



**International Dalit Solidarity Network**

WORKING GLOBALLY AGAINST DISCRIMINATION BASED ON WORK AND DESCENT



2006  
**annual report**

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## 1. Executive summary

In India and other South Asian countries, people have been systematically discriminated against on the basis of their work and descent for centuries. Also known as untouchables, Scheduled Castes or outcastes, Dalits experience violence, discrimination, and social exclusion on a daily basis. Despite strong economic growth in India over the past decade, caste disparities are increasing.

The persistence of the caste system condemns Dalits to a life of poverty, deprivation and discrimination. Caste-based discrimination is one of the most severe global human rights problems, affecting at least 260 million people, including 170 million Dalits in India alone. Caste-discrimination, or discrimination based on work and descent (which is the formal United Nations (UN) definition), is also practised in Nepal, Sri Lanka, Pakistan and Bangladesh, and analogous forms of discrimination are found in Japan, Yemen and a number of African countries.

Dalits are subjected to numerous forms of discrimination, including physical and social segregation, restrictions on occupation, the humiliating notion of pollution and purity, and physical abuse. Discriminatory practices exist in almost all spheres, and poverty and marginalisation characterise the Dalit communities who face seriously reduced access to land, water, employment, education, health care and other basic amenities.

Despite constitutional and legal provisions to abolish caste discrimination in India and other countries, the practice continues. Impunity for atrocities against Dalits in India is widespread and inequality before the justice system is solidly documented by national and international human rights organisations and the National Human Rights Commission in India.

The international community has begun to address caste-based discrimination. The decision to undertake a comprehensive study into discrimination based on work and descent, and to develop draft principles and guidelines for its elimination adopted by the UN Commission on Human Rights in Geneva in April 2005, was a major step forward. This study process uncovers the extent of caste based discrimination and the mechanisms of repression. Thus far civil society organisations have been much more signifi-

cantly engaged in the study than have the governments of countries affected by caste discrimination. As part of its support for the Sub-Commission experts mandated to conduct the study, International Dalit Solidarity Network (IDSN) organised, in March 2006, an international consultation with affected community representatives, UN agencies and experts. IDSN assisted the preparation of informal visits by one of the Sub-Commission experts, Prof. Chung, to Pakistan, India and Bangladesh. These informal visits involved consultations with affected communities and other stakeholders, and sparked off new initiatives at the national level. The UN principles and guidelines on the elimination of caste based discrimination are currently being further developed and are expected to be adopted in 2007.

In November 2006, Dalit women's voices were heard for the first time in the European Parliament and at the European Commission at roundtables organised by IDSN, following an International Conference on Dalit Women held in The Hague. On various occasions since the year 2000, the European Parliament has called on the European Union (EU) institutions and the Member States to proactively address caste discrimination in line with the EU's Human Rights Policy intentions to promote coherent and consistent activities in support of democratisation and human rights. In February 2007, the European Parliament<sup>1</sup> adopted a strongly worded resolution on the human rights situation of Dalits in India, urging the government to take immediate action – particularly in response to violence against Dalits and impunity for perpetrators of this violence – and calling on the EU institutions to implement special measures in this regard.

This milestone resolution reflects the increasing political concern in Europe about the failure of India to address caste discrimination, as well as the recognition that the EU's own institutions must take adequate and proactive measures to influence decisionmakers in European interaction with caste affected countries.

The European Parliament's resolution also encouraged EU-based companies to adopt special measures to ensure non-discrimination of Dalits in employment and other parts of business operations in caste affected countries, and to take up affirmative action in line with the "Ambedkar Principles." A caste check tool to assist com-

panies to promote non-discrimination was developed by IDSN in 2006 and testing has since ensued with EU-based companies.

Concurrently with unprecedented political recognition at the international level that caste based discrimination must end, the year was marked by some encouraging developments in caste-affected countries. These developments, however, are marked by ambiguity and contradiction.

On 27 December, the Prime Minister of India, Manmohan Singh, publicly stated: *“Dalits have faced a unique discrimination in our society that is fundamentally different from the problems of minority groups in general. The only parallel to the practice of “untouchability” was Apartheid in South Africa. Untouchability is not just social discrimination. It is a blot on humanity. That is precisely why the Father of our Nation, Mahatma Gandhi declared, “My fight against untouchability is a fight against the impure in humanity.”*

Throughout the year violence and atrocities against Dalits in India were committed unabated and remain unaddressed; as exemplified in the Khairlanji massacre<sup>2</sup>, which shocked Maharashtra into a state of emergency in September. This incident exposed the Indian criminal justice system's complete failure to protect Dalits, which at a national level is well documented in government statistics. An in-depth study on violence against Dalit women, published in November, depicted a cruel and humiliating pattern of violence against Dalit women, often as a means to repress entire Dalit communities. The persistence of the practice of untouchability was uncovered in yet another comprehensive study<sup>3</sup> published in July; and in December, the release of a report on the discrimination against Dalits in the emergency and rehabilitation after the Tsunami stirred the media. In a rare but positive development: two Dalits were appointed to important institutions in the country: Prof Thorat (founder and director of the Indian Institute for Dalit Studies) became Chair of the University Grants' Commission and Mr. K. G. Balakrishnan became the first Dalit to serve on the country's Supreme Court.

Despite these developments, the Indian government failed to respond to UN Treaty bodies and special procedures' requests for information, visits and dialogue with the Government on this matter, whilst completely failing to address impunity, untouchability and the lack of implementation of special measures to eliminate caste discrimination. Whilst governments largely failed to provide input to the study on Discrimination based on Work and Descent undertaken by Sub-Commission experts, submissions by NGOs from South Asia and Africa were rich and comprehensive.

In Nepal, the reinstatement of parliamentary rule, the peace agreement and the formation of an interim parliament were huge achievements that provided a much needed space for Dalits to realise their claims for political participation and to introduce initiatives to secure their rights in the constitutional and political process. A three-day consultation in New Delhi yielded a Draft Memorandum, which was submitted to the Constitution Drafting Committee. Several points brought forward by the Dalit groups were incorporated into the new Interim Constitution of Nepal, including the abolition of untouchability and provisions for affirmative action for Dalits.

Research and media interest in issues related to caste discrimination has steadily grown over the year in affected countries as well as internationally. Articles on caste violence, untouchability and other issues related to this form of discrimination appear to have almost doubled in 2006 compared to 2005. This is in turn stimulating public interest which is also reflected in potential new membership of IDSN. New solidarity networks emerged in 2006 and are expected to become members of IDSN in the course of 2007.

## 2. IDSN background

IDSN was founded in March 2000 to advocate for Dalit human rights and to raise consciousness of Dalit issues nationally and internationally. IDSN is a network of inter-

1 The Committee on Development adopted the resolution on 19th December 2006 following a hearing on 18th. at which Dalit leaders, Paul Divakar and Ruth Manoharan spoke. The resolution was later endorsed by the plenary.

2 Four members of a Dalit family in Khairlanji village in Maharashtra were publicly humiliated, tortured, raped and brutally murdered by a crowd, in retaliation for their refusal to give up some of their land. Only following media reports of the incident did the local police take up report and arrest suspects several weeks after it took place. The suspects were later released.

3 Untouchability in rural India (Sage, New Delhi, July 2006)

national human rights groups, development agencies, national Dalit solidarity networks (from Europe and the United States), and national platforms in caste-affected countries. Since its founding, the network has had a significant impact on the work of the UN and the EU to recognise the unacceptability of untouchability and other human rights abuses against Dalits and other communities discriminated against on the basis of work and descent.

**IDSN's main objectives include:**

- advocating for Dalit rights by influencing the policies and practices of governments and international bodies and institutions;
- monitoring the enforcement and implementation of measures aimed at combating caste discrimination;
- working towards global recognition of Dalit Rights and contributing to the fight against caste discrimination globally by raising awareness and building solidarity;
- facilitating Dalit rights interventions internationally, including before the European Commission and European Parliament, UN human rights mechanisms, the International Labour Organisation (ILO), and other forums;
- creating and maintaining a resource base that facilitates and strengthens solidarity and representative functions especially at the UN, ILO and other related multilateral bodies, and international financial institutions (such as the World Bank and the Asian Development Bank)

IDSN formally registered as an organisation in October 2003. Its Secretariat, which coordinates the activities of the network, is located in Copenhagen.<sup>5</sup> The Secretariat is

staffed by two full time staff members, Coordinator Rikke Nöhrind and Programme Officer Maia Ingvardson, and a part time student assistant, Gitte Dyrhagen, as from June 2006.

The contribution of IDSN members and associates is a fundamental part of IDSN. Events in 2006 clearly demonstrated the value of such contributions by individual members to the larger network. The collective impact of such initiatives, as evidenced by the International Conference in The Hague, the awarding to Ruth Manorama of the Right to Livelihood Award, studies and reports by members, and the formation of a South Asia Dalit Rights Movement creates a strong basis for the collective network to build upon in terms of political awareness and media attention.

In June 2006, a review process with two external consultants, John Hailey and Rosemary Viswanath, was initiated as part of a strategic review and planning process. The review has involved a preparatory workshop in June with the Executive Group members and National Platforms and DSN representatives, as well as mapping and consultations with internal and external stakeholders. In the process achievements and challenges facing IDSN were considered, and strategies as well as governance and implementation structures reviewed in light of the current context and trends. At a strategic planning workshop in early 2007, IDSN members and associates will on the basis of the consultants' report consider strategic options, future priorities and means of strengthening IDSN's operational and governance structures.

<b>IDSN members and associates</b>	
<p>The National Campaign on Dalit Human Rights – India                      The Dalit NGO Federation – Nepal                      The Human Development Organisation – Sri Lanka</p> <p>The Dalit Solidarity Network – UK                      The Dalit Solidarity Platform – Germany                      The Dalit Network – Netherlands                      The Dalit Solidarity Network – Denmark                      The Dalit Solidarity Network – Sweden                      The French Dalit Collectif – France                      The Dalit Solidarity Forum – USA</p>	<p>Human Rights Watch                      The Lutheran World Federation                      The International Movement Against all Forms of Discrimination and Racism                      Anti-Slavery International                      The Minority Rights Group International                      The Asian Human Rights Commission                      The Robert F. Kennedy Foundation                      ICMICA/Pax Romana                      FORUM-ASIA                      The World Council of Churches                      The Commonwealth Human Rights Initiative                      Franciscans International<sup>4</sup></p>

<sup>4</sup> IDSN also works in association with a number of other international human rights and development organisations.

<sup>5</sup> IDSN is not a funding body and is therefore not involved in direct aid or program support.

The programme areas of IDSN relate to influencing the United Nations bodies, the European Union, multinational companies and governments to address caste-based discrimination, which is reflected in the structure of this report.

### 3. The United Nations

#### **The UN Sub-Commission on the promotion and protection of human rights**

In late 2005 and early 2006, IDSN facilitated the submission of NGO input to the questionnaire issued by Prof. Yozo Yokota and Prof. Chin-Sung Chung who are the Sub-Commission experts and appointed UN Special Rapporteurs for the study of discrimination based on work and descent and the development of principles and guidelines for the elimination of this form of discrimination. Multiple, substantive inputs were received from IDSN members and other NGOs on the situation of affected communities in India, Bangladesh, Nepal, Pakistan, Japan, Kenya, Ethiopia, Yemen and Congo.

In December 2005 requests for contributions to the questionnaire had been issued to Governments, UN bodies and agencies, the ILO and National Human Rights Institutions (NHRIs) by the Office of the High Commissioner for Human Rights (OHCHR). The level of response from governments and NHRIs was, however, very limited. Only 8 governments responded and none of them were from caste-affected countries.

In 2005 the Sub-Commission had endorsed the Special Rapporteurs' proposal to hold a general consultation in Geneva in mid-March/April 2006 and to organise two regional workshops, one in Asia and the other in Africa, before the fifty-eighth session of the Sub-Commission. The proposed consultation and regional workshops were not formally held due to the new developments regarding the establishment of the Human Rights Council and the related dissolution of the Commission on Human Rights whose decisions were deemed sine qua non for organising such meetings.

IDSN, on behalf of the Sub-Commission experts and in collaboration with the International Movement against All



*Co-convenor of the IDSN, Paul Divakar presents an appeal for commitment to the fight against caste-based discrimination to UN High Commissioner for Human Rights, Louise Arbour.*

Lutheran World Federation and the office of the High Commissioner, organised an Informal Consultation on Discrimination Based on Work and Descent in Geneva on 13 and 14 March 2006. The Consultation involved inter-governmental agencies and UN experts, as well as Dalit representatives, INGOs and representatives of the Office of the High Commissioner for Human Rights. Representatives from affected communities included leaders and resource persons from India, Pakistan, Nepal, Japan, Yemen and Kenya. The consultation was preceded by a public session on discrimination based on work and descent with a wider attendance including diplomats.

The consultation provided further input for the work of the two Special Rapporteurs and helped shape the main themes for the progress report. UN experts present included Special Rapporteur on Contemporary Forms of Racism Doudou Diène, Special Rapporteur on the Rights to Adequate Housing Miloon Kothari, and Nathalie Prouvez from the Secretariat of the Committee for the Elimination of Racial Discrimination (CERD).

A series of recommendations were discussed: the World Bank and United Nations agencies were recommended to base their analyses on disaggregated data and to address caste-based discrimination at the level of regional and thematic policies as well as in-country strategies. UN agencies were recommended to take up specific initiatives on caste-based discrimination throughout their operations. Doudou

Diène recommended that an approach be made to the Intergovernmental Working Group following up the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) on the issue, and that lobbying for a legal mandate on caste-based discrimination within the OHCHR should continue.

Joseph Ingram from the World Bank stated that the Bank regards discrimination as a major impediment to economic development and that equal opportunity must be guaranteed for all in terms of land, health care and education. According to Mr. Ingram, the best way to address exclusion is to adopt a broader approach to human rights to ensure equal access, and he acknowledged that the World Bank needs to be more explicit in approaching human rights as part of development.

The ILO recognised the patterns of forced and bonded labour issues in the context of caste discrimination in Nepal, India and Pakistan, and stressed the need for further information about the scale of the problem and its specificities. Other issues and measures involved in addressing caste discrimination from the point of view of the ILO are employment policies, access to markets and credits, and paralegal training.

The progress report by Professors Yozo Yokota and Chinsung Chung issued in July 2006 (A/HRC/Sub.1/58/CRP.2) outlines the main themes; deliberates on the meaning and common features of discrimination based on work and descent; and identifies relevant international and regional human rights standards and norms for the prevention of discrimination. It further looks into the contemporary forms of discrimination based on work and descent and measures taken in response, through the experts' analysis of replies to the questionnaire. The report emphasises that: *Discrimination based on work and descent is deeply rooted in culture and society, and has been reproduced continuously, further reinforcing the atrocities in the process of social change. As explained by some responses from the affected communities, "for too long, discrimination based on work and descent has persisted due to under reporting, absence of political determination for change, and the chronic forms of disempowerment, disarticulation and social exclusion of those born with historically discredited identities," and therefore all future generations of such communities are potential victims, unless and until radical measures towards its elimination are systematically implemented by all the actors.*<sup>6</sup>

Further the Special Rapporteurs deplore in their report that states in which the affected communities exist, had failed to respond to their questionnaire on the subject.

In consideration of the low level of response, the Special Rapporteurs and the OHCHR considered re-issuing the questionnaire. A decision was eventually made in December 2006 to send the Progress report to governments, inter-governmental agencies and NHRIs, and to invite their comments.

On August 24, Resolution 2006/14 was adopted by the Sub-Commission requesting the Special Rapporteurs to continue and complete their study on discrimination based on work and descent, to finalise draft principles and guidelines for the effective elimination of this form of discrimination, and to submit their final report in 2007 to the Sub-Commission or its successor body, or in the absence of either, to the Human Rights Council. It further recommends that the Human Rights Council endorse the proposal to hold two regional workshops on discrimination based on work and descent – one in Asia and one in Africa – and a consultation meeting in Geneva within the first 6 months of 2007.

