

UN FORUM ON MINORITY ISSUES
1st session, 15-16 December 2008, Geneva

Input to Thematic Discussion on Minorities and Access to Education

RECOMMENDATIONS ON DALITS' ACCESS TO EDUCATION

Background information

The UN Forum on Minority Issues was established pursuant to [Human Rights Council resolution 6/15 of 28 September 2007](#) to provide a platform for promoting dialogue and cooperation on issues pertaining to “national or ethnic, religious and linguistic minorities”, and to provide thematic contributions and expertise to the work of the [Independent Expert on Minority Issues](#). The Forum shall identify and analyze best practices, challenges, opportunities and initiatives for the further implementation of the [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#).

More information: <http://www2.ohchr.org/english/bodies/hrcouncil/minority/forum.htm>

The thematic discussion at the Forum's 1st session is about Minorities and Access to Education. For this event, a paper will be prepared in advance by Professor Patrick Thornberry, Expert Member of CERD. The paper will take the form of draft action-oriented recommendations in the area of minorities' access to education, and the discussions in the Forum will focus on those recommendations. For this event, the Secretariat has invited IDS N to compile and submit information and send action-oriented recommendations and language that IDS N would like to see reflected in the paper.

The recommendations on Dalits' access to education draw on relevant sections of previous submissions and UN recommendations, including CERD General Recommendation no. 29; UN Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent; and the Special Rapporteur on the right to education.

Action-oriented recommendations to promote Dalits' access to education

1. Governments should ensure the right to education; quality of education and non discrimination in schools; and take concrete steps to the eradicate the existing prevalence of caste-based discrimination in schools, including stereotypic and demeaning reference; and language still present in text books in many caste affected countries; ensure inclusion of children of affected communities in schools and undertake mass education among the general population regarding the importance of non-discrimination and respect for affected communities.
2. Governments should adopt special measures in favour of descent-based groups and communities in order to ensure their enjoyment of human rights and fundamental freedoms, in particular concerning access to public functions, employment and education.
3. National and local governments should take effective measures to reduce dropout rates and increase enrolment rates among children of affected communities at all levels of public and private schooling, as well as adequate means of physical access to schools for children living in dominant caste neighbourhoods and armed conflict areas.

4. Governments should take all necessary measures to remove obstacles, including child labour, which keep children from regular full time education. Governments should also pay particular attention to the need of providing adequate education to children and adults who are unable to read and write because of lack of formal education.
5. National and local governments should take specific measures to raise awareness both among the public and among government officials, teachers, and media practitioners on discrimination based on work and descent, such as through internal training and public campaigns. Areas of attention should include not only the print and broadcasting media but also alternative avenues of information dissemination, such as local oral information through theatre, songs, etc. as well as information via internet.

CERD General Recommendation no. 29 on descent-based discrimination of 22 August 2002

MEASURES OF A GENERAL NATURE

1. To take steps to identify those descent-based communities under their jurisdiction who suffer from discrimination, especially on the basis of caste and analogous systems of inherited status, and whose existence may be recognized on the basis of various factors including some or all of the following: inability or restricted ability to alter inherited status; socially enforced restrictions on marriage outside the community; private and public segregation, including in housing and education, access to public spaces and places of worship, and public sources of food and water; limitation of freedom to renounce inherited occupations or degrading or hazardous work; subjection to debt bondage; subjection to dehumanizing discourses of pollution or untouchability; and generalized lack of respect for their human dignity and equality.
6. To adopt special measures in favour of descent-based groups and communities in order to ensure their enjoyment of human rights and fundamental freedoms, in particular concerning access to public functions, employment and education.
7. To establish statutory mechanisms, through the strengthening of existing institutions or the creation of specialized institutions, to promote respect for the equal human rights of members of descent-based communities.
8. To educate the general public on the importance of affirmative action programmes to address the situation of victims of descent-based discrimination.
9. To encourage dialogue between members of descent-based communities and members of other social groups.

RIGHT TO EDUCATION

44. To ensure that public and private education systems include children of all communities and do not exclude any children on the basis of descent.
45. To reduce school dropout rates for children of all communities, in particular for children of affected communities with special attention to the situation of girls.
46. To combat discrimination by public or private bodies and any harassment of students who are members of descent-based communities.
47. To take necessary measures in co-operation with civil society to educate the population as a whole in a spirit of non-discrimination and respect for the communities subject to descent-based discrimination.
48. To review all language in textbooks which convey stereotyped or demeaning images, language, names or opinions concerning descent-based communities and replace them by images, language, etc., which convey the message of the inherent dignity of all human beings and their equality in human rights.

UN Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent

EDUCATION

46. National and local governments should take all necessary measures to ensure equal access to free quality primary and secondary education for children from affected communities, as well as equal opportunity to receive tertiary education. Effective special measures should be enacted for affected communities in admissions to public and private higher education institutions.

47. National and local governments should take effective measures to reduce dropout rates and increase enrolment rates among children of affected communities at all levels of public and private schooling, by providing scholarships or other financial subsidies, combating classroom segregation, harassment and discrimination against pupils of affected communities and ensuring non-discriminatory access to such schemes, including through provision of adequate equipment, staffing and quality of teaching in public schools, as well as adequate means of physical access to schools for children living in dominant caste neighbourhoods and armed conflict areas. Governments should take all necessary measures to remove obstacles, including child labour, which keep children from regular full time education. Governments should also pay particular attention to the need of providing adequate education to children and adults who are unable to read and write because of lack of formal education.

