

Bangladesh – references to Dalit women in alternative CEDAW report 2010:

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Women of other faiths (Buddhists and animists) or of diverse ethnicities follow their customary laws and practices which are not codified and some of which tend to be discriminatory. Women of socially excluded communities such as Dalits are further discriminated on account of their caste and as women within their castes.

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IV.4 Dalit Women's Rights

Situational Analysis

Dalit comprised of socially excluded “untouchable” ethnic and occupational groups have recently acquired a collective identity to struggle for their rights. Many of their ancestors were indentured laborers brought into Bengal by the British in the 19th century from other parts of India.¹¹⁹ Most are Hindu, although there are some Christians and Muslims. The estimated 5.5 million Dalits in Bangladesh face not only occupational segregation but also systemic political, economic and social exclusion. Dalits may be the most invisible of minorities in Bangladesh, since there exists some dispute over the use of the term within socially excluded communities and because the existence of a caste hierarchy in a predominantly Muslim country is frequently a

¹¹⁹ A large number were employed as sweepers and cleaners, or as cobblers, washermen/women, barbers or on tea plantation workers, “hereditary” occupations that come with low pay and high social stigma.

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point of contention. Some proponents of Dalit identity insist the term refers not only to caste but to broader relations of social exclusion.¹²⁰ Regardless, the forms of exclusion and discrimination experienced by Dalits are clearly related to discrimination based on work and descent as recognized in a comprehensive UN study mandated in April 2005 through Resolution 2005/109.¹²¹

A joint NGO submission on the Human Rights Situation of Dalits in Bangladesh at the 4th UPR session in February 2009 laid out clearly the problems of the various Dalit communities scattered across Bangladesh.

Dalit rights to housing, education and a livelihood as well as to freedom of movement and other fundamental rights are violated by state negligence, bureaucratic practices and community sanctions. Stigmatized as impure, Dalit communities are forced to live in segregated spaces and neighborhoods; ironically, those who are eligible for government housing find themselves trapped, unable to move because of government regulations. Muslims belonging to socially excluded groups at least have the prospect of “passing” into the mainstream at some time; this avenue is not open to Hindu Dalits.

Literacy rates are very low. Discrimination begins with the process of admission to school, some Dalit parents are actively discouraged from enrolling their children in school. Those who graduate from school face formidable barriers in access to employment, even at the lowest levels. Under the circumstances, occupational mobility is rare.

Dalits are routinely denied entry to places of worship, to tea-shops and playgrounds, burial grounds, concerts and cultural events. Like other impoverished and minority communities, but to an even greater extent, they are subjected to threats and intimidation, to eviction and expropriation of property and generalized and gendered

violence, with little hope for redress.

The UPR report states that, “Dalit women suffer from double discrimination and they are yet to be empowered to take an active part in the socio-cultural economic and political arena in the community and the country.”¹²² The report notes in passing the abduction and rape of Dalit women as part of the general violence faced by the community. Dalit women are more or less invisible in public fora, let alone in local government institutions. There is no specific research or literature on Dalit women. It can be surmised, however, that they face a triple burden, as women, as part of a minority community and minorities within minorities.

International Obligations

As signatory to the core international human rights treaties, the government has the obligation to promote and protect the human rights of all, including those who are discriminated against on the grounds of caste, work and descent.

As signatory to CEDAW, the government has the obligation to protect Dalit women’s rights to education, employment and access to public and political life.

¹²⁰ Ibid.

¹²¹ See the Joint NGO Submission on The Human Rights Situation of Dalits in Bangladesh to the 4th UPR Session, February 2009.

¹²² *Ibid*, p.2.

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The government should also observe its obligations under the Child Rights Convention to protect the rights of Dalit children, including Dalit girls.

National Obligations

The Constitution guarantees fundamental rights for all. Article 28.1 of the Constitution prohibits discrimination by the state on the grounds of religion, race, caste or sex. Article 27 guarantees equality before the law; and Article 29 calls for equality of opportunity of all citizens to state employment or office. Article 28.4 mandates special measures (affirmative action) by the state for the advancement of any backward section of citizens.

The government of Bangladesh is bound by the above constitutional measures to promote and protect the fundamental human rights of Dalit, as well as to promote their rights to education, employment and housing.