

National campaign on Dalit Human rights – India

India may be the 'world's biggest democracy'. But despite this status, the country is "drawn with the crayons of caste and religious prejudices, where millions of citizens are still considered 'untouchable'." Such is the verdict expressed in the 2010 report on the state of human rights in India from the Asian Human Rights Commission (AHRC).

The report highlights widespread caste discrimination in access to justice, health care, land, social services, and right to food and outlines several cases of atrocities committed against Dalits. It also points out that India's insistence on caste issues being an 'internal matter' only exacerbates the problem.

The AHRC report sums up what India's approximately 200 million Dalits experience in their daily lives. In 2010 numerous other reports from respected human rights organisations made similar assessments of the situation. Amnesty International noted that members of Dalit communities face "attacks, social boycotts and discrimination in access to health, education and legal services".

A major problem in India is the lack of implementation of existing laws that are meant to protect Dalits and other marginalised groups, but in reality have little effect. Hence, the National Campaign on Dalit Human Rights (NCDHR) focused many of its efforts in 2010 on campaigning for proper implementation of legislation and contributing to ensuring the effectiveness of future legislative measures.

The National Coalition for Strengthening the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (SC/ST Act), of which NCDHR is a member, published a report card (status report) on the implementation of the act as well as a set of draft recommended amendments. It reflects how deep rooted discrimination in law enforcement and judiciary systems, as well as society in general, continues to undermine the act's effectiveness.

Following the launch of the report card in April at a national consultation involving MPs and civil society organisations, nearly 30 parliamentarians raised at least 12 questions in Parliament about the implementation of the SC/ST Act.

NCDHR and other coalition members were invited to meet with the Cabinet Minister for Social Justice and Empowerment who committed to calling for a high-level meeting on the issue. The Minister informed Parliament that he had started consultations with states on amendments to the SC/ST Act and would bring the required amendments once the process was complete. NCDHR furthermore drafted and sent out a note on the role of MPs and Members

"Understanding untouchability is crucial to ending untouchability. Dalits face untouchability in every aspect of their lives. By lifting the veil of ignorance we have no excuse not to end it." Martin Macwan, founder, Navsarjan Trust, 2010

of the Legislative Assembly (MLAs) for making District and State Level Vigilance and Monitoring Committees and organised state level consultations for MLAs on the topic.

Following meetings between NCDHR and the Chair of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes the committee took up the review of the SC/ST Act as a subject matter for 2010-2011. NCDHR also lobbied the National Advisory Council to provide legislative input to Government for strengthening the SC/ST Act and the council subsequently included NCDHR in the Drafting Committee on the new Communal and Targeted Violence Bill – due to be completed in 2011.

In 2010 NCDHR filed two Public Interest Litigations (PILs) and followed up on the PILs they filed in 2009. One of the PILs filed in 2010 concerned implementation of the SC/ ST Act in a much publicised case where a whole village in Mirchpur was burnt down and an 18 year old Dalit girl and her father were burnt alive.

Another focus area for NCDHR in 2010 has been strengthening Dalit economic rights. State level budget research centres were established and all state coordinators were given training on the budget tracking process – with a particular focus on provisions for scheduled castes. NCDHR also decided to work with NGOs in five states on budgetary issues.

The platform organised activist capacitating workshops on the national and state level to provide skills in dealing with budgets and public finance and to equip participants to play an active role in the state budget making processes. Furthermore, analysis of current budgets were undertaken in Uttar Pradesh, Orrisa, Rajasthan and Madhya Pradesh and meetings with MPs and MLAs at the state level on budgetary issues were held.

Discrimination against Dalits in disaster situations and relief work was another key concern in 2010. NCDHR continued its work on the National Dalit Watch (NDW), which has evolved from the experiences of discrimination against Dalits in the relief activities of Tsunami-affected areas in 2005 and Bihar flood-affected areas in 2007-2008.

This year the NDW launched a special survey on the issue

“If India does not achieve the mDgs, the world will not achieve the mDgs; and if Dalits and tribals do not achieve the mDgs, India will not achieve the mDgs. So we need to get our priorities straight.” Ashok Barti, National Convenor of IDSN Associate NACDOR, September 2010

of exclusion of Dalits in the flood affected areas in Andhra Pradesh. The objective of this study is to monitor the Disaster Relief and Rehabilitation package announced by the government: to bring out the issues of exclusion practiced in its implementation; to submit representations and petitions to all concerned authorities of the individual cases of the denial of entitlement from relief and rehabilitation, either fully or partially: and to create awareness about the package. Several other surveys on this issue in other states were also conducted in 2010.

A National Consultation on “Exclusion of Dalits in Disaster Risk Reduction Interventions – Effective Civil Monitoring” was held in June. The consultation brought together civil society organisations, international NGOs and senior government officials, leading to a strategic partnership with Oxfam India and Sphere India on the issue. Deliberations with national disaster management authorities and UN officials on the issue of combating the exclusion of Dalits from disaster related interventions were also held.

To promote Dalit women leadership and political participation, NCDHR worked to strengthen the All India Dalit Mahila Adhikar Manch (AIDMAM). Dalit women equipped with knowledge and capacities have the potential to challenge caste and gender barriers. In their report on

“The Indian constitution is good. but the level of impunity is incredibly high, law enforcement biased and implementation much too weak.” Manjula Pradeep, Director, Navsarjan Trust, India

maternal health care, Human Rights Watch exemplify one such barrier for Dalit women in India stating that “access to healthcare is particularly difficult for Dalit and tribal communities,” they are often not admitted to government health facilities and complaints are ignored. AIDMAM operates in three states to promote networks of Dalit Women Elected Representatives, to give Dalit women more influence over their lives and the opportunities available to them.

National Dalit organisations organised a consultation to collect input from Dalit activists for the Planning Commission of India’s paper for the country’s 12th five-year plan. The Planning commission has now started drafting this paper including input from the National Dalit Consultation.

A national ecumenical consultation on caste discrimination in New Delhi in October was organised by the National Council of Churches in India (NCCI). The consultation was a follow-up to a global conference on ‘Justice for Dalits’ in Bangkok in 2009. The event concluded with a proclamation, which stated that “casteism is a sin” and called upon all churches in India to banish discrimination.

In December, a ‘Regional Seminar on Social Exclusion and Minority Issues’ was organised by NCDHR and the Working Group on Human Rights in India and the UN. The UN Independent Expert on Minority Issues, Gay McDougall, participated and was the keynote speaker at the seminar.

Several international media covered caste discrimination in India in 2010 and numerous books and documentary films on caste issues including temple prostitution, Dalit women empowerment and manual scavenging, were also released. On the national level, a media debate took place on whether or not caste should be ‘internationalised’. This debate, spurred on by the pending decision to outlaw caste discrimination in the UK, still continues.

“We need a concerted effort to bring about a social change which can weaken these divisive forces, strengthen unity and accelerate our march for national progress.” Meira Kumar, the Speaker of India’s Lower House (Lok Sabha), speaking on caste discrimination
