

Caste references from:

[Human Rights Watch: World Report 2021](#)

[Events of 2020](#)

India

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The Covid-19 lockdown disproportionately hurt marginalized communities due to loss of livelihoods and lack of food, shelter, health care, and other basic needs.

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Dalits, Tribal Groups, and Religious Minorities

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According to 2019 government data, crimes against Dalits increased by 7 percent. This, Dalit rights activists said, was in part as backlash by members of dominant castes against any efforts toward upward mobility or what they might perceive as a challenge to caste hierarchy. In August, 40 Dalit families in Odisha were socially boycotted when a 15-year-old girl plucked flowers from the backyard of a dominant caste family. In July, a Dalit man was stripped and beaten along with his family members in Karnataka for allegedly touching the motorcycle of a dominant caste man. In February, a Dalit man was beaten to death by members of dominant caste in Tamil Nadu for defecating in their field. In September, a Dalit lawyer was killed over his social media posts critical of Brahminism.

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Civil Society and Freedom of Association

Indian authorities brought politically motivated cases, including under draconian sedition and terrorism laws, against human rights defenders, student activists, academics, opposition leaders, and critics, blaming them for the communal violence in February in Delhi as well as caste-based violence in Bhima Koregaon in Maharashtra state in January 2018. In both cases, BJP supporters were implicated in the violence. Police investigations in these cases were biased and aimed at silencing dissent and deterring future protests against government policies.

In September, the parliament passed amendments to the Foreign Contribution Regulation Act (FCRA), the foreign funding law already used to harass outspoken rights groups. The amendments added onerous governmental oversight, additional regulations and certification processes, and operational requirements, which would adversely affect civil society groups, and effectively restrict access to foreign funding for small nongovernmental organizations. In September, Amnesty International was forced to suspend its India operations after the government froze the organization's bank accounts, accusing it of violating laws related to foreign funding. Amnesty said it was a "reprisal" for its work and that the government's actions were the latest in "the incessant witch-hunt of human rights organizations."

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Women's Rights

Cases of domestic violence rose during the lockdown, as witnessed in many countries globally. In March, authorities executed the four men convicted for the gang-rape and murder of Jyoti Singh Pandey in 2012 in Delhi, even as there was a 7.9 percent increase in rape cases registered in 2019 over the previous year. Calls for the death penalty also failed to address systemic barriers to justice for survivors of sexual violence in India,

including stigma, fear of retaliation, hostile or dismissive police response, and a lack of access to adequate legal and health support services.

In September, a 19-year-old Dalit woman died after being gang-raped and tortured allegedly by four men of dominant caste in a village in Uttar Pradesh. The authorities' response highlighted how women from marginalized communities face even greater institutional barriers. State authorities cremated the victim's body without the family's consent and denied the woman had been raped, despite her dying declaration—apparently to shield the accused belonging to a dominant caste. The state government claimed that protests against the rape and killing were part of an “international conspiracy” and arrested a journalist and three political activists under terrorism and sedition laws, and also filed cases against some protesters for alleged criminal conspiracy.

Sexual harassment at work remains an entrenched problem. The government has failed to properly implement the 2013 Sexual Harassment of Women at Workplace Law, including ensuring the creation and proper functioning of complaints committees for women in the informal sector.

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Children's Rights during Covid-19 Pandemic

Schools remained closed from March onwards and were still closed at time of writing in most of the country, affecting more than 280 million students and threatening to reverse the progress made in access to education for the poor, especially those who attended government schools. In most states, government schools did not deliver education during the lockdown, putting children from marginalized communities such as Dalit, tribal, and Muslims at greater risk of dropping out, and being pushed into child labor and early marriage. Girls were even more vulnerable.

While many private schools offered online classes, only 24 percent of Indian households had access to the internet because of a large urban-rural and gender divide, widening the learning gap across high, middle, and low-income families, according to an August UNICEF report.

Millions of children in India, particularly those from Dalit and tribal communities, were also at risk of malnutrition and illness during the pandemic because the government failed to adequately ensure the provision of meals, health care, and immunizations that many marginalized children rely on from the government schools and anganwadi centers, which were closed in order to stop the spread of Covid-19.

Mauritania

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Freedom of Association

The restrictive 1964 Law of Associations requires associations to obtain formal permission to operate legally and gives the Ministry of Interior far-reaching powers to refuse such permission on vague grounds such as “anti-national propaganda” or exercising “an unwelcome influence on the minds of the people.”

The ministry has withheld recognition from several associations that campaign on controversial issues, such as the Initiative for the Resurgence of the Abolitionist Movement (IRA). Members of the IRA, including its leader Biram Dah Abeid, have been subject to arrests and harassment.

Authorities in February arrested 14 people who were present during an inaugural meeting of the newly founded Alliance for the Refoundation of the Mauritanian State (AREM) after they held a meeting, in Nouakchott. AREM calls for reforming the Mauritania's public administration and health systems and rejects the country's caste system. Authorities soon after released all but five of them, who remained in provisional detention from February 26 until their trial on October 20.

The Nouakchott West Criminal Court on October 20 found all five detained men guilty of “violating the sanctity of God” based on article 306 of Mauritania’s penal code and sentenced them to between six and eight month prison terms, and fines of 2,000 Ouguiya (\$53) and 15,000 (about \$400). Ahmed Ould Heida and Mohamed Fal Ishaq, who were sentenced to six months, were released due to time already served, and Ahmed Mohamed Al-Moctar, Mohamed Abdelrahman Haddad, and Othman Mohamed Lahbib were sentenced to eight months and were released on October 26. The court sentenced in absentia the remaining three men to prison terms of six months and one year and ordered them to pay fines.

