

Special Rapporteur on contemporary forms of racism

IDSN input on intersectionality from a racial justice perspective

This report has had input from Pakistan Dalit Solidarity Network (PDSN), All India Dalit Mahila Adhikar Manch (AIDMAM)- National Campaign on Dalit Human Rights (NCDHR), Bangladesh Dalit and Excluded Rights Movement (BDERM), Better World Shelter and Feminist Dalit Organisation.

It is impossible to address intersectionality without a focus on gender and gender justice from a racial justice perspective. Therefore, this submission takes the intersectionality of caste and gender as its central premise.

1. Provisions relating to intersectional discrimination in the national legal and policy frameworks of each country

In India, Article 15 of the Indian Constitution prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (1989) recognises caste-based violence but lacks explicit intersectional considerations. Similarly, The Bonded Labour System (Abolition) Act (1976) addresses forced labour, a key issue affecting Dalits, but does not recognise gendered vulnerabilities. Accordingly, India lacks specific laws recognising multiple and intersecting discrimination based on caste, gender and economic status¹, and fails to acknowledge the vulnerabilities faced by those in disabled and LGBTQIA+ Dalit communities.

In Bangladesh, Article 28 of the Constitution prohibits discrimination based on religion, race, caste, sex, or place of birth. A draft Anti-Discrimination law has been proposed but is yet to be enacted, leaving caste-based discrimination largely unaddressed². There is no explicit recognition of intersectionality in policy, facilitating extreme marginalisation.

In Nepal, the Caste-Based Discrimination and Untouchability (Offence and Punishment) Act (2011) criminalises caste-based discrimination but does not explicitly address gender-based intersectional discrimination³. The National Plan of Action Against Human Trafficking (2011) includes references to Dalit women but lacks enforcement mechanisms⁴. Legal and policy gaps materialise through a lack of explicit recognition of intersectionality in policy, which similar to Bangladesh, facilitates extreme marginalisation.

In Pakistan, Articles 11, 17, 25, and 37(e) of the Constitution prohibit discrimination, but enforcement is weak⁵. The Prevention and Control of Human Trafficking Ordinance (2002) addresses forced labour but does not acknowledge caste and gender intersections⁶. Therefore, there are no provisions in Pakistan which recognise caste-based discrimination and the intersectional caste-based discrimination

¹ Contribution from the IDSN to the EMRTD, International Dalit Solidarity Network, 2021

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ Base Code Guidance: Caste in Global Supply Chains, Ethical Trading Initiative, 2019

⁶ *Ibid.*

faced by Dalit women is not recognised. Dalit women in Pakistan continue to face forced conversions and bonded labour.

In Sri Lanka, there are no specific legal provisions on intersectional discrimination. The Constitution prohibits discrimination based on race, religion, language, caste, sex and place of birth, but lacks implementation⁷.

2. Patterns and trends of intersectional discrimination identified at the national level

Intersectional discrimination in India, Bangladesh, Nepal, Pakistan and Sri Lanka stems from overlapping identities of caste, gender, sexual orientation, economic status, disability and religion. These intersecting factors reinforce marginalisation, limiting access to education, employment, political participation and justice.

Caste and gender-based economic exclusion

Dalit and marginalised women are disproportionately trapped in informal, hazardous labour situations. In India, Pakistan and Nepal, most bonded labourers belong to Dalit communities⁸. In Bangladesh, Dalits are relegated to menial roles such as street sweeping and manual scavenging, with women paid less than men for the same tasks⁹. Pakistan's agriculture and brick kiln sectors rely heavily on oppressed-caste bonded labour, with families trapped in generational debt¹⁰.

Dalit women face systemic barriers to economic mobility, earning far less than their dominant-caste counterparts¹¹. In India, they have limited access to skill development and are excluded from better-paying jobs¹². In Nepal, Dalit women are pushed into dangerous, low-wage, unprotected labour¹³. Persons with disabilities also face restricted access to adaptive employment, exacerbating poverty¹⁴.

