Opened by a statement from the UN Special Rapporteur on contemporary forms of slavery, Urmila Bhoola, the event highlighted the strong links between caste and slavery and uncovered recommendations for ways forward both within the United Nations framework and beyond.

“Successful fight against stigmatisation and deeply entrenched discrimination necessitates the involvement of all, which is only possible by means of broad awareness raising, increased social consciousness and denouncing of continued discrimination based on caste, gender and other factors that undermine human dignity and violate human rights. Events such as this one are an important part of it.”

Urmila Bhoola, UN Special Rapporteur on contemporary forms of slavery

Coen Kompier, Senior Specialist in international labour standards from the International Labour Organisation (ILO) offered insight into the realities of Dalits working in forced and bonded labour and the many challenges to their successful rehabilitation. He warned that the UN and the ILO need to do more to support Dalits in their struggle and also need to diversify internally when hiring new staff. Mr. Kompier also raised a sharp critique of the global negligence in addressing caste discrimination.

“Caste-based discrimination is globally the most neglected form of discrimination, which seems to be accepted by countries and the UN through a lenient approach of cultural relativism instead of a firm stand against a most devious way of discrimination.”

Coen Kompier, Senior Specialist, ILO

Laura Dolci-Kanaan, Secretary of the Humanitarian Funds (for Victims of Torture and Victims of Slavery), Office of the High Commissioner for Human Rights (OHCHR), moderated the event and echoed the concerns of Coen Kompier that despite rehabilitation efforts, if the underlying stigmatization and discrimination is not addressed, Dalits will be forced to relapse into these inhumane labour conditions.

Speakers working directly with the issues on the ground in South Asia included Manjula Pradeep (India), Durga Sob (Nepal) and a statement read out from Zulfiqar Shah (Pakistan). These speakers gave examples of the intersection of caste and gender in forced prostitution, manual scavenging, work in construction and textile industries and agricultural work including the Haliya practice in Nepal. Meena Varma, of the Dalit Solidarity Network in the UK also spoke of how to create change through multi-stakeholder initiatives and about Dalit girls working in forced labour under the Sumangali scheme in India’s textile industry.

All speakers called for more action by the UN and highlighted the need for comprehensive research and a multidimensional approach to address the lack of implementation of legislation and policies; they further recommended endorsement by the States of the UN Draft Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent.
Ms. Dolci-Kanaan opened and moderated the event. Ms. Dolci-Kanaan stated the strong engagement of the OHCHR with the issue of caste discrimination also where it intersects with gender and slavery. She stated that the event was a part of a tradition of the OHCHR and IDSN to take up this issue on a yearly basis at side-events such as this.

Ms. Dolci-Kanaan explained the engagement of the UN fund for contemporary forms of slavery with the issue of caste discrimination saying also that Jan Sahas, an Indian organization working on this issue, who was prevented from being present on this day, was funded partly through this fund and that the office also had a Dalit woman fellow, Vibhawari Kamble working with them. She noted that there has been an increased focus on caste discrimination through the UN human rights mechanisms and that it is important to explore opportunities to further link this work up within the UN and in the caste-affected countries. Ms. Dolci-Kanaan also summed up the panel speaking of the severe lack of implementation of legislation, norms and framework and the challenges involved in addressing this.

“Caste atrocities, heritages, the transgenerational transmission of abuses and violations are still widespread. The emphasis is on prevention, but there is still a gap in focus on relief and rehabilitation and how to integrate those affected into society. The human rights based approach is very important”

Ms. Bhoola spoke via a video statement recorded for the event. The Special Rapporteur referred to the increased vulnerability to contemporary forms of slavery of people belonging to lower castes being exacerbated by intersecting gender discrimination to create a “vortex of continuing economic disadvantage, and political disempowerment”. She described her mandates reports of caste-based slavery in Niger, Madagascar, Mauritania and South Asia.

“The intersection between caste and poverty in South Asia for example, has created a dark heritage of poverty for the children enslaved in bonded labour, serfdom and forced labour to pay off intergenerational debts,” she stated.

