

INDIA

A Dalit college student fell in love with a woman from a different caste and ended up dead in a well, [body parts chopped up](#) and his parents murdered.ⁱ The goat of a young Dalit boy wandered into the field of a dominant caste man and the boy was [burnt alive](#).ⁱⁱ A Dalit girl was [gang-raped](#) and subsequently refused admission to hospital.ⁱⁱⁱ Two Dalit men tried to break out of slavery had their [hands chopped off](#) with an axe.^{iv} An 8-year old Dalit boy enjoyed sweets offered by the local temple and the [priest smashed the boys head](#) into a pillar until it bled.^v

Killing in the name of inter-caste love, in the name of caste boundaries, in the name of caste domination, or just because you can get away with it. Whichever form it has taken, in 2014, India has witnessed an upsurge in reporting on caste-based atrocities and killings.

The types of crimes and the manner with which they have been dealt has served to underscore the need for demanding implementation of legislation and amendments, as well as to continue focusing on the deploring conditions for Dalit women and children, and the widespread caste-based slavery in India.

Therefore, much of the work of IDSN's members and associates in India as well as the IDSN secretariat has revolved around these themes. The National Campaign on Dalit Human Rights and a broader coalition have also spearheaded anti-poverty initiatives including through calling for transparency and full implementation of programmes with special budgets for Dalits and indigenous people.

The cases mentioned here are just the tip of the 2014 caste atrocity iceberg, underpinned by extreme brutality, and a lack of protection and justice for the victims. Most frightening, is the seemingly direct correlation between Dalit rights assertions, and the escalation of violent retaliation against them, as well a rapidly shrinking space for parts of civil society, in particular human rights defenders. Most uplifting, is the spirit with which Dalits in India continue to fight for their rights, undeterred by the threat of increasingly brutal consequences.

Dalits fight, despite brutal retaliation

It is a testament to the determination of the Dalit human rights defenders, that these attacks are not successful in crippling their resistance.

In 2014, Dalits in India have marched, protested, launched petitions, held countless meetings with officials, and engaged with video documentation and social media campaigns. Dalit human rights defenders have fearlessly fought for cases of atrocities against Dalits to be brought to justice. Some facing [torture](#) and false accusations as a result.^{vi}

Adding insult to injury IDSN members and associates also persistently report on the shrinking pace for civil society in India and the harassment of Dalit human rights defenders, including through the police filing false charges against them. This was painfully illustrated when five police officers in Tamil Nadu [brutally tortured a Dalit human rights defender](#).^{vii}

“I will raise my voice against any injustice even at the expense of my own life” Manisha Devi, a young Dalit activist who has been a leading figure in two month-long [marches for Dalit women’s rights](#).^{viii}

Failure of justice leaving millions with no rights protection

The enduring failure of justice when it comes to protecting the rights of India’s 200 million Dalits is a key obstacle to ending caste discrimination and the structural hierarchies underpinning an entrenched discriminatory mind-set.

A number of reports have been issued in 2014 on the failure of the administration of justice to protect Dalits in India. Two [comprehensive reports](#) on caste discrimination in the justice system in India find serious obstacles to Dalits obtaining justice.^{ix} One example is the dismal conviction rate of 2% in cases where rape victims are Dalits – in comparison to a national conviction rate for rape of 25%. Another example is the reply of an Indian court judge to a gang-raped Dalit woman, upon seeing a mobile phone video of the rape. He said, “Great, now you have proof that you enjoyed yourself.”

At the state-level, it was reported that in Haryana crimes against Dalits rose 245% in the last decade, that Bihar has seen [a sharp rise](#)^x in atrocities against Dalits and that atrocities against Dalits were also rampant in [Uttar Pradesh](#)^{xi} and Madhya Pradesh.

Analysis in 2014 also showed that [60%](#) of money in India budgeted for Dalits and Adivasis (Tribals), has been diverted to other unrelated budget posts.^{xii}

Pushing for implementation and amendments of legislation

Much of the work on Dalit rights in 2014, including IDSN member the National Campaign on Dalit Human Rights (NCDHR), has been on pushing for the implementation of existing legislation, bringing amendments to the ‘Scheduled Castes and Tribes (Prevention of Atrocities) Act’ (SC/ST Act) and holding the Government accountable for the large scale diversion of funds meant for Dalits and Adivasis.