Violence as a mechanism of social control

Caste and gender-based violence reinforce social hierarchies. In Bangladesh, Dalit women experience high rates of violence, including trafficking and forced prostitution¹⁵. In India, sexual violence against Dalit women is used to enforce caste-based oppression¹⁶. In Pakistan, forced religious conversions and marriages of Dalit and minority girls, particularly Hindus and Christians in Sindh and Punjab, are on the rise¹⁷. Dalit children with disabilities face heightened risks of abuse due to lack of accessible legal support¹⁸. Similarly, Queer Dalits are increasingly vulnerable to physical and sexual violence. Their

⁷ Contribution from the IDSN to the EMRTD, International Dalit Solidarity Network, 2021

⁸ Base Code Guidance: Caste in Global Supply Chains, Ethical Trading Initiative, 2019

⁹ 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

¹⁰ Base Code Guidance: Caste in Global Supply Chains, Ethical Trading Initiative, 2019

¹¹ Base Code Guidance: Caste in Global Supply Chains, Ethical Trading Initiative, 2019

¹² *Ibid.*

¹³ 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

¹⁴ Stakeholders report to the UPR review of India, International Dalit Solidarity Network, 2022

¹⁵ Input to the CRC review of Bangladesh, International Dalit Solidarity Network, 2015

¹⁶ 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

¹⁷ Base Code Guidance: Caste in Global Supply Chains, Ethical Trading Initiative, 2019

¹⁸ Input to the CRC review of Bangladesh, International Dalit Solidarity Network, 2015

experiences are rarely documented or addressed in the anti-caste or LGBTQ+ movements, compounding impunity¹⁹.

Across the region, legal accountability for crimes against marginalised women is weak. Women in bonded labour are especially vulnerable to sexual abuse and workplace exploitation, with limited avenues for justice²⁰.

Systemic discrimination in education

Dalit children face entrenched educational discrimination. In Bangladesh, 80% of children report discriminatory treatment in school²¹. In Nepal, Dalit students face verbal abuse, corporal punishment and discouragement from teachers, leading to high dropout rates²². In India, Dalit students endure systemic exclusion in higher education, sometimes resulting in severe mental health issues and student suicides²³.

Access to higher education and vocational training remains limited. Economic hardship, poor scholarship coverage and active discouragement/discrimination from teachers hinder progress²⁴. Government scholarship schemes often fail to reach Dalit students, exacerbating educational inequality and hindering social mobility²⁵.

Political and social exclusion of Dalit women

Dalit women are severely underrepresented in politics. Nepal has electoral quotas, but participation is often symbolic²⁶. Patriarchal, caste-based political systems continue to block genuine leadership opportunities²⁷. In India, Dalit women in politics face threats, violence and social ostracization. In Pakistan and Bangladesh, they are rarely included in political processes²⁸.

Dalit women's organisations are often marginalised within mainstream feminist and human rights movements²⁹. Lack of funding, recognition and institutional support weakens their ability to advocate effectively. LGBTQIA+ Dalit movements are even further marginalised, operating at the margins of caste justice and queer rights spaces³⁰. Their activism is frequently de-prioritised by both movements, despite growing grassroots mobilisation and international recognition.

Structural barriers in law and policy

¹⁹ IDSN report on Descent-Based Discrimination, Dalit Human Rights Defenders Network and Queer Dalit Collective interviews cited by International Dalit Solidarity Network, 2021

²⁰ *Ibid.*

²¹ *Ibid.*

²² 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

²³ *Ibid.*

²⁴ Input to the CRC review of Bangladesh, International Dalit Solidarity Network, 2015

²⁵ 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ Input to the CRC review of Bangladesh, International Dalit Solidarity Network, 2015

²⁹ 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

³⁰ SOGIESC inclusion briefings presented to the UN by Dalit rights coalitions, International Dalit Solidarity Network and Dalit Queer Project

Legal frameworks in South Asia, including labour laws³¹, rarely address the intersectional nature of discrimination. Laws typically treat caste, gender and economic status separately, failing to account for intersecting impacts³².