The Special Rapporteur mentioned the Commemoration of the 90th anniversary of the Slavery Convention and the 60th of the Supplementary Convention, taking place in 2016, as an incentive to strengthen efforts to guarantee that caste-affected communities fully enjoy their human right not to be subjected to slavery.

She explained the importance of the work of all UN mechanisms including the Special Procedures mandate holders in supporting caste-affected communities. She also highlighted the crucial role played by civil society in supporting victims and submitting input to UN mechanisms, acknowledging the increasing number of recommendations and statements on caste discrimination brought up within the UN system.

“There, however, still is a need for greater linkages in addressing contemporary forms of slavery within the UN system as a whole, including by the members of the UN country teams working with the affected communities on the ground, and beyond it,” she stated, adding specific recommendations.
Six key recommendations from the UN Special Rapporteur on contemporary forms of slavery

- Effective and broad partnerships and targeted advocacy based on comprehensive research and reliable data aimed at addressing the root causes of contemporary slavery, such as poverty, social exclusion and discrimination.
- A multi-dimensional approach, including legal, policy and institutional measures to combat discrimination of caste-affected communities, deeply entrenched social prejudices, value systems, customs and beliefs, developed with the active involvement of those concerned.
- Securing rehabilitation and economic and social empowerment of those belonging to so called lower castes, and removing barriers to their effective access to justice and meaningful participation in decision-making processes.
- Effective implementation of the existing laws, policies and programmes aimed at guaranteeing human rights and ensuring de facto equality of those affected by caste-based discrimination and allocation of adequate resources, with the support of the international community and donor agencies, if needed, to tackle it effectively.
- Adopting a human rights-based approach in the development programmes, taking into account the specific needs of those most vulnerable to slavery and slavery-like practices, including those belonging to so called lower castes.
- Endorsement and implementation by the States of the UN Draft Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent.

Coen Kompier, Senior Specialist in international labour standards, ILO

Mr. Kompier made a two-tiered presentation. First on the work of the ILO in relation to caste-based forced and bonded labour and secondly covering the work of NGO Jan Sahas with the eradication of manual scavenging, as Ashif Shaikh who was meant to present on this was unable to attend. Mr. Kompier also presented a short video on the issue, made by the ILO.

Mr. Kompier raised a sharp critique over the way in which the issue of caste discrimination was neglected at the global level.

“Caste-based discrimination is globally the most neglected form of discrimination, which seems to be accepted by countries and the UN through a lenient approach of cultural relativism instead of a firm stand against a most devious way of discrimination,” said Mr. Kompier.

Mr. Kompier, who has been working with the ILO in India for 15 years explained that till now ILO member States did not allow the ILO to work on identification of bonded labour. Last year, the ILO adopted a new Protocol on Forced Labour, which allows the Office to engage in trafficking and forced labour identification, release and rehabilitation.

Thus far, the ILO has mainly been working on prevention of bondage, through rights awareness and the provision of alternative credit, he explained, adding that the collusion between employers and State enforcement officials, often forged based on caste, meant that the measures turned out to be futile. He briefed participants on ILO time-motion studies on work in brick kilns finding that labourers worked far below the minimum wage and women were often unpaid. He explained that the ILO is now looking into the facilitation of decent work conditions as a general approach to fight bondage. Pilot projects, based on the
Matahadi Board system, are being conducted to show whether the establishment of tripartite boards in certain sectors can bring about better labour conditions.

In relation to caste and gender, the ILO has just completed two handbooks on manual scavenging, explaining how to use new legislation, rules, and rehabilitation which aim at the total eradication of this practice of removal of human excreta by hand, he explained. Adding that, the ILO is about to complete a study on ‘devadasi’, forced temple prostitution or sanctioned caste-based rape of young Dalit girls. The study will show that many more women are still being ‘pledged’ to temples than is currently perceived, the number touches 100,000 girls.

Participants heard that the ILO is also pushing for trade union comments to officially target the ‘Sumangali’ scheme, a recruitment system of Dalit girls in spinning mills in Tamil Nadu.