The reform process of the UN human rights bodies, including the former Commission on Human Rights (CHR) and the Sub-Commission on the Promotion and Protection of Human Rights, has entailed a great deal of uncertainty related to the specific Discrimination based on Work and Descent mandate, its future location, and the applicable interim procedures. In the meantime, a Human Rights Council has succeeded the CHR and a decision has been made to establish an expert advisory body similar to the Sub-Commission that will replace the current Sub-Commission. At the time of writing, the location of mandates, related responsibilities and functions have not yet been decided, leaving a degree of uncertainty on future processes related to the Discrimination based on Work and Descent mandate. IDSN will enforce its call for a legal, permanent mandate to investigate, monitor and enhance both accountability measures in view of perpetrators (state and non-state actors alike), and the implementation of the principles and guidelines for the elimination of discrimination based on work and descent once it has

6 [http://idsn.org/Documents/un/pdf/SC\\_2ndRep2006.pdf](http://idsn.org/Documents/un/pdf/SC_2ndRep2006.pdf)

been adopted by the Human Rights Council and the General Assembly.

### **Country visits by UN Special Rapporteur**

In support of the Sub-Commission study and the development of principles and guidelines to tackle caste-based discrimination, IDSN organised – in cooperation with national Dalit platforms and NGOs – informal visits to Pakistan, India and Bangladesh with Special Rapporteur Prof. Chung. The visits included engagement with affected communities and broad-based consultations with Dalit leaders, NGOs (including human rights organisations), multilateral and bilateral agencies, research institutions, and human rights monitoring bodies.

### **Pakistan visit**

In January, IDSN undertook a seven-day visit to Pakistan in cooperation with Thardeep Rural Development Programme (TRDP) and the Scheduled Castes Federation of Pakistan. The purpose of the visit was to learn more about the situation of the Dalits in Pakistan and to link up with civil society groups.

A two-day consultation on caste-based discrimination was organised in cooperation with the above-mentioned organisations drawing together 35 persons from diverse backgrounds, the large majority coming from a scheduled caste background, including representatives from major NGOs, the Scheduled Caste Federation of Pakistan, the Human Rights Commission of Pakistan, Pakistan Labour Research Institute, Thardeep Rural Development Programme and smaller NGOs working for the freedom of slaves and bonded labourers. Parliamentarians/ex-MPs, journalists and social activists with a scheduled caste background or with strong engagement with their cause were also present. The meeting served the purpose of collating and sharing information about the situation of Dalits in Pakistan and of involving representatives of Dalit communities and concerned NGOs in the UN study on caste based discrimination. The situation of Dalits in Pakistan is little researched and the consultation provided a forum for assessing current level of data and future research needs. Finally, the event served as a forum to share experiences about national and international level advocacy and possible ways forward for a Dalit platform in Pakistan.



*The late B.G. Murthy of Bangladesh Dalits Human Rights organisation and Prof. Chung of the UN Sub-commission during the consultation held in Dhaka.*

specifically to discuss the situation of Dalits. There was much appreciation of the opportunity to get together and a strong sense of commitment to address the issue. The meeting decided to work for the formation of a Dalit solidarity forum with TRDP as the coordinating organisation. The current level of rights awareness and of organisation among Dalits in Pakistan is low and there is not yet sufficient organisational strength to form a Dalit Platform similar to those in Nepal and India.

The visit to Pakistan also included field visits with Prof. Chung to the Sindh region, where the majority of the estimated 2-3 million Pakistani Dalits live. All of the forms of discrimination familiar in India and Nepal are represented in Pakistan: segregation, untouchability practices, prohibition of inter-caste marriage and the lack of access to land and basic rights. Poverty and a glaring lack of law enforcement keeps many Pakistani Dalits in bonded labour or slavery, estimates say that 80% of bonded labourers in the Sindh region are Dalits.

### **Visit to India**

The National Campaign on Dalit Human Rights (NCDHR) organised a visit to India from 24th February to 1st March 2006 for Prof. Chung, with financial support from IDSN. The visit included an exposure trip to Rajasthan for meetings with Dalit communities and victims of atrocities. A meeting with civil society organisations, including human rights organisations and Dalit human rights defenders, was organised in Jaipur. The visit also incorporated an exposure to manual scavenging communities in New Delhi.

Informal meetings were held with the UN Children’s Fund (UNICEF) and the UK Department for International Development (DfID) focusing on key issues related to caste discrimination and how best practices in terms of guidelines and principles could be evolved to tackle caste based discrimination. Prof. Chung also had individual meetings with some members of the Indian Parliament, the National Human Rights Commission (NHRC), the ILO and the Chairperson and Deputy Chairperson of the National Commission for Scheduled Tribes.

The Special Rapporteur participated in a National Consultation on Dismantling Caste-Based Discrimination and Dalits’ Access to Rights held on 27 February following the release of a report by NCDHR and the Indian Institute for Social Studies (IIDS) on the subject. Dr. Justice K. Ramaswamy (former Supreme Court judge and former Member of the NHRC) presided over the function.

### **NCDHR Report - Dismantling Caste Discrimination**

The Dismantling Caste-Based Discrimination report explains: the position of Dalits in the caste system; the continued prevalence of caste norms and values in civil society and the state; the de facto impunity for atrocities; and other forms of human rights violations against Dalits. The authors of the report call for a new framework for assuring equality, justice and rights, including a regulatory mechanism to ensure the commitments by the state.

The report documents gross **discrimination in the public sphere**, continuing social and economic discrimination, residential segregation, denial of access or discriminatory treatment in access, restrictions in public behaviour, subtle forms of discrimination in Dalit access to services, and restrictions on participating in social functions/ festivals.

**Economic discrimination** against Dalits involves denial of jobs, restrictions on choice of jobs, wage discrimination, differential treatment and prices, discrimination in land or other input purchases, discrimination in sales, and purchase discrimination in the consumer market.

**Discrimination in education** includes: the impact on relative enrolment and drop out rates, discrimination at school, alienation through cultural domination, underutilisation of funds slated for Dalit education, discrimination in the midday meals scheme, expectation that Dalit students will do menial work, and continued discrimination in higher education.

Discrimination in local governance, disaster response and conflict zones is also highlighted in the report.

### **Visit to Bangladesh**

From 12 to 20 October, Prof. Chung and her assistant Jiewuh Song as well as the IDSN staff got a first hand impression on the current situation of Dalits in Bangladesh, primarily through visits to Dalit communities in the Dhaka area and through consultations with Dalits, resource institutions and NGOs.

A consultation was held on 18th October organised by Bangladesh Dalits’ Human Rights (BDHR) in cooperation with IDSN. The consultation brought together approximately 70 persons from civil society organisations in Bangladesh, including Dalit leaders, Dalit organisations and representatives of international NGOs, as well as researchers and journalists. The meeting was the first of its kind, gathering a range of stakeholders concerned with Dalit issues covering the four regions of Bangladesh.

Research findings and case studies presented as well as

plenary and group discussions provided solid documentation of the various forms of discrimination practised against Dalits in both Hindu and Muslim communities. Due to these discriminatory practices Dalit communities are among the most economically marginalised and socially excluded groups, and it is evident that Dalits are being denied a range of rights with little or no attention by those responsible for their welfare.

At the consultative meeting, information, analyses and experience were exchanged, and a general (though incomplete) overview of current initiatives to address the dismal situation of Dalits was evolved. Discussion on strategies and joint initiatives to fight discrimination against Dalits were initiated, and ways to enhance and link national and international level advocacy for the rights of Dalits in Bangladesh explored<sup>7</sup>.

Following the consultation a BDHR/IDSN team met with represen-

### **Dalits and caste-based discrimination in Bangladesh**

Bangladesh has a population of 140 million people and is one of the least developed countries in the world. There are thought to be approximately 5.5 million Dalits living in 63 districts of Bangladesh, although estimates vary greatly. Most Dalits in Bangladesh are descendants of immigrants from South India. In the 1830s, Dalits were brought to Bangladesh by the British colonial regime to provide menial services. Most Bangladeshi Hindus are divided into upper, lower and scheduled caste groups.

Caste-based discrimination in Bangladesh includes practices of untouchability imposed by the dominant caste of both Hindu and Muslim communities, such as denial of access to upper caste/Muslim houses, temples and restaurants/teashops. Dalits face discrimination in employment, housing, education, and access to basic services. The social exclusion of Dalits is manifested in the physical structure of the villages throughout the country. Social and economic interactions of Dalits are largely restricted by religion, caste and occupation. Like in other caste-affected countries, Dalits in Bangladesh are restricted to professions which are considered impure such as sweeping, sewer cleaning, tea garden labouring, burying of dead bodies, gardening, shoe and leather work, drum beating, washing, etc. Social boycott and forced labour are often imposed on Dalits as a means to control and exploit their labour.

Dalits in Bangladesh are heavily affected by various forms of discriminatory practises in both the private and the public sphere. Practices of untouchability are experienced in places like schools, markets, hotels/restaurants and hospitals. In public places, Dalits are regarded with contempt by other communities and treated as untouchables. For example, Dalits are not invited by other communities to participate in public events.

Most Dalits are landless and deprived of access to the basic services that are required for a dignified standard of living. Dalits live in segregated habitations and have an urgent need for adequate shelter and sanitation facilities. The most discriminated sub-groups are living in polluted environments, either in public housing ("colonies") provided by the municipalities, or in the slums in and around urban centres and in rural areas of the country. The densely populated and congested housing situation of Dalits is a sign of their desperately inadequate living conditions. The City Corporation commonly undertakes evictions and colony shifting, often as a result of land-grabbing, leaving Dalits homeless. Likewise, poverty and limited access to health care result in malnutrition and a high number of deaths caused by curable diseases. The illiteracy rate among Dalits is dismal: it is estimated that only 5% of the Dalits can read and write. Most schools are not easily accessible to Dalits and Dalit students encounter discriminatory behaviour from other students.

In formal employment, various forms of discriminatory practices exist, e.g. discrimination in public service rules and wages. In addition, the diminishing number of jobs available for Dalits as sweepers and sanitation workers has meant lower incomes and an increased poverty. The almost complete lack of alternative employment opportunities coupled with a lack of safety-net or other government development programs targeting Dalits makes them extremely vulnerable and economically deprived. Limited access to power, politics and decision-making constitute a reality for Dalits in Bangladesh. Denial of freedom of speech and the right to public participation, and discrimination in voting rights are commonly experienced by Dalits. The limitation in access to such fundamental rights is a result of repression by dominant-caste communities and local authorities. Equally the lack of means of redress, i.e. access to legal remedies and human rights mechanisms, is affecting people's right to political participation and to fair legal processes.

tatives of bilateral and multilateral agencies in Dhaka, including the Delegation of the European Commission, the office of the UN Resident Representative, DfID, the Danish Embassy and the Dutch Embassy.

## 4. Committee on the Elimination of Racial Discrimination (CERD)

### Examination of Yemen

In Yemen, the Al-Akhdam community constitutes an estimated 250,000-500,000 people who suffer under various forms of discrimination as members of marginalised and vulnerable descent-based groups. The link between the forms of discrimination encountered by this group and discrimination based on work and descent was one of the conclusions made by the CERD when Yemen was examined before the Committee in August 2006. A comprehensive shadow report prepared by Ms. Huda Seif (from US-based NGO Alternative World) in collaboration with IDSN, documented various forms of discrimination based on work and descent and atrocities committed against this group.

The report submitted to CERD<sup>8</sup> was given much consideration by the expert members during the country examination at the 69th CERD session. In its comprehensive Concluding Observations, the Committee recognised descent-based discrimination against Al-Akhdam as a serious human rights violation, and recommended that the State Party develop a national strategy to eliminate this form of discrimination. The Concluding Observations further recommended that Yemen develop legislation and prohibit all forms of discrimination based on descent in employment, housing, access to health care and social security services for members of affected communities, in particular the Al-Akhdam. The intervention was successful, both in terms of the Committee's proactive response to the submitted report, and in the well attended lunchtime briefing. The hearing sparked off a dialogue between human rights defenders like Huda Seif and official representatives from Yemen, in particular from the Yemeni Mission in Geneva, paving the way for further interaction and dialogue between the different stakeholders.

### Discrimination against "Al-Akhdam" in Yemen

The "Al-Akhdam" is an ethnic minority numbering about 500,000 individuals (out of Yemen's population of 20 million), who suffer from extreme forms of caste-like discrimination and ethnic/descent-based persecution. The discriminatory practices are centuries old and pertain to the historical condemnation and systematic persecution of a minority perceived to be the descendants of non-Arab Ethiopian Christians within a larger dominant society that identifies itself as purely Arab and Muslim.

While the term "Al-Akhdam" may literally translate as "the servants", it is loaded with symbolic meaning and is figuratively suggestive of "people held in contempt and servitude." For centuries this minority has suffered discrimination, persecution and ensuing crimes in Yemen's most marginal social, economic, and political spaces where they are violently excluded from mainstream society as an "untouchable" ethnic outcaste. Subsequently, they are systematically dehumanised; physically violated (through public beatings, rape, and torture); prohibited from living within mainstream society; and forcibly displaced to inadequate slum areas that preclude a secure, peaceful and dignified existence. These practices of discrimination and persecution are deeply entrenched in all levels of Yemeni society's collective consciousness and socio-economic fabric.

### Examination of India: Submission of the Government of India's 15th-19th periodic reports to CERD

The Government of India submitted its 15th-19th reports to CERD in February 2006. In this report the Government of India did not report on caste based discrimination and the human rights violations perpetrated against the 'scheduled castes/scheduled tribes\*'. Rather the government refused to recognise caste discrimination under the descent leg of the Convention, a position that was reiterated at the hearings in February 2007. The Indian government maintained that "caste cannot be equated with race" and did not accept that caste based discrimination falls under the grounds of 'descent' under Article 1 of the

8 <http://www.ohchr.org/english/bodies/cerd/docs/ngos/Shadowreport.pdf>

International Convention on the Elimination of Racial Discrimination. In taking this position, the Government displayed a serious disregard for previous decisions adopted by the Committee on this subject, including General Recommendation 29 on descent based discrimination adopted in 2002.

In the report, the Government of India indicates their willingness to provide "information to the members of the Committee of the subject of Scheduled Castes and Scheduled Tribes though not as a reporting obligation under CERD", which seems pointless considering the lack of response by India to requests for information on this form of discrimination by the UN Special Rapporteurs on Discrimination based on Work and Descent and the lack of responses to visits requested by other UN Special Rapporteurs.

In 2006, comprehensive shadow reports were prepared and submitted to the Committee by IDSN members and associates: the National Campaign on Dalit Human Rights, India; the Center for Human Rights and Global Justice / Human Rights Watch; the Dalit Network of the Netherlands<sup>9</sup> in association with IDSN; and the Asian Human Rights Commission all submitted substantive reports with full sets of recommendations. CERD's review of India took place on 23rd and 26th February 2007 and resulted in the adoption of a comprehensive set of concluding observations by the Committee<sup>10</sup>. Whilst these events took place in 2007, we do wish to make reference to this milestone event and refer to our press release and other documents on these developments available at our website.<sup>11</sup>

### **India before the UN Committee on the Elimination of all forms of Discrimination Against Women (CEDAW)**

The Government of India's compliance with the Convention was examined at the 37th CEDAW session in January 2007. Based on inputs from NGOs in India, including Dalit women's organisations, the expert members expressed concern about India's non-implementation of

its national laws to effectively eliminate discrimination against women. The Concluding Comments made strong recommendations, in particular paragraph 29 stating that: "The Committee recommends that the State party put in place a mechanism to monitor effective enforcement of the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act in order to ensure accountability and end impunity for crimes committed against Dalit women. It calls upon the State party to increase Dalit women's legal literacy and improve their access to justice in bringing claims of discrimination and violation of rights. It requests the State party to report specifically on the impact of such initiatives in its next periodic report. The Committee also urges the State party to study the health implications of manual scavenging on Dalits engaged in this profession and on the community as a whole, and to address all the impediments to eradicating this practice, including by putting in place modern sanitation facilities and providing the Dalit women engaged in this practice with vocational training and alternative means of livelihood."

### **UN Special Rapporteurs**

During 2006, IDSN kept track of the forthcoming visits and requests for country visits by the UN Special Rapporteurs in caste-affected countries and informed the network of recent developments. The network also maintained contact with relevant Special Rapporteurs disseminating information on recent studies and report releases. However, no official missions to caste-affected countries were conducted over the course of the year.