A major obstacle throughout the region is the lack of disaggregated data. Governments do not systematically collect or analyse data on caste- and gender-based discrimination in key sectors³³. This invisibility in data translates into inadequate national policies and development plans³⁴.

3. Steps taken to apply an intersectional framework in addressing systemic racism

Progress toward adopting an intersectional approach to systemic racism has been minimal across the region. In India, there are no formal policies embracing intersectionality, although civil society organisations have actively campaigned for the inclusion of Dalit women in decision-making processes³⁵. Bangladesh, Nepal and Pakistan similarly lack any explicit state-level recognition of intersectionality within their legal frameworks³⁶. No targeted policy initiatives have been implemented to address the interconnected nature of caste, gender and class oppression (and other intersectional identities).

4. Measures taken to ensure engagement and participation of those with lived experiences in policy-making

Efforts to involve those with lived experiences of caste and gender discrimination in policy-making have been limited and inconsistent. In India, Dalit women's collectives have extensively advocated for representation, but their voices are often ignored³⁷. Movements led by manual scavengers have also pushed for reform, however they are met with police repression and bureaucratic resistance³⁸. In Bangladesh, Dalit-led NGOs engage in advocacy but remain systematically excluded from government decision-making processes³⁹. In Nepal, feminist Dalit organisations have gained significant momentum, having local and international success, and formal recognition from the State. However, there remains a lack of Dalit women consulted in policy, demonstrated in the most recent National Gender Equality Policy. In Pakistan, minority rights groups have attempted to influence legal reforms, but their efforts are frequently sidelined or dismissed⁴⁰.

5. Special measures in education and employment

Caste-affected countries have introduced affirmative action, but intersectional inclusion remains limited. In Nepal, the Constitution provides for proportional representation and quotas for Dalits, yet despite the increase of women in politics and other key institutions, we do not see the same increase of Dalit women's participation in these structures⁴¹. This policy enabled the election of 6,767 Dalit women locally, but similar inclusion at provincial and federal levels is lacking. Broader affirmative

³¹ Base Code Guidance: Caste in Global Supply Chains, Ethical Trading Initiative, 2019

³² Contribution from the IDSN to the EMRTD, International Dalit Solidarity Network, 2021

³³ 'Examining the UN Committee on the Rights of the Child through the Lens of Caste- and Descent-Based Discrimination', Philip Veerman, 2020

³⁴ *Ibid.*

³⁵ Contribution from the IDSN to the EMRTD, International Dalit Solidarity Network, 2021

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ Input to the CRC review of Bangladesh, International Dalit Solidarity Network, 2015

⁴⁰ *Ibid.*

⁴¹ Civil Society Submission to CEDAW Review of Nepal, IDSN and Feminist Dalit Organisation Nepal, 2024

action programs often overlook diversity among women, leaving Dalit women and queer Dalits “largely unnoticed and unheard” in gender initiatives⁴². In India, reservations for Scheduled Castes in education and public jobs have improved Dalits’ access, but not sufficiently for Dalit women. For instance, of 78 women MPs only 12 are Dalit⁴³. Pakistan’s quota system for jobs and legislatures does not currently include Dalits⁴⁴. Accordingly, almost no Dalit women hold political office. A 6% job quota for Scheduled Castes was abolished in 1998. In Bangladesh, Dalits are not recognised as a distinct group for affirmative action.

IDSN urges the expansion of affirmative action beyond generic quotas to specifically uplift Dalit women⁴⁵, through targeted scholarships, reserved positions and economic programmes.

