Forum on Indigenous Issues (UNPFII)

The United Nations (UN) and UN-system bodies have not adopted an official definition of "indigenous peoples" and instead has a set of criteria that may classify a group of people as indigenous peoples:

- Self- identification as indigenous peoples at the individual level and accepted by the community as their member.
- Historical continuity with pre-colonial and/or pre-settler societies
- Strong link to territories and surrounding natural resources
- Distinct social, economic or political systems
- Distinct language, culture and beliefs
- Form non-dominant groups of society
- Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.

The UN criteria are similar to those adopted by the International Finance Corporation (IFC) and International Fund for Agricultural Development (IFAD). The UN criteria are also similar to the ADB definition, but do not mention marginalization as a criterion.[8]

2.1.4 International Fund for Agricultural Development (IFAD)

The IFAD adopted its "Policy on Engagement with Indigenous Peoples" in 2009 in-line with the IFAFD Policy on Targeting's guiding principles. The IFAD uses a working definition of indigenous peoples based on the following:

- Priority in time, with respect to occupation and use of a specific territory.

[8] The IFAD has adopted its definition of indigenous peoples from the recommendations issued by the UNPFII. The IFAD definition is discussed separately in this document as it has been referenced in secondary information sources.

- The voluntary perpetuation of cultural distinctiveness, which may include aspects of language, social organization, religion and spiritual values, modes of production, laws and institutions.
- Self-identification, as well as recognition by other groups, or by state authorities, as a distinct collectively.
- An experience of subjugation, marginalization, dispossession, exclusion or discrimination.

The working definition adopted by IFAD is similar to the IFC definition but includes an additional definition of marginalization, dispossession, exclusion and discrimination.

2.2 National Definitions of Indigenous Peoples and Other Terms

There is no legislation in Pakistan that acknowledges or identifies IPs. The constitution of Pakistan does not differentiate between strata of population except based on religion, wherein political representation is allocated in the National Assembly and other governmental forums to "religious minorities" and to women. The UNPFII document also states that "in some countries, there may be preference for other terms including tribes, first peoples/nations, aboriginals, ethnic groups, *adivasi*, and *janajati*. Occupational and geographical terms like hunter-gatherers, nomads, peasants, hill people, etc., also exist and can be used interchangeably with "indigenous peoples".

A discussion of terminologies that are widely used and are context-specific to Pakistan and whether they align with the definition of IPs is presented in **Section 3.4**.

2.3 Definition Used in Memo

This Memo uses the IFC PS7 definition for screening purposes.

To differentiate between the IFC definition and those from other sources, the following terms are used in this document:

- Indigenous Peoples (IPs): The IFC definition, capitalized or written simply as IPs.
- Indigenous peoples: Definitions used by the Asian Development Bank (ADB), United Nations (UN), and International Fund for Agricultural Development.

Some countries may use other terms interchangeably with IPs. While such terms are also used in Pakistan, they do not fulfil the criteria of IPs as defined by the IFC PS7.

This document also uses the term "self-identified group" to refer to the 54 groups encountered in the socioeconomic data collection as some respondents identified as Baloch, which is an ethnolinguistic group, while others identified as their tribe or caste but were also of the Baloch ethnicity at the same time. All such self-identifications were acknowledged by the data collection team in line with the UN Guiding Principles on Self Determination and respondents were not corrected or directed to reclassify themselves in accordance with ethnicity, caste, or tribe.

3. Information Review

The socioeconomic screening was informed from a review of the following information sources:

- A review of secondary literature to contextualize the political environment and identify groups that may potentially be categorized as IPs according to the IFC definition of IPs.
- A review of the socioeconomic baseline data to screen the self-identified groups encountered in the Socioeconomic Study Area.

The details of the review are provided below.

3.1 Socioeconomic Setting of the Balochistan Province

After the British ceded control in 1947, Balochistan declared independence under the Khan of Kalat, but this independence was short-lived as Pakistan soon incorporated Balochistan by military action in 1948. This historical context is essential to understand the current governance dynamics. Post-independence, Balochistan was governed through a combination of tribal leaders and appointed civil officers. The administrative system was restructured in 2001 under the Balochistan Local Government Ordinance 2001,[9] which created elected governments at the district level and devolved administrative, financial, and legal powers to the district administrations. Balochistan has an elected government system where representatives are elected to the provincial assembly. The government structure includes a District Coordination Officer (DCO) and Executive District Officers (EDOs) for various departments like health and education at the district level.

The provincial government of Balochistan is elected by the people, and thus, it is a democratic representation of the local population. The legislative process is intended to reflect the interests of the majority that elected the representatives. The governance and legislative decisions are made within the legal and political framework established under the Pakistani constitution. This ensures that decisions are legally binding and made through a democratic process involving elected representatives.