The UN reform process, including the transitional phase from the Commission on Human Rights to the Human Rights Council, created a great deal of confusion about the status of the mandates, in particular the continuation of these mandates. This meant, among other things, that the annual reports submitted by the Special Rapporteurs to the Commission on Human Rights were never considered nor discussed in great detail as anticipated at the final session of the Commission in March 2006.

Only a few references to caste-based discrimination were made in annual reports and other specific reports by the Special Rapporteurs in 2006. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène mentioned with regret in his annual report 2006 (E/CN.4/2006/16)

9: Link to NGO alternative reports to CERD <http://www.ohchr.org/english/bodies/cerd/cerds70.htm>

10: Link to concluding observations <http://www.ohchr.org/english/bodies/cerd/cerds70.htm>

11: Link to press release issued by Human Rights Watch, Center for Human Rights and Global Justice and IDSN: [http://www.idsn.org/Documents/un/pdf/PR\\_INDIA\\_CERD.pdf](http://www.idsn.org/Documents/un/pdf/PR_INDIA_CERD.pdf)

that his requests for invitations to visit India, Pakistan and Nepal had not yet been accepted. In an updated study on political platforms promoting or inciting racial discrimination (E/CN.4/2006/54), he mentioned that “cultural diversity has been understood and practised as establishing a radical difference and a hierarchy between races, cultures and communities” which “have thus led to the establishment of caste systems in Africa and in Asia”.

**from Doudou Diène’s speech at the International Conference on Dalit Women’s Rights in The Hague:**

We are all part of a global struggle against racism. [...] I have realized that racism, discrimination and xenophobia are like a monster with many heads. You cut one, and ten will come back. To combat racism, you have to get to the invisible part of the iceberg: where the culture and mentality of discrimination have been cooked and boiled, throughout centuries. All forms of discrimination have a historical depth. Combating discrimination against Dalit women requires [...] getting the necessary legal, judiciary and political arms to combat it. [...] I highly recommend you to get to the deep root causes of why in India, Bangladesh, Pakistan, Sri Lanka, and Nepal you have caste-based discrimination. You have to go beyond the law. You have to get to the identity constructions. All forms of discrimination can be traced historically and intellectually. One of the key strategies of the racist, discriminating communities is to make us believe that discrimination is natural, that it is part of nature, and that you have to accept it. This is part of their ideological weapon and it is not true. Discrimination does not come from the cosmos. Caste-based discrimination can be retraced and deconstructed to combat it.

In his report on Women and Adequate Housing (E/CN.4/2005/43), the Special Rapporteur on Adequate Housing, Miloon Khotari, refers to caste as a basis for discrimination of groups of women in vulnerable situations. The Special Rapporteur reiterates the fact that special attention is required for some groups of women who are

more vulnerable than others, among them women from work and decent-based communities. As a group, women are highlighted in the report as being extremely vulnerable when natural or man-made disasters hit a country, like the 2004 Tsunami disaster.

The Special Rapporteur on the Right to Food, Jean Ziegler, submitted an interim report (E/CN.4/2006/44/ Add.2) at the 62nd session of the Commission on Human Rights based on his mission to India in August 2005. The report contained several references to the connection between caste-based discrimination and malnutrition in India stating that: “Most of the victims of starvation are women and children, members of the Scheduled Tribes and Scheduled Castes, with their deaths mainly due to discrimination in access to food or productive resources, evictions or the lack of implementation of the food-based schemes. Despite an extensive legal framework prohibiting discrimination and untouchability, discrimination persists, particularly in rural areas.”

Other developments pertaining to India amongst international bodies include the observations of the ILO Committee of Experts on the Application of Conventions and Recommendations. Various submissions had been made by civil society organisations in India to the Committee monitoring the Discrimination (Employment and Occupation) convention, 1958 (No. 111). In its observation on India, the Committee stated, “that caste-related discrimination in employment and occupation is a form of discrimination based on social origin that is contrary to the Convention. [...] the practice of untouchability, which continues despite its prohibition under the Constitution, needs to be addressed effectively if discrimination in employment and occupation against Dalits based on their social origin is to be eliminated. In this context, the Committee noted recommendations made by the then National Commission for Scheduled Castes and Tribes, including concerning measures to strengthen the enforcement of the Protection of Civil Rights Act, increased cooperation of the responsible public authorities at the various levels and broad awareness-raising campaigns”. Further, “given the seriousness and magnitude of the problem, the Committee regrets that the Government’s report does not provide any information in reply to the Committee’s specific requests. The Committee therefore urges the Government to take action with a view to eliminating discrimination in

employment and occupation against members of the Dalit population and promoting equality of opportunity and treatment for them, including through strengthening legal protection and socio-economic empowerment, and to inform the Committee on the measures taken in this regard".<sup>12</sup>

## 4. The European Union

A series of IDSN related interventions were organised in the course of the year directed at the European Commission, the European Parliament (EP), the European Council and member states of the European Union.

Focusing in its Annual Report on Human Rights 2005 on consistency and coherence in the implementation of EU Human Rights policies, the European Parliament sought to assess and ultimately strengthen the human rights mechanisms of the European Union with a view to secure the cross-cutting application of EU human rights policies (i.e. in all spheres of cooperation with third parties) in a consistent, coherent, and independent manner, irrespective of the general nature of relationship with third parties and the level of economic interaction.

IDSN has continuously addressed the notable, general omission in EU policies and operational documents of meaningful reference to caste discrimination<sup>13</sup>, which in our view demonstrates inconsistency and incoherence in the implementation of EU's human rights policy, and explicitly exposes an incomprehensible absence of action plans to address what has been termed one of the worst human rights problems in the world today.

Unlike its earlier reports, the European Parliament in its Annual Human Rights Report 2005 refers only briefly to caste discrimination. By the end of year, the Parliament's engagement had increased significantly with the adoption of a resolution on the situation of Dalits in India in the Committee on Development.

IDSN has continuously encouraged the European Parliament's Sub-Committee on Human Rights (DROI) to bring caste discrimination onto the agenda, and has provided it with relevant information in this regard. The caste issue had several times been short listed as 'an item to be considered', however, it appeared difficult to maintain on the agenda.

On 20 February, an 'exchange of views' on Nepal was held in the Sub-Committee. In spite of the fact that caste discrimination was not on the agenda, the issue was eventually debated. Some parliamentarians raised the Dalit issue during the question time, which led to responses from all panelists.

On 28<sup>th</sup> September the European Parliament (EP) adopted a Report on the EU's economic and trade relations with India (2006/2034(INI)) in which concerns about caste discrimination are raised in the context of the EU-India strategic partnership and EU-India trade relations. On the call from IDSN, and in particular the Dutch Network of the Netherlands, the EP recommended [that the Commission] take specific measures to include marginalised communities such as Dalits in development programmes for the attainment of the Millennium Development Goals and to secure their full inclusion in disaster recovery programmes. The EP further called for the promotion of equal opportunities in employment in private EU-based companies and investors, the encouragement of Dalit-inclusive development programmes and the use of indicators to measure Dalit inclusion in the new economy. Discrimination against Dalits and exploitation of Dalits in the labour market was raised in the plenary debate prior to the adoption of the report.<sup>14</sup>

On several occasions during the year IDSN encouraged the EU Presidency, other troika members and a selection of EU member states to take certain specific action in relation to the EU-India cooperation and informed them of certain developments in caste-affected countries and UN Human Rights bodies pertinent to addressing caste based discrimination.

12 Full statement see <http://www.ilo.org/ilolex/gbe/ceacr2007.htm>

13 With the notable exception of the European Initiative for Democracy and Human Rights, 'Campaign 4; Advancing equality tolerance and peace' with its specific provisions for assistance to civil society organisations engaged in fighting caste discrimination. Support through the European Initiative for Democracy and Human Rights is welcomed but, in the name of coherence, should be reflected in political dialogue. It must not be an excuse to not raise the issue diplomatically.

14 Link to EP references on [http://www.idsn.org/Documents/eu/pdf/EP\\_caste\\_2006.pdf](http://www.idsn.org/Documents/eu/pdf/EP_caste_2006.pdf)

IDSN urged the Finnish Government to bring forward caste discrimination as a priority human rights issue during its EU Presidency, to include the issue on the agenda of the EU-India Summit in Helsinki held in October, and generally to seek to enhance the human rights dialogue between the EU and India.

IDSN has repeatedly requested the European Commission, the European Council and EU Member States to fully and wholeheartedly support the mandate of Professors Yozo Yokota and Chin-Sung Chung, Sub-Commission experts and appointed UN Special Rapporteurs for the study of discrimination based on work and descent, by providing the necessary political and financial support.

In September, Commissioner Ferrero-Waldner responded to concerns raised by IDSN. In a letter to the network, she welcomed the visit of the UN Special Rapporteur on Discrimination based on work and descent (to India) and stated that engagement from India as well as from caste affected countries is crucial to the work of UN Special Mechanisms. She confirmed the EU's commitment to support the UN Study politically and financially. She regretted India's lack of reporting on caste-based discrimination in its joint report to CERD submitted in February 2006<sup>15</sup> and further stated that this is a matter on which the EU can focus in its regular human rights consultations with India.

The formalisation of such dialogue on caste discrimination is urgently needed. The current lack of, or very limited reference to, the all-pervasive caste issue as a human rights and poverty issue in EU's Country Strategy Papers remains a matter of concern. Lack of specific reference in the new human rights and development instruments of the Commission (adopted in 2006) to caste based discrimination, as a form of discrimination which must be covered by these instruments, is conspicuous given the recognition of caste discrimination as a major human rights issue at the highest level.

### **Call to the EU**

It is with a sense of urgency that IDSN has repeated its call to the European Council and the European Commission to pay full and determined attention to the elimination of caste-based discrimination for the sake of the affected people and in respect of EU human rights policies and the principle of coherence. The European Parliament and various UN bodies have now taken a strong position against caste-based discrimination, but this has so far not been adequately represented in the EU's relations with affected countries, most notably India. The EU must take a strong stance against contemporary caste discrimination in all relations with India, both bilaterally and multilaterally.

The connection between caste discrimination and poverty is well documented: social and economic indicators reflect the fact that Dalits and other marginalised groups remain at the bottom of the society when it comes to education, health, income and employment, etc. Surveys and analyses point to the conclusion that special measures must be undertaken by the government, development agencies and the private sector to address the situation of Dalits and Adivasis in India and other caste-affected countries. Without such measures, the Millennium Development Goals will not be achieved.

On 31<sup>st</sup> May 2006, the European Parliament's Development Committee stressed that meeting the Millennium Development Goals (MDGs) and combating poverty should remain a central element of the EU-India Strategic Partnership and called for specific measures to be taken to ensure that Dalits and other marginalised communities are given priority in development cooperation in order to attain the MDG's. The Committee called upon the Commission and the Council to work together with the Indian government to improve the situation of the above-mentioned groups and to examine future cooperation as to its contribution towards ending gender and caste discrimination.

<sup>15</sup> Link to India's periodic report to CERD:  
<http://www.ohchr.org/english/bodies/cerd/cerds70.htm>

IDSN has, during the year, maintained a constructive dialogue with a number of MEPs from a diverse range of political groupings. MEPs have increasingly concerned themselves with the issue of caste-based discrimination and several have raised a series of questions to the European Commission on critical issues pertaining to the Council's and the Commission's relationship with caste affected countries.

### **Interaction with EU institutions**

During the course of the year, different IDSN teams had meetings with MEPs, Commission officials (including Danielle Smadja, Head of Multilateral Relations/Relex, officials of the Asia section of Relex and representatives of EuropeAid), Council officials (including senior human rights advisor Michael Mathiessen, Special Advisor to Dr. Solana), and representatives of the EU member states' missions in Brussels. Most interventions involved several Dalit Solidarity Networks in Europe and Dalit leaders themselves. Briefings on developments and recommendations for action have been conveyed in letters to the above-mentioned officials, the Finnish Presidency, all member state missions in Brussels and Geneva, and Troika missions in New Delhi.

### **Roundtables**

On 22 and 23 November, two Roundtables on the situation of Dalit women were organised in the European Parliament and at the European Commission, respectively. This was first time the voice of Dalit women had been heard in the European Parliament. Issues were raised powerfully by Dalit women from Nepal and India - and examples given on the multiple forms of discrimination suffered by Dalit women on the basis of gender, caste and class. The nine-member delegation spoke on untouchability, atrocities including rape and forced prostitution (the Joghini system), land rights, housing, manual scavenging, and bonded labour. Representatives from the Dalit Network of the Netherlands spoke about the recently held Hague International Dalit Women's Conference and shared the recommendations of the Conference Declaration with the audience. (see annex 3).

The Commission and the Parliament were challenged to ensure the EU engages in political dialogue on the problem at the highest levels and monitors development spending in India and Nepal to ensure Dalits benefit. Both

roundtables and a subsequent meeting between the Dalit women delegation and Brussels-based civil society organisations were very well attended.

### **Hearing in the European Parliament's Committee on Development**

IDSN has for a number of years lobbied for a hearing on caste discrimination in the European Parliament. This was finally achieved on 18th December, when the situation of Dalits in India was debated in the Committee on Development and on 19th December a resolution was adopted by consensus urging the Government of India to stop the violence against Dalits and the widespread practices of untouchability.

The Committee expressed, among other things, its concern about the recurring refusal by the police to register and pursue cases of crimes committed against Dalits and the dismally low number of convictions for perpetrators of crimes against Dalits, resulting in a vicious cycle of continued violence and the denial of constitutional rights for Dalits.

Responding to the evidence presented by Paul Divakar of the National Campaign on Dalit Human Rights and Ruth Manorama of the National Federation of Dalit Women, members of various political parties expressed their dismay about the shocking lack of implementation of laws supposed to protect the human rights of Dalits.

Chair of the Committee, Louisa Morgantini of the Socialist group, reacted to the testimonies by Divakar and Manorama saying that caste discrimination in India is a well-kept secret. Max van den Berg, Vice Chair of the Committee, stated that so far the EU has not been able to address this serious issue openly. He felt that the issue cannot be tackled without much more public knowledge and pressure.

Jurgen Schroder of the European People's Party asked how India can be called a democracy, when caste discrimination is perpetuated on this scale. He also wondered why the media are not giving more attention to the issue. Margrete Auken of the Greens, rapporteur of the resolution, added that criticism has never hurt a democracy and called for an open dialogue with India on the issue.

In the Resolution on the human rights situation of the Dalits in India, the Committee on Development, inter alia, calls upon the European Commission and the European Council to:

- Raise the issue of caste discrimination during EU-India Summits and in other dialogues between the EU and India, including in dialogues on human rights and trade
- Include specific measures in EU development cooperation with India in order to close the wide gap between Dalits and the rest of the population regarding the attainment of the Millennium Development Goals
- Give priority to the promotion of equal opportunities for Dalits in private EU-based companies and encourage companies to implement the Ambedkar Principles against caste discrimination in employment

The Committee pointed out in the Resolution that in spite of constitutional provisions the implementation of laws protecting the rights of Dalits remains grossly inadequate: atrocities, untouchability, illiteracy, inequality of opportunity, manual scavenging, underpayment of wages, bonded labour, child labour and landlessness continue to blight the lives of India's Dalits. The Committee urges the Indian government to improve its criminal justice system, to facilitate registration of charges against perpetrators of crimes against Dalits and to take urgent steps to ensure equal access for Dalits, and finally urges the Government of India to engage with the relevant UN human rights bodies on the effective elimination of caste based discrimination.

The resolution was adopted by the European Parliament at its plenary session on 1 February (annex 3).