He also said that the ILO in South Asia will continue surveys and studies on caste discrimination and would be happy to expand studies regarding manual scavenging or devadasi-like systems, such as Badi in Nepal, towards other countries in the sub-region, ideally together with other members of the UN family.

In a critique of the UN and ILO engagement in India, Mr. Kompier commented that almost all UN and ILO staff in India are from dominant castes and that the ILO and the UN in India need to diversify their staff. Mr. Kompier also urged the Human Rights Council to take specific action.

“At international level, it is recommended to member States to complete the work on the UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent, which were prepared by Professors Yokota and Chung in 2007. Once adopted, justification for international action against caste-based discrimination would be more forcefully justified,” Mr. Kompier said.

For the second part of his presentation Mr. Kompier focused on the work of the grassroots organisation Jan Sahas in India – to eradicate manual scavenging. He applauded Jan Sahas for their approach where they target the whole community, both Dalit manual scavengers and all other community members to make them aware that the practice of manual scavenging and discrimination on the basis of caste are illegal.

He explained that, Jan Sahas have had great success with creating local level associations led and carried out by manual scavengers themselves, as well as Dalit lawyers groups, well connected to the communities. Here Dalit women and girls are coming together to push for change. Jan Sahas also spread national awareness through marches and advocacy – much of it carried out by Dalit women.

Mr. Kompier also explained that Jan Sahas played a role in engaging the UN India Country team in focusing on manual scavenging and caste in India.
Manjula Pradeep, Director of Navsarjan Trust, India

Ms. Pradeep briefed participants on the issues of manual scavenging and forced prostitution, two specific examples of inhumane forms of labour forced on Dalit women and girls due to intersecting caste and gender discrimination. Ms. Pradeep explained that approximately 1.3 million Dalits in India were engaged in manual scavenging, the removal of human waste from dry latrines by hand and tools such as a broom and basket. While there were no reliable figures on the amount of Dalit women and girls kept in Devadasi temple prostitution or other forms of caste-based prostitution in India and Nepal, this was a widespread problem, she said.

These practices not only affect the women engaged in them but also their children, Ms. Pradeep said. The children are often stigmatised and discriminated against in their villages and in schools where they may be made to sit and eat separately from the other children, are not properly taught and may be forced to clean the school toilets and sweep the school due to their caste, she said. Ms. Pradeep called for a cross-regional study to take stock of the situation and bring recommendations.

“It is high time that a cross regional study is undertaken focusing on not only the issues but the intersectionality which brings out key challenges, factors and recommendations to be placed to the state parties to eliminate these kinds of inhumane practices based on structural inequality and historical rootedness affecting the lives of millions of people in caste affected countries of South Asia,”

She also outlined some key features specific to those forced into this work:

- They live in segregated poor housing without access to basic amenities.
- They face a lot of stigma due to their identities and are excluded and discriminated.
- They do not have any social security or any protective mechanisms.
- They are forced to do this work in hazardous conditions which result in physical ailments.
- Their life expectancy is much lower than others.
- Restricted mobility due to a lack of opportunities for education and employment and stigma.
- They face violence and discriminatory treatment if they deny doing this work.

Ms. Pradeep also outlined features specific to women forced into manual scavenging including that they face sexual harassment at the work place, they are forced to work even when they are pregnant and lactating mothers and the majority of them are malnourished. She also said that features specific to women who are forced into temple prostitution are that they are rejected by their own families or communities and often live in isolation and their children may inherit diseases such as HIV/AIDS from them.
Ms. Sob spoke of her organisation’s work with women engaged in bonded labour in the form of the Haliya practice in Nepal. Despite being outlawed over 60,000 people are still engaged in this form of labour in Nepal, most of them Dalits, participants heard. Haliya workers take loans from landlords and in turn work in the landlords’ fields to repay the loan, with no transparent repayment plan and very high interest rates. Often the workers’ children inherit the debt. Wives and children of the Haliya workers are made to work for free in the fields and clean the landlords’ property, Ms. Sob explained. The work by the whole family only serves to pay off the interest rates meaning that the family is trapped in debt bondage. Haliya women need to perform hard work without wages and face physical and sexual exploitation and violence by landlords. They are denied proper access to education, health services, economic opportunities, and political participation, she said.