Balochistan is the poorest and most underdeveloped province in Pakistan. It has low literacy rates, inadequate health facilities, insufficient civic amenities, poor industrial infrastructure, and low per capita income compared to other provinces of Pakistan.[10] Balochistan is predominantly inhabited by Baloch people. According to the 2023 Population Census, 55% of the population of Balochistan reported their native language as Balochi, along with 2.17% in Sindh and an overall 3.38% in Pakistan.[11] The proportion of Baloch speakers within the Bin Qasim sub-division where Port Qasim is ~2.96%. The three main ethnolinguistic groups are divided further into the following tribes:[12]

- Baloch Tribes

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[9] Retrieved from https://phkh.nhsrc.pk/sites/default/files/2020-12/Local%20Government%20Ordinance%20No.%20XXX%20Balochistan%202001.pdf on July 29, 2024.

[10] Retrieved from https://www.finance.gob.pk/wp-content/uploads/2021/01/White-Paper-on-Budget-2018-19.pdf on July 29, 2024

[11] Retrieved from https://www.pbs.gov.pk/sites/default/files/tables/population/POPULATION%20BY%20MOTHER%20TONGUE.pdf on July 29, 2024

[12] Mitra, D. (2017, April 3). Understanding Balochistan: The geopolitical, strategic and security perspectives. Centre for Joint Warfare Studies. Retrieved from https://cenjows.in/wp-content/uploads/2022/02/Understanding-Balochistan_03-4-17.pdf

- Rind
- Lashari
- Marri
- Jamot
- Ahmedzai
- Bugti
- Buzdar
- Magsi
- Kenazai
- Khosa
- Rakhashani
- Dashti
- Umrani
- Nosherwani
- Gichki
- Buledi Notazai
- Sanjarani
- Meerwani
- Zahrozai
- Langove
- Kenazai
- Khidai
- Jamali Jatoi
- Kaheri
- Leghari

- Barohi Tribes
  - Raisani
  - Shahwani
  - Sumulani
  - Sarparrah
  - Bangulzai
  - Mohammad Shahi

- Lehri
- Bezenjo
- Mohammad Hasni
- Zehri
- Sarparrah
- Mengal
- Kurd
- Sasoli
- Satakzai
- Lango
- Rodeni
- Kalmati
- Jattak
- Yagazehi
- Qambarani

- Pashtoon Tribes
  - Kakar
  - Ghilzai
  - Tareen
  - Mandokhel
  - Sherani
  - Luni
  - Kasi
  - Achakzai

Other significant ethnic groups include the Pashtuns (30%) and smaller groups such as Sindhi, Punjabi, Seraiki, Hazara and Urdu speakers. The Hazaras are an ethnic group primarily found in Afghanistan, with small populations within Pakistan and Iran. In Balochistan, particularly in Quetta, Hazaras began settling in the late 19th and early 20th centuries, fleeing persecution in Afghanistan. They initially thrived, with many joining the British Indian Army and contributing to local economic development. However, their Shia identity has made them targets of sectarian violence and marginalization.

An overview of the tribal society in Balochistan along with genealogy and tribal dynamics is provided in the standalone Cultural Baseline (D8C02RKD). Additional context on the tribes commonly found within the Nok Kundi Tehsil within which the Project is situated is provided in **Section 3.2.1**.

3.2 National and Political Context

A discussion of terminologies that are widely used and are context-specific to Pakistan and whether they align with the definition of IPs is presented in this section. In all such cases, the terminologies are not reflective of the definition of IPs unlike those adopted by India and Nepal. Some groups in the Socioeconomic Baseline[13] self-identified as Baloch, which is an ethnolinguistic group, while other identified themselves as part of a Tribe. The distinction is clarified below.

3.2.1 Tribes

There is no national definition of 'Tribes' in Pakistan, which are locally termed as "qabila". Instead, the constitution of Pakistan recognizes "Tribal Areas" in the provinces of Khyber Pakhtunkhwa (KP) and Balochistan, defined as areas that were Tribal Areas prior to the formation of Pakistan.[14] Before the 25th amendment to the constitution of Pakistan in 2018, the Tribal Areas located between KP and Afghanistan were recognized as the Federally Administered Tribal Areas (FATA) and were an administratively distinct political unit governed by different laws than mainland Pakistan. However, following the 2018 amendment, FATA merged with KP and now falls under the administrative jurisdiction of the KP provincial government. The other Tribal Areas referred to in the constitution of Pakistan are governed by the governments of the provinces in which they are located.[15]

District Chagai has been home to a diverse array of tribes, among which the Kuchiks, Kurds, Sahtakzais, Mengals, Brahuis, and Magsis have been the most prominent. The presence of these tribes in Chagai is well-documented, with records dating back to the British era in the 1900s documenting their presence.[16] Each tribe has its own historical significance and a unique narrative of how it came to inhabit the present-day district.

The Kurds, though primarily associated with regions further west, established a notable presence in Chagai due to migrations driven by historical trade routes and political upheavals. The Sahtakzais, another significant tribe, have been known for their pastoral lifestyle, heavily reliant on livestock rearing, which is an essential economic activity in Chagai's harsh, arid environment.

The Mengals, one of the largest Baloch tribes, have been deeply involved in the region's tribal politics, with their leaders frequently engaging in negotiations with colonial authorities during the British period. Their presence in Chagai underscores their broader influence across Balochistan. The Brahuis, a Dravidian-speaking group traditionally linked to the Kalat region, extended their influence into Chagai in the 1800s, contributing significantly to the district's ethnic diversity.

