#NoCasteLeftBehind

Caste and Gender Justice

Delivering on the UN Global Goals for Dalit women and girls



मन्हे पुरुष

Page 3: Photo of Dalit girls attending school in Bangladesh by Advocacy Project/Matthew Becker

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Caste discrimination

There are an estimated 260 million Dalits worldwide, often born into an 'untouchable' status, in highly stratified caste systems. Caste systems are found in South Asia, in communities migrated from South Asia across the globe and in other caste-affected countries in Africa and Asia.

Caste-based discrimination involves massive violations of civil, political, economic, social and cultural rights. Caste systems divide people into unequal and hierarchical social groups. Those at the bottom are considered inferior, 'impure' and 'polluting' to other caste groups. Those in the lowest of castes, known as Dalits in South Asia, are often considered 'untouchable' and subjected to so-called 'untouchability practices' in both public and private spheres. Dalits may be forced to do the most dirty and hazardous jobs, and subjected to modern slavery. Due to exclusion practiced by both state and non-state actors, Dalits have limited access to resources, services and development, keeping many in severe poverty. Dalits are often de facto excluded from decision-making and meaningful participation in public and civil life. Lack of special legislation banning castebased discrimination or lack of implementation of legislation, due to dysfunctional systems of justice, lack of state responsibility and castebias, have largely left Dalits without protection.

Despite policy development and new legislation in some countries, fundamental challenges still remain in all caste-affected countries.



Introduction

Across the globe, over 260 million people risk segregation, exploitation, physical and psychological abuse because of their caste. Most of the affected communities live in South Asia – where they are referred to as 'Dalits'. Similarly affected groups are also found elsewhere in Asia as well as in Africa, in the Middle East, and in diaspora communities from South Asia and Africa. As the findings of UN human rights mechanisms such as Special Procedures, Treaty Bodies and Universal Periodic Reviews, make clear, caste-based discrimination is in its essence a violation of human rights and an obstacle to development.

Caste-affected countries such as India, Nepal, Pakistan and Bangladesh remain deeply patriarchal societies where women are often oppressed by men and socially restrained from accessing the same rights, services and privileges.

Intersectional caste and gender discrimination leaves Dalit women and girls as some of the furthest behind when it comes to achieving the UN Global Goals and therefore this type of discrimination needs special focused attention.

Dalit women are leading the way by standing up for their rights, they need global solidarity and justice to catalyse their access to rights and dignity. In this publication we highlight some of the key challenges faced by Dalit women and girls in relation to the specific UN Global Goals and targets and offer advice on what you can do to stand in solidarity with these women and be a catalyst of change.

Reasons why caste and gender justice is key to the UN Global Goals

10





Figures are based on findings from UN and NGO studies and reports.

Caste and gender equality



Patriarchy and caste

Dalit women in South Asia live in deeply patriarchal societies. The severe intersectional discrimination they face from being a Dalit and a woman, makes them a key target of violence and systematically denies them choices and freedoms in all spheres of life.

"The reality of Dalit women and girls is one of exclusion and marginalisation ... They are often victims of civil, political, economic, social and cultural rights violations, including sexual abuse and violence. They are often displaced; pushed into forced and/or bonded labour, prostitution and trafficking." United Nations Special Rapporteur on Violence against Women

Dalit women in India, Nepal, Pakistan and Bangladesh are standing up against patriarchy and caste discrimination, but they need support in holding the state accountable to implementing the legislation made to protect them at the local and national level, and for states to meet their international human rights obligations. In some caste-affected states, such as Pakistan and Bangladesh, new anti-discrimination legislation also needs to be adopted to properly address the caste-gender nexus.

Ending caste-gender violence

For centuries Dalit women have been targets of violence and rape. If Dalit women, or other members of their community, dare to challenge caste hierarchies and traditional caste roles it is often Dalit women that bear the brunt of the reprisals from the dominant castes.

These reprisals can be in the form of violence, naked paradings, beatings, rape, or destruction of property. Minority Rights Group International reported a study finding that 70% of cases of atrocities against Dalit women were committed as Dalit women tried to assert their rights and challenge caste and gender norms. Attempts at political influence are often met with violent reprisals or economic sanctions and even when given a political seat, Dalit women are often forcefully silenced or ridiculed.