*A group of so called high caste people barring Dalits from entering a temple  
Photo: Jagaran Media Center*



## **IDSN Recommendations to the European Union**

In meetings with officials of the EU institutions and at the above-mentioned roundtables, the European Parliament and the European Commission have been challenged on the following grounds:

### **In EU policies, instruments and programming**

- The EU must make clear and specific provisions for addressing caste-based discrimination under the new EU Human Rights and Development instruments (framework adopted in 2006 without any specific reference to caste as a form of discrimination which must be addressed under these instruments)
- Caste discrimination should be addressed appropriately in all relevant EP, Commission and Council reports, including annual Human Rights Reports, country and thematic reports.
- Country Strategy Papers must include dimensions of caste discrimination in analysis, strategy and action plans

**In development:** ensure development programs, human rights projects and analysis address caste discrimination, based on disaggregated data, and using monitoring measures and indicators to ensure Dalits are beneficiaries. Experience shows that without a proactive approach in which Dalits are specifically targeted, Dalits will miss out, and the dominant caste position will strengthen further relative to Dalits.<sup>16</sup>

**In political and human rights dialogue:** caste discrimination as an issue must be raised through Summits with third parties (e.g. EU - India Summits), human rights dialogues, ministerial meetings at all levels, civil society roundtables, and other fora;

**In the private sector:** the EU should encourage reservations and affirmative action policies of EU-based companies in their interaction with caste-affected countries, in line with the Ambedkar Principles.<sup>17</sup>

**In the United Nations:** the EU should politically and financially support the study being done by the UN Sub-Commission, intensify pressure on India to recognise caste discrimination as covered by CERD (as per General Recommendation XXIX), to ratify the Convention Against Torture, and to allow visits by UN Special Rapporteurs. Additionally the EU should act to secure the continuation of a mandate, within the UN human rights bodies, addressing caste based discrimination, as well as a mechanism for monitoring the future implementation of the Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent.

The position of the various caste affected countries differs vis-à-vis recognising and addressing caste based discrimination, and such differences are reflected in the manner in which dialogues between caste affected countries and the EU are conducted. India, the country that has the largest number of Dalits in the world and the most extreme forms of violence against Dalits and abhorrent untouchability practices, refuses to engage constructively in discussions with representatives of the international community, including the EU, on this matter. Whilst the Commission seems to accept the premises set by the Government of India, including that the parties discuss only “discrimination of minorities”, the EU must try to find a way into serious dialogue on the issue.

<sup>16</sup> Link to report “Making Things Worse; how caste blindness in the India Tsunami recovery exacerbates vulnerability: <http://www.indianet.nl/makingthingsworse.html>

<sup>17</sup> Link to the Ambedkar Principles <http://www.idsn.org/Documents/pdf/AmbedkarPrincip.pdf>

## 5. Role of private sector in addressing caste based discrimination

Development of Caste-Based Discrimination Check for the Human Rights Compliance Assessment Tool  
The Human Rights and Business Project (HRBP) of the Danish Institute for Human Rights (DIHR) and the International Dalit Solidarity Network (IDSN) engaged in a partnership to develop a tool for companies specifically addressing the issue of caste discrimination in India. The project focuses on the development of a specialised caste-based discrimination check for companies, using as a basis the Human Rights Compliance Assessment (HRCA) tool already developed by HRBP and as a tool supporting the implementation of the Ambedkar Principles. The purpose is to provide a practical tool that will help companies operating in India or sourcing from India to avoid discriminating on the basis of caste. The specialised check will be accompanied by a set of explanatory guidelines for how to confront caste discrimination and how to use the tool. The Dalit Discrimination HRCA Check builds on the Human Rights Compliance Assessment (HRCA): a diagnostic tool designed to help companies detect potential human rights violations caused by the effect of their operations on employees, local residents and all other stakeholders. The Dalit Discrimination Check is a web-based interactive computer programme and constitutes a specialised check of the HRCA that specifically addresses the issue of caste-based discrimination. In total the Dalit Check comprises 22 questions, each with a number of indicators.

The tool has been developed by the BHRP in close cooperation with the IDSN Secretariat, and was finalised after consultation with a number of IDSN members and resource persons. Companies in the Netherlands, UK, Germany, Denmark and Sweden have been approached to participate in the consultation and testing process, which will be completed in February 2007. The Check will be launch in 2007. Companies that have participated in the consultation and testing process are invited to participate in the workshop and present their experiences using the tool. The development of the Dalit Discrimination

Check is supported by the Danida, and upon completion the Check will be freely available for companies to use.

The formal launch of the 'Ambedkar Principles' took place at a workshop in London in June. A report on the workshop is available at [www.idsn.org](http://www.idsn.org).

IDSN has on several occasions encouraged an assessment on the impact of EU trade and investment relations on those suffering caste-based discrimination, and has called for the introduction of new measures to start addressing this area as part of general CSR policy development in the Commission's agenda. In the European Parliament resolution referred to above, a recommendation is that the Council and Commission give priority to the promotion of equal opportunities in employment in private EU-based companies and encourage EU-based companies to implement the 'Ambedkar Principles'.

## 6. Networking, coordination and campaigning

### Developments in caste-affected countries *India*

In the wake of the Khairlanji massacre in Maharashtra in September<sup>18</sup>, the question of growing atrocities in India led to massive protests by Dalits in various parts of the country as the year drew to a close. At a conference on 9 December 2006 in New Delhi the Prime Minister of India, Dr. Manmohan Singh stressed the need for better implementation of national laws to ensure justice for Dalits. Moreover, while speaking on 27 December 2006, the Prime Minister publicly compared caste discrimination in India with apartheid.

The denial of constitutional safeguards for Dalit Christians and Dalit Muslims was an issue which the Supreme Court and the Government of India was forced to take seriously in 2006. However, despite the increasing pressure, nothing concrete came out. NCDHR submitted a memorandum to the National Commission for Religious and Linguistic Minorities (NCRLM) on the need to designate Dalit Christians and Dalit Muslims as Scheduled Castes

<sup>18</sup> Four members of a Dalit family in Khairlanji village in Maharashtra were publicly humiliated, beaten, raped and brutally murdered by a crowd, in retaliation for their refusal to give up some of their land. Only following media reports of the incident did the local police file the first incident report and arrest suspects several weeks after it took place. The suspects were later released.



*Dalit Children from Bangladesh*

and also provided support to the National Council of Dalit Christians which spearheaded this campaign.

Continuing the monitoring of human rights violations against Dalits in India, NCDHR organised two regional public hearings in Patna and Bangalore. After compiling cases for the hearings, NCDHR sent the final reports of these hearings to the government. This Secretariat of the President of India replied by letter, and an NCDHR was invited for a meeting with the Union Minister for Social Justice and Empowerment, Ms. Meira Kumar, with an assurance to take up those cases immediately.

The issue of reservations sparked off many protests and much opposition from the upper strata of Hindus and other elite in the Indian society. NCDHR took the initiative to mobilise several organisations in a rally supporting the reservations policy, and submitted an open letter in favour thereof to the President and to the Prime Minister of India. Moreover, NCDHR convened (along with Human Rights Law Network, Act Now for Harmony and Democracy (ANHAD), Aman Biradari, and National Federation of Indian Women) a National Fact Finding Committee on the continuing atrocities and caste abuse faced by Dalit students at the New Delhi-based All India Institute of Medical Sciences.

“Dismantling Caste-Based Discrimination”: A Report on Descent Based Discrimination and Access to Rights’ was published by NCDHR in February. NCDHR and other NGOs offered substantive input to the UN Special Rapporteurs on this topic following their request for information and analysis.

In March, NCDHR participated in the Polycentric World Social Forum (WSF) 2006 in Karachi and organised side-events including the launch of South Asia Dalit Rights

Forum. Continuing its policy to participate in the WSF process, NCDHR also prepared for and participated in the India Social Forum, which was held in New Delhi from 9 to 13 November. The NCDHR activities drew a lot of attention to issues affecting Dalits in relation to the denial of land rights, the situation of Dalit women, and Dalits’ role in the national budgeting process.

NCDHR took part in a number of IDSN interventions and made valuable contributions to its work in 2006. At an EU lobby tour organised by IDSN in December, Paul Divakar and Ruth Manorama made public speeches on the “Situation of Dalit Rights in India” at the Parliamentary Hearing on 18 December.

NCDHR also participated in the preparations for the International Dalit Women Conference in The Hague in November 2006 (see section below: DNN and the Box on the Study on Violence Against Dalit Women). At the conference, a delegation of Dalit women from NCDHR made presentations, testimonies and cultural presentations. The work on Dalit women’s rights started with a major conference in Delhi. A project was then established under the title “Dalit Women’s Access to Justice” as a project of UNDP in association with NCDHR and its partners in Andhra Pradesh and Rajasthan.

NCDHR maintained a dialogue with the World Bank (WB) and in particular with the WB Country Director in India. The WB suggested further interaction with NCDHR on five different issues: Social Development; Tsunami; Labour and Market; Education; and Health, and discussions with thematic WB Experts working on these issues. NCDHR participated in the 2nd round of the High Level Meeting in April where it was agreed to continue the dialogue and further concretise the engagement of the WB on these issues.

### **Study on Violence against Dalit women in India**

A joint study by the National Campaign on Dalit Human Rights, The National Federation of Dalit Women, and Institution of Development Education, Action and Studies (IDEAS) was undertaken during 1999-2005, based on 500 in-depth case studies<sup>19</sup>. Several hearings and consultations were held in India in the course of 2006. In October 2006, the results of the study were published in an Overview Report. The full report contains Volume One: Analysis of forms and manifestations of violence: Volume Two and Three: Detailed Case Narratives (not published). The study examines the forms and manifestations, frequency, caste and social status of perpetrators, causes, effects, and responses to violence against Dalit women over the study period. Twelve major forms of violence constitute the basis of this study, nine being in the "public" sphere – physical assault, verbal abuse, sexual harassment and assault, rape, sexual exploitation, forced prostitution, kidnapping and abduction, forced incarceration and medical negligence – and three falling within the "private" sphere – female foeticide and infanticide, child sexual abuse within the family and domestic violence. Among the frequent forms of violence were verbal abuse (62.4%), physical assault (54.8%), sexual harassment and assault (46.8%), domestic violence (43.0%) and rape (23.2%). As far as causal factors for violence are concerned, in most cases of violence in the public sphere the perpetrators belonged to a dominant caste. The study clearly identified gender-caste-class status as the overall or key cause for the violence. A second frequent causal factor for violence in the public sphere directly links to gender inequality and the "natural" caste hierarchy as often manifested in "untouchability" practices, and Dalit women's counter discourse of equality, rights, dignity and self-respect. On 19th February 2007 NCDHR published an Alternate Report to the Committee on the Elimination of Racial Discrimination. It can be found on the website of the Office of the United Nations High Commissioner for Human Rights<sup>20</sup>, and also at the NCDHR website: [www.dalits.org](http://www.dalits.org)

### **Nepal**

Developments in Nepal in 2006 were largely shaped by the success of the popular movement for democracy in compelling the King to reinstate parliamentary rule after his 2005 take over of power; the cease-fire, comprehensive peace agreement and interim parliament were huge achievements. Dalit NGO Federation, DNF, was among the civil society organisations mobilising for and organising the mass protests.

After the reinstatement of the House of Representatives, the Government of Nepal formed an Interim Constitution Drafting Committee. Only after strong lobbying by DNF and other groups was a Dalit representative included in the Drafting Committee. DNF and NCDHR jointly organised a consultation in New Delhi with Dalit activists and other resource persons on the inclusion of various aspects of the Dalit situation in Nepal new legal structure. The three-day consultation yielded a Draft Memorandum which was brought back for further consultation among Dalit groups in Nepal before being submitted to the Constitution Drafting Committee. DNF organised various interactive programmes with political parties, ministers and civil society organisations to make the new Constitution Dalit-inclusive. Several points brought forward by the Dalit groups were incorporated in the new Interim Constitution of Nepal, including the abolition of untouchability and provisions for affirmative action for Dalits. The consultation was financed by IDSN and recommendations were presented to relevant institutions, including CERD, and its follow-up, Morten Kjærum.

The mass movement for democracy also led to the end of the conflict in the country with a peace agreement reached between the Maoist insurgents and the seven-party alliance. DNF continued to work on the documentation of atrocities committed against Dalits during the conflict period. DNF's Legal Aid and Advisory Division provided legal aid to the victims of caste-based discrimination across the country and raised issues of caste-based discrimination as Public Interest Litigation cases. Under this programme in 2006, DNF filed 16 cases with the Supreme Court of Nepal against the existing legal provisions that deny Dalit rights. The Court gave its verdict in favour of

19 <http://www.indianet.nl/pdf/dalitwomenspeakout.pdf>

20 <http://www.ohchr.org/english/bodies/cerd/docs/ngos/shadow-report.pdf>.

Dalits in most of the cases and ordered the Government of Nepal to act upon the verdicts. Additionally, DNF filed more than 250 cases pertaining to caste based discrimination that was perpetrated in Nepal during the year.

DNF was elected as the sub-coordinator of the Human Rights Treaty Monitoring Coordination Committee (HRTMCC) in 2006 and contributed to a joint shadow report submitted to the UN Economic, Social and Cultural Rights Committee before its examination of Nepal's adherence to the Pact in May 2007.

Link to DNF: [www.dfnepal.org](http://www.dfnepal.org)

### **Sri Lanka**

Due to political instability in the country, the contributions of the Sri Lankan platform to IDSN's interventions have been minimal in 2006. However, the Human Development Organisation (HDO) continued to facilitate the rights of work and descent-based groups in Sri Lanka with a particular focus on plantation workers in 2006. In order to mobilise and empower Dalits working in plantation communities, HDO organised political actions and sensitised grassroots leaders to strengthen their participation in local politics.

In early 2006, a workshop was organised by DanChurchAid concerning caste discrimination in Sri Lanka. HDO and a number of other civil society organisations contributed to the workshop. The workshop resulted in the identification of caste-affected communities and areas in Sri Lanka.

A national level research project, as part of a regional research project, was also initiated to investigate the problem of caste-based discrimination in Sri Lanka. The national project, conducted by the Sociology Department of the University of Peradeniya, is part of a broader regional study set up by the Indian Institute of Dalit Studies (IIDS).

### **Emerging platforms in caste-affected countries**

In 2006, IDSN enhanced links with Dalit associations and resource groups in other caste-affected countries where new national advocacy platforms are emerging (i.e. Bangladesh and Pakistan) and in countries where the problem of caste discrimination is receiving increased recognition (e.g. Yemen and Kenya). Interaction between

national platforms – in particular DNF, NCDHR and others – took place on various occasions, leading to the formation of a South Asia Dalit Rights Movement at the World Social Forum in Karachi, Pakistan, in April.

### **Study on discrimination on work and descent in Kenya**

IDSN and ILO jointly supported a study and local consultations on caste-based discrimination and social exclusion in Kenya among the Kenyan pastoralist communities, focussing on the Ilkunono (Blacksmiths) and the Iltorobo Le Wamba (hunter-gatherers). The field study was carried out in October-December 2006 by the Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT). The study sets out to assess how this form of discrimination affects the above-mentioned communities' inclusion in the development agenda and recognition of their human rights.

The findings confirm that the Ilkunono and the Iltorobo are perceived as unclean, as low caste and as a 'bad omen'. Inter-marriage between the above communities and pastoral groups are prohibited; the former are locked out from land ownership and denied participation in decision making structures. Improvement in the inherited status and mobility from the low status and related restrictions are impossible due to the closed 'caste system'. The main areas of discrimination identified are in land allocation, bursary awards and relief food distribution. Almost 90% of the respondents identified discrimination as the main hindrance to their participation in development. Very few attempts have been made to counter discrimination among the respondents and such rare attempts were responded to with intimidation.

The study process involves feedback consultations in Kenya with key stakeholders. A broader recognition of this particular form of marginalisation, of discrimination against these communities, and of their subordination to (other) pastoralist communities may mark the beginning of human rights solidarity work among the pastoralists.

The final report which will be available in March 2007, will also serve as input to the Special Rapporteurs conducting the study of discrimination based on work and descent.

### **Regional research project**

This project has been developed in response to repeated calls from IDSN members for more research on caste issues and the situation of Dalits in Pakistan, Nepal, Sri Lanka and Bangladesh. Through the research, the effects of discrimination and exclusion on Dalit livelihoods will be examined. Poverty indicators will be studied and complemented by analyses on access to resources, income, services and markets for Dalits. The studies will aim to capture the current status of Dalits vis-à-vis civil and political rights, political participation, governance and public administration, and will include analyses of existing policy measures and legal remedies slated to address caste discrimination and their implementation on the ground. Research and information produced under the framework of this project shall be shared with Dalits through their own institutions and associations and also with political and decision-making bodies, governmental and non-governmental institutions, the UN, bilateral agencies and potentially many others stakeholders.