The Magsis, although smaller in number compared to other tribes, have played a crucial role in local agriculture and trade. Additionally, the Kuchiks, or Kuchi nomads from

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[13] Hagler Bailly Pakistan. (2024). D4SS3RKG - Socioeconomic.

[14] Constitution of Pakistan (1973) – Article 246. https://www.pakistani.org/pakistan/constitution/part12.ch3.html

[15] National Assembly of Pakistan. (2018, May 31). The 25th constitutional amendment in Pakistan. Retrieved from http://www.na.gov.pk/uploads/documents/1527752001_507.pdf

[16] https://archive.org/details/in.ernet.dli.2015.279669/page/n28/mode/1up?view=theater

Afghanistan, have been recognized for their seasonal migrations through Chagai in search of grazing lands. Their movements emphasize Chagai's historical role as a crossroads for various nomadic groups, which may be considered as one of the factors for the ethnic diversity in present-day Chagai.

While there is no formal definition of tribes in Pakistan, the term is informally used to refer to groups of people who trace their descent through the male bloodline from a supposedly common tribal ancestor.[17] These tribes have integrated into mainstream society and no do not fulfil the criteria of IPs based on self-identification alone.

3.2.2 Castes

In Pakistan, the term caste is informally used to refer to a hierarchical system of hereditary and endogamous social groups, often referred to as zats or quoms.[18] Although the caste system is more commonly associated with Hinduism, it also exists among Pakistani Muslims, albeit in a different form.[19] While the caste system exists in Pakistan to varying degrees, it is important to note that is an informal social structure rather than a legally codified system. Moreover, while historically, certain castes have been associated with specific occupations, rapid urbanization and modern economic changes have blurred the lines of occupational segregation to a significant degree.

A particular caste may be classified as an IP if their traditional livelihood dictated by their caste has links to natural resources, land or habitats such as the Sonahas of Nepal.[20] However, caste-based occupations in Pakistan typically involve sanitation related jobs and thus do not meet the IFC PS7 criteria.[21]

3.2.3 Schedule Castes and Scheduled Tribes

In Pakistan, the term Scheduled Castes refers to specific castes and tribes that have been officially recognized by the government as socially and economically disadvantaged. This designation aims to provide these groups with certain protections and benefits to improve their socioeconomic status. The concept of Scheduled Castes in Pakistan is similar to that in India, where it primarily includes communities that have historically faced discrimination and marginalization. The 1957 Presidential Ordinance provided a list of Scheduled Castes in Pakistan, which included 32 castes.[22] These castes are primarily found in the provinces of Sindh and Punjab and include both Hindu and Muslim communities.

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[17] Khan, U. M., Ijaz, R. H., & Saadat, S. (2021). *Extending Constitutional Rights to Pakistan's Tribal Areas*. United States Institute of Peace.

[18] Usman, A. (2017). A comparison of Hindu and Muslim Caste system in sub-continent. *South Asian Studies*, *32*(01), 91-98.

[19] Ibid.

[20] A vanishing way of life. (2018, March 27). The Katmhmandu Post. https://kathmandupost.com/opinion/2018/03/27/a-vanishing-way-of-life

[21] Patel, S. a. A. (2020, December 15). It is time to talk about caste in Pakistan and Pakistani diaspora. Al Jazeera. https://www.aljazeera.com/opinions/2020/12/15/it-is-time-to-talk-about-caste-in-pakistan-and-pakistani-diaspora

[22] https://www.molaw.gov.pk/SiteImage/Misc/files/Collections/1957.pdf

Similar to the discussion for 'caste' above, being part of a Scheduled Caste does not imply that the definition of IFC PS7 has been met.

3.2.4 Ethnicity

In Pakistan, there is no national definition of ethnicity, and the constitution does not define social groups within the country based on ethnicity nor recognize ethnic minorities as minorities.[23] The widely understood definition of ethnicity refers to a group of people who identify with each other based on shared attributes that distinguish them from other groups. These attributes can include common origins, ancestry, traditions, and language. The Pakistan Census identifies various groups along ethnolinguistic lines, distinguished by their primary language. These groups include Punjabi (44.7%), followed by Sindhi (15.4%), Pashto (14.1%), Siraiki (8.4%), and Balochi (3%). Other languages spoken by smaller groups include Hindko, Kashmiri, Brahvi, Shina, Balti, Mewati, Kalasha, and Kohistani, which are also counted as separate ethnolinguistic groups under the National Census.[24]

Although ethnicity serves as a basis of self-identification and has significant political implications within Pakistan, it cannot be used interchangeably with IP as defined in the IFC PS7.

3.3 Review of International Sources and IP Databases

The following information sources that refer to indigenous peoples following source-specific definitions were also reviewed.