Despite the fact that in India, the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act specifically bars violence against Dalits and in Nepal the Caste-based Discrimination and Untouchability Crime Elimination and Punishment Act, prohibits 'untouchability' and violence against Dalits in the public and private sphere, both Acts lack implementation. Violent abuse of Dalit women therefore remains widespread in caste-affected countries and is even on the increase in many areas.

Dalit women are banding together to protest against violence and violations of their rights and to support each other in demanding respect, dignity and justice. They need solidarity to amplify their voices and put pressure on their states and society to do more to ensure that there is zero tolerance for the violence and abuse they are facing.

Tackling trafficking, abductions and forced marriage

In Pakistan Dalit girls also face abduction, forced conversions and forced marriage. As a religious minority, Dalit women also experience violations such as rape and torture as a form of punitive measure and prosecution. These crimes are almost always committed with impunity.

In Nepal and India, Dalit women and girls are especially vulnerable to trafficking into domestic work, factories and the sex industry.

As long as Dalit women and girls are marginalised and exlcuded from key services and education, they will continue to be key targets for traffickers. Tackling trafficking means tackling caste and gender discrimination head on and ensuring that Dalit girls and women have access to exercising their rights.

Dalit women are demanding justice and protection for their women and girls and they need support in pushing for change.



Political participation

Political space for women subjected to intersectional caste and gender discrimination is very limited. Even when seats have been reserved for Dalits, as is the case in India and Nepal, they are either left unfilled or often do not transform into meaningful participation for the women elected due to stigma and discrimination.

In Nepal for example, the UN Committee on the Elimination of Discrimination against Women has voiced specific concern over the need to insure proportional representation of Dalit women in political bodies in Nepal.

In Pakistan and Bangladesh, activists are pushing for reservations for Dalit women in order to gain any political influence, which is currently extremely marginal.

"On higher level posts, only 16 Dalit women have seats among 753 women or only 2%" of the total amount of women ... those women in higher posts continue to undergo discrimination and humiliation from so-called upper caste, therefore finding it difficult to address the need of their fellow Dalits in general and Dalit women in particular"

Durga Sob, Founder of the Feminist Dalit Organisation (FEDO) Nepal

Dalit women leadership and activism

Across caste-affected countries in South Asia, Dalit women's movements are challenging the systems that have been oppressing them for centuries using protest marches, sit-ins, online grassroots activism, awareness raising events and numerous other new and traditional ways of getting their concerns heard.

Many Dalit women activists and movements have embraced new technology and social media in the fight for justice. This has brought with it both challenges and opportunities. successful initiatives such as the #DalitWomenFight and #DalitHistoryMonth campaigns have given exposure to the issues faced by Dalit women and served as a tool to unite women in a shared struggle.

At the same time, the discrimination and abuse faced offline replicates itself online with Dalit women activists often being abused and threatened by trolls.

Much more needs to be done by both the technology plaforms and their user base to help protect Dalit women from online abuse and harassment.

Dalit women's movements across the world are growing stronger and are connecting to each other and reaching out to decision-makers and the global public.

Dalit leaders fight for rights

Dalit women human rights defenders are leading the fight for caste and gender justice



"Today, we are not here only to speak of our plight. We are also agents of change" — Ruth Manorama (Dalit leader from India - speaking at the UN Human Rights Council)

"Let them not rape us every day and murder us. Make the police give us our rights. I will fight for those who are abused and dead and I hope if my turn comes, someone will be there to fight for me." — Manisha (Dalit leader from India)





"If you are not considered human, human rights do not apply to you. It is my duty to fight for our rights" — Moni Rani Das (Dalit leader from Bangladesh)

"We are doing everything we can, but we need impact from the international level to move forward in our struggle." — Durga Sob (Dalit leader from Nepal)



Fighting for justice



Access to justice

Dalit women suffer from severe limitations in access to justice and widespread impunity in cases where the perpetrator is a member of a dominant caste, 'above' Dalits in the caste system. Dalit women are therefore considered easy targets for sexual violence and other crimes, because the perpetrators are rarely convicted. 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 women in India generally.

A similar picture is seen in other caste-affected countries such as Nepal, Bangladesh and Pakistan. Crimes against Dalit women are largely committed with impunity as their social status as so-called 'untouchables' often hinders them from filing reports with the police or accessing legal systems. Even when Dalit women get a report filed with the police, caste and gender prejudice in the courts is another severe obstacle to obtaining justice for Dalits. A deeply ingrained discriminatory mindset within the systems of justice in caste-affected countries is a key part of why Dalit women are routinely denied justice.