The Indian Institute for Dalit Studies (IIDS), New Delhi, is the project holder and IDSN is a partner to the project. Researchers identified in each country are linked up to the national Dalit platforms, and research was initiated in 2006<sup>21</sup>. National seminars (based on the draft research reports) and a regional seminar will be held in 2007. As a partner to the project, IDSN is committed to supporting the process by disseminating research reports, communicating findings and making recommendations to various institutions including the EU and the UN.

### **Dalit solidarity networks**

Dalit Solidarity Network – United Kingdom (DSN-UK)  
In 2006 DSN-UK continued lobbying the Parliament, with a particular focus on the Government's support for private sector programmes in India. A member of the Trade & Industry Select Committee, Rob Marris, took a particular interest in the issue after a debate about caste discrimination in the Parliament. Based on this interest DSN-UK invited him to India in March. The network submitted a recommendation to propose affirmative action in the committee. Sections of the submission were used in a

report drafted by the Committee recommending that the Ambedkar Principles should be taken into consideration when UK companies are operating in India.

In general, DSN-UK had many activities related to the private sector in 2006. The Ambedkar Principles were published in January and formally launched at the London School of Economics in July. Moreover, DSN-UK has continued to dialogue with five major UK companies investing in India and successfully raised the issue with Standard Chartered, ICI, HSBC and Lloyds. The companies with which DSN-UK established contact appeared to be much more aware now than when the issue of caste discrimination was first raised two or three years ago. However, the network has committed a lot of time to persuading companies operating in India to test the Dalit Discrimination Check tool with only limited success. Some are waiting for the Caste Check Tool to be tested and finalised. A Private Sector Seminar Report called "Levelling the Playing Field" was launched at a Seminar in July and published in October 2006.

DSN-UK had a dialogue with the British government's development agency DfID about various subjects, including the caste discrimination in the post-tsunami reconstruction work and DfID's own employment policies in India. DfID indicated in a reply that it is exploring the issue of caste in Bangladesh and Pakistan, something which is also emerging through the work of IDSN.

DSN-UK was awarded a grant to conduct research on caste discrimination in the UK. The project involved meetings with Dalit organisations, community groups and individuals to identify the role of caste and the existence of caste discrimination as experienced by these communities in the UK. The report "No Escape: Caste Discrimination in the UK" included recommendations for action to the National Government, local government, the education sector, trade unions and employers. When the report was launched in July, it attracted a lot of media attention. The media conducted radio and TV interviews with attendees and network members, and DSN-UK's network was further strengthened by this event.

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21 For further information about the project and researchers in respective countries contact IIDS at [idsnap@gmail.org](mailto:idsnap@gmail.org) The IIDS website is [www.dalitstudies.org.in](http://www.dalitstudies.org.in)

At an historic meeting on Tuesday 28<sup>th</sup> November, in the House of Commons, London, Nepalese Dalit Manju Badi, born into a so-called 'untouchable' caste branded as pros-

titutes, gave first hand testimony of the extent and depth of the violence and discrimination Nepal's Dalit women face in everyday life. At the adjournment debate, the House heard of how Dalit women are forced into child marriage, are blamed for bad luck, have been forced to eat human faeces and that they suffer exploitation and violence from 'higher caste' men outside their communities as well as domestic violence in their own homes. Dalit children are consistently excluded from school, and the community has little or no recourse to social justice.

The President of the Feminist Dalit Organisation of Nepal (FEDO), Durga Sob, urged the British government and the international community to support the full participation of Dalit women in the political change sweeping Nepal to ensure their representation and strong voice in the new Constituent Assembly and political structures.

### ***The Dalit Network of the Netherlands (DNN)***

In 2006, DNN launched a new website in both Dutch and English ([www.dalits.nl](http://www.dalits.nl)) containing news, information on campaigns, and background documentation. The photo exhibition 'Stop Caste Discrimination – Support the Dalits' was displayed in five different locations, including at the City Hall of The Hague during the conference on Dalit Women's Rights, held in November 2006. This two day international conference on the rights of Dalit women was organised by Justitia et Pax, Cordaid and CMC in co-operation with DNN. Following the Conference, a delegation of Dalit women went to Brussels to meet with Members of Parliament and officials of the European Union.

DNN participated in several EU lobby tours to Brussels together with IDSN. The support for political interventions in the EU included contribution to the text of the European Parliament's resolution on the human rights of Dalits in India, which resulted in its adoption as a draft resolution in December. The network also assisted Dutch MEP Max van den Berg to raise questions on the EU's policy on Dalit human rights.

In relation to the private sector, DNN gave an introduction on caste discrimination and the Ambedkar Principles to several Dutch companies (Philips, Rabobank, Heineken and Shell) in the context of an Amnesty International

Netherlands Roundtable on discrimination in the private sector. DNN also contributed to a case study on caste discrimination as part of an AI Netherlands publication on the same issue. Finally, DNN succeeded in securing the collaboration of Dutch company Heineken in the testing of the Caste Check Tool.

The work to influence Dutch politicians continued successfully in 2006. In an open letter to the Dutch Prime Minister Balkenende, DNN urged him to discuss caste discrimination during his visit to India and were informed afterwards that he had followed this recommendation. The open letter received a high level of publicity in many Dutch newspapers. Additionally, a letter to the Dutch Minister of Foreign Affairs regarding the role of the OHCHR regarding the mandate of the two Special Rapporteurs on discrimination based on work and descent received a positive response. On the occasion of a debate in Dutch Parliament about development aid to Yemen, Bangladesh and Sri Lanka, DNN sent information on caste/descent-based discrimination to both the Dutch parliament and Dutch officials of the Ministry of Foreign Affairs, and the issue was raised in Parliament.

### ***Dalit Women's Conference organised by DNN***

In March 2006, Dalit organisations and Dalit women's organisations requested solidarity from the international community in order to raise Dalit women's concerns internationally. DNN responded to this request: Justitia et Pax, Cordaid, and CMC Mensen met een Missie organised, in cooperation with Dalit organisations, an International Conference in The Hague on the human rights of Dalit women.

The Hague Conference on the Human Rights of Dalit Women<sup>22</sup>, held on 21-22 November, provided the first opportunity for Dalit women survivors to come together from different parts of South Asia to give their testimonies and discuss the issue of violence against Dalit women with other Dalit women activists and with national and international human rights, women's rights, and development organisations. Almost 150 persons participated, most of them Dalit women from India, Nepal and Pakistan. There were also participants from several European countries and the United States, representing national and interna-

tional NGOs, governments, media, and the United Nations.

The situation of Dalit women needs special attention. They are one of the largest socially segregated groups anywhere in the world, and make up more than two per cent of the world's total population. Dalit women are discriminated against three times over: they are poor, they are women, and they are Dalits. The traditional taboos are the same for Dalit men and Dalit women. However, Dalit women have to deal with them more often. Dalit women are discriminated against not only by people of higher castes, but also within their own communities. Men are dominant in Dalit communities. Dalit women also have less power within the Dalit movement itself. Women are active in large numbers in the movement but most leadership positions in the organisations, local bodies and associations have until now been held by men.

Dalit women have been active throughout history, though often this has not been recorded. However, they have been unable to put an end to the structural discrimination and exclusion. Violence and impunity are used to keep them in their place. Certain kinds of violence are traditionally and exclusively reserved for Dalit women: extremely filthy verbal abuse and sexual epithets, naked parading, dismemberment, being forced to drink urine and eat faeces, branding, pulling out of teeth, tongue and nails, and violence including murder after being accused of witchcraft. Dalit women are threatened with rape as part of collective violence by the higher castes. Sexual assault and rape of Dalit women and girls also occur within their own communities. The devadasi system of forced temple prostitution is one of the most extreme forms of exploitation of Dalit women. The majority of cases of violence against Dalit women are not registered. The lack of law enforcement leaves many Dalit women unable to approach the legal system to seek redress. Women are often unaware of the laws and their ignorance is exploited by their opponents, by the police, and by the judiciary. Even when cases are registered, the lack of appropriate investigation, or the judge's own caste and gender biases, can lead to acquittal.<sup>23</sup>

The declaration adopted at the conference is attached as annex II.<sup>24</sup>

### ***Dalit Solidarity Network – Denmark (DSN-DK)***

An important media event in 2006 was the documentary series on caste discrimination aired on National Danish TV (DR) in May and June. The five programmes dealt with different aspects of caste discrimination in Nepal and India, and the production benefited from information and contacts provided by IDSN, DSN-DK members, DNF and NCDHR. Even though the programmes were not aired during prime time, they did have relatively high audience ratings and sparked off newspaper articles, including an editorial in a major daily and published contributions by members of DSN. Awareness among the general public was increased by this documentary.

The Chair of the Committee on Foreign Affairs of the Danish Parliament, Steen Gade, hosted a press meeting in connection with the visit of two NCDHR representatives on which an article was published in Danish development body Danida's monthly newsletter. Contacts with the Foreign Affairs Committee also resulted in meetings with DNF and FEDO during a Committee meeting on Nepal.

DanChurchAid hosted a conference on Corporate Social Responsibility (CSR) in India which also included a presentation on CSR and caste discrimination in the private sector. The Ambedkar Principles were distributed to all participants, who included prominent members of the business community, NGOs and Ministries. A number of companies (Jysk, Danfoss, Grundfoss, Novo Nordisk, Vestas, Lisbeth Dahl, and Danisco) were requested to participate in the IDSN project to develop a Caste Discrimination Check tool, but only Lisbeth Dahl and Danisco have accepted the invitation.

DSN-DK has maintained good formal and informal relations with the Ministry of Foreign Affairs and has on a number of occasions, in connection with IDSN interventions, officially requested the Ministry to promote Dalit issues in the EU and UN. DSN-DK has provided documentation on caste affected communities (for example those in Yemen and Nepal) and specific recommendations to

23 "Dalit Women Speak Out: Violence against Dalit Women in India" - Overview Report, NCDHR 2006. Link to report: <http://www.indianet.nl/pdf/humanrightsdalitwomen.pdf>

24 Link to the Conference Declaration [http://idsn.org/Documents/caste/pdf/Hague\\_Declaration](http://idsn.org/Documents/caste/pdf/Hague_Declaration)

relevant department of the Ministries and to some research institutions (such as the Danish Institute for Human Rights).

The Information Centre on the 3rd World (O3V) has received a Danida grant to prepare education materials on India for primary and secondary level students; one of the three themes selected for these is caste. DSN-DK has provided information and contacts in India and NCDHR has assisted the O3V team in India to prepare these materials.

A DSN-DK website was established and in September, DSN-DK held its founding general assembly thus deciding to move from an informal network to a more formal structure and to apply for official registration as a non-profit association. Some of the active organisations cannot be members in a formal structure due to their own statutes, but they will remain associated with DSN-DK. A new member of DSN-DK is 3F, one of the largest trade unions in Denmark. Meetings have been held with Max Havelaar/Fair Trade Denmark, and they have agreed to cooperate with DSN-DK on relevant projects. Cooperation with the Danish-Nepali Friendship Association has been strengthened, and a presentation on caste discrimination was given in this forum.

### **German Dalit Platform (DSiD)**

In 2006 the German network (DSiD) experienced a steadily growing membership base, in particular with the inclusion of more individuals such as students and journalists. With events held in Austria and new contacts in Switzerland, the network is slowly expanding across borders to the German-speaking parts of neighbouring countries.

The main focus of DSiD during 2006 was presenting the Dalit cause at the Frankfurt Book Fair in October. DSiD had invited people from India including Dalit authors, members of cultural groups and Dalit leaders to present their work as parallel events at the book-fair. A discussion panel created a lively debate about the rule of law in India under the title "Human Rights for All?" In a separate initiative, a photo exhibition was successfully displayed in several places throughout Germany.

In May, DSiD invited civil society groups to discuss the country paper on India prepared by the German Ministry

for Economic Cooperation and Development. Based on the discussions, DSiD compiled a response to the paper urging the Ministry to include Dalit perspectives in its support for private sector programs (through the Caste Check Tool), and to raise human rights issues in its political dialogue with India. The network plans to meet yearly to discuss possible ways to increase civil society inputs in this dialogue and to promote the inclusion of Dalit perspectives in the country paper.

In September, DSiD organised a seminar called "India – a rising economic and political power" which focused on how the changing economic and political orientation of the Indian elite influences and changes the lives of the poor, particularly Dalits. The seminar was well attended and brought together some renowned scholars on India.

The annual convention of DSiD was organised in cooperation with the University of Bonn through an active member of the network. The meeting was devoted to the occasion of B.R. Ambedkar's 50<sup>th</sup> death anniversary and also the 50<sup>th</sup> anniversary of his conversion. This theme led to intense and interesting discussions on the social and political meaning of conversion, the importance of religion in the self-assertion of Dalits, and the role of violence in this regard. In connection with the event, media exposure was organised and some local Indian newspapers published stories about the meeting.

A meeting with the new Human Rights envoy in the German government reaffirmed the government's support for the continuation of the UN Sub-Commission mandate in the new Human Rights Council. This may prove to be particularly helpful when Germany takes over the EU Presidency in the first half of 2007.

### **Dalit Solidarity Network – Sweden (DSN-S)**

In February 2006 DSN-S took the initiative to nominate Ruth Manorama for the 2006 Right Livelihood Award known as the "Alternative Nobel Prize". She received the prize on 8<sup>th</sup> December in Stockholm together with three other recipients. The award-week in December included a number of seminars, meetings, lectures, interviews and social gatherings. Ruth Manorama had two meetings at the Ministry for Foreign Affairs, with Joakim Stymne, State Secretary for International Development, and with 22 young persons attending the Swedish Government diplo-



Students demonstrating in Stockholm against violations of Dalit Human Rights in Khairlanji village where four members of a Dalit family were brutally murdered.

mat programme. The Swedish development agency, Sida, in cooperation with DSN-S and IDSN, organised a seminar featuring Ruth Manorama entitled Make gender a matter of power! The award drew quite a lot of media attention, including from Swedish Television, BBC World, Norwegian Radio and Swedish Radio.

The violent incident that took place in Khairlanji village, Maharashtra in September 2006 made four Dalit students at Stockholm University take the initiative to mobilise a street demonstration against the violence and discrimination faced by Dalits. The small demonstration held in December was supported by DSN-S.

At the Gothenburg Book Fair held in September, the Swedish translations of two Dalit books were launched: The story on my back – Dalits of India revolting against the caste system and This land which was never mother to us, with poems by Dalit poets and pictures by Dalit artist Savi Sawarkar. Dalit writer Urmila Pawar from Mumbai and Savi Sawarkar together with Vimal Thorat presented 'Dalit culture' at the Book Fair. The two books provide a very comprehensive introduction to Ambedkar as the prominent and inspiring Dalit leader and as statesman.

As a result of these successes, DSN-S now has created greater awareness and understanding of what caste based discrimination means in the contemporary world among media and government officials. DSN-S no longer has to introduce who they are. The two Swedish books have

been very useful in the lobby work, being used to inform key persons about the Dalit cause.

### **French Dalit Collective (FDC)**

FDC wrote two letters to the Minister of Foreign Affairs requesting the French Government to support the UN Sub-Commission mandate on discrimination based on work and descent. A written response affirmed the commitment of the French Government along with other EU member states, including a promise to continuously raise the issue of discrimination based on work and descent in the Human Rights Council. Another activity concerned the rehabilitation work after the Indian ocean tsunami. Members of FDC were interviewed in the media about the continuing discrimination against Dalits in the tsunami rehabilitation process in South India.

Many member organisations of FDC are beginning to show their interest and commitment for renewed activities of FDC. With the help of ADER-France, FDC will host a student intern who will help to re-work the Collective's strategies for the year 2007 and will start a new public campaign during the week of May 21st, 2007 in the presence of Dalit Lawyer, Fr. Jesumarian. As 2007 is the year for presidential elections in France, the network plans to develop new initiatives targeting among others the National Assembly, and in particular to address issues regarding the economic and social rights of Dalits such as the right to access to land and the right to water.