3.3.1 IFAD Country Technical Note on Indigenous Peoples' Issues – Islamic Republic of Pakistan

The IFAD Country Technical Note mentions three groups within Balochistan that it considers to be indigenous peoples. These groups include the "Buzdars of the De-Excluded Area of Sulaiman Mountains", "Baloch of Greater Balochistan" and "Fisherfolk of Coastal Areas". From these groups, the Buzdars tribe has faced political oppression due to their resistance to the occupation by the British Empire and then also rebelled against inclusion with Pakistan. None of these groups were identified in the Socioeconomic Study Area. The Buzdar tribe is situated a large distance from the Project's Mine Site (>500 km) in the northern part of the Balochistan Province and will not be affected by the Project activities. Similarly, the "Fisherfolk of Coastal Areas" are situated near the Balochistan coastline and will not be affected by Project activities as the Gwadar Port will not be used by the Project. The "Baloch of Greater Balochistan" refers to the Baloch ethnolinguistic group as a whole. The Baloch in themselves do not constitute IPs under IFC PS7 and form the largest ethnolinguistic majority in the Balochistan Province, governed by the democratically elected Government of Balochistan, constituting ~40% of the province's population. **Exhibit 4** provides a screening for relevance to the Project in further detail.

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[23] Survival, C. (2017). Observations on the State of Indigenous Human Rights in Pakistan. *INDIGENOUS POLICY*, 432.

[24] Pakistan Bureau of Statistics. (2023). *Pakistan Bureau of Statistics - Population by Mother Tongue*. Pakistan Bureau of Statistics. https://www.pbs.gov.pk/sites/default/files/population/2023/tables/national/table_11.pdf

3.3.2 UN Observations on the State of Indigenous Human Rights in Pakistan (Prepared for the 28th Session of the United Nations Human Rights Council)

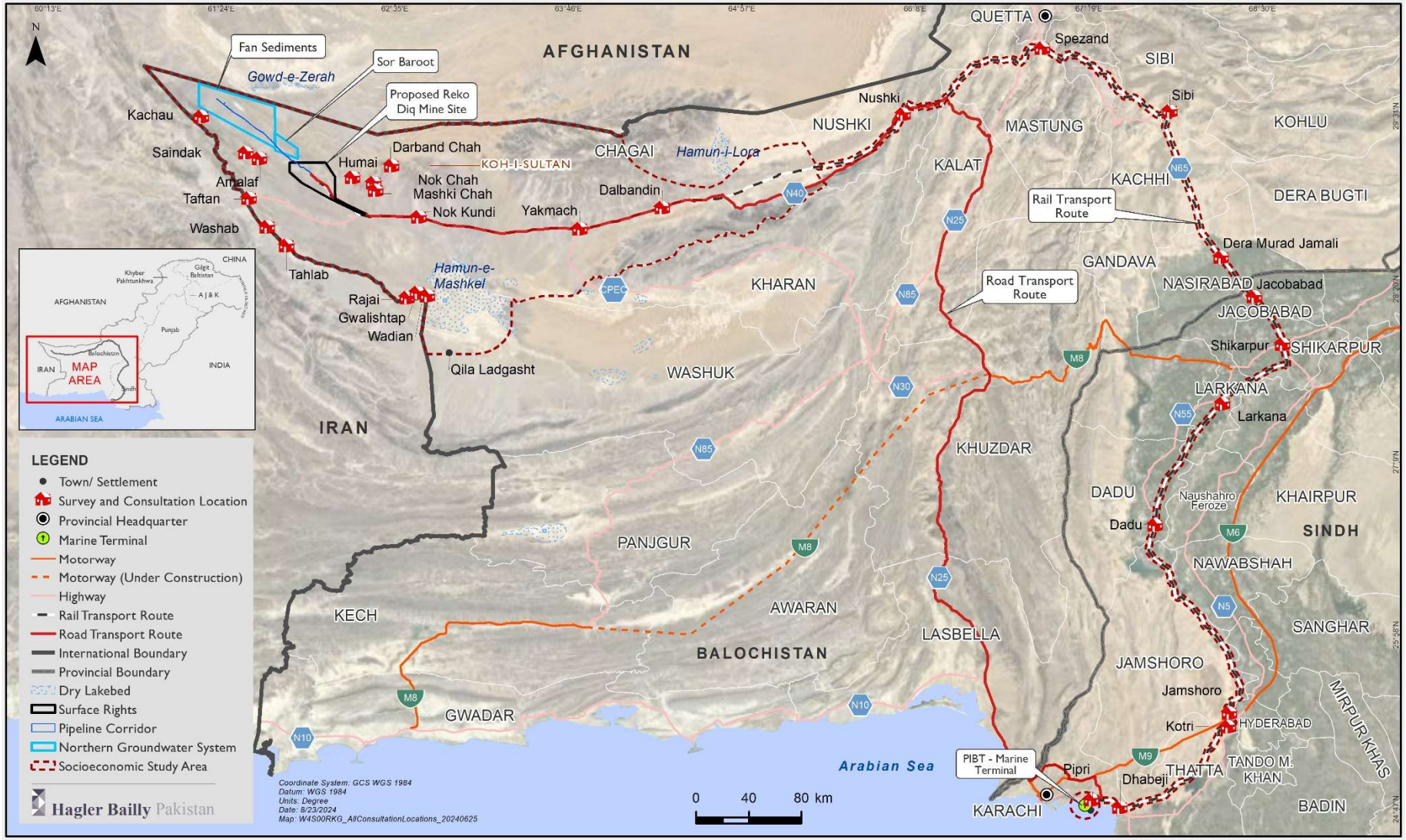
The document on Observations on the State of Indigenous Human Rights in Pakistan document identifies eight distinct indigenous people groups throughout Pakistan based on unique cultural practices, traditions, and way of life. These include the Koochis, Rebari, Bakarwal, Kehal, Jogi, Kabootra, Sanyasi and Kalash. The presence of these eight groups within the Socioeconomic Study Area was investigated further in this Memo, to account for the possibility that their presence was overlooked in the socioeconomic data collection.