"Non-implementation of legislation and policies and the lack of effective remedies and effectively functioning state institutions, the judiciary and police included, remain major obstacles to eliminating castebased discrimination"

European Parliament Resolution on Caste-Based Discrimination

In its India report to the UN Committee on the Elimination of Discrimination against Women, Minority Rights Group International found that Dalit women face various and grave institutional and procedural obstacles to justice. The report states that in a majority of cases, rapists from dominant castes, accused of raping a Dalit woman, are either not arrested or their arrest is significantly delayed. In cases where they are arrested they are often let out on bail – despite this not being legal. In the report, 'Justice under Trial', the National Dalit Movement for Justice (NDMJ-NCDHR) highlights that impunity in cases involving Dalit victims is in fact on the rise.

"Caste-based discrimination remains widespread and deeply rooted, its victims face structural discrimination, marginalization and systematic exclusion, and the level of impunity is very high" joint statement by seven UN Special Procedures mandate holders

Demanding accountable institutions and defending the defenders

The failure of justice systems in caste-affected countries to ensure access to justice for Dalit women is a key reason why this group is left so far behind, across all targets of the UN Global Goals. Rights and legislation are only markers of progress if they are properly enforced and implemented and this is severely lacking in all of South Asia's caste-affected countries.

Dalit human rights defenders are using all the resources they can to support Dalit women in accessing justice and legal aid, but much more needs to be done at both the national and international level to make this a priority.

Dalit women defenders are often targets of retaliation violence, threats and retribution for challenging their oppressors and pursuing justice and there needs to be concerted action to ensure their protection and safety.

Decent work





Combatting caste and genderbased bonded, forced and child labour

Dalit women are particularly at risk of being trapped in modern slavery and are key targets for trafficking into forced and bonded labour and prostitution. Across South Asia, they are used as debt slaves in brick kilns, garment industries and agriculture.

In Bangladesh, Dalit women also often work as bondedlabourers in tea plantations. Dalit women may also be offered into temple prostitution as 'Devadasis' (sex slaves) in India or be born into prostitution in Nepal, due to their caste status.

Caste systems are present in most of the countries ranked the worst slavery offenders, in global slavery indexes and studies. India alone accounts for half of the people on the planet regarded as 'modern slaves'.

Anti-Slavery International estimates that the vast majority of bonded labourers (over 80%) are either Dalits or from indigenous communities. ILO research, reported to the UN Human Rights Council by the Special Rapporteur on contemporary forms of slavery, also shows a clear link in Asian countries between forced labour and long-standing patterns of caste discrimination.

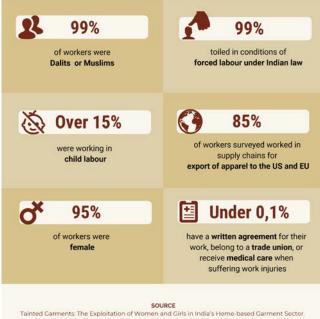
"While legislation has been adopted to eradicate bonded labour and manual scavenging, reports and interlocutors indicate that there is a consistent failure in the implementation of such laws"

UN Special Rapporteur on Violence against Women

Dalit women are also overwhelmingly overrepresented in forced labour and labour exploitation in global supply chains in India, with studies consistently finding that the majority of home-based garment workers in India are Dalit and Muslim women. Dalit women working in domestic servitude are also often isolated and vulnerable. See for example this infographic on a 2019 study on India's home-based garment workers.

T STATISTICS

INDIA'S HOME-BASED GARMENT WORKERS



Tainted Garments: The Exploitation of Women and Girls in India's Home-based Garment Sector Blum Center for Developing Economies University of California, Berkeley January 2019. Author: Professor Siddharth Kara Supported by the C&A Foundation

The intersection of caste and slavery in South Asia has been addressed by UN experts on multiple occasions, where all the experts indicate that while there is legislation in most caste-affected countries to safeguard against slavery, child labour and other labour abuses, the implementation when it comes to cases involving Dalit women, is severely lacking.

Extensive studies on child labour in South Asia, including in the carpet-weaving and garment sector, has found that Dalit and Adivasi children are always the ones engaged in child labour. Studies have also found that the children often work under gruelling conditions, with both significant physical and mental health risks. They also often face beatings and severe scoldings from their employers.

Some other industries where it has been documented that Dalit children are working in child labour in South Asia are cotton picking, cottonseed production, sports goods, leather, synthetic gemstones, sugar, mining, carpet-weaving, tea and brick making. Dalit girls are often forced to work alongside their parents in order for their family to survive.