Those arrested and released in February included journalist Eby Ould Zeidane and Aminetou Mint El Moctar, who heads a women’s rights organization.

Slavery

Mauritania abolished slavery in 1981—the world’s last country to do so—and criminalized it in 2007. The Global Slavery Index, which measures forced labor and forced marriage, estimates that in 2018 there are 90,000 people living in “modern slavery” in Mauritania, or 2.4 percent of the population, while 62 percent are “vulnerable” to modern slavery.

Three special courts that prosecute slavery-related crimes have tried a handful of cases since their creation under a 2015 law.

According to the 2020 US State Department Trafficking in Persons Report, Mauritania investigated one case, prosecuted three alleged traffickers, and convicted five traffickers.

According to the same report, no slave owners or traffickers were held in prison, and ten appeals cases remained pending at the three anti-slavery courts. The government did not report any prosecutions or convictions of government officials who were accused of corruption in relation to human trafficking and hereditary slavery offenses.

Adults and children from traditional slave castes in the Black Moor (Haratine) and Afro-Mauritanian communities remain exposed to hereditary slavery practices such as forced labor without pay as domestic servants or farm laborers.

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Nepal

The government of Prime Minister K.P. Oli proposed new laws curtailing free expression, while stalling on promises to implement transitional justice for abuses committed during the civil conflict that ended in 2006.

The government continued to favor impunity for perpetrators—both security forces and members of the ruling Nepal Communist Party—over justice for victims. Authorities also failed to effectively investigate ongoing cases of alleged extrajudicial killings by the security forces and deaths in custody, allegedly as a result of torture. Members of marginalized castes and ethnic communities were at greatest risk of abuse.

Several bills before parliament severely curtail freedom of expression by imposing draconian penalties for broadly defined new offenses regulating media and online speech. Other draft laws give unlimited search and surveillance powers to the intelligence service, and reduce the autonomy of the National Human Rights Commission. A draft citizenship bill retained provisions which limit women’s rights to transmit citizenship to their children or their spouse. However, the draft law did benefit some people currently at risk of statelessness, such as orphans whose parents have not been identified.

Women and girls from the Dalit community were particularly at risk of sexual violence, which is frequently committed with impunity. Despite a two-thirds’ parliamentary majority, the Oli government made little progress in implementing the federal structure created under the 2015 constitution, including devolving some powers over justice and policing.

Treatment of Minorities

Scores of incidents of caste-based discrimination or violence were recorded, but Dalit activists said the vast majority of cases go unreported, and very few result in official action.

On May 23, the body of a 12-year-old Dalit girl, Angira Pasi, was found hanging from a tree, a day after community leaders in Rupandehi district ordered a 25-year-old man of a different caste who had raped her to marry her. It was one of numerous cases in which Dalit women and girls were allegedly raped and murdered. On the same day, five men were killed in Rukum West district, after a young Dalit man arrived to marry his girlfriend from another caste. Both incidents involved allegations against elected local government representatives.

In July and August, after two men died in separate incidents, independent activists and the NHRC called for investigations into allegations that they died after being abused in the custody of security forces. Both men—Raj Kumar Chepang, 24, who was detained by the army, and Bijay Mahara, 19, who was detained by police—were members of marginalized communities.

In July, rangers guarding the Chitwan National Park were accused of destroying houses belonging to members of the Chepang indigenous community. In June, park authorities at Bardia National Park attempted to forcibly evict members of the Tharu indigenous community.

UN High Commissioner for Human Rights Michelle Bachelet said, “Despite constitutional guarantees, impunity for caste-based discrimination and violence remains high in Nepal.”

Nepal’s 2015 constitution established separate commissions to protect the rights of Dalits, Tharus, Muslims, Madhesis, and indigenous people, and to promote inclusion, but the government left them largely vacant and non-functional.

Covid-19

In 2020, the Nepal government repeatedly imposed national and local lockdown measures in an attempt to control the Covid-19 pandemic. The government has a duty to protect public health, but poor design and implementation of policies led to disproportionate impacts, especially on the most marginalized.

After decades of progress on maternal and infant health, research found that the number of births in health facilities fell by more than half during a four-month national lockdown which began in March. The rate of neonatal deaths increased. Marginalized ethnic groups, such as Madhesis, suffered greater declines in access to clinical services. The government has an international legal obligation to ensure access to healthcare during lockdowns.

Daily wage laborers and farmers suffered disproportionate harm to their livelihoods and economic rights. Thousands of internal migrants were forced to walk hundreds of kilometers home after losing their jobs, while workers who had traveled abroad were stranded at the borders after entry points were closed. School closures disrupted the education of more than 8 million children, who remained out of school at time of writing.

Women’s and Girls’ Rights

Nepal’s 2006 Citizenship Act, as well as the 2015 constitution, contain provisions that discriminate against women. A draft citizenship bill, which passed the parliamentary committee stage in June, retained several discriminatory provisions. In September, three UN human rights experts wrote to the government raising concerns that “the bill would continue to discriminate systematically against women, regarding their ability to transmit citizenship through marriage and to their children.”

Legal gaps and lack of political will continued to mar accountability for sexual violence, especially for victims from minority communities. A statute of limitations of one year on rape and sexual violence allegations prevents many cases from being brought to justice.

The law was strengthened to increase penalties for perpetrators of acid attacks and to regulate the sale of acid.

Despite laws and policies to eradicate child marriage the practice remained widespread, with 7 percent of girls married by age 15 and 40 percent married by age 18. Ten percent of boys are married by age 18.