3.3.3 The Indigenous Navigator Database Maintained by the European Union

The Indigenous Navigator is a comprehensive database designed to empower indigenous peoples in monitoring and advocating for their rights.[25] Developed by and for indigenous peoples, the Indigenous Navigator provides a framework and a suite of tools to enable systematic monitoring of the recognition and implementation of Indigenous rights, emphasizing community participation and ownership. The database provides access to free resources and tools that are based on community-generated data. The Indigenous Navigator's data portal serves as a central hub, allowing for data collection, analysis, and visualization. Users can explore survey results, print answers, and access relevant information related to Indigenous rights. The initiative covers multiple countries globally, including those in South Asia (e.g., Bangladesh, Cambodia, India, Myanmar, Nepal, and the Philippines). However, the database does not currently contain any records specific to Pakistan.

[25] *Indigenous navigator*. https://indigenousnavigator.org/

Exhibit 2: Location of Settlements Surveyed and Consulted



3.4 Review of Socioeconomic Data Collected for the Project

The socioeconomic survey,[26] which included a household-level survey, settlement-level survey, and Focus Group Discussions (FGDs) with the local communities in the Socioeconomic Study Area, served as the primary source to assess the presence of IPs based on the characteristics outlined in PS7. A map of the Socioeconomic Study Area and locations of settlements surveyed and consulted is provided in **Exhibit 3.**

In accordance with the UN Guiding Principles, all respondents were permitted to self-identify freely.

According to the Socioeconomic Report (HBP Document Reference: D4SS3RKG) 54 self-identified groups were reported; Khoso (11.8%), Jhakrani (11.8%), Maiman (10.6%), Lashari (9.5%), Baloch (6.5%), Jatoi (5.8%), Sindhi (4.8%), Jamal Zai (4.7%), Pathan (3.7%), Sheikh (3.4%), Phanwar (3.3%), Sumro (2.7%), Mangal (2.2%), Kahudani (1.9%), Jamali (1.9%), Siddiqui (1.6%), Gachaki (1.5%), Syed (1.2%), Jamot (1.0%), Badani (0.9%), Muhammad Hassani (0.9%), Muhammad Zai (0.7%), Ajbani (0.7%), Shambazi (0.7%), Notai Zai (0.6%), Barech (0.5%), Jamal Zai (0.5%), Sher Zai (0.4%), Katwari (0.4%), Ghachi (0.4%), Nosharwani (0.3%), Sanjarni (0.3%), Muhajir (0.3%), Burhan Zai (0.2%), Dagar Zai (0.2%), Mir (0.2%), Khaskali (0.2%), Hazara (0.005%), Khudai (0.1%), Abro (0.1%), Durzada (0.1%), Musa Zai (0.1%), Mushwani (0.1%), Hassan Zai (0.1%), Saor (0.1%), Yar Muhammad Zai (0.02%), Barohi (0.01%), Salar Zai (0.01%) and Rashkani Zai (0.004%).

The Hazaras as observed in the socioeconomic data were working at Port Qasim. They have resided in Karachi City for several generations and have integrated within the urban lifestyle of Karachi.

4. Screening

A screening in-line with the criteria of the IFC Performance Standard 7 (PS7) has been undertaken in line with the approach defined in the preceding section. All self-identified groups in the socioeconomic baseline (**Section 3.3.3**) were screened along the IFC PS7 definition.

Exhibit 3 provides the details of screening. The screening concludes that no IPs groups that fulfil the IFC Definition exist in the Socioeconomic Study Area which require additional consideration by the Project beyond impacts assessed in the Socioeconomic Specialist Report.[27] An additional layer of screening was also undertaken to determine whether groups identified as IPs in international sources and databases may exist in the Socioeconomic Study Area, under the assumption that these groups may have been overlooked in the data collection. **Exhibit 4** provides this screening.

[26] The surveys were conducted in 2022 and 2023.

[27] Hagler Bailly Pakistan. (2024). D4SS3RKG - Socioeconomic.