Ms. Sob issued a number of recommendations for a way forward to end the Haliya practice:

- Involve Haliya women in the movement to free and rehabilitate Haliya workers.
- Nationwide movement for reservations to ensure the political, economic and social/cultural rights of the Dalit community in Nepal including Haliya, particularly vulnerable groups of Dalits and Dalit women.
- Institutionalize the inclusion of these issues at local, district and central level in different political parties, state mechanisms, civil society organizations (CSOs), and ensure the equitable participation of Dalits.
- State focus on the implementation and enforcement of legislation, policies, and guaranteed rights of the Haliya community.
- Engage in dialogues and sharing with the international community.
- There should be adequate allocation of resources to undertake activities and campaigns against the Haliya practice.
- Free education for Haliya children.
- Prioritize and guarantee the security of Haliya women.

Following protests against the Haliya System by Dalit and Haliya movements, the Government of Nepal declared the Haliya to be free in 2008 and launched a five point agreement on Haliya liberation. However, these points have not been properly implemented, said Ms. Sob and a lack of knowledge of state legislation and self-confidence makes it extremely difficult for these women and men to change their circumstances. Freed Haliyas often face insurmountable challenges due to poverty, discrimination and the lack of proper rehabilitation measures and end up having to return to their landlords, and are then often treated worse than before due to their dissent, Ms. Sob told participants.
Zulfiqar Shah, Pakistan Dalit Solidarity Network (PDSN) (statement read out)

As Zulfiqar Shah was not able to attend the event at the last minute, his statement, on caste and gender based forced and bonded labour in Pakistan, was read out by IDSN Executive Director, Rikke Nöhrlind.

“There is a clear link between bondage and caste in the case of Pakistan. The majority of bonded labourers are located in the agricultural sector mainly in rural Sindh and in brick kilns throughout Punjab, More than 90% of those released from bondage during the last ten years through court orders in Sindh were from the scheduled castes.” read Mr. Shah’s statement.

Mr. Shah pointed out that scheduled castes (Dalits) are already weak and socially excluded due to discrimination, which makes them easy targets of exploitation. They are the poorest of the poor, the marginalized within marginalized, and they are victims of dual discrimination and isolation as non-Muslims in a Muslim country and as low castes, he stated. Violations against them are often not brought to justice and awareness of their rights and legislative frameworks is generally weak.

Mr. Shah offered recommendations on ways to combat caste-based bonded labour in Pakistan

- UN Special Rapporteur on Contemporary Forms of Slavery may consider visiting Pakistan on priority preferably on an official visit. Alternatively, through an invitation from NGOs.
- UN Special Rapporteurs may consider a joint statement as bonded labour is linked to the mandate of other rapporteurs as well.
- ILO, which has been providing technical support to Pakistan to end the practice of bonded and forced labour is recommended to evaluate the impact of its previous programmes.
- There is a need to follow up on UPR recommendations.
- Both international and national NGOs may seek more understanding of the issues as their reports to treaty bodies did not reflect the ground situation of linkage between caste and bondage resulting in no or weak observations from relevant committees.
- Donor agencies must incorporate the issue of caste discrimination and bondage in their respective country programmes.
- EU in its review report on GSP+ (expected to be presented to the European Parliament in January 2016) must highlight the issues of bondage and caste discrimination with clear demands for anti-discrimination laws to the government of Pakistan.
- Pakistan government may consider establishment of high-level task force of experts to look into the issue and come up with a set of time bound actions to end caste discrimination and bonded labour.
- Pakistan government must coordinate and ensure that all of its states have special anti-bonded labour laws (e.g. Sindh has no anti-bonded labour law at the moment).
Mr. Shah’s statement also described how the Bonded Labour System (Abolition) Act in 1992 declared bonded labour outlawed and provided fines and imprisonments for violators. However, he states, there is weak or no implementation of the law and that from 1992 to 2010, not a single person was prosecuted and imprisoned despite the fact that thousands of bonded labourers were released through court orders.