## Emerging Dalit Solidarity Networks

### **Dalit Solidarity Network - Belgium**

The newly established Dalit Solidarity Network Belgium ("Solidarité dalit belge" or SDB) formally became part of IDSN at the IDSN Council meeting in February 2007. SDB was formed during 2006 as a response by concerned Belgian citizens who visited Dalit communities near Pondicherry in 2004. The group had previously welcomed a delegation of Dalit women to Belgium in 2005. The creation of the network built on an attempt to structure occasional activities with concerned people and organisations in Belgium in 2006.

The network took over the role played by a small informal group active in the 1990s, the "Groupe Ambedkar" which brought together delegates from a few NGOs in Belgium. During the initial deliberations, the group decided to get involved in public educational campaigns, contacts with the national press, and lobbying/ advocacy activities in Belgium with the limited resources available.

Leading up to the formation of the network a civil society gathering with Prof Mungekar, a prominent Dalit member of the Planning Commission in India, was held at Entraide et Fraternité in conjunction with his visit to Brussels; and the organisation by IDSN of a stall at the Entraide et Fraternité festival held in Liège in winter 2006.

Activities undertaken by the network in 2006 included participation in lobby activities in the EU; the organisation of three public meetings in Brussels and Namur with interventions by Dalit women from the International Women's Conference in The Hague; an exchange meeting between activists in Belgium and Dalit activists (Namur); a radio interview about the situation of manual scavengers together with Vincent Manoharan from NCDHR; and translation and distribution of campaign materials prepared by ACPP Hong Kong to support the victims of murder and rape in Khairlanji, Maharashtra. The public conferences brought more than 100 people to listen to the voices of the Dalit women.

The activities are supported by the Entraide et Fraternité, the Justice and Peace Commission, the Christian Trade-Union Federation CSC of Brussels, Oxfam Fairtrade and FUCID (University of Namur).



*Anita Pariyar, Manju Badi and Nibha Kumari Singh speaking at a meeting on the situation of Nepalese Dalit women in the House of Commons on November 28.*

### **Working Group - Norway**

Over the past few years there have been initiatives by a few individuals in Norway to organise a Dalit solidarity network. In 2006, some individuals decided to start the work of planning a Dalit seminar on their own initiative and this initiative has led to the creation of an independent working group. The organisations showing an interest in acquiring membership include the Office of International Affairs in the Church of Norway, FIAN and the Norwegian Foundation for Human Rights. Among other things, FIAN had an intern working specifically with Dalit issues and with the task of setting up a solidarity network. However, due to a lack of interest for India in the aid and development sector, and the few organizations involved in India have been reluctant to enter into a solidarity network, the attempt to create an organised Dalit solidarity network has not carried concrete results.

The work of the emerging network has so far primarily focused on Norwegian companies operating in India. There are currently large investments being made in India by Norwegian companies, and the network therefore sees a seminar including companies, the academia, representatives of organisations, government officials etc. as an opportunity to influence the practice of the companies at an early stage. The government of Norway's plan of action for India does not include human rights or social development, but rather business. The working group has therefore decided to reschedule the planned seminar in order to engage in a dialogue with the companies involved and to thoroughly prepare for the debate, as well as await the outcomes of IDSN's learning experiences.

## Documentation and Publications

Several new reports and studies were produced in 2006 (e.g. on Pakistan, Bangladesh and Yemen) and made available either for distribution to the IDSN network and targeted groups on-line, or printed for wider dissemination. In addition, existing material such as the Ambedkar Principles and the Kathmandu Dalit Declaration were reprinted and a fact sheet on India "Cast an Eye on the Dalits of India" was produced and disseminated.

In addition, National Dalit Advocacy Platforms, their associates and INGO partners produced several reports, studies and submissions (e.g. to U.N. bodies) on the situation of Dalits and other caste-affected communities. Major reports include: Dismantling Caste Discrimination in India and the Study on Violence against Dalit Women.

A summary report on the discrimination of Dalits in the aftermath of the Indian Ocean tsunami based on extensive field study in 2005 and 2006 was released at. The report, commissioned by DNN, documents caste biases and the engrained pattern of discrimination against Dalits as it unfolded in the aftermath of the tsunami that hit the coast of Tamil Nadu, India. "Many providers of recovery programmes unwittingly, carelessly or cynically contributed to a widening divide between caste fishermen and neighbouring Dalit communities", says the author of the report Tim Gill. The study, completed over more than a year of research, involved visits to 31 Dalit communities along the Tamil Nadu coast, interviews with stakeholders, and analysis of reports by NGO and media sources.

The full report "Making Things Worse: How 'caste blindness' in Indian tsunami recovery exacerbates vulnerability" was released in February 2007 by DNN in co-operation with IDSN. It analyses caste discrimination by NGOs and the government in the emergency, relief and rehabilitation phases of post-tsunami recovery, and provides numerous case studies to illustrate the findings. Dalit exclusion in post-tsunami recovery operations is overwhelmingly bad, despite the media attention this problem received at an early stage. The report challenges local and international NGOs, multilateral organisations, bilateral aid agencies, and the Government of India to act to prevent Dalits being left even further behind as a result of so-called 'caste blind' policies.

The success of a small number of agencies who made the effort to reach Dalits certainly indicates that sensible post-

disaster policies can effectively contribute to uplifting Dalit communities. Agencies should develop appropriate tools to this end, and mainstream Dalit inclusion in all of their South Asian programmes.

The report contains specific recommendations to multilateral agencies, NGOs and the Government of India, including a recommendation to the Government to conduct an inquiry into its failure to ensure aid reached all victims equally. It is recommended that agencies implement policies, undertake caste analysis and social audits, and actively seek to include Dalits. Untargeted aid has a tendency to end up in the hands of the dominant castes.

### The report's author, Timothy Gill explains:

"Providers failed to recognise after the tsunami that what Indians describe as 'fishermen' is not an occupational group but a caste. Thousands of Dalits are doing fishing and other work along the coast and were devastated by the tsunami. But because their caste status prevents them from being officially or socially recognised as fishermen, they were not considered as victims. Worse, the dominant caste fishermen used their influence to ensure that the Dalit 'coolies' that work for them were excluded from recovery operations. Agencies turned a blind eye to this discrimination, even long after being confronted with the reality, and continued to take the 'easy option' of providing assistance to caste fishermen at the expense of impoverished and highly affected Dalit families."

### Other studies:

Several institutions and NGOs, mainly in India, published important work on contemporary forms of caste-based discrimination. "Untouchability in Rural India" (Shah et al. 2006), based on a survey in 11 states covering 565 villages, is a notable example. This book presents systematic evidence of the incidence and extent of the practice of untouchability in contemporary India. It was found that untouchability is still widely prevalent and is being practiced in one form or another in almost 80 percent of the villages surveyed. The authors show that the practice of untouchability is most prevalent in the private spheres, yet the notion of untouchability continues to pervade the public sphere, including in a host of state institutions and the interactions that occur within them.

## Research

Scholarly interest in caste discrimination, aspects of the Dalit movement and the increased internationalisation of the issue has translated into articles, books, theses and working papers published by researchers and students of universities and research institutes primarily in Europe and the US. With this 'new departure' valuable substantiation and deepening knowledge is adding to the existing body of research from affected countries.

## Media

Media attention to issues related to caste discrimination was more pronounced in 2006 than ever before. Reports in local print media in affected countries, mainly Nepal and India, are more frequent. This is a reflection of the greater role that issues play in the political scene and in society in general as well as, in the case of India, an increase in violent incidents and atrocities against Dalits. Also in India, awareness of atrocities against Dalits brought about by documentation provided by monitoring

A 2006 study on untouchability rural in India covering 565 villages in 11 States has revealed the extent to which Untouchability – officially banned under the 1950 Constitution – continues to be the daily reality for millions of Indians.

### ...IN GOVERNMENT SERVICES

Despite being charged with a constitutional mandate to promote social justice, various local institutions of the Indian State clearly tolerate and even facilitate the practice of untouchability

**37.8%** of the villages: Dalits made to sit separately in government **schools**

**27.6%** of the villages: of Dalits: prevented from entering **police stations**

**25.7%** of the villages: of Dalits: prevented from entering **ration shops**

**33%** of the villages: public **health workers** refuse to visit Dalit homes

**23.5%** of the Dalit villages: don't get **mail** delivered to their homes

**14.4%** of the Dalit villages: Dalits not permitted to enter the 'panchayat' **Local Government** building

**12%** of the Dalit villages: Dalits denied access to or forced to form separate lines at **polling booths**

**48.4%** of the Dalit villages: denied access to **water sources**

### ...IN MARKET ACCESS

**35%** of villages surveyed: Dalits barred from **selling produce** in local markets

**47%** of villages with **milk cooperatives** prevent Dalits from selling milk, and

**25%** prevent Dalits from **buying milk**

### ...IN WORK

**25%** of villages: Dalits paid **lower wages** than non-Dalits, work longer hours, have more delayed wages and suffer more verbal and physical abuse

**37%** of villages: Dalit workers **paid wages from a distance** to avoid physical contact

### ...IN RELIGION AND RITES

**64%** of Dalits: restricted from entering Hindu **temples**

Almost **50%** of villages: Dalits prevented from accessing **cremation grounds**

### ...IN THE PRIVATE SPHERE

**73%** of villages: Dalits not permitted to **enter non-Dalit homes**

**70%** of villages: Dalits and non-Dalits **cannot eat together**

**35.8%** of Dalits: denied entry into **village shops**

programmes, and mass conversions by Dalits to religions other than Hinduism, are reflected in the media's growing coverage of Dalit issues in India.

Many media reports in Nepal are on the efforts by the Dalit movement to ensure inclusion of Dalit concerns in the formation of the new democratic structures of the country.

International media are also increasingly reporting on caste discrimination, particularly events in international fora such as the UN and the EU, but also through articles on the incidence of caste discrimination in affected countries or more generally on the continued existence of discrimination. These reports appear in Western media as well as in the Middle East and in other Asian countries.

The intensified media coverage mirrors and evidences the increased impact being achieved by the Dalit movement. Results at national and international level for Dalit rights bring about more public attention, hopefully leading to a spin-off effect, as media coverage itself is an important factor in influencing decision-makers and public opinion. The International Conference on Violence Against Dalit Women held in The Hague is an example of how efficient media work by the organisers, a powerful message, and a higher awareness of and interest in the subject among journalists can result in impressive media coverage. Generally speaking, responses to IDSN press releases, whether issued by the secretariat or by members, are good.

In 2006, the IDSN secretariat and members received an unprecedented number of requests for information, contacts and analysis from national and international media including radio and television broadcasting companies (mainly for documentaries), various production companies, newspapers and magazines.

The introductory film on caste discrimination "I'm Dalit – How are you", available at [www.idsn.org](http://www.idsn.org), got considerable exposure at various blogs, with 15,000 viewings to date on "Youtube" alone.

## 7. Organisation, Administration and Finances

### ***IDSN meetings***

The IDSN Council meeting was held in March, for the first time with representatives from Pakistan, Yemen and Kenya. Pakistan Dalit Solidarity Network was initiated in early 2006 and Convenor Sono Khangarani participated in the Council meeting as an observer. Huda Seif of Alternative World, an organisation working for the rights of the Al-Akhdam, was present to take up the issues of affected communities in Yemen, and Ole Kaunga from Impact Kenya was likewise present in an observer status.

### ***Executive Group***

As from March 2006 the Executive Group membership was:

David Haslam (IDSN Co-Convenor and Chair of the DSN-UK)

Paul Divakar (IDSN Co-Convenor and Convenor of the National Campaign on Dalit Human Rights)

Peter Prove (Lutheran World Federation)

Gerard Oonk (Coordinator of DNN)

Walter Hahn (in an advisory capacity; Coordinator DSP-Germany)

Two Executive Group meetings were held during the year, in March (Geneva) and November (the Hague).

### ***Secretariat***

The Secretariat's recurrent work of communication, information sharing and organisational matters was affected by the growing interest in the issue from various segments and the emergence of new groups within the network. The employment of a part-time student assistant was a much needed staff addition in response to this increasing workload. Towards the end of the year, a part time consultant was hired to assist with activities in Brussels, including preparations for Roundtables.

### ***Website and communication***

An upgrade of the IDSN website was finalised in 2006. The average visits per month increased from 1500 in 2005 to 1700 in 2006. Besides the news section, many visitors use the site for downloading key UN documents, research and background documentation on caste discrimination. The short introductory film "I'm Dalit – How are You?" is now available on the website and is viewed by many visi-

tors, becoming in many cases the visitors' entry point to the IDSN site. The main countries of origin of visitors are the USA with approximately one third of visits and India with 15%. Further development and upgrading of the IDSN web-site is a priority for 2007. IDSN currently maintains two interactive list-serves and sends out targeted information on an ad hoc basis. In 2007, external and internal communication will be reviewed, and new means and procedures of communication be introduced.

### **Review**

Following a decision by the Council in March, an internal strategic review and planning process was initiated. Two external consultants, John Hailey and Rosemary Viswanath, were hired and a planning workshop held in June with the participation of consultants, an 'expanded' Executive Group, and the Secretariat, to set the parameters and the context for the review. The workshop forum also contributed input and structure to an IDSN application with the European Initiative for Democracy and Human Rights of the Commission (EIDHR).

Consultations with IDSN members and other stakeholders were organised in Europe and Asia during the autumn of 2006. The review report, which was finalised in February 2007, captures the international and external stakeholders' perception of IDSN, its strengths and limitations, as well as expectations by members for the network's future work. The review process will continue in 2007.

### **EIDHR application**

The IDSN submitted a concept note to EIDHR following a call for proposals on Campaign 4: Advancing equality, tolerance and peace. The preparation of the EIDHR application in June and July was a comprehensive task; and the end product was a substantive proposal linked to a large number of associates. Eventually and in view of other, mainly national level priorities, EIDHR did not approve the application. However, the IDSN application lived up to the EIDHR quality criteria and was referred to the 'reserve list'.

### **Finances and fundraising**

The budget was not fully expended as certain activities did not take place as planned. The ongoing UN reform process rendered it impossible to undertake all planned

activities related to the UN human rights bodies including regional consultations in connection with the Sub-Commission study.

Due to unforeseen additional tasks, including preparation of an EU application and an internal review process, the planned information campaign including production of information materials was postponed to 2007.

The Danish Ministry of Foreign Affairs approved a grant DKK 750,000 towards the core programme of IDSN. The application had been pending for more than a year with the Ministry and it had thus not been budgeted from the beginning of the year. The grant was received in September and was thus not utilised fully in 2006.

The Danish Ministry of Foreign Affairs also approved a grant from the Public-Private Partnership section towards the development of the Caste Check Tool. A workshop was planned for December in support of the ongoing and separately financed Caste Check Tool project, however for various reasons the workshop was cancelled and will be replaced by other activities to promote the Caste Check Tool in 2007.

The amount carried forward includes CCFD's contribution for the 2007 programme activities received in December 2006.

### **Perspectives 2007-2009**

IDSN will continue with its current programme areas and will strengthen certain aspects of the programmes, primarily by devoting more human resources to the EU and UN programmes (in the first place through consultancies) and by reviewing and upgrading communication and networking.

In the course of 2007, new IDSN working groups will be set up – both longer term and ad hoc groups. At the time of writing, three groups have been identified with the following themes: violence against Dalit women; inclusion of Dalits the constitutional process in Nepal; and IDSN's governance structure.

The review process, which started in 2006, will be continued in 2007.

