

**IDSN input on Dalit women in relation to the 59th session of the UN Commission on the Status of Women
(March 2015):
Beijing Declaration and Platform for Action**

New York (9-20 March 2015)

When the UN Commission on the Status of Women (CSW) convenes to discuss challenges that affect the implementation of the Beijing Declaration and Platform for Action and the achievement of gender equality and the empowerment of women at its 59th session in March 2015, there is an urgent need to address the link between caste and the multiple and intersecting forms of discrimination and violence faced by Dalit women.

Caste-based discrimination affects globally around 260 million people, born as ‘untouchables’ and known as Dalits. Dalit women are placed at the absolute bottom of the social hierarchy – as Dalits, as members of an impoverished underclass, and as women. Although, International human rights mechanisms – [treaty bodies](#), [special procedures mandates](#), the [Universal Periodic Review \(UPR\) Working Group](#) and [High Commissioners for Human Rights](#) have increasingly raised concerns on the intersection of caste and gender discrimination, the links between caste and gender remain largely unaddressed in international fora, and need to be explicitly recognized by the Commission. The link between caste and gender is relevant to all 12 critical areas of concerns. However, the areas of poverty; education; health; violence and power and decision-making will be focused on in this paper.

- [IDSN webpage on Dalit women](#) and [IDSN 'Dalit Women Fight' publication](#)
- [Issues and recommendations from UN institutions on Dalit women](#), IDSN February 2015

Women and poverty

Generally, Dalit women suffer from extreme poverty due to centuries of persistent discrimination and exclusion. Furthermore, Dalit women are born into *modern slavery, dehumanising work, prostitution* and are *prevented from owning land*.

- [Forced and bonded labour](#), resulting in a loss of control over labour conditions and terms of work, is often interlinked with the caste system. Dalit women often work in modern slavery and are used as debt slaves in brick kilns, agriculture and textile industries across South Asia. The majority of young women and girls working under the Sumanghali scheme (a form of modern slavery in the Indian textile industry) are Dalit women and girls (ICN and SOMO [‘Flawed Fabrics’](#) 2014). And, 98% of those forced into the dehumanising work of manual scavenging, removing human waste by hand, are also Dalit women (CEDAW 2007 India, Special Rapporteur on Slavery 2010, Special Rapporteur on Water and Sanitation 2012).
 - Human Rights Watch 2014 [“Cleaning Human Waste: ‘Manual Scavenging,’ Caste, and Discrimination in India”](#))
- Dalit women are also extremely vulnerable to sexual exploitation and are often victims of trafficking and [forced prostitution](#). Dalit women may also be offered into temple prostitution as ‘Devadasis’ (sex slaves) in India (CEDAW 2014, 2000, CERD 2007, CRC 2000, Special Rapporteur on Slavery 2012 and Racism 2011) or be born into prostitution in Nepal due to their caste status (CESCR 2014, 2008, CEDAW 2004, 1999, CRC OP 2012, 2005, CERD 2004, Special Rapporteur on Racism 2011).
- Furthermore, land ownership and the retention of land still remains a key issue for Dalit women across the region due to customs and traditional practices that prevent rural and especially Dalit

women from inheriting land and other property (CEDAW India 2014, Special Rapporteur on Housing 2008). They often face forced evictions from their properties or from their land by dominant castes.

- [Navsarjan Trust, FEDO and IDSN Submission to Discussion on CEDAW General Comment on rural women](#) September 2013

Education and training of women

[Discrimination against Dalits in the educational system](#) is a widespread problem in caste-affected countries. Alienation, social exclusion, and physical abuse transcend all levels of education and illiteracy and drop-out rates among Dalit children are very high (Special Rapporteur on Minority Issues 2014). Legislation on the area is limited, and measures that have been taken are often inadequately implemented. In India, Dalit girls constitute the group most at risk of dropping out of school and being denied an education ([Human Rights Watch 2014](#), [UNICEF 2014](#)). Dalit girls are also at particular risk of child marriage, trafficking and forced conversions. In 2011, CEDAW recommended for Nepal to pay special attention to Dalit girls in education.

Women and health

Caste and gender discrimination in the delivery of health care, water, sanitation and other basic services are also a major obstacle for Dalit women severely impacting on their welfare and opportunities. Again, this discrimination has been documented repeatedly by UN agencies and major international human rights and development NGOs, most recently in the CEDAW review of India 2014.

Women in power and decision-making

Dalit women are often limited from and much disempowered to take part in equal and meaningful [political participation](#) due to the persistence of discriminatory practices and their weak economic, social and political position in caste-affected countries. (CEDAW 2011 Nepal, CESCR 2007 Nepal, CESCR Nepal 2014, CCPR Japan 2014).

