

IDSN Input to the third phase of consultations on the second draft of the World Bank Environmental and Social Framework taking place from 4. August 2015- February 2016.

The [second draft](#) of the World Bank Environmental and Social Framework 1 July 2015, lacks inclusion of an estimated 260 million people worldwide, affected by [caste-based discrimination](#).

In February 2015, IDSN submitted [input](#) to the [first draft](#) of the World Bank Environmental and Social Framework.

For the [Issues for Phase 3 Consultations](#) the World Bank Board of Executive Directors have requested Management to include the issue of 'Non-discrimination and vulnerable groups'. Specifically, 'explicit listing of specific vulnerable groups by type/name' and 'aspects of the non-discrimination principles in complex social and political context including where recognition of certain groups is not in accordance with national law' are listed as issues to be reviewed in the third phase of consultations.

Discrimination based on caste status involves massive violations of civil, political, economic, social and cultural rights and constitutes a strong indicator for the high poverty levels that caste-affected people experience. Most 'untouchables' – known in South Asia as Dalits, live below the poverty line, earn less than the minimum wage, have no access to education, experience segregation in access to housing and suffer from numerous diseases, not least because of lack of access to safe drinking water and sanitation. Pervasive discrimination keeps them poor, uneducated, in terrible living conditions and in menial jobs. The social exclusion of Dalits and similarly affected communities lead to high levels of poverty among affected population groups and exclusion, or reduced benefits, from development processes¹. Almost all UN human rights mechanisms and [high-level UN officials](#) have raised concerns about caste-based discrimination in a multitude of states. Further, the draft [United Nations Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent](#) (2009) clearly state that "discrimination based on work and descent exacerbates poverty and constraints progress."

- [IDSN Compilation of UN references on caste-based discrimination](#), October 2015

IDSN is concerned about the failure to recognise and specifically identify caste-affected groups as vulnerable groups in the proposed document, leaving caste-affected people virtually unprotected in World Bank projects. Counting more than a quarter of a billion people, caste-affected groups are subjected to poverty, social exclusion and discrimination – factors to be addressed by the World Bank Framework, "prepared with the aim to deliver efficiently on the goals to end extreme poverty...promote shared prosperity in a sustainable manner...promote social inclusion and discourage discrimination". IDSN notes that 27 UN Special Rapporteurs have raised this same concern, that vulnerable and marginalised groups remain "virtually unprotected in World Bank projects" in a [joint letter to the World Bank President](#) December 2014.

In the second draft, the World Bank Management decided to maintain a non-exhaustive list of vulnerable and disadvantaged groups. IDSN strongly urges that groups affected by caste-based discrimination are

¹ **Post-2015 development agenda:** Several networks and organizations including the Asia Dalit Rights Forum and IDSN have been involved in the process of articulating the post-2015 development agenda and Sustainable Development Goals (SDGs). To ensure that the post-2015 development agenda facilitates the elimination of caste-based exclusion, activists and policy-makers from South Asia have led the call to recognize caste as a fundamental determinant for social exclusion and therefore development.

addressed and clearly identifiable in the Framework. Specifically, IDSN recommends that caste-affected groups are included in the definition of disadvantaged or vulnerable groups on page 10, 29, 123 and in the Glossary page 129: “Disadvantaged or vulnerable refers to those who, by virtue of, for example, their caste may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits”. This, so that caste-affected groups are covered throughout the document and taken into account by the Bank in its human rights due diligence and social risks and impact assessments. IDSN also recommends that the Vision of the Framework include mention of “those disadvantaged because of caste” so that these groups are given due consideration within Bank projects, especially where adverse impacts may arise or development benefits are to be shared. This inclusion and addition of references to caste, caste status or caste discrimination, alongside and on par with other forms of discrimination, in the final Framework would be well justified and in line with language applied in recent, official UN reports and statements by high level UN officials, including the [World Bank President](#), [UN Secretary-General](#) and [UN High Commissioner for Human Rights](#).

Leaving out caste and similar forms of discrimination from this equation means that hundreds of millions of people will indeed be left unprotected in World Bank projects and essentially that the goals and principles of the Safeguard Policies will fall short and lack observance.

IDSN strongly urges that that groups affected by caste-based discrimination are addressed and clearly identifiable in the vision, policy and standards of the Safeguard Policies. Please see annex 1 for detailed recommendations.

World Bank President on caste-based discrimination

We were pleased to note that World Bank President Jim Yong Kim, on a visit to Gujarat, cautioned that while [India](#), home to some 201 million Dalits, is an accelerating economy, “Indian society has an enduring exclusion that is based among other things, on caste identities.” Moreover, Mr. Kim further noted that this bias can impede shared prosperity, serve as a basis for discrimination in many spheres, including in employment and public services.