Exhibit 3: Assessment Criteria against IFC PS7 for all Self-Identified Groups in Socioeconomic Study Area

Criteria	*Reviewed Sources*	*Evaluation*	*Conclusion*
Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others.	♦ Data collected during the socioeconomic survey and community consultations conducted in September 2022 to October 2022 and in October 2023 by HBP. ♦ Cultural Baseline and Study of Relationship Dynamics conducted in 2009 by HBP.	♦ A total of 54 self-identified groups were recorded in the Project's socioeconomic baseline. Pakistan does not have a notified list of Indigenous Peoples (IPs) groups in the country or any legal mechanism for the protection of their rights. ♦ Most of the 54-self identified groups identify as Baloch or Barohi in addition to their tribal identity. A few individuals from the Hazara ethnolinguistic group were also encountered in the Port Qasim surveys.	Applicable to all groups as self-identification was used to qualify a group for further screening.
Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories	♦ Data collected during the socioeconomic survey and community consultations conducted in September 2022 to October 2022 and in October 2023 by HBP.	♦ The consultations conducted with the institutional stakeholders including the Livestock and Dairy Department, Agriculture Department, Forest Department, and the Irrigation Department confirmed that there are no unique habitats or ancestral territories in the Balochistan Province. ♦ The Baloch people perceive that their rights to natural resources are being infringed upon by the Federal Government however no collective attachment to the land beyond concerns related to economic rights to resources of the land was observed. ♦ Several members of the "Hazara" community, an ethnolinguistic group originating from Afghanistan, was reported working in the Port Qasim area. The Hazaras are a widely persecuted ethnic minority, however they are discriminated primarily on the basis of religious and ethnic differences from the mainstream population as opposed to unique cultural practices, traditions, or identity.[28] ♦ No other natural resource links were identified in consultations with the local communities. Livestock herding is a common means of livelihood for many of the local communities similar to most other rural areas in Pakistan as there are limited opportunities to participate in other economic sectors as opposed	Not Applicable to any of the 54 groups.

[28] National Commission for Human Rights Pakistan. (2018). UNDERSTANDING THE AGONIES OF ETHNIC HAZARAS. Retrieved from https://www.nchr.gov.pk/wp-content/uploads/2023/09/Understanding-the-Agonies-of-Ethnic-Hazaras.pdf.

Criteria	*Reviewed Sources*	*Evaluation*	*Conclusion*
		to being a traditionally or culturally valued livelihood and pastoral lands linked to livestock rearing are commonly found throughout Balochistan and other parts of Pakistan. Many of the respondents expressed a desire for higher education and employment opportunities outside the primary sector.	
Customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture	♦ Data collected during the socioeconomic survey and community consultations conducted in September 2022 to October 2022 and in October 2023 by HBP.	♦ The self-identified groups did not have any social, cultural, economic, or political institutions that separated them from contemporary Pakistani society besides the tribal *Jirga* system of law which is widely practiced throughout Balochistan. The Socioeconomic Study Area included both the urban and rural communities in Sindh and Balochistan and their reported religious and cultural norms resemble those of the mainstream communities in rural and urban areas of Pakistan. ♦ The community members reported that there is a Jirga[29] system, however this system is widely practiced by Baloch and Pashtun tribes throughout Pakistan and Afghanistan. The Jirga system is presently four-tiered. The Shahi Jirga, which is the highest body, allows for Federal-level regulation of the Balochistan Province on issues such as national security, whereas the underlying local-level, district-level and joint-level jirga systems allow the tribes to carry out their customary practices according to tribal law.[30]	Not Applicable to any of the 54 groups.
An indigenous language, often different from the official language of the country or region	♦ Data collected during the socioeconomic survey and community consultations conducted in September 2022 to October 2022 and in October 2023 by HBP. ♦ 2017 Census, Government of Pakistan[31]	♦ None of the self-identified groups have a unique language. All groups spoke a language which was the majority language in their respective province, such as Balochi for those surveyed in Balochistan and Sindhi for those surveyed in Sindh. The only exception is the Hazara ethnolinguistic group, which form only ~1% of the country's population. However, the Hazaras captured in the socioeconomic data reside in Port Qasim where they have integrated into the local and political economy of the city and will be unaffected by the Project's activities. ♦ While Balochi is widely understood within the Balochistan province, it has several dialects with some phonological and lexical variations. These include:	Only applicable to Hazaras

[29] A jirga is a traditional assembly of leaders, primarily among Pashtun tribes in Afghanistan and Pakistan, used for decision-making and dispute resolution based on customary laws. It involves elders and respected community members whose decisions are binding and respected within the community.

[30] Hagler Bailly Pakistan. (2009). D8C01RKD - Cultural Baseline and Study of Relationship Dynamics.

[31] Pakistan Bureau of Statistics. (2017). *Census 2017*. Pakistan Bureau of Statistics. https://www.pbs.gov.pk/content/final-results-census-2017

Criteria	*Reviewed Sources*	*Evaluation*	*Conclusion*
		Rakhshani (subdialects: Kalati, Panjguri and Sarhaddi), Saravani, Lashari, Kechi, Coastal Dialects, and Eastern Hill Balochi[32]. The Rakhshani dialect is predominantly spoken and in the Chaghai District[33].	