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Annex 1  
Audited financial statements  
2006

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Financial statements 2006

International Dalit Solidarity Network

Profit and loss	2006 DKK	2006 EURO	2005 DKK
<b>Opening balance</b>	<b>837.428,81</b>	<b>112.242,03</b>	<b>683.207,10</b>
<b>Income</b>			
DanChurchAid	400.000,00	53.640,87	195.000,00
Danida	750.000,00	100.576,64	
Danida PPP/HRCA project	487.456,00	-	
CCFD	148.920,00	19.970,50	297.466,00
ICCO	372.180,00	49.910,15	371.840,00
Cordaid	372.530,00	49.957,09	371.740,00
Cordaid towards review process	74.506,00		
Christian Aid	108.985,00	14.615,13	108.257,00
MS towards Kathmandu consultation			20.000,00
Interest	6.948,98	931,87	10.346,02
<b>Total</b>	<b>2.721.525,98</b>	<b>364.962,58</b>	<b>1.374.649,02</b>
<b>Expenditure</b>	<b>2.136.917,44</b>	<b>286.565,30</b>	<b>1.220.427,31</b>
<b>Balance 2006</b>	<b>1.422.037,35</b>	<b>190.698,32</b>	<b>837.428,81</b>

Balance statement	2006 DKK	2006 EURO	2005 DKK
<b>Assets</b>			
Cash at bank at 31.12 *	1.560.884,08	209.317,97	939.804,59
		0,00	0,00
Master card deposit	30.494,68	4.089,40	30.246,90
Petty cash	7.034,07	943,28	2.773,27
Outstanding accounts	1.223,62	-	
	<b>1.599.636,45</b>	<b>214.514,74</b>	<b>972.824,76</b>
<b>Liabilities</b>			
Balance Master Card account	-24.956,90	-3.346,77	-717,52
Compulsory holiday payment fund	-93.657,14	-12.559,63	-92.908,02
Outstanding accounts	-58.985,06	-7.910,03	-970,05
Outstanding payment to DCA			-20.753,66
Outstanding payment to CARE			-20.046,70
	<b>-177.599,10</b>	<b>-23.816,43</b>	<b>-135.395,95</b>
<b>Balance carried forward</b>	<b>1.422.037,35</b>	<b>190.698,32</b>	<b>837.428,81</b>
<p>The financial statements are presented in Danish kroner.                      For reasons of comparison, amounts in Euro are also presented, using a fixed exchange rate as of 31-12-2006:                      Hence, som discrepancies may appear compared to actual amounts received in Euro.</p>			7,457
* Cash at bank include			
Danida core grant	<b>334.820,27</b>		
Danida OPP earmarked project grant	<b>301.709,07</b>		

IDSN budget vs expenditure 2006	Expenditure		Budget	
	DKK	EUR	DKK	EURO
Networking and co-ordination	2006	2006	2006	2007
Office costs			0	0
Rent	132.933,54	17.827	133.000	17.876
Office assistant	65.018,57	8.719	60.000	8.065
Telecommunication	11.681,34	1.566	16.000	2.151
office supplies	8.379,24	1.124	20.000	2.688
Equipment	1.819,25	244	2.000	269
Bank charges	10.756,49	1.442	10.000	1.344
Web site and IT	40.831,21	5.476	40.000	5.376
IT services		0		0
Other services			2.000	269
Insurance			2.000	269
Employer's Insurance	2.423,50	325	30.000	4.032
Publicity and publications	11.982,28	1.607	100.000	13.441
Information and media consultancy			100.000	13.441
European campaigns			50.000	6.720
Hospitality	1.849,90	248	3.000	403
Travel	24.010,91	3.220	15.000	2.016
Nepal constitution consultation			20.000	2.688
Audit	18.750,00	2.514	18.750	2.520
<b>Subtotal</b>	<b>330.436,23</b>	<b>44.312</b>	<b>621.750</b>	<b>83.569</b>
<b>World Social Forum 2007</b>				
Travel	25.062,63	3.361	40.000	5.376
Accommodation, meals, expenses				0
<b>Subtotal</b>	<b>25.062,63</b>	<b>3.361</b>	<b>40.000</b>	<b>5.376</b>
Executive group meetings				
Travel	1.472,28	197	14.500	1.949
Venue/lodging			4.500	605
Council meetings			0	
Travel	4.723,26	633	0	0
Venue/lodging	18.706,64	2.509	0	0
<b>Subtotal</b>	<b>24.902,18</b>	<b>3.339</b>	<b>19.000</b>	<b>2.554</b>
<b>Management and administration</b>			0	
Co-ordinator (20%)	103.779,67	13.917	102.924	13.834
Programme Officer (25%)	100.527,49	13.481	99.745	13.407
Holiday allowance	1.774,12	238	21.292	2.862
Other staff expenses	966,42	130		
Staff training	45.625,00	6.118	37.285	5.000
<b>Subtotal</b>	<b>252.672,70</b>	<b>33.884</b>	<b>261.246</b>	<b>35.102</b>
<b>Total Networking and Co-ordination</b>	<b>633.073,74</b>	<b>84.897</b>	<b>941.996</b>	<b>126.601</b>

	Expenditure		Budget	
	DKK 2006	EUR 2006	DKK 2006	EURO 2007
<b>UN programme</b>				
<b>Subcommission on Human Rights</b>				
<b>Informal consultation Geneva</b>				
Travel	79.833,94	10.706		
Consumption	18.444,50	2.473		
Hotel	39.532,48	5.301		
<b>Subtotal</b>	<b>137.810,92</b>	<b>18.481</b>		
<b>Support to Spec. Rapporteurs</b>				
Country visits Asia				
Travel	90.468,62	12.132	75.000	10.081
Lodging/venue/food	28.624,75	3.839	25.000	3.360
Country visits Africa				
Travel				0
Lodging/venue/food				0
<b>Subtotal</b>	<b>119.093,37</b>	<b>15.971</b>	<b>100.000</b>	<b>13.441</b>
<b>Interventions at SC sessions</b>				
Travel affected country reps.				0
Secretariat			2.000	269
Food			500	67
Accommodation			1.500	202
<b>Subtotal</b>	<b>0,00</b>	<b>0</b>	<b>4.000</b>	<b>538</b>
<b>Subtotal Subcomm. on HR</b>	<b>256.904,29</b>	<b>34.451</b>	<b>104.000</b>	<b>13.978</b>
<b>UN Human Rights Council</b>				
Travel affected country reps			15.000	2.016
Secretariat			2.000	269
Food			5.000	672
Accommodation			10.000	1.344
<b>Subtotal</b>	<b>0,00</b>	<b>0</b>	<b>32.000</b>	<b>4.301</b>
<b>Other UN Mechanisms</b>	<b>0,00</b>	<b>0</b>		<b>15.000</b>
<b>CERD</b>				
Travel affected country reps	13.802,75	1.851	24.000	3.226
Secretariat			7.000	941
Food	2.664,28	357	6.000	806
Accommodation	2.760,07	370	8.000	1.075
<b>Subtotal</b>	<b>19.227,10</b>	<b>2.578</b>	<b>45.000</b>	<b>6.048</b>
<b>Research for UN interventions</b>	<b>77.682,94</b>	<b>10.417</b>	<b>150.000</b>	<b>100.000</b>
<b>Management and administration</b>				
Co-ordinator (30%)	155.669,51	20.876	154.387	20.751
Programme officer (25%)	100.527,49	13.481	99.745	13.407
<b>Subtotal</b>	<b>256.197,00</b>	<b>34.357</b>	<b>254.132</b>	<b>34.158</b>
<b>Total UN Programme</b>	<b>610.011,33</b>	<b>81.804</b>	<b>585.132</b>	<b>158.485</b>
<b>Projects under UN Programme</b>				
<b>International or Regional Consultation</b>				
Travel 6 intl. Experts				
Dalit activists				
Resource persons				
Local travel				
Food accommodation 110 pers				
Reporting and Communication				
Office costs				
Staff				
<b>Subtotal</b>	<b>0,00</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Handbook on UN tools for the elimination of caste-based discrimination</b>	<b>15.772,98</b>	<b>2.115</b>	<b>100.000</b>	<b>13.441</b>
<b>Total UN projects</b>	<b>15.772,98</b>	<b>2.115</b>	<b>100.000</b>	<b>13.441</b>

	Expenditure		Budget	
	DKK	EUR	DKK	EURO
EU Programme	2006	2006	2006	2007
<b>Lobby interventions</b>				
Travel to Brussels	17.697,19	2.373		0
Nat. Advocacy platforms (2 Secretariat)	18.050,74	2.421	7.000	941
Food/accommodation	19.103,98	2.562	4.300	578
Nat. Advocacy platforms (2 Secretariat)			2.100	282
<b>Subtotal</b>	<b>54.851,91</b>	<b>7.356</b>	<b>13.400</b>	<b>1.801</b>
<b>Events and public awareness</b>				
Awareness activities			20.000	2.688
Brussels consultancy	26.129,95	3.504	0	0
<b>Subtotal</b>	<b>26.129,95</b>	<b>3.504</b>	<b>20.000</b>	<b>2.688</b>
<b>Management and administration</b>				
Co-ordinator (20%)	103.779,67	13.917	102.924	13.834
Programme officer (25%)	100.527,49	13.481	99.745	13.407
<b>Subtotal</b>	<b>204.307,16</b>	<b>27.398</b>	<b>202.669</b>	<b>27.240</b>
<b>Total EU Programme</b>	<b>285.289,02</b>	<b>38.258</b>	<b>236.069</b>	<b>31.730</b>

	Expenditure		Budget	
	DKK	EUR	DKK	EURO
Private sector programme	2006	2006	2006	2007
Research			15.000	2.016
Seminars/training	568,00	76	40.000	5.376
Publications				0
<b>Subtotal</b>	<b>568,00</b>	<b>76</b>	<b>55.000</b>	<b>7.392</b>
<b>Management and administration</b>				
Co-ordinator (15%)	77.834,75	10.438	77.193	10.375
Programme officer (10%)	40.210,99	5.392	39.898	5.363
<b>Subtotal</b>	<b>118.045,74</b>	<b>15.830</b>	<b>117.091</b>	<b>15.738</b>
<b>Total Private Sector</b>	<b>118.613,74</b>	<b>15.906</b>	<b>172.091</b>	<b>23.131</b>

	Expenditure		Budget	
	DKK	EUR	DKK	EURO
PS project, caste check tool (Danida funded)	2006	2006	2006	2007
DIHR researcher 4,5 months	136.049,43	18.245	190.725	25.635,08
DIHR administration			13.351	1.794,49
Travel and DSA in Europe			15.000	2.016,13
Changes to HRCA software	49.687,50	6.663	49.000	6.586,02
Layout and printing			35.000	4.704,30
Workshop in India			94.000	12.634,41
Project audit			3.600	483,87
IDSN administration			50.777	6.824,87
contingencies			36.269	4.874,87
<b>Expenses</b>	<b>185.736,93</b>	<b>24.908</b>	<b>487.722</b>	<b>65.554,03</b>
Danida OPP grant			-487.456	-65.518,28
<b>Total PS Project</b>	<b>185.736,93</b>	<b>24.907,73</b>	<b>266</b>	<b>35,75</b>

	Expenditure		Budget	
	DKK	EUR	DKK	EURO
Review (partly funded by Cordaid)	2006	2006	2006	2007
Consultants	69.794,52	9.360		
Workshop	34.477,51	4.624		
Travel	36.507,10	4.896		
<b>Subtotal</b>	<b>140.779,13</b>	<b>18.879</b>		

	Expenditure		Budget	
	DKK	EUR	DKK	EURO
DSN - DK programme (funded by DCA)	2006	2006	2006	2007
Events and publicity	9.489,33	1.273	10.000	1.344
<b>Subtotal</b>	<b>9.489,33</b>	<b>1.273</b>	<b>10.000</b>	<b>1.344</b>
<b>Management and administration</b>				
Co-ordinator (15%)	77.834,75	10.438	77.193	78.737
Programme Officer (15%)	60.316,49	8.089	59.847	61.044
<b>Subtotal</b>	<b>138.151,24</b>	<b>18.526</b>	<b>137.040</b>	<b>139.781</b>
<b>Total DSN-DK programme</b>	<b>147.640,57</b>	<b>19.799</b>	<b>147.040</b>	<b>141.125</b>

	Expenditure		Budget	
	DKK	EUR	DKK	EURO
Summary	2006	2006	2006	2007
Networking and Coordination	633.073,74	84.897	941.996	140.042
UN Programme	610.011,33	81.804	585.132	78.647
Projects under UN Programme	15.772,98	2.115	100.000	13.441
EU programme	285.289,02	38.258	236.069	31.730
Private Sector programme	118.613,74	15.906	172.091	23.131
Projects under the PS programme	185.736,93	24.908	266	36
Review	140.779,13	18.879		0
DSN-DK programme	147.640,57	19.799	147.040	19.763
<b>Total</b>	<b>2.136.917,44</b>	<b>286.565,30</b>	<b>2.182.594,00</b>	<b>306.788,84</b>



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# Annex 2

## The Hague Dalit Women Declaration

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## **‘The Hague Declaration on the Human Rights and Dignity of Dalit Women’**

The Hague, 21 November 2006

**WE, the participants of the Hague Conference on Dalit Women’s Rights, held in The Hague on 20 and 21 November 2006, after deliberating upon the issues of discrimination, violence and impunity against Dalit women, adopt this Declaration on the Human Rights and Dignity of Dalit Women.**

In South Asia – that is, India, Nepal, Pakistan, Bangladesh and Sri Lanka – Dalits have endured discrimination based on work and descent for centuries, and this discrimination continues today. The Dalits – known as ‘untouchables’ or outcastes – number around two hundred and sixty million people in South Asia. On account of their caste, they experience discrimination, social exclusion and violence on a daily basis. Although economic growth in the region has been strong over the past decade, caste disparities remain and are in fact increasing. The situation of Dalit women in these countries needs urgent and special attention. They constitute one of the largest socially segregated groups anywhere in the world and face systemic and structural discrimination thrice over: *as Dalits, as women, and as poor*

### **Systemic Discrimination, Violence and Impunity**

The caste system declares Dalit women to be intrinsically impure and ‘untouchable’, therefore socially excluded. In class terms, the vast majority of Dalit women are poor; many are landless daily wage labourers who are systematically denied access to resources. As women, they are subjugated by patriarchal structures. Due to this intersectional discrimination, Dalit women are specifically targeted for daily, egregious acts of violence, in particular for sexual violence, including the Devadasi system of forced and ritualised prostitution. On account of their ‘impure’ caste and poverty, Dalit women comprise the majority of manual scavengers, that is, labourers who clean human excrement from dry toilets. When they assert fundamental rights, Dalit women are targeted for punitive violence by dominant castes. Due to patriarchal notions of community honour residing in women, dominant caste violence against Dalit women functions to punish the entire Dalit community and teach Dalits a lesson of obedience to caste norms. Moreover, Dalit women are discriminated against not only by dominant castes on account of their caste, class and gender, but also by their own communities on account of their gender. Dalit women have less power within the Dalit community in general.

When considering discrimination and violence against Dalit women, one can state that impunity is *the key problem* Dalit women face today – not only while seeking legal and judicial redress for violence, but also while attempting to access and enjoy their fundamental rights and freedoms. Perpetrators enjoy virtual immunity from prosecution for violence against Dalit women, as the police, who themselves often harbour caste prejudices, wilfully neglect to enforce the law. Not only the police, but perpetrators and their communities use their political, social and economic power to silence Dalit women, thereby denying them access to justice. The nature of collusion between state and dominant

caste actors is such that the modern rule of law has no place in the hierarchical order of socio-economic and political power relationships, as caste-based power supersedes state-derived executive authority.

### **Assertion by Dalit women**

Dalit women today are not simply passive victims; the current mood is not one of mere acceptance, but one of determination to 'transform their pain into power'. In fact, they have been active throughout history, though often this has not been recognised and recorded. They have been actively involved in the anti-caste and anti-untouchability movements. Today they are the strongholds of the Dalit movements in thousands of South Asian villages, and are often at the forefront of struggles for basic human rights. They continue to play a critical role in the movements for land and livelihood rights and against untouchability, pointing to the potential for their self-emancipation, given adequate support. They are making their mark as independent thinkers and writers in the literary world by critiquing dominant caste ideologies. They participate today as visionary leaders in the local governance institution by asserting their rights. While they continue to struggle against structural discrimination and exclusion, violence and impunity are systematically unleashed by dominant castes to keep them in their place.

While recognising the gendered nature of caste discrimination for Dalit women, these women have turned their 'suffering' into one of 'resistance', actively participating shoulder to shoulder with men in their communities in the anti-caste and anti-untouchability movements. They have simultaneously contributed to the welfare of their families, sustained their communities given their labour for producing food and wealth for their countries. In this regard, Dalit women build their identities on a culture of resistance against the hegemonic culture of the caste system, expressing their defiance and revolt against the caste, class and gender discrimination that oppresses them. This assertion of distinct identity and simultaneous forging of a collective identity in multiple struggles marks the Dalit women's movement in various ways.