Violence against women

[Violence and other crimes against Dalits](#) are widespread and are often committed with impunity. Where special legislation exists to protect Dalits, it severely lacks implementation (CEDAW India 2014, CEDAW 2007 India). Violence and inhuman treatment, such as sexual assault, rape, and naked parading, serve as a social mechanism to maintain Dalit women's subordinate position in society. "National crime statistics indicated that, compared with other caste affiliations, rape was most highly reported among Dalit women." [US State Department 2013 Human Rights Report](#). Caste-based violence, and specifically rape of Dalit women, are among the key themes addressed in the [Human Rights Watch World Report 2015](#) and [Amnesty International 2014/15: State of the World's Human Rights Report](#).

Dalit women human rights defenders face particular risk of gender-based violence and restrictions, regarding their work on the basis of their caste and gender (Special Rapporteur on Human Rights Defenders 2012). Sanctioned impunity on behalf of the offenders and [denial of access to justice](#) is a key problem. Police personnel often neglect or deny Dalit women of their right to seek legal and judicial aid. For example, in India, studies show that the conviction rate for rapes against Dalit women is under 2% compared to a conviction rate of 25% in rape cases against all women in India. Violence against Dalit women has been addressed by; CEDAW India 2014, CEDAW 2011 Nepal, CEDAW 2007 India, CESCR Nepal 2014, CRC-OP-SC Nepal 2012, Special Rapporteur on Violence against Women 2012 and 2014 (visit India + Bangladesh), Special Rapporteur on Racism 2011.

- [AIDMAM \(All India Dalit Mahila Adhikar Manch\)](#) and [Navsarjan Trust](#) 2012 submissions to CSW on Violence against Dalit women
- [IDSN submission to CEDAW on Dalit women's access to justice](#), 2013
- [IDSN Report on June 2014 UN HRC side-event on caste-based violence against women](#)

[IDSN Recommendations to States](#)

IDSN urges all UN Member States to condemn caste-based discrimination as a violation of international human rights law in international fora and to promote and endorse the [draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent](#) as a guiding framework to eliminate caste discrimination and multiple discrimination against Dalit women. It is recommended for States to collect disaggregated data on the situation of Dalit women and for States to take into account the situation of Dalit women in all measures taken to address caste-based discrimination, poverty and access to justice.

IDSN recommendations to the Commission on the Status of Women and UN Women

IDSN urges UN Women and CSW to step up action on caste-based discrimination and violence against women and girls. Actions should be directed at ending sexual abuse, atrocities and other forms of violence against women and girls and the multiple, intersectional forms of discrimination based on caste and gender.

[IDSN recommendations to UN Women and other UN agencies](#)

- A joint initiative led by the OHCHR and UN Women to address and campaign for ending caste-based violence against women with a specific and time-bound action plan involving multiple stakeholders such as UN agencies and UN human rights mechanisms, including Special Procedures Mandate Holders
- A regional South Asia study on the multiple forms of discrimination and violence against caste-affected women
- A specific and time-bound action plan to address caste-based discrimination and violence against Dalit women, including at country level.

Post-2015 development agenda

One clear cut challenge greatly affecting the implementation and achievement of gender equality and the empowerment of women is caste-based discrimination. IDSN therefore recommends that issues related to the intersection of caste and gender discrimination be included in the post-2015 development agenda. The original MDGs failed to pay sufficient attention to the issue of inequality - including caste discrimination. However, the report from the Global Consultation on Inequalities recognised caste discrimination as a source of inequality. IDSN recommends that the intersection between caste and gender discrimination is explicitly addressed as a major structural factor underlying poverty, and as a root cause of structural inequalities in the post-2015 development framework.

- [IDSN input to and recommendations on the post-2015 development agenda](#)

Regional 20-year review process – removal of caste from draft ministerial declaration

It is noted with deep regret that the United Nations *Economic and Social Commission for Asia and the Pacific (ESCAP)* in November 2014, at its Beijing+20 Review, had the word 'caste' removed from the draft Asian and Pacific ministerial declaration on advancing gender equality and women's empowerment - from a paragraph which referred to discrimination faced by women ([The Hindu](#) 20 Nov, [Indian Express](#) 21 Nov and [The Hindu](#) 19 Nov 2014). IDSN calls on the commission to address this blatant and deliberate denial of caste as a factor of gender inequality.

Please find an overview of all references to caste-based discrimination by UN treaty bodies, UN special procedures mandates and the Universal Periodic Review (UPR) Working Group

- [IDSN Compilation of UN references to caste-based discrimination](#), February 2015