Exhibit 4: Screening for Groups in Secondary Sources

Source	*IPs Groups in Pakistan*	*Description*	*Relevance to Project*
UN Observations on the State of Indigenous Human Rights in Pakistan	Koochis[34]	The Koochis, also spelled Kuchis, are a nomadic pastoralist community primarily found in Afghanistan, with some populations also present in neighbouring countries such as Pakistan and Iran. They are known for their traditional lifestyle of seasonal migration, moving with their livestock in search of grazing lands and water sources. The Koochis are heavily reliant on their animals, particularly goats, sheep, and camels, for their livelihood. Their economy is based on animal husbandry, and they produce milk, wool, and meat, which are essential to their subsistence. The Koochis' migratory patterns are typically dictated by the changing seasons, with summer migrations to highland pastures and winter movements to lowland areas. In Pakistan, the Koochis (or Kuchis) are primarily found in the Khyber Pakhtunkhwa (KP) province and parts of Balochistan. Their presence in Pakistan is often linked to their traditional migratory routes, which span across the border between Afghanistan and Pakistan. Specific areas within these provinces where Koochis can be found include Peshawar, Kohat, and former FATA, Quetta, Chaman, and Zhob.	Not identified in the Socioeconomic Study Area

[32] Bosworth, C. E., & Stronach, D. (1988). Baluchistan. Encyclopædia Iranica. Retrieved from https://www.iranicaonline.org/articles/baluchistan-iii

[33] Ali, Hamid, Gul Hasan, and Abdul Razzak Sabir. "Language Contact and its Impact on the Phonological Evolution of Balochi." Balochistan Journal of Linguistics 11 (2023): 22-22.

[34] Tapper, R. (2008). Who are the Kuchi? Nomad self-identities in Afghanistan. *Journal of the Royal Anthropological Institute*, *14*(1), 97-116.

Source	*IPs Groups in Pakistan*	*Description*	*Relevance to Project*
	Rebari[35]	The Rebari are an indigenous pastoralist community primarily found in the Thar Desert region of Rajasthan in India, with some populations also residing in the Sindh province of Pakistan. They are known for their traditional herding of camels, sheep, and goats, and their lifestyle is deeply connected to their livestock. The Rebari people lead a semi-nomadic lifestyle, moving with their herds in search of grazing lands and water sources. Their livelihood revolves around animal husbandry, and they are renowned for their expertise in breeding and managing livestock. The products derived from their animals, such as milk, wool, and meat, are essential to their economy.	Not identified in the Socioeconomic Study Area
	Bakarwal[36]	The Bakarwal, also known Gujjar-Bakarwals, are an indigenous nomadic community primarily found in the mountainous regions of Jammu and Kashmir, as well as parts of northern Pakistan, including the Khyber Pakhtunkhwa province. They are traditionally pastoralists, known for their seasonal migrations with their livestock, particularly goats and sheep. The Bakarwal people lead a transhumant lifestyle, moving between high-altitude pastures in the summer and lower-altitude areas in the winter. Their way of life is closely tied to their animals, which provide them with milk, wool, and meat, forming the basis of their subsistence economy.	Not identified in the Socioeconomic Study Area
	Kehal[37]	The Kehal are an indigenous community primarily found along the riverbanks and coastal regions of Pakistan, particularly in Sindh province. The Kehal people have traditionally been associated with riverine and maritime activities, including fishing, boatbuilding, and navigating rivers and coastal waters. The Kehal community's lifestyle is closely tied to the water, and their livelihoods depend heavily on fishing and related activities. Due to their reliance on natural water resources, they are highly affected by environmental changes, such as water pollution and depletion of fish stocks.	Not identified in the Socioeconomic Study Area

[35] Patel, H. H. R. (2018, January 22). *The Rabaris: The Nomadic Pastoral Community of kutch*. Sahapedia. https://www.sahapedia.org/the-rabaris-the-nomadic-pastoral-community-of-kutch

[36] Ahmed, D. I., & Ahmed, J. (2015). Socio-economic and educational status of tribal (Gujjar and Bakarwal) of Jammu and Kashmir: An overview. *Available at SSRN 3139413*.

[37] Shaheen, A. (2011). Living on the margins: a socio-historical profile of the nomads in Pakistan. *Pakistan Perspectives*, *16*(1), 41.