- IDSN news article “[World Bank President and UN Secretary-General: Ending India’s caste-based exclusion is key to shared prosperity](#)” December 2014

Mr. Kim restated the vision of Martin Luther King and made it clear that in order to bring about historic change, “we must ourselves forcefully bend the arc of history towards justice...of all the things to ‘Make in India,’ the most important for all of us it to make, right here, the very foundation for a world free of poverty.” We strongly support this statement made by the World Bank President and urge a similar approach to and focus on justice and the eradication of poverty in the World Bank Safeguard Policies. As recognised by Mr. Kim, this would require addressing “exclusion based on caste identities.”

More information

- [IDSN webpage on key issues regarding caste-based discrimination](#)
- [Equality in Aid: Addressing Caste Discrimination in Humanitarian Response](#), IDSN publication September 2013
- [Draft UN Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent](#)
- [IDSN Compilation of UN references on caste-based discrimination](#), October 2015

Annex 1 - Detailed recommendations in relation to the vision, policy and standards of the World Bank’s proposed Environmental and Social Framework.

Vision

IDSN recommends that the Vision of the Framework include mention of “those disadvantaged because of caste” so that these groups are given due consideration within Bank projects, especially where adverse impacts may arise or development benefits are to be shared.

Policy

IDSN recommends that the World Bank support the development and implementation of inclusive and appropriate policies that enable the effective targeting of marginalised and excluded groups in World Bank projects, especially caste-affected groups.

IDSN specifically recommends that caste-affected groups are included in the definition of disadvantaged or vulnerable groups (on page 10) under the World Bank Environmental and Social Policy. This, so that risks that project impacts fall disproportionately on caste-affected groups are taken into account.

Standards

IDSN recommends that the World Bank encourage and adhere to a common approach to addressing caste-based discrimination in projects and operations.

IDSN encourages the inclusion of caste-based discrimination in the environmental and social standards of the World Bank, and specifically the Standards on; Assessment and Management of Environmental and Social Risks and Impacts; Labor and Working Conditions; Community Health and Safety; Land Acquisition, Restrictions on Land Use and Involuntary Resettlement and Information Disclosure and Stakeholder Engagement.

Specifically, IDSN recommends that;

- caste-affected groups are included in the definition of disadvantaged or vulnerable groups (on page 29) under Standard 1 on Assessment and Management of Environmental and Social Risks. This, so that caste-affected groups are taken into account in the assessment and management of social risks including risks that project impacts falls disproportionately on caste-affected groups and that any prejudice or discrimination toward caste-affected groups in providing access to development resources and project benefits takes place.
- caste-affected groups are included in the definition of disadvantaged or vulnerable groups (on page 123) under Standard 10 on Stakeholder Engagement and Information Disclosure. This, so that caste-affected groups are addressed in the engagement during project preparation and stakeholder identification and analysis. And, so that the Borrower includes caste-affected groups when identifying individuals and groups that may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.
- a Standard on caste affected groups is included in the Framework. This, in line with Standard 7 on Indigenous Peoples.

Furthermore, IDSN recommends that caste-affected groups are included in the definition of disadvantaged or vulnerable groups in the Glossary on page 129: “Disadvantaged or vulnerable refers to those who, by virtue of, for example, their caste may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits”. This, so that caste-affected groups are covered throughout the document and taken into account by the Bank in its human rights due diligence and social risks and impact assessments.

Tools and methods for caste-inclusive programming

It is strongly recommended that the Word Bank uses appropriate tools based on participatory methods and principles of social equity audit for monitoring and auditing the extent of social equity and inclusion of persons affected by caste-based discrimination in projects and operations. Tools and methods for inclusive programming include;

- vulnerability mapping tools

- inclusion monitoring tools
- methods for inclusive response programming

For further information, please see the [Equality in Aid: Addressing Caste Discrimination in Humanitarian Response](#), IDSN publication September 2013

Draft UN Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent

Based on the draft UN PnG, IDSN urges the World Bank to further develop measures to tackle exclusion and discrimination in all its projects and operations, such as social equity audits and caste analysis frameworks. Appropriate ‘affected community inclusion tools’ should be developed and applied effectively in the planning and monitoring of projects. The World Bank should provide training on caste-based discrimination to their staff and should take responsibility to monitor and counter untouchability practices. Members of caste-affected communities should be fully involved in decision-making on and the planning and evaluation of projects, and the World Bank should actively seek to employ members of caste-affected communities in its operations. Please see the [draft UN Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent](#)

Annex 2 – Key issues

As noted, caste-affected groups face severe discrimination and exclusion in a number of areas including employment, education, health, access to justice, political participation, housing, water and sanitation and humanitarian aid. Please find below further information on some of key areas addressed by IDSN; caste-based slavery, the practice of manual scavenging and multiple discrimination against Dalit women.

