

Side-event at the 23rd session of the UN Human Rights Council

**Dalit Women: Working together towards the elimination of
multiple and intersecting forms of discrimination and violence
based on gender and caste**



OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

Opening remarks by

Ms. Navi Pillay

United Nations High Commissioner for Human Rights

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Distinguished participants,

Let me start by congratulating the organisers of this event, IDSN, IMADR, Human Rights Watch, and Minority Rights Group and the group of co-sponsoring states, for organising this important discussion today on “Dalit women: Working together towards the elimination of multiple and intersecting forms of discrimination and violence based on gender and caste”.

Caste based discrimination and untouchability still remain a wide spread practice affecting an estimated 260 million individuals around the world considered to belong to “lower castes”. The caste system is the very negation of the principles of equality and non-discrimination, eroding the enjoyment of a wide range of political, civil, economic, social and cultural rights for Dalits and other caste affected groups. Among them, Dalit women and girls are exposed to multiple forms of discrimination based on gender and caste and, therefore, vulnerable to several layers of marginalisation and violence.

The specific human rights violations that originate from the intersection of discrimination based on caste and gender include sexual violence, sexual exploitation, trafficking, other forms of gender-based violence, bonded labour, lack of or limited access to food, water and sanitation, healthcare, education, adequate housing, and unequal participation in political, economic and social life.

Earlier this year, this nexus came into tragic focus following terrible cases of sexual violence in India, some targeting Dalit women. The landmark report of the Verma Committee on violence against women in India, which drew on unprecedented public mobilisation and more than 80,000 submissions, stressed the need to “account for the tears of millions of women and other marginalized sections of society which have been ignored owing to institutional apathy.” And since caste discrimination extends far beyond the boundaries of South Asia, this call is one which must be heeded by all.

Dalit women and women of other caste groups face additional challenges in accessing justice and remedies, including due to unaffordability of related financial costs. Exposed to community and societal pressure, they are often obstructed in their attempts to access justice or “persuaded” to mediate out of fear of stigmatization and ostracization, for instance in cases of sexual violence and assault.

Due to pervasive sexism combined with their caste status, women from discriminated caste groups have limited access to land, inheritance and other economic resource and their usually higher illiteracy rates further exacerbates their economic vulnerabilities. Women from Dalit and other stigmatized caste groups are therefore caught in a vicious cycle of deeply rooted discrimination and prone to further marginalisation and exploitation.

A first key step required is to address and combat caste based discrimination and untouchability is of course the adoption of legislation that criminalises this practice and ensures accountability of perpetrators and access to justice for victims. I am encouraged by some significant developments in this regard during the last couple of years. In May 2011 Nepal adopted a law criminalising untouchability and caste based discrimination, setting a milestone in South Asia and for other caste affected countries in the protection and promotion of the rights of caste-affected people.

India also has far-reaching constitutional guarantees and laws which prohibit caste-based discrimination. Most recently, the Union Cabinet in India has cleared the new legislation on manual scavenging, proposing stiff penalties against any public authority or private individual who uses or promotes this heinous practice. With an estimated 90% of Dalit women among manual scavengers in India, the adoption of this law will represent a key step forward in protecting and promoting the rights of Dalit women and it will represent a good practice for other countries where manual scavenging continues to be practiced.

In Bangladesh, the National Human Rights Commission and National Law Commission have been studying ways that caste discrimination could be addressed under a more comprehensive anti-discrimination law. In October 2012, during its second Universal Periodic Review, Pakistan accepted recommendations to continue its efforts for the elimination of discrimination against women and discrimination on the basis of caste.

My Office is pleased to support the development of such initiatives. Our continuous engagement in this area is encouraged by the new Secretary General's Guidance Note on Racial Discrimination and Minorities, which stressed that UN action and policies should reflect the fact that persons targeted for discrimination based on descent, in particular caste-based discrimination and related practices, are in a number of contexts in a particularly marginalized position and in need of focused attention.

However, the adoption of specific legislation is only a starting point that needs to be supplemented by its effective implementation, translating legislative provisions into meaningful and equal access of Dalit women and other caste affected groups to services, remedies, redress and justice. National human rights institutions, as well as specialised national commissions on women and on caste, can also play an important role, both in advocating for policy change and monitoring compliance.

Effective implementation requires the building of capacities of right holders to be able to claim their rights, the development of policies that support the implementation of laws, the identification of key actions and priorities in consultation with and participation of Dalit women and other affected groups, and the allocation of adequate financial resources through central and local government budgets. At the core of this process should lie awareness about those specific human rights violations originating from the intersection of discrimination based on gender and caste and remedies to redress these violations.

Together with legal, institutional and structural changes, it is equally paramount to work on the awareness raising among individuals and communities, altering social perceptions and practices that expose Dalit women and other caste affected groups to power asymmetries in favour of Dalit men and so called "upper caste" groups. I have been inspired by the key role played in this regard by Dalit activists and human rights defenders. A recent example is the two-month long march in India, where by the end of January thousands of liberated manual scavenger women crossed the country in support of the many still affected by this shameful practice.

There should be no place in our day and age for the degrading practices of caste discrimination and untouchability, further amplified by the intersection of discrimination based on caste and gender. I reiterate my fullest commitment in contributing to the eradication of caste discrimination and untouchability and the correlated deeply rooted exclusion, exploitation and marginalisation of Dalit women and other affected groups through the work of my office.

I also call upon member states to take on the challenge of addressing caste-based discrimination and the human rights violations flowing from this seriously and by mobilising all of their relevant institutions to this end. I also commend the untiring and ongoing efforts of all those organisations including Dalit women's groups who are seeking to put an end to the multiple and intersecting forms of discrimination and violence based on gender and caste.

I hope that the discussion today will give us all encouragement and point at meaningful steps forward.

Thank you.