6. Measures to collect, analyse and disseminate disaggregated data

Comprehensive data capturing caste, gender, sexual orientation⁴⁶ and other intersections are crucial yet often absent. Nepal has made some progress through its census and surveys that identifies Dalits, enabling analysis of Dalit women’s status. However, the government lacks a robust system to produce and use disaggregated data; advocates call on authorities to generate data in partnership with universities⁴⁷. India’s official statistics (which were gathered back in 2021) are disaggregated by Scheduled Caste and sex, revealing the stark disparity that 33.3% of Dalits live in multidimensional poverty (94 million people at the time)⁴⁸. However, not all data is intersectional; crime records do not wholly detail caste and gender⁴⁹. In Pakistan, the absence of data on Dalits is a major hurdle. UN experts urged Pakistan to collect statistics on Scheduled Castes’ enjoyment of rights and to include caste in the national census⁵⁰, yet no such policy exists. In Bangladesh, Dalits remain statistically invisible, usually classified as “Hindu” or “ethnic minority”⁵¹.

7. Steps taken to ensure remedies

Legal and institutional steps have been taken, albeit unevenly, to help survivors of caste and gender discrimination seek justice. India and Nepal have specific laws outlawing untouchability and caste-based atrocities, which in theory provide Dalits (including women) a route to legal remedy⁵². Nepal’s Caste-Based Discrimination and Untouchability Act makes caste discrimination a criminal offence⁵³, and the constitution envisages “special provisions” to protect disadvantaged groups including Dalit women⁵⁴. However, in practice Dalit women face significant barriers. Nepal’s law enforcement often fails to register or effectively investigate cases brought by Dalit victims⁵⁵. To address this, civil society advocates urge the government to hold police accountable and train law enforcement officials on caste and gender bias. In India, the SC/ST Prevention of Atrocities Act mandates special courts and

⁴² Civil Society Submission to Durban Review, International Dalit Solidarity Network, 2022

⁴³ Stakeholders report to the UPR review of India, International Dalit Solidarity Network, 2022

⁴⁴ Stakeholders report to the UPR review of Pakistan, International Dalit Solidarity Network, 2023

⁴⁵ Civil Society Submission to CEDAW Review of Bangladesh, IDSN and BDERM, 2016

⁴⁶ Recommendations to Human Rights Council 2022; UN OHCHR Guidance Tool on Descent-Based Discrimination, IDSN and Minority Rights Group (MRG), 2017.

⁴⁷ No One Cares, Descent-based discrimination against Dalits in Nepal, Amnesty International, 2024

⁴⁸ Unmasking disparities by ethnicity, caste and gender, Oxford Poverty and Human Development Initiative, UNDP, Global Multidimensional Poverty Index 2021

⁴⁹ Stakeholders report to the UPR review of India, International Dalit Solidarity Network, 2022

⁵⁰ Stakeholders report to the UPR review of Pakistan, International Dalit Solidarity Network, 2023

⁵¹ Civil Society Submission to CEDAW Review of Bangladesh, IDSN and BDERM, 2016

⁵² Stakeholders report to the UPR review of India, International Dalit Solidarity Network, 2022

⁵³ Civil Society Submission to CEDAW Review of Nepal, IDSN and Feminist Dalit Organisation Nepal, 2024

⁵⁴ Civil Society Submission to Durban Review, International Dalit Solidarity Network, 2022

⁵⁵ No One Cares, Descent-based discrimination against Dalits in Nepal, Amnesty International, 2024

relief for victims, yet enforcement gaps persist. Pakistan lacks a national legal framework specifically addressing caste, so intersectional cases rely on general provisions like minority protections. Some progress is emerging via the Protection of Minorities Bill⁵⁶. NGOs, such as the Centre for Law and Justice, provide invaluable support and legal aid for minority women. This work must be supported to facilitate wider reach. In Bangladesh, where no anti-caste law exists, IDSN recommends passing the long-awaited Anti-Discrimination Bill, strengthening judicial mechanisms and ensuring Dalit women can report abuse without fear⁵⁷. Community-level legal aid, transportation and support desks remain critical.