Source	*IPs Groups in Pakistan*	*Description*	*Relevance to Project*
	Jogi[38]	The Jogi are an indigenous community primarily located in the Sindh province of Pakistan, particularly in the Thar Desert and its surrounding areas. Traditionally, the Jogi people have been known for their roles as wandering minstrels, snake charmers, and practitioners of folk medicine. Their lifestyle is traditionally nomadic, and they often move from place to place in search of livelihood opportunities. The Jogi people have a rich cultural heritage, with a strong tradition of music, storytelling, and folklore that is an integral part of their identity.	Not identified in the Socioeconomic Study Area
	Kabootra[39]	The Kabootra are an indigenous community in Pakistan primarily found in the Sindh province, with a notable presence in the Thar Desert region. They are traditionally involved in occupations like pigeon rearing, which is reflected in their name (Kabootar means pigeon in Urdu). Their lifestyle is often characterized by subsistence living, and they are known for their rich cultural heritage and traditional practices.	Not identified in the Socioeconomic Study Area
	Sanyasi[40]	Practitioners of the Hindu system of Sannyasi, a religious and spiritual practice. Although the UN document references this group, information of no such groups currently residing in Pakistan could be confirmed from secondary sources.	Not identified in the Socioeconomic Study Area
	Kalash[41]	The Kalash, also known as the Kalasha, are an indigenous ethnic group residing in the remote mountainous valleys of the Chitral District in Khyber Pakhtunkhwa, Pakistan. They are renowned for their distinct cultural heritage, which is markedly different from the predominantly Muslim population of the region. They are located in the valleys of Bubmuret, Rumber, and Birir in Chitral.	Not identified in the Socioeconomic Study Area

[38] Tunio, A. M., Katohar, H. A., & Chandio, J. A. (2023). Role of Marginalized Women in Shaping Environmental Activism in Sindh: A Case Study of Jogi and Bagri Communities. *Qlantic Journal of Social Sciences and Humanities*, *4*(4), 347-353.

[39] Hussain, G. (2021). Historiography of Caste: The Notion of the 'Declassed'Castes in Michel Boivin's 'Sufi Paradigm'. *Contemporary Voice of Dalit*, 2455328X211063069.

[40] RK Sharma (1999), Indian Society, Institutions and Change, ISBN 978-8171566655, page 28

[41] Siddiqui, S. (2023). Kalasha People in Pakistan: A Mountain Indigenous Tribe's Struggles to Protect Identity, Culture, Ancestral Lands, and Survival. In *Indigenous Societies in the Post-colonial World: Responses and Resilience Through Global Perspectives* (pp. 285-299). Singapore: Springer Nature Singapore.

Source	*IPs Groups in Pakistan*	*Description*	*Relevance to Project*
IFAD Country Technical Note on Indigenous Peoples' Issues – Islamic Republic of Pakistan	Baloch of Greater Balochistan	The Baloch, being the largest ethnic group in Balochistan and comprising approximately 40% of the province's population. According to this standard, indigenous peoples are defined by their distinct cultural practices, unique ways of life, and social-political institutions that differ from those of the mainstream society. However, the Baloch do not exhibit these characteristics to the degree required for such classification. Their ways of life, occupations, and social structures are not markedly different from the broader societal norms in Pakistan. Additionally, the Balochi language, spoken by about 55% of the population in Balochistan, further diminishes any claim to linguistic distinctiveness, as it is widely spoken and understood in the region. The lack of these distinguishing features—be it in terms of unique cultural practices, social organization, or language—means that the Baloch do not fulfil the specific criteria outlined by the IFC for IPs, and thus cannot be categorized as such within the context of Balochistan.	IP Definition not applicable
	Bugti Tribe	The tribe is situated at a long distance from the Project and will not be affected by the Project's activities.	Not relevant
	Fishermen of Balochistan	The Project will not use the Gwadar Port for its activities.	Not relevant

5. Conclusions

The following conclusions have been drawn through the screening conduced for IPs:

- Following the UN principles on right of self-determination, all respondents in the socioeconomic surveys were allowed to self-identify as belonging to a unique group, whether that group be an ethnicity, caste, or tribe. 54 such groups were identified in the surveys, but none have met the criteria of Indigenous Peoples (IPs).
- All self-identified groups identified have access to elect representatives in the local government as well as through the Government of Balochistan (GOB). This system has been in place through the British-era period wherein each tribe has legal representation through a *sardar.*[42]
- The other IPs identified in secondary information sources either do not reside within or even near the Study Area nor was their presence observed in the socioeconomic data collected. The Baloch ethnicity itself cannot be classified as IPs as suggested in secondary sources as they form an ethnic majority in the Balochistan Province. The Baloch follow tribal laws which are similar to those followed by tribes in the neighbouring KP province and neighbouring Afghanistan and do not have any unique customary or ancestral links to the natural resources of the area as a result of their tribal practices or customs.
- While no group that fulfils the criterion of IPs was identified, the Baloch can be classified as an "ethnic minority" at the national level which require additional safeguards due to their minority status and history of marginalization.[43] The various tribes of Balochistan have historically been involved in several conflicts and disputes with regards to their representation and legal rights. Many of the Baloch tribes presently feel that the natural resources of Balochistan, including mineral and energy resources, are exploited without any benefit or investment toward the people of Balochistan. RMDC in its stakeholder engagement will ensure that international principles on stakeholder engagement are met and that all groups directly affected by the project will be considered in the Project's decision making and planning.
- RMDC will collaborate with the Government of Balochistan to ensure that the Baloch and other marginalized groups are sufficiently represented in the Project's decision-making process.

[42] A tribal leader appointed by the coillective conseus tribe.

[43] Jamali, H.A. "A Harbor in the Tempest: Megaprojects, Identity, and the Politics of Place in Gwadar, Pakistan." PhD Dissertation, University of Texas, 2014.