### **Human rights of Dalit women**

The countries where caste discrimination persists are party to most of the relevant human rights instruments: the Universal Declaration on Human Rights and treaties such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). These treaties provide equal rights for men and women. As these countries are also party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), governments have a specific obligation to make sure that women can realise their human rights. It is generally accepted in international legal standards that governments have to do more than just pass laws to protect human rights. Governments have an obligation to take all measures, including policy and budgetary measures, to make sure that women can fulfil and enjoy their fundamental rights. Equally importantly, governments must *implement* these laws, policy measures and programmes to fully discharge their obligations under international law. This includes an obligation to exercise due diligence in punishing those who engage in caste-based discrimination and violence.

### **Millennium Development Goals and Dalit women**

In 2000, one hundred and eighty-nine countries accepted the Millennium Declaration and agreed to take the necessary action in order to attain eight specific goals: the Millennium Development Goals (MDGs)<sup>1</sup>. The realisation of human rights of Dalit women will have a substantial positive effect on the realisation of the MDGs. This is because Dalit women are extremely poor, and make up two percent of the world's population. In India, for example, 60 million children do not attend primary school; a disproportionate number of these children are Dalit girls.

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<sup>1</sup> The MDGs are: 1) reduction of extreme poverty and hunger by half; 2) primary education for all boys and girls; 3) gender equality and empowerment of women; 4) reduction of child mortality by two-thirds; 5) reduction of maternal mortality by three-quarters; 6) combat HIV/aids, malaria and other diseases; 7) clean drinking water and 100 million slum dwellers above the poverty line; 8) more aid, fair trade, less debt.

## **International Conference on Dalit Women's Rights**

Over the years Dalit women's organisations and movements have increasingly voiced their specific concerns and asserted their separate identity, calling for solidarity from the International Community. The Fourth World Conference on Women in Beijing in 1995 saw for the first time international recognition given to the discrimination faced by Dalit women. Dalit women also played a crucial role in the World Conference Against Racism in South Africa in 2001, where Dalit issues were brought to the fore of the international attention. Following the National Conference on Violence against Dalit Women in Delhi on 7 and 8 March 2006, Justitia et Pax Netherlands, Cordaid, and CMC as members of the Dalit Network Netherlands (DNN), in collaboration with the National Campaign on Dalit Human Rights (NCDHR, India), the National Federation of Dalit Women (India), the ALL India Dalit Women's Rights Forum (India), Feminist Dalit Organisation (FEDO, Nepal), the International Dalit Solidarity Network (IDSN) and other Dalit and Women's rights organizations, responded to the request of Dalit women and organised the International Conference on the Human Rights of Dalit Women on 20 and 21 November 2006 in The Hague, The Netherlands.

### ***Focus of international conference***

Caste, class and gender discrimination prevents Dalit women from enjoying their basic human rights, particularly to dignity, equality and development. Atrocities and violence against Dalit women are both a means of sustaining systemic discrimination, as well as a reaction when particularly untouchability practices and caste norms are challenged or not adhered to. Impunity for this discrimination and violence is then used as a means to preserve the existing caste and gender disparities. Before Dalit women can enjoy their human rights, and before the Millennium Development Goals can be achieved, discrimination, violence and impunity must stop.

Therefore we, the participants of The Hague Conference on Dalit Women's Rights, call upon the respective governments in Nepal, India, Pakistan, Bangladesh and Sri Lanka to take seriously the voices of Dalit women as they explain their specific situation, to support them in asserting their rights and to ensure Dalit women and girls are brought on par with the general population in terms of overall development (e.g. poverty reduction) within a period of five years. We call upon the international community to undertake and support every possible measure to fight the widespread discrimination, violence and impunity committed against Dalit women.

## **Recommendations**

### ***Recommendations to the respective governments of Nepal, India, Pakistan, Bangladesh and Sri Lanka:***

- Disaggregate all criminal, economic, social and political data on the grounds of gender *and* caste.
- Evolve and implement a comprehensive strategy to address impunity and ensure criminal justice for Dalit women.
- Grant powers to make legally binding recommendations to relevant National Human Rights Institutions to establish an independent complaints and monitoring mechanism to address the discrimination and violence against Dalit women.
- Enact domestic violence (prevention and protection) laws that acknowledge the unique vulnerability of Dalit women, allocate adequate resources and ensure a comprehensive monitoring mechanism with representation of Dalit women for effective implementation of these laws.
- Provide support to establish informal organisations for Dalit women to freely discuss the social, domestic and development issues in their own community and to strengthen leadership within local governance structures.
- Mandate proportional representation of Dalit women elected into parliaments, legislatures and local governance systems, including equal distribution of other minority groups, such as Joginis / Badis (India/Nepal) irrespective of their faith, and provide adequate budget allocations in this regard.

- Restore lands earmarked by governments for Dalits and register them in the name of Dalit women or jointly with men, and also acquire and distribute surplus lands by implementing and Reform Acts and distribute lands to Dalits in proportion to their populations in each country.
- Issue legal title to lands possessed and enjoyed by Dalit women and men, in the name of Dalit women or jointly with men; grant each Dalit family five acres of land registered in the name of Dalit women; allocate and distribute sufficient budget for the purchase of land and distribute to Dalit women; ensure payment of equal and living wage to Dalit women without discrimination;
- Ensure Dalit women enjoy equal access to and share of common property resources, in particular water resources, and provide budgetary support to create common property for their own.
- Enact appropriate legislation to prevent displacement of Dalits and alienation of their lands in the name of development projects and schemes in the context of economic globalisation.
- Eradicate the practice of manual scavenging and the jogini system and enforce rehabilitation policies and programmes for their alternative livelihood and sustenance.
- Implement laws that prohibit bonded or forced labour.
- Allocate sufficient budget for full primary and secondary level education of all Dalit girls, including funds for staff in schools and infrastructure, and vocational institutions
- Ensure reduction of pre-natal mortality, infant mortality and maternal mortality among Dalit women on a time-bound basis.
- Provide assistance to launch a national campaign of caste sensitisation and elimination of caste, class and gender discrimination.

***Recommendations to the International Community, to the United Nations and the European Union:***

Recalling the Universal Declaration of Human Rights;

Having regard to the UN Convention on the Elimination of All Forms of Discrimination Against Women and all other relevant UN Conventions;

Having regard to General Recommendation XXIX of the UN Committee on the Elimination of Racial Discrimination, in particular to paragraphs 11-13;

Having regard to and reinforcing the urgency of the ongoing UN study on “Discrimination based on Work and Descent” and the development of Principles and Guidelines for the effective elimination of this form of discrimination, we call upon:

- The international community to ensure that the large gap is closed, at the latest by 2015, by achieving targets of the Millennium Development Goals for the population in general and Dalit women and girls in particular, through providing additional measures for Dalit women and girls to realise their right to development on par with others.
- The United Nations Human Rights bodies and mechanisms, the United Nations organizations, intergovernmental institutions and organizations, the European Union, bilateral aid agencies and international non-governmental organizations to give full recognition and effect to the content and the recommendations of The Hague Conference on the Rights of Dalit Women;
- The international community to express its outrage against the caste-induced, systematic practice of untouchability and atrocities against Dalits in South Asia in general and against Dalit women in particular.
- These institutions and bodies to raise the issues and concerns of Dalit women at all levels and to involve and introduce all necessary measures, and to support and secure the implementation of the recommendations of this Declaration with a sense of great urgency.
- The Human Rights Council to address the issue of untouchability and violence against Dalit women and men and the impunity related to caste practices and discrimination.
- The ILO in its annual Global Reports on fundamental labour rights (no child and no forced labour, non-discrimination in employment and the right to association and collective bargaining) to highlight and propose measures to fight the systematic violation of these fundamental rights as far as Dalit women and girls are concerned.



# Annex 3

## EUROPEAN PARLIAMENT



*Session document*

20.12.2006

B6-0021/2007

### **MOTION FOR A RESOLUTION**

pursuant to Rule 91 of the Rules of Procedure

by the Committee on Development

on the human rights situation of the Dalits in India

**B6-0021/2007**

**European Parliament resolution on the human rights situation of the Dalits in India**

*The European Parliament,*

- having regard to the hearing held by its Committee on Development on 18 December 2006,
- having regard to the report of its Committee on International Trade on the EU's economic and trade relations with India (A6-0256/2006), the opinion of its Committee on Development on this report (2006/2034(INI)) and Parliament's Human Rights Reports of 2000, 2002, 2003 and 2005,
- having regard to General Recommendation XXIX (descent-based discrimination) adopted by the UN Committee on the Elimination of Racial Discrimination on 22 August 2002 and the 48 measures to be taken by the State Parties,
- having regard to the study being undertaken by the UN Sub-Commission on the Promotion and Protection of Human Rights, in which draft Principles and Guidelines for the elimination of 'discrimination based on work and descent' are being developed, and noting the preliminary report issued by the Special Rapporteurs on discrimination based on work and descent,
- having regard to the various provisions in the Constitution of India for the protection and promotion of the rights of Dalits, affecting at least 167 million people, including those on the abolition of the practice of untouchability, the prohibition of discrimination on grounds of caste, equality of opportunity in matters of public employment and educational, employment and political affirmative action through reservations in state-run institutions and political representative bodies; having regard also to numerous legislative measures ordering the abolition of some of the worst practices of untouchability and caste discrimination, including bonded labour, manual scavenging and atrocities against Dalits,
- having regard to the National Human Rights Commission, the National and State Commissions for Scheduled Castes and the National Safai Karamchari Commission (dealing with the problem of manual scavenging),
- whereas India is the largest functioning democracy in the world where every citizen is equal before the ballot box, India's immediate past President and Head of State was a Dalit and Dalits have served as ministers; whereas there are Hindu schools of thought which reject caste discrimination and exclusion as an aberration of their faith,
- whereas Dalits and similar groups are also found in Nepal, Pakistan and Bangladesh,
- having regard to Rule 91 and Rule 90(4) of its Rules of Procedure,

- A. whereas the National Human Rights Commission of India has reported that the implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act remains very unsatisfactory, and whereas it has published numerous recommendations to address this problem,
- B. whereas, despite 27 officially registered atrocities being committed against Dalits every day, police often prevent Dalits from entering police stations, refuse the registration of cases by Dalits and regularly resort to the practice of torture against Dalits with impunity,
- C. whereas, despite the fact that many Dalits do not report crimes for fear of reprisals by the dominant castes, official police statistics averaged over the past 5 years show that 13 Dalits are murdered every week, 5 Dalits' homes or possessions are burnt every week, 6 Dalits are kidnapped or abducted every week, 3 Dalit women are raped every day, 11 Dalits are beaten every day and a crime is committed against a Dalit every 18 minutes<sup>1</sup>,
- D. whereas a recent study on untouchability in rural India<sup>2</sup>, covering 565 villages in 11 States, found that public health workers refused to visit Dalit homes in 33% of villages, Dalits were prevented from entering police stations in 27.6% of villages, Dalit children had to sit separately while eating in 37.8% of government schools, Dalits did not get mail delivered to their homes in 23.5% of villages, and Dalits were denied access to water sources in 48.4% of villages because of segregation and untouchability practices,
- E. whereas half of India's Dalit children are undernourished, 21% are 'severely underweight', and 12% die before their fifth birthday<sup>3</sup>,
- F. whereas untouchability in schools has contributed to drop-out and illiteracy levels for Dalit children far beyond those of the general population, with the 'literacy gap' between Dalits and non-Dalits hardly changing since India's independence and literacy rates for Dalit women remaining as low as 37.8% in rural India<sup>4</sup>,
- G. whereas Dalit women, who alongside 'Tribal' women are the poorest of the poor in India, face double discrimination on the basis of caste and gender in all spheres of life, are subjected to gross violations of their physical integrity, including sexual abuse by dominant castes with impunity and are socially excluded and economically exploited,
- H. whereas the National Commission for Scheduled Castes has observed substantial under-allocation and under-expenditure of the allocation for Dalit welfare and development under the government's Special Component Plan for Scheduled Castes,
- I. whereas Dalits are subjected to bonded and forced labour and discriminated against in a range of markets, including in the labour, housing, consumer, capital and credit markets;

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<sup>1</sup>Derived from figures provided in *Crime in India 2005*, <http://ncrb.nic.in/crime2005/home.htm> and <http://ncrb.nic.in/crime2005/cii-2005/CHAP7.pdf>

<sup>2</sup>Published as *Untouchability in Rural India* by Shah, Mander, Thorat, Deshpande and Baviskar, Sage Publications, India, 2006

<sup>3</sup>National Family Health Survey, commissioned by the Indian Ministry of Health and Family Welfare, 1998-99 (last survey available), p11, <http://www.nfhsindia.org/data/india/indch6.pdf>

<sup>4</sup>2001 Census of India

are paid lower wages and subjected to longer working hours, delayed wages and verbal or physical abuse,

1. Welcomes the various provisions in the Constitution of India for the protection and promotion of the rights of Dalits; notes however that, in spite of these provisions, implementation of laws protecting the rights of Dalits remains grossly inadequate, and that atrocities, untouchability, illiteracy, inequality of opportunity, manual scavenging, underpayment of wages, bonded labour, child labour and landlessness continue to blight the lives of India's Dalits;
2. Expresses its concern at the low rate of conviction for the perpetrators of such crimes and calls on the Government of India to improve its criminal justice system in order to facilitate registration of charges against perpetrators of crimes against Dalits, to increase the conviction rate for such perpetrators, to significantly reduce the duration of court procedures; and to take special measures for the protection of Dalit women;
3. Welcomes the recent ban on the employment of children as domestic servants and workers in roadside eateries, restaurants, teashops etc. and urges the Indian Government to take further steps towards the complete banning of all forms of child labour;
4. Calls on the Government of India to take urgent steps to ensure equal access for Dalits to police stations and all other public institutions and facilities, including those related to its democratic structure such as panchayat buildings and polling booths;
5. Applauds the fiscal policy followed by the Planning Commission of India and the various Ministries in the provision of the budgetary allocations towards the welfare and development of Dalits, and calls on the Government of India to ensure complete and time-bound implementation of all policy and budgetary measures towards the welfare and development of Dalits, including full implementation of the Special Component Plan for Scheduled Castes;
6. Urges the Government of India to engage further with relevant UN human rights bodies on the effective elimination of caste-based discrimination, including the Committee on the Elimination of Racial Discrimination and the UN Special Rapporteurs assigned to develop Principles and Guidelines for the Elimination of Discrimination based on Work and Descent;
7. Calls on the Government of India to ratify the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to take preventive measures to reduce the risk of Dalits facing torture, to take legal measures to criminalise torture in India, to take punitive measures to prosecute police who commit torture, to consistently provide rehabilitation and compensation for torture victims and to put in place an independent complaints mechanism for victims of torture that is accessible to Dalits;
8. Notes with concern the lack of substantive EU engagement with the Indian Government, notably within the EU-India Summits, on the vast problem of caste-based discrimination;
9. Urges the Council and the Commission to raise the issue of caste-based discrimination during EU-India Summits and other meetings as part of all political, human rights, civil

society, development and trade dialogues and to inform the committees concerned of the progress and outcome of such dialogues;

10. Urges the European members of the Joint Action Committee to develop dialogue on the problem of caste-based discrimination in terms of its discussions on democracy and human rights, social and employment policy and development cooperation;
11. Reiterates its expectation that EU development programmes in India include specific measures to ensure that minorities such as Dalits and Adivasis and other marginalised communities, tribes and castes, are able to close the wide gap with the rest of the population regarding the attainment of the MDGs;
12. Recalls its demand that the Council and the Commission give priority to promoting equal opportunities in employment in private EU-based companies and encouraging EU-based companies to implement the 'Ambedkar Principles' (Employment and Additional Principles on Economic and Social Exclusion Formulated to assist All Foreign Investors in South Asia to Address Caste Discrimination);
13. Welcomes the EU's commitment to the development of Principles and Guidelines for the elimination of discrimination on the basis of work and descent by the UN Sub-Commission on the Promotion and Protection of Human Rights, and urges the Commission and the Council to continue this support;
14. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the President, Government and Parliament of India, the UN General-Secretary, and the heads of the UN Sub-Commission on the Promotion and Protection of Human Rights, the ILO, UNICEF, the World Bank and the IMF.





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