The National Policy and Plan of Action 2001, a time bond plan that also created a Rs. 100 million fund for the release and rehabilitation of bonded labourers, was also not implemented and all dates set out in the plan expired without any concrete results achieved or outlined actions taken, the statement read.

These failures continue despite the fact that Pakistan has been granted EU’s GSP+ status in 2014, which requires Pakistan to bring bonded labour and caste discrimination to an end as the incentive scheme is binding to the effective implementation of 27 conventions including core Human Rights and Labour Conventions.

Despite failing on implementation of national legislation Mr. Shah also pointed out that the state has failed in bringing in any fundamental changes in the economy or landholding, or to bring in a comprehensive labour policy to protect labour from exploitation. There is a lack of understanding of the linkage between caste and bondage, he stated, and no serious attention is paid to these concerns by the international community.

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**Meena Varma, Director, Dalit Solidarity Network - United Kingdom**

Ms. Varma’s statement focused on how to create change through effective multi stakeholder initiatives to help end caste-based forced and bonded labour. She described how being a member of the ETI UK has enabled the DSN-UK to engage with the corporate sector to push for change. She also gave specific examples such as the Sumangali practice where young girls, predominantly Dalits, are trapped into working in South India’s cotton spinning mills under appalling working conditions amounting to forced labour. She stated that Dalits consistently and continuously suffer from violations of the ETI’s base code, that companies sign up to.

“Dalits don’t just suffer from discrimination on the basis of caste in every aspect of their life - they will also suffer from a violation of international labour standards,” Ms. Varma stated.

These violations include that their employment is rarely freely chosen and working conditions are unsafe and unhygienic. Freedom of association is forbidden and minimum wages let alone living wages are rarely paid. Working hours are excessive and discrimination on the basis of caste and gender is routinely practiced. Ms. Varma also said that Dalit children are likely to make up a large majority of children in India forced into child labour.

Ms. Varma also addressed the advantages to companies in diversifying their workforce to include Dalits at all levels including in leadership and management roles. However, she stated companies were complacent and often unaware of the realities within their South Asian supply chains.

“Dalits are the elephant in the room for most companies. People may tell me their call centres, their factories, their supply chains don’t discriminate against Dalits, but they don’t actually know because they’re not asking the right questions of the people that manage their suppliers and subsidiaries.”
In relation to the Sumangali scheme Ms. Varma told participants about the recently held National Consultation in Delhi - To End All Forms of Forced Labour in the Garment Sector, a joint initiative involving Rights Education and Development (READ) and the Dalit Solidarity Network UK and supported by the National Campaign for Dalit Human Rights (NCDHR).

The consultation included presentations by experts, real life experiences by victims, legal issues and remedies with a focus on women and discrimination. More than 90 people attended the consultation with representation from local, national and international NGOs and Trade Unions. International brands also participated and engaged with the process, Ms. Varma recounted.

An action plan was formulated out of the Sumangali consultation including these recommendations:

- Manufacturers, buying companies, trade unions, local and international civil society organisations, governments and others – need to acknowledge the persistent problems.
- Governments have a duty to protect against human rights abuses by third parties, including business enterprises, through appropriate policies, regulation, and adjudication.
- Business through their mills and factories should apply best practice guidelines for ethical recruitment and retention of workforce.
- Young women and girls rescued from the mills should be equipped with livelihood/skills training for other employment opportunities and for life outside the hostel and mill environment and/or reintegrated with families and guaranteed the right to education.
- UN special mandate holders must take note of the abuses endured by these girls ranging from extreme poverty to a lack of housing to sexual violence, freedom of association, and slavery.
- It is the responsibility of international institutions, industry, government and community to drive real and sustainable change for workers in this sector in particular and for Dalits across South Asia.

“Change will only happen when we work together to a common cause and after all the excellent presentations here today I think we can agree that this is a common cause for the greater good,” stated Ms. Varma.