“If one uses common sense, the current Prevention of Atrocities Act is stringent and misused. But the government statistics and everyday incidents of brutal and subtle violence against Dalits and Adivasis prove that the Act is simply not working. Perpetrators use ambiguities and loopholes in the Act to evade punishment. An insensitive judiciary and police contribute in their own way to work around the Act.” Ramesh Nathan, general convener of the National Coalition for Strengthening of SC/ST PoA Act

Organisations defending the rights of Dalits and Adivasis across India have joined forces in the National level Campaign for Strengthening the SC/ST Act (NCSPA) and National Coalition on SCP-TSP Legislation (NACSTL) on budgets, to put political pressure on the Government to uphold the country’s legislation. The coalitions held high-level meetings with Government ministers and have received reassurances that the amendment bills would be passed and accountability improved, but as yet this has not been made official.

To further address the roadblocks for implementation of these acts the legal wing of the NDCHR called NDMJ designed two key interventions in 2014; one is to strengthen the justice delivery process at the special court level through an innovative model of Legal Clinics piloted in five special courts, and launching an [Atrocity Tracking and Monitoring System](#).^{xiii}

IDSN have monitored these developments and promoted news and press releases from the coalitions throughout the year as well as taken up the issue with relevant contacts at the UN and EU level.

Other action in India in respect to legislation included an important Supreme Court verdict ordering the full implementation of the act banning the practice of manual scavenging, and the Minister of Social Justice and Empowerment stated commitment to monitor the implementation of the act.

In 2014, justice also fell dangerously short where Dalit women were concerned. Speaking to a global audience earlier this year Asha Kowtal, Leader of the Dalit Women's movement AIDMAM, a part of the National Campaign on Dalit Human Rights stressed the need for global support.

“Systems of justice meant to protect Dalit women at the national level are completely failing us. We are asking for immediate loud and clear global support in our struggle.” Asha Kowtal, General Secretary of the National Dalit Women's movement AIDMAM

AIDMAM in fact staged two important month long [marches for Dalit women's rights](#) in 2014.^{xiv} The marches brought together women activists who visited victims of atrocities and held local police and justice systems accountable, demanding that the women's cases be taken up and given justice. AIDMAM also launched a social media campaign in connection with the marches and American Dalit woman filmmaker Thenmozhi Soundararajan documented the march on camera, in order to later produce a documentary.

IDSN supported and promoted the marches, and also helped organize that AIDMAM General Secretary, Asha Kowtal and Thenmozhi Soundararajan came to Europe and reported back on the marches and the situation for Dalit women, in key European countries and in collaboration with IDSN's European Dalit Solidarity Networks. IDSN furthermore supported the social media campaign and included quotes and materials from the march in the 2014 IDSN publication '[Dalit Women Fight!](#)'.^{xv}

Many other initiatives to support Dalit women in claiming their rights were also launched in India in 2014.

Dalit women particularly at risk

In June 2014, the UN Women policy director, Saraswathi Menon, spoke out passionately against caste discrimination urging the UN to do more to help protect Dalit women and hold Governments accountable.

In the Committee on the Elimination of Discrimination against Women (CEDAW) 2014 review of India, the Committee noted that Dalit women and the lack of implementation of laws were matters of serious concern.

The fact that [Dalit women](#) are easy prey with little or no protection and the escalation of retaliation attacks against Dalits in 2014, also means that Dalit women are increasingly vulnerable.^{xvi} They often face multi-dimensional poverty and multiple discrimination. Rape and violence against them is often used to oppress communities who dare to challenge the caste hierarchy.

“There is no dearth of evidence to show that Dalit women elected representatives face severe barriers as they perform the role of leaders in governance ... the SC/ST PoA Act is not implemented effectively. Culprits in serious cases like rape and murder are not punished. Caste abuses, stripping and parading of Dalit women in India is not rare,” Justice K.G. Balakrishnan, Indian National Human Rights Commission, CEDAW 2014 review of India.