8. The experiences of those seeking to access remedies to redress intersectional discrimination

Dalit communities, especially Dalit women, commonly encounter indifference or obstruction when they seek justice. In Nepal, victims describe being intimidated into remaining silent. Police often refuse to register cases or push for community-level settlements⁵⁸. Local justice committees lack authority, and courts are seen as a last resort. In India, although legal provisions exist, caste and gender bias within the police and judiciary often deters Dalit women from reporting. Conviction rates in sexual violence cases against Dalit women remain shockingly low⁵⁹. In Pakistan, abductions and forced conversions of Hindu and Christian Dalit girls continue with near-total impunity⁶⁰. Reports detail instances where police delay or deny registering complaints. When legal petitions are filed, courts may disregard the victim's age or agency, reinforcing structural impunity. In Bangladesh, Dalit women frequently face neglect when reporting violence. A 2013 rape case in Pirojpur went un-investigated for 10 months⁶¹. Such delays reinforce distrust in the justice system.

9. Lessons learned from measures taken to prevent and address intersectionality discrimination and apply an intersectionality

An intersectional framework is essential to combat systemic caste-based discrimination.

Nepal's mandatory inclusion of a Dalit woman in each local Ward council elevated Dalit women into decision-making roles, improving political participation and visibility⁶². But general women's empowerment programs that ignore caste fail to benefit Dalit women, reinforcing the need for tailored policies⁶³.

In India, data-driven insights revealed severe disparities, such as high anaemia rates among Dalit women, prompting targeted responses⁶⁴. Dalit women's activism has also helped reframe the reservation discourse to include intra-group inequalities⁶⁵. IDSN advocates that intersectionality strengthens policy design: when authorities consult with Dalit women directly, policies become more responsive and equitable. Dalit women-led organisations have proven effective in pushing governments to act, especially during crises like COVID-19, when they provided relief and reported

⁵⁶ Stakeholders report to the UPR review of Pakistan, International Dalit Solidarity Network, 2023

⁵⁷ Civil Society Submission to CEDAW Review of Bangladesh, IDSN and BDERM, 2016

⁵⁸ No One Cares, Descent-based discrimination against Dalits in Nepal, Amnesty International, 2024

⁵⁹ Stakeholders report to the UPR review of India, International Dalit Solidarity Network, 2022

⁶⁰ Civil Society Submission to CEDAW Review of Pakistan, International Dalit Solidarity Network, 2020

⁶¹ Civil Society Submission to CEDAW Review of Bangladesh, IDSN and BDERM, 2016

⁶² Civil Society Submission to CEDAW Review of Nepal, IDSN and Feminist Dalit Organisation Nepal, 2024

⁶³ Civil Society Submission to Durban Review, International Dalit Solidarity Network, 2022

⁶⁴ Unmasking disparities by ethnicity, caste and gender, Oxford Poverty and Human Development Initiative, UNDP, Global Multidimensional Poverty Index 2021

⁶⁵ Stakeholders report to the UPR review of India, International Dalit Solidarity Network, 2022

abuses⁶⁶. Emerging Dalit queer and trans-led collectives also mobilised during the pandemic to provide mutual aid, document abuses and build transnational solidarity, though they continue to face heightened risk and systemic neglect⁶⁷. Their leadership offers valuable models of inclusive, intersectional resistance.

Regional solidarity among caste-affected communities, including joint advocacy across borders, has bolstered momentum at the UN and other international bodies. However, where intersectionality is absent, as in Pakistan's quota or legal systems, dominant-caste individuals dictate minority spaces, further marginalising Dalits⁶⁸. Bangladesh shows that lack of recognition of Dalit identity in policy frameworks leads to invisibility.

⁶⁶ CSW69 webinar, International Dalit Solidarity Network, 2025

⁶⁷ "Decolonising Pride" initiatives highlighted by Dalit feminist platforms, Dalit Queer Project; IDSN interview submissions.

⁶⁸ Stakeholders report to the UPR review of Pakistan, International Dalit Solidarity Network, 2023