Denouncing caste-based hazardous work

In many caste-affected countries Dalit women are forced to carry out particularly hazardous work due to traditional caste-gender based designations of work.

The ILO and United Nations Special Procedures and Treaty Body mechanisms have on several occasions highlighted the vulnerability of Dalit women to being engaged in hazardous work in caste-affected countries, calling for state and private sector action.

In India, for example, the practice of carrying out manual scavenging, the removal of excreta from dry latrines using manual tools, is often forced upon Dalit women. The practice is illegal in India, but it remains widespread and is extremely detrimental to the health and dignity of the women involved.

Dalit activists in India have staged nationwide protests with thousands of Dalit women engaged in manual scavenging participating and demanding to be released from this work and offered alternative ways to earn a living. They are asking that states be held accountable to implementing policies banning manual scavenging and compensating those who have left this practice.

Demanding living wages and equal pay

It has been documented that Dalit women are often not paid a living wage and usually earn less than Dalit men, and much less than members of dominant castes, carrying out similar work. Below minimum wages for parents are a key contributor to child labour, excessive working hours and being engaged in hazardous work.

Dalit women are often a part of an invisible workforce whose wages are not recorded or who are working to pay off debts and interests controlled by their employers.

Even in an urban setting when undertaking skilled work, studies in India find that Dalit women earn half the average daily wage earned by non-Dalit castes, and urban Dalit men earn 62% of what non-Dalit caste men earn.

Dalit women are demanding equal pay for equal work and businesses sourcing in India must pay special attention to preventing and addressing caste and gender-based discrimination and labour exploitation.

Promoting inclusive workplaces and affirmative action

Dalit women have been severely discriminated against for centuries and workplaces have an obligation to ensure that discrimination is not occuring in their hiring and promotional practices and in other aspects of their operations.

In some caste-affected countries there are affirmative action policies in place reserving Government jobs for Dalits. There are, however, no state policies when it comes to private businesses, where affirmative action policies would go a long way to ensuring a better representation of Dalit women in the workforce.

Workplaces also need to focus on promoting an inclusive culture where caste and gender discrimination, abuse, sexual harrassment and exploitation are never tolerated and addressed head-on with specific policies and grievance mechanisms.

Ensuring the participation of Dalit women in the planning, implementation and monitoring of any measures meant to ensure decent work for them is crucial.

Inclusive education



Discrimination in schools

In Pakistan, Bangladesh, Nepal and India there are stark disparities in both school enrolment rates and dropout rates when it comes to the general population and Dalit children.

In Pakistan, for example, studies have found that less than 10% of Dalit girls are in school. In Bangladesh, reports say less than 30% of Dalit children are in school and in India the drop-out rates for Dalit girls is 67%, compared to a national average of 37%.

In Nepal the illiteracy rate among Dalit women is significantly higher than the average for women in Nepal, and stigmatisation and exclusion at school are key contributors leading to Dalit girls leaving school early or not attending at all.

According to reports from UN mechanisms, UNICEF and Human Rights Watch, among others, Dalit girls have the highest rate of exclusion from primary school in India and the highest dropout rates. The reports find that discrimination and segregation in schools in India is forcing Dalit girls out of an education and pushing them into child labour and modern slavery.

"The forms of structural discrimination and abuse that Dalit children face in schools are often so stigmatizing that they are forced to drop out of school"

UN Special Rapporteur on Racism - Thematic Report on Education

There is also widespread evidence that caste and gender discrimination occur in institutions of higher education. In India several Dalit students at colleges and universities have committed suicide due to ostracization and ill-treatment by peers and educators.

"They don't learn anything, must sit separately and are served food last when there is often nothing left" Father of a Dalit child in a Government school in India Education

Caste, Gender and Education

6 Reasons why Dalit girls drop out of school

- They are bullied because of their caste and gender
- They are excluded from proper participation by teachers and not taken seriously due to prejudice and stigma about their potential
- They are made to sit separately from other children, made to eat and drink from different plates and cups and punished if they try to socialise with dominant caste children
- They are humiliated by the teachers and made to clean the school toilets – as the only children having to do this
- They are forced to work to support their family due to extreme poverty and families prioritising the education of boys
- They are punished through retaliation violence or sanctions by dominant caste groups, who believe that Dalit girls and women should not be pursuing an education

Demanding inclusive education

Anyone working to ensure education for children and adults in caste-stratified countries must be very aware of the unique difficulties faced by Dalit women and girls when attending schools, colleges and universities.