The 2014 report on India by the UN Special Rapporteur on Violence against women, Rashida Manjoo, finds that redress for Dalit women victims of violence is very limited and that multiple discrimination is a significant barrier to access to services stating that,

“Numerous allegations were made of de facto caste-based discrimination, perpetrated by police officers, public representatives and community members, with regard to access to services.”

The report also highlights that Dalit women engage in dangerous and unprotected work such as manual scavenging.

“While legislation has been adopted to eradicate bonded labour and manual scavenging, reports and interlocutors indicate that there is a consistent failure in the implementation of such laws and a tendency to minimize the significance of the problem.” UN Special Rapporteur on Violence against women, Rashida Manjoo, 2014 report on India.

Caste, violence and inequality fuelling slavery and child labour

Dalit women were also central to the struggle to end the degrading modern slavery practice of manual scavenging. In 2014, Human Rights Watch published the extensive report “[Cleaning Human Waste: Manual Scavenging, Caste, and Discrimination in India](#),” presenting evidence for manual scavenging as a form of modern slavery and holding government and state-level administration accountable to a lack of implementation of the manual scavenging act.^{xvii}

The UN India cross agency task team on Scheduled Castes and Scheduled Tribes also released a report on the need for rehabilitation of manual scavengers who had left the practice and were excluded from other work.

The [Global Slavery Index 2014](#), released by the Walk Free Foundation, singles out India as the country in the world with the most slaves and sees caste at the root of slavery in India.^{xviii}

IDSN members and associates have focused in 2014 on combatting caste-based modern slavery, including caste-based prostitution, bonded labour in the agriculture sector, manual scavenging

and caste-based modern slavery in the mining, garment, carpet weaving and construction industries. However, as long as ingrained discrimination and stigma continue to be the cause of extreme poverty and lack of opportunities for Dalit families, finding alternative routes for Dalits to engage in, such as education or other employment, is proving difficult to sustain.

“Traditional caste rules mandate forced labour from certain communities. Caste is one of the foundations of the bonded labour system and remains a key feature of bondage even in non-agricultural industries today. The lack of access to their own land, combined with this expectation to perform free labour and the threat of violence and economic boycott against those who challenge their expected social roles, keeps many Dalit families in bondage and a perpetual state of poverty.” [India Exclusion Report 2014](#)^{xxix}

Beyond exclusion and the lack of alternatives, intimidation and threats of violence are key in maintaining caste-based slavery. An example of this was when two Dalit men who tried to break out of working in an Indian brick kiln had their [hands chopped off](#) with an axe by their captors.^{xx}

[Child labour and caste](#) unfortunately also continue to go hand in hand in India.^{xxi} In connection with the 2014 Nobel Peace Prize being awarded to one of India’s chief campaigners against child labour, Mr. Kailash Satyarthi, this issue has again been raised in global media and in expert statements.

In the article [‘Poverty and caste fueling child labour in South Asia’](#), in connection with Mr. Satyarthi’s Nobel peace prize win, Harvard child labour expert, Siddharth Kara, comments that caste is a key factor underlying child labour in India.^{xxii}

“Every single child labourer that I have documented comes from a highly impoverished family unit and belongs to a low-caste or minority community.” Siddharth Kara, Director of the Program on Human Trafficking and Modern Slavery at Harvard University

Earlier in 2014 the Dalit Network Netherlands promoted the release of the report [‘Flawed Fabrics’](#) documenting the continued use of Dalit girls and young women in modern slavery under the ‘Sumangali Scheme’ in Tamil Nadu’s textile industry.^{xxiii}

In her 2014 statement, [Stopping the small hands of slavery](#), Human Rights Watch South Asia Director, Meenakshi Ganguly, also points out that caste discrimination is partly to blame for child