Caste-based slavery

Despite being prohibited in many countries, slavery is widespread in South Asia. Forced and bonded labour, resulting in a loss of control over labour conditions and terms of work, is often interlinked with the caste system and related types of customary feudal agricultural relationships.

Dalit bonded labourers

Those who are employed as bonded labourers in South Asia are predominantly Dalits. According to an Anti Slavery International [report](#), the vast majority of bonded labourers (around 90%) are predominantly from scheduled castes and minority groups. Weak economic positions and lack of access to resources increase Dalits’ dependence on wage labour. Extreme poverty forces Dalits to take up loans and they hold no other assets to lever their debt other than their labour. In addition to poverty, practices of social exclusion of Dalits push them into bondage. When Dalits try to exercise their rights or resist abuse and exploitation, they are faced with extremely hostile and sometimes brutal resistance by the higher caste villagers that uphold the hierarchy. Consequently, when Dalits resist their oppression, they risk complete boycott, cutting them off from land use, access to markets and employment. Other retaliations against Dalit assertion include killings, gang rapes, looting and arson.

- [Caste discrimination, child labour and the Nobel prize](#), IDSN news article October 2014

Caste discrimination is a key factor behind child labour in India, home to the highest number of child labourers in the world. This is the message coming from experts on child labour. The Nobel Peace Prize winner, Kailash Satyarthi, also explains how witnessing caste discrimination as a child spurred on his engagement with fighting for the rights of the most marginalised.

- [Caste at the root of India and Mauritania’s position as top global slavery offenders](#), IDSN news article December 2014

The Global Slavery Index 2014, released by the Walk Free Foundation, singles out India as the country in the world with the most slaves and sees caste at the root of slavery in India. Caste-affected Mauritania tops the Index on percentage of the population in slavery.

- [Global Slavery Index: Caste a major factor](#), IDSN news article October 2013

Caste systems are present in four out of five countries ranked the worst slavery offenders, in the 2013 Global Slavery Index. India alone accounts for half of the people on the planet regarded as 'modern slaves'.

- [Report: Dalit girls in modern slavery in India's textile industry](#), IDSN news article October 2014

A new report "[Flawed Fabrics](#)", released by the India Committee on the Netherlands ([ICN](#)) and the Centre for Research on Multinational Corporations ([SOMO](#)), following up on modern slavery in Indian spinning mills, finds that despite initiatives launched to end conditions of forced labour, the situation remains alarming. Efforts of clothing brands and retailers to end this, lack scale and conviction. Due to their marginalised status and lack of alternative opportunities, the majority of girls working in these factories are Dalits.

Manual Scavenging

[Manual scavenging](#), the removing of human excreta from dry latrines, railroad tracks and sewers by hand, is a caste-based and hereditary occupation form of slavery reserved exclusively for Dalits. It is estimated that around 1.3 million Dalits in [India](#), mostly [women](#), make their living through manual scavenging – a term used to describe the job of removing human excrement from dry toilets and sewers using basic tools such as thin boards, buckets and baskets, lined with sacking, carried on the head.

- [Cleaning Human Waste: "Manual Scavenging," Caste, and Discrimination in India](#), Human Rights Watch Report August 2014

Multiple discrimination against Dalit women

Dalit women suffer multiple discrimination at the intersection of caste and gender discrimination. Dalit women are placed at the absolute bottom of the social hierarchy – as Dalits, as members of an impoverished underclass, and as women.

Dalit women are often trapped in highly patriarchal societies. The severe discrimination they face from being both a Dalit and a woman, makes them a key target of violence and systematically denies them choices and freedoms in all spheres of life. This endemic intersection of gender-and-caste discrimination is the outcome of severely imbalanced social, economic and political power equations.

Dalit women suffer from severe limitations in access to justice and there is widespread impunity in cases where the perpetrator is a member of a dominant caste, above the Dalits in the caste system. Dalit women are therefore considered easy targets for sexual violence and other crimes, because the perpetrators almost always get away with it. For example, in India, studies show that the conviction rate for rapes against Dalit women is under 2% compared to a conviction rate of 25% in rape cases against all women in India.

- [IDSN webpage on Dalit women](#) and [IDSN 'Dalit Women Fight' publication](#)
- [Issues and recommendations from UN institutions on Dalit women](#), IDSN February 2015
- [IDSN Report on June 2014 UN HRC side-event on caste-based violence against women](#)