Programmes and initiatives aimed at enhancing school participation and education levels must be planned, implemented and monitored with the direct participation of Dalit women themselves.

Education is a key determinant of welfare, health and opportunities and demanding inclusive educational institutions for Dalit girls and women is crucial to reaching those left furthest behind on Global Goal 4.

Poverty, hunger, health, water and sanitation

1
NO
2
ZERO
3
GOOD HEALTH
6
CLEAN WATER

Image: State of the stat

Breaking down barriers

There is a very strong link between caste & gender and a lack of access to basic resources and services. Across caste-affected countries, Dalit women consistently come out at the bottom of development tables dealing with poverty, hunger and health.

In India, 54% of Dalit and Adivasi children are considered stunted and a World Bank poverty study found that 43% of those living in poverty in India were Dalits or Adivasis. Similar figures are seen in Nepal where over 40% of those living in poverty are Dalits.

Generally Dalit women suffer from extreme poverty due to centuries of persistent discrimination and exclusion and their lack of control over what economic resources the family may have. Attempts at setting up small businesses or taking on work traditionally reserved for dominant castes are often met with sanctions, boycott, destruction of property or violent retaliation.

Caste and gender discrimination in the delivery of health care, water, sanitation and other basic services are major obstacles for Dalit women, severely impacting their welfare and opportunities. This discrimination has been documented repeatedly by UN agencies and major international human rights and development NGOs.

A 2018 benchmark report on the SDGs by UN Women, found that the average Dalit woman died at 39,5 years, 14,6 years earlier than the average Indian woman. This is a stark and unacceptable disparity.

Dalits are fighting to break the barriers and specific attention needs to be paid to the massive gaps faced due to caste and gender discrimination.

The challenge of untouchability

Due to historical prejudice regarding Dalits as 'impure', Dalit women face particular challenges of 'untouchability', unique to caste discrimination.

Dalit women may experience not being given access

UN Women Report

Average Dalit woman dies 14.6 years younger than women in India in general

A report by UN Women found that a woman's caste in India increases her exposure to mortality because of intersectional discrimination, poor sanitation and inadequate healthcare. It also finds that Dalit women are more likely to live in poverty.

The global report 'Turning promises into action: gender equality in the 2030 Agenda' points out a shocking disparity in mortality figures, with the average Dalit woman dying 14.6 years younger than the average Indian woman in general.

The report highlights the urgent need to address multiple forms of intersection discrimination such as caste and gender leading to clustered deprivations if real progress is to be made to meet the targets of the SDGs.

to health care centres or experience that midwives or doctors will not touch them when treating them.

When accessing water sources, they may be prevented from drawing water from local wells or taps through threats or violence. As Dalit women are the main collectors of water in most Dalit households, this puts them at risk of violence and also adversely impacts water provisions for their families.

Furthermore, studies have found that in India, 66% of Dalit households do not have sanitation and 64% do not have running water. There are dangers associated with lack of sanitation as there have been many instances of rape and harassment of Dalit women and girls, who are forced to go to nearby fields to defecate.



Action for change



Speak up and end the silence

One of the most important things you can do, to contribute to ending caste and gender discrimination, is to take the time to understand the issue and then speak up about it wherever possible. Caste discrimination functions as a 'hidden apartheid' and being silenced at the national level is a key challenge for Dalit human rights defenders.

Make ending caste and gender discrimination a priority

If you wish to make a solid contribution to reaching the UN Global Goals and furthering human rights, make ending caste and gender discrimination a priority. The unique discrimination associated with caste is rarely captured in general anti-discrimination policies dealing with for example race or religion, and therefore needs to be addressed specifically and explicitly.

Take coordinated action

Ending caste and gender discrimination is not the responsibility of Dalit women but of all human beings across the world, who care about human rights, dignity, justice and the UN Global Goals. Involve as many groups as possible in taking coordinated action to end this form of discrimination.