This was also a key concern stated in the National Campaign on Dalit Human Rights (NCDHR) and partners [report](#) to the Committee on the Rights of the Child (CRC) 2014 review of India.^{xxiv} The [review](#) subsequently raised particular concern at the inadequate mechanisms in place to detect and identify minority children, such as Dalits, at risk of becoming victims of slavery and child prostitution, as well as for the unequal access to education, health care, safe water and sanitation and other social services for Dalit children in India.^{xxv}

Caste, apartheid, and segregation

The entrenched structural discrimination underpinning caste inequalities and exclusion has consequences on all levels of life for Dalits in India. Reports in 2014 by UNICEF and Human Rights Watch highlighted caste discrimination in education, and the [India Exclusion Report](#), covering

caste inequality in everything from housing to health and access to services, bring ample documentation of the pervasive nature of caste discrimination.^{xxvi} The pre-released statistics from the India Human Development survey underscore these findings.

“Caste remains a key determinant of a person’s future. This is perfectly reflected in India’s labour market, which is more governed by laws of social origin than by statutory legislation. Moreover, violation of caste rules by Dalits seeking to break caste-related employment barriers is prone to severe punishment from dominant castes, including economic boycotts and even physical violence.” [India Exclusion Report 2014](#)^{xxvii}

There have been widespread reports in the media and by NGOs of untouchability practices including Dalit children being barred access to schools, Dalits not being allowed to eat and drink with others, being denied land rights, and not being allowed other work than what their caste prescribes. Dalits who defied this have faced severe consequences including being hung in a noose from a tree or being burnt alive.

IDSN and the NCDHR also highlighted caste discrimination in the delivery of humanitarian aid in 2014 with the [New Delhi launch](#) of the 2013 report ‘Equality in Aid’, financed by the EU through IDSN. The launch gathered aid institutions and the NCDHR ‘[Inclusive Vulnerability Mapping & Monitoring of Post Disaster Response](#)’ manual was launched simultaneously.^{xxviii} Following information distributed to journalists by IDSN, the event was covered by Reuters in the article ‘[Lower-caste people get less aid when disaster strikes](#)’.^{xxix}

Stepping up international-level efforts to end caste discrimination in India

The severity and multitude of reprisals against Dalit human rights defenders in India in 2014, has only served to underscore the need for international level attention and support to the struggle against caste discrimination in India.

IDSN members and associates report that space for civil society in India is shrinking with tight regulations of foreign contributions for organisations working on Dalit rights and the harassment of Dalit human rights activists and leaders.

While the new Indian Prime Minister, Narendra Modi, has made [several national level statements](#) against caste discrimination, these statements appear to be contradictory to the stance taken by India at the International level.^{xxx} This became ever more evident when the UN special Rapporteur on Freedom of Assembly and Association [called out India](#) at the UN General Assembly, for unjustly blocking the UN ECOSOC accreditation of IDSN.^{xxxi}

The international level refusal of India to enter into dialogue about caste has not deterred human rights defenders from promoting Dalit rights at the international level. [Speaking at the UN Minority Forum](#) in 2014, Dalit human rights defender and Programme Director of the Human Rights NGO Evidence, Thilagam Ramalingam said despite promises to do otherwise India continued to be in denial when it came to the issue of Dalit women.^{xxxii}

“India denied caste as a factor of gender inequality in the recently held Asian and Pacific Conference on Gender Equality and Women’s Empowerment: Beijing +20. India’s reluctance to

acknowledge the reality, to accept its responsibility to uphold the legal obligations to address the discrimination and cruelty of the caste system, continues.” Programme Director of the Human Rights NGO Evidence, Thilagam Ramalingam

Two Indian defenders of Dalit rights Asha Kowtal and Henri Tiphagne took part in the [EU Human Rights Defenders Forum](#) in 2014 and spoke to the European press about the need for international action.^{xxxiii} In addition to their tour of Europe, Asha Kowtal and Dalit woman filmmaker Thenmozhi Soundararajan also appeared on stage at the renowned ‘[Women in the World Summit](#)’ to speak out on violence against Dalit women in India.^{xxxiv}