Tanja Makovec Petrik of the Permanent Mission of Slovenia to the United Nations, spoke from the floor

“We place the rights of women and children high on the agenda. I was personally disturbed to hear what is going on in certain areas. It is hard to listen to what people are going through and what is being done to them, such as forced prostitution and manual scavenging. You have our support in addressing these issues and in trying to eliminate them,” Ms. Petrik stated, thanking the organisers for bringing these important issues to light.
John Fisher, Geneva Advocacy Director, Human Rights Watch, spoke from the floor

Mr. Fisher urged that the Draft UN Principles and Guidelines on Discrimination Based on Work and Descent be adopted and engaged with to a much greater extent.

He said that Human Rights Watch were honoured to co-sponsor this important side-event and that the rights violations were so blatant and clear. He added that he was happy to hear the comments of the Permanent Mission to the UN of Slovenia but that greater support from more states was needed.

“Human Rights Watch are committed to engaging with the issue of caste discrimination and would be happy to see more coordinated engagement through the Special Procedures and the UPR reviews, and perhaps a joint statement and panel discussion within the framework of the Human Rights Council,” Mr. Fisher said.

A participant asked the panel how the Government of India related to the issue of caste, gender and forced and bonded labour to which Coen Kompier, ILO, responded saying,

“This Government is very pro-business and the protection of workers is declining. They are going through labour reforms including, as it stands now, a blanket prohibition on the right to strike in these reforms. The Government has slashed the education budget by 25% and slashed the health budgets and welfare employment scheme. All those who are marginalized are becoming more disadvantaged,” Mr. Kompier stated.

Laura Dolci-Kanaan concluded the panel

Ms. Dolci-Kanaan thanked all the panelists and expressed the need for a deeper engagement of all actors with this issue. She also congratulated IDSN for bringing this issue to the attention of the UN again and again and thereby ensuring that focus on this is not lost.

Participants present at the side-event included

- Permanent Missions to the UN present at the side-event were Denmark, Germany, India, Canada and Slovenia.
- There were eight staff present from the Office of the High Commissioner for Human Rights
- There were numerous INGO representatives among the participants including, but not limited to, the co-sponsoring organisations.
Caste and Forced & Bonded Labour resource links

Resources from IDSN
IDSN note for the side-event on Caste, Gender and Forced & Bonded Labour including cases and quotes
IDSN overview of recommendations from UN institutions on Dalit women and IDSN overview of recommendations from UN institutions on caste and forced & bonded labour

Key Reports
Flawed Fabrics: The abuse of girls and women workers in the South Indian textile industry, Centre for Research on Multinational Corporations & India Committee of the Netherlands, 2014
India’s Childhood in the "Pits", Dhaatri Resource Centre for Women and Children - Samata, HAQ: Centre for Child Rights, March 2010
Tainted Carpets: Slavery and Child Labor in India’s Hand-Made Carpet Sector, Harvard University, 2014
Diversity in the workforce: why it is good for business, (2015) Ashwini Deshpande, Professor of Economics
The Haratin in Mauritania – Minority Rights Group briefing (2013)
“Bonded Labor: Tackling the System of Slavery in South Asia” Siddharth Kara, Harvard University, 2012
Rock Bottom: Modern Slavery and Child Labour in South Indian Granite Quarries, Stop Child Labour (SCL) and India Committee of the Netherlands (ICN) May 2015
Forced and Bonded Labour in Nepal (Anti-Slavery International, 2009, Publication)
Bonded Labour in Pakistan – An overview, ILO, 2001

Videos & photos on caste-based forced and bonded labour
In pictures: India’s ‘untouchable’ scavengers (BBC)
New documentary on caste-based prostitution in India (Trailer)
Slavery’s last stronghold – CNN Documentary on caste-based slavery in Mauritania (CNN, 2012, Report)
On the trail of human trafficking: forced labor in Nepal (CNN)
Caste System Traps Nepal’s ‘Hereditary Prostitutes’ (2010, Video)
End the Practice of Manual Scavenging (Community Photo Project, PhotoVoice, 2009)