48. National and local governments should review and eliminate language in school textbooks that conveys or encourages stereotypical and prejudicial beliefs, attitudes, and actions against members of affected communities and ensure that the content of education and curricula reflect the contributions of affected communities and emphasize the need to eliminate discrimination based on work and descent through, among other things, inclusion of human rights education.

PUBLIC AWARENESS RAISING AND ELIMINATION OF DISCRIMINATORY CUSTOMS

49. National and local governments should take specific measures to raise awareness both among the public and among government officials, teachers, and media practitioners on discrimination based on work and descent, such as through internal training and public campaigns. Areas of attention should include not only the print and broadcasting media but also alternative avenues of information dissemination, such as local oral information through theatre, songs, etc. as well as information via internet.

50. National and local governments should, wherever necessary, review or enact libel, slander, and hate speech laws to explicitly prohibit and punish libellous and slanderous speech or speech inciting discrimination, hatred, or violence based on work and descent.

51. Governments should take special measures to promote due representation in the mass media of affected communities, and carry out sensitization campaigns and awareness raising programme with media representatives. It is recommended that government and other relevant institutions encourage media outlets to profile and publicize abuses faced by descent-affected communities, as well as promoting tolerance and positive examples of combating descent based discrimination.

52. The media, religious, educational and cultural institutions and other parts of civil society, and international organizations should contribute to correcting the spread of negative images of affected communities, and endeavour to build the capacity of those communities, as well as recognize the contributions of affected communities to the development of society.

Special Rapporteur on the right to education, Mr. V. Muñoz Villalobos

IDSN recommendations on Dalit Girls and Education submitted to the Special Rapporteur (August 2005)

GENERAL RECOMMENDATION

Governments should ensure the right to education; quality of education and non discrimination in schools; and take concrete steps to the eradicate the existing prevalence of caste-based discrimination in schools, including stereotypic and demeaning reference; and language still present in text books in many caste affected countries; ensure inclusion of children of affected communities in schools and undertake mass education among the general population regarding the importance of non-discrimination and respect for affected communities.

SPECIFIC RECOMMENDATIONS

Governments should:

- Ensure free, full-time formal quality education for Dalit girls and boys from primary level until completion of elementary level;
- Remove identified barriers to elementary school admission and attendance of Dalit and other caste-discriminated children with a specific focus on girls; including addressing issues of forced and bonded labour, impact of conflict, displacement and migration;
- Reduce school drop-out rates for children of all communities, in particular for children of affected communities, with special attention to the situation of girls;
- Ensure that all working and other out of school children, including Dalit girls and boys, have the right and opportunities to enter and finish formal elementary education through the provision of transitional educational support such as bridging classes and courses;
- Ensure removal of pre-judicial, demeaning content from textbooks and other teaching resources and methodologies and replace it by images, references, names and opinions which convey the message of the inherent dignity of all human beings and their equality of human rights;
- Enact a non-tolerance policy towards caste and gender discrimination practised in schools by students and teachers should be implemented;
- Introduce midday meal schemes and ensure non-discriminatory access. Where meals schemes exist ensure that Dalit children are not denied access to these meals and that Dalit cooks are employed in the preparation of meals;
- Promote human rights education in primary and secondary schools with a particular focus on caste discrimination; ensure special emphasis on social justice and human rights education, including principles of non-discrimination in public and private schools;
- Include a social justice education component in the curricula of tertiary institutions as well as in all teachers training programmes;
- Ensure equal access to early childhood development, eliminate hidden costs and fees for primary schools, and recruit qualified, local Dalit teachers;
- Ensure greater participation by Dalits, in particular Dalit girls and young women, and other outcaste communities in educational institutions after finishing elementary education.

Report (E/CN.4/2006/45): Girls' right to education

E. Girls from communities that experience discrimination

80. The Committee on the Elimination of Racial Discrimination has dwelt on the need for more consistent methods of evaluating discrimination against women, and the disadvantages, obstacles and difficulties they encounter in exercising and enjoying their rights to the full irrespective of race, colour, descent or ethnic or national origin.

81. Those strategies must include reducing dropout rates among girls and combating the harassment of students from communities facing discrimination on account of their descent, since many Governments pay little attention to the structural causes of dropping out or low enrolment in school of girls from ethnic minorities.

82. Communities historically discriminated against include the Dalits, who suffer many forms of exclusion in several Asian and African countries.

83. In one such country literacy levels are lowest among Dalit girls, at 24.4 per cent, compared to the national average of 42.8 per cent for the female population. In the Mushahar Dalit community, barely 9 per cent of women are literate.

84. High illiteracy rates combine with an enduring gender gap and with differences between urban and rural areas, also to the detriment of young and teenage girls. In addition, teachers have been known to declare that Dalit pupils "cannot learn unless they are beaten".

85. Other studies have documented absenteeism, irregular attendance and negligence by teachers, who have in addition used Dalit and Adivasi children to do work for them, corporal punishment and fear of teachers - one reason cited by parents for not sending their children to school.

Link to report: <http://daccessdds.un.org/doc/UNDOC/GEN/G06/106/70/PDF/G0610670.pdf?OpenElement>