As a part of the newly established Asia Dalit Human Rights Forum (ADRF), Dalits from India also organised numerous events at the People’s SAARC in Kathmandu at the end of 2014, to highlight caste-based discrimination. Indian Parliamentarians also form part of the [Asian Parliamentarians’ Forum on Dalit Concerns](#), which held an important meeting in Kathmandu in connection with the People’s SAARC.^{xxxv}

Indian representatives of ADRF also participated in the 2nd World Reconstruction Conference, held at the World Bank Group headquarters, advocated recognition of caste at the Sixth Asian Ministerial Conference on Disaster Risk Reduction (AMCDRR) held in Bangkok, and contributed with input to the [post-2015 development agenda](#).^{xxxvi}

Throughout the year, Dalits in India have also connected with leading figures from the American civil rights movement – and solidarity actions have taken place. The similarities between the Dalit struggle for their rights with historical uprisings against discrimination, have also prompted figures such as Jesse Jackson to declare empathy with the Dalits and speak up against caste discrimination in a 2014 lecture in New Delhi.

ⁱ [Triple murder of Dalit family rocks Maharashtra](#)

ⁱⁱ [Lynching of boy underlines how the curse of caste still blights India](#)

ⁱⁱⁱ [Badaun: Minor dalit girl gangraped, dies after hospital refuses treatment](#)

^{iv} [Punished by axe: Bonded labour in India's brick kilns](#)

^v [Indian priest thrashes ‘untouchable’ boy, 8, who asked for sweets](#)

^{vi} [Urgent Appeal: Brutal police torture of Dalit human rights defender – perpetrators must be held accountable](#)

^{vii} [Urgent Appeal: Brutal police torture of Dalit human rights defender – perpetrators must be held accountable](#)

^{viii} [Dalit women in India stage month-long march for justice](#)

^{ix} [Justice under trial](#)

^x [Dark days of violence on Dalits return to haunt Bihar](#)

^{xi} [Atrocities against Dalits from Jan2012 to May 2014](#)

^{xii} [Denial and diversion of Plan Fund: The Great Adivasi-Dalit Rip-off](#)

^{xiii} <http://www.annihilatecaste.in/home>

^{xiv} [Dalit women in India stage month-long march for justice](#)

^{xv} [Dalit women fight!](#)

^{xvi} [Dalit Women](#)

^{xvii} [Cleaning Human Waste](#)

^{xviii} [Caste at the root of India and Mauritania’s position as top global slavery offenders](#)

^{xix} [New reports: Exclusion and untouchability remain widespread and only 5% marry out of their caste](#)

^{xx} [Punished by axe: Bonded labour in India's brick kilns](#)

^{xxi} [Pinboard \(Dalit children and slavery\)](#)

^{xxii} ['Poverty and caste' fueling child labor in South Asia](#)

^{xxiii} [Flawed fabrics](#)

^{xxiv} [INDIA THIRD AND FOURTH COMBINED PERIODIC REPORT ON THE CONVENTION ON THE RIGHTS OF THE CHILD](#)

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- xxv [Concluding observations on the combined third and fourth](#)
- xxvi [New reports: Exclusion and untouchability remain widespread and only 5% marry out of their caste](#)
- xxvii [New reports: Exclusion and untouchability remain widespread and only 5% marry out of their caste](#)
- xxviii [Aid institutions gather in Delhi for launch of caste discrimination in disaster relief report](#)
- xxix [Lower-caste people get less aid when disaster strikes - report](#)
- xxx [Indian Prime Minister Modi takes a sweep at caste](#)
- xxxi [India called out at UN General Assembly for blocking IDSN's UN consultative status](#)
- xxxii [Violence and atrocities against Dalits debated at the UN Forum on Minority Issues](#)
- xxxiii [Dalit leaders speak at EU Human Rights Defenders Forum](#)
- xxxiv [Dalit women ignite the audience at the Women in The World Summit in New York](#)
- xxxv [Press Release: Asian Parliamentarians' Forum on Dalit Concerns and Asia Dalit Rights Forum at People's SAARC in Kathmandu, 25 November 2014](#)
- xxxvi [Dalits and the Post 2015 Development Agenda](#)