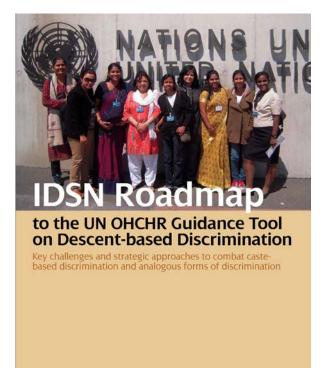
Ensure Dalit women's participation at all levels

Consultation with and the effective participation of Dalit women is an essential component in the design and implementation of initiatives, policies and programmes aimed at combating caste and gender discrimination, as well as other decision making processes that affect the respective groups, as per the Human Rights Based Approach. When taking action always ensure meaningful participation of Dalit women at all levels and promote and amplify the voices of Dalit women wherever possible. Pg. 15: Young boys marching in India to end sexual violence. Photo by Rashtriya Garima Abhiyan

Key Guidance

For UN, EU and other actors

The UN Office of the High Commissioner for Human Rights (OHCHR), has published a Guidance Tool on combatting caste discrimination, aimed at UN actors, but it can also be used by EU actors, INGOs and other entities. IDSN has produced a roadmap to the guidance tool, which offers an introduction to they key concepts and guidance checklists. The roadmap can be found here: www.idsn.org/UNGuidanceTool

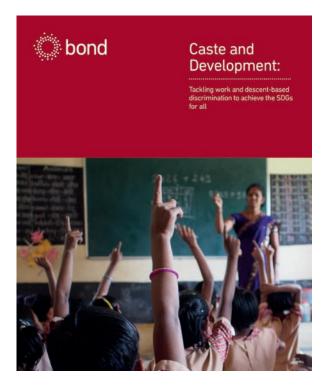


For businesses

Check the IDSN website on https://idsn.org/keyissues/caste-business/ where you will also find 'The Ambedkar Principles. You can also find recommendations in the 2019 Policy Brief, 'Ground Down by Growth: Oppression, Discrimination and Exploitation of Adivasis and Dalits in 21st century India' available on https://idsn.org/wp-content/ uploads/2019/05/India-Discrimination-Policy-Brief-Shah-Lerche-Srivastava-2018.pdf

For NGOs and Governments

The UK NGO association BOND has published the 2019 report "Caste and Development: Tackling work and descent-based discrimination to achieve the SDGs for all," that outlines key recommendations for donors and NGOs as well as Governments. The report can be downloaded here: https://www.bond.org.uk/sites/default/files/resource-documents/bond_caste_reportscreen.pdf



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International Dalit Solidarity Network

Farvergade 27D DK-1463 Copenhagen K Denmark Phone +45 31 49 31 04 info@idsn.org www.idsn.org

IDSN members

India

- The National Campaign on Dalit Human Rights (NCDHR)
- The National Federation of Dalit Women
- Navsarjan Trust
- People's Watch
- Jan Sahas

Nepal

- Dalit NGO Federation (DNF)
- The Feminist Dalit Organisation
- Nepal Dalit National Social Welfare Organisation (NNDSWO)
- Jagaran Media Center (JMC)

Bangladesh

- Bangladesh Dalit and Excluded Rights Movement (BDERM)
- Network of Non-Mainstreamed Marginalized Communities (NNMC)

Pakistan

 Pakistan Dalit Solidarity Network (PDSN)

Dalit Solidarity Networks in Europe

- Dalit Solidarity Network UK
- Dalit Solidarity Network Norway
- Dalit Solidarity Network Finland
- Dalit Solidarität Deutschland (Germany)

International Associates

- Human Rights Watch
- International Movement Against all forms of Discrimination (IMADR)
- Asian Human Rights Commission
- Asian Centre for Human Rights
- Minority Rights Group International
- Anti-Slavery International
- The Rafto Foundation
- Lutheran World Federation
- Robert Kennedy Memorial Foundation, USA
- ICMICA/Pax Romana
- World Council of Churches
- Asian Forum for Human Rights and Development (FORUM-ASIA)
- Commonwealth Human Rights Initiative
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Research Affiliates

- Research associates New York University School of Law's Center for Human Rights and Global Justice
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The IDSN website www.idsn.org

was founded in March 2000 to advocate for Dalit human rights and to raise awareness of Dalit issues nationally and internationally. IDSN is a network of international human rights groups, development agencies, national Dalit solidarity networks from Europe, and organisations in caste-affected countries. IDSN engages with the United Nations, the European Union and other multilateral institutions, working for action-oriented approaches to address 'untouchability' and other human rights abuses against Dalits and similar communities that suffer discrimination based on work and descent. IDSN bases its work on contributions from members, associates and affiliates. The network produces crucial input in the form of documentation, strategic interventions and lobby action and also supports national level lobbying.