

## **Transcript - European Parliament debate on caste discrimination (10 October 2013)**

*This transcript is based on the official transcript of the debate (in original languages) and the webcast that was translated simultaneously. IDSN has translated some of the speeches.*

The debate was chaired by EP member Miguel Angel Martinez Martinez (from here on President). He introduced the first point of order, the debate on caste-based discrimination, and asked Eva Joly (Chair of the Committee on Development) to speak.

**Eva Joly:** Mr President, Madam High Representative, dear colleagues. Apartheid is a term which, other than the regime that it describes, evokes violence, discrimination and humiliation, and which the Prime Minister of India, Manmohan Singh, chose to use in 2006 to talk about the condition of the untouchables in his country.

Despite this shocking statement, despite the abolition of untouchability in the Indian constitution – drafted by the leader of the untouchables, Dr. Ambedkar – despite laws, 260 million broken men and women suffer on a daily basis from atrocities committed with complete impunity.

In India, between 2001 and 2005, three Dalit women were raped every day. A crime or a misdemeanour against a Dalit was committed every 18 minutes. Although India and Pakistan have signed the Universal Declaration of Human Rights, millions of their citizens are not able to take advantage of the rights and freedoms which are stated in it, simply because of their birth.

The reason why the Committee on Development, which I chair, wishes to raise this issue once again is that caste-based discrimination, apart from being unacceptable in human terms and contravening international human rights law, is also a major structural factor for poverty and inequality.

This type of apartheid has terrible socio-economic consequences: denied or withdrawn access to land, denied access to decent employment, exclusion from the education and health systems, their fundamental rights are trampled upon by the police and judiciary who are pure and simply violating these rights.

Only 10 per cent of Dalit women get an education. Getting out of extreme poverty in these conditions is absolutely impossible. And the latest legislation introduced by India has not eliminated this phenomenon, on the contrary. The chasm between Dalits and non-Dalits has grown since the early 1990s, thus confirming the failure of development policies that too often ignore the problem.

I do not wish to stigmatise the countries that have introduced laws and policies of positive discrimination, unfortunately with little success. We need to stress at European level that we have to recognise caste-based discrimination as a distinct form of discrimination enshrined in the social and religious context. We are talking about a clearly defined group who are victims of caste-based segregation, and they should be taken into account much more by the EU's development policies. The effectiveness of aid can only be strengthened by this.

The coherence of foreign policy with development policy requires us not only to assess the impact on these groups of trade and investment agreements signed by the EU, but even more so, to incorporate a clause on caste-based discrimination.

Recent events in Bangladesh mean that we Europeans can no longer pretend to be ignorant. European firms are involved, directly or indirectly, in people being treated like slaves, just because they were born into a particular caste. That is just not acceptable.

Political dialogues, trade negotiations, strategies, plans of action on human rights, bilateral summits, international meetings, all these opportunities should be seized and used by the European Union to promote common initiatives to eradicate caste-based discrimination.

From one form of discrimination to another - how can I finish my speech without mentioning our own responsibility to protect and advance the rights of people discriminated against or stigmatised on

European soil? First those of the Dalits of the diaspora, where discrimination ignores borders, but also, and especially, those of the Roma community, who in many member states suffer racism, prejudice, discrimination, and are kept out of economic and political life as well as education and health systems.

The EU has to start very frank and constructive discussions with third countries to ensure that all forms of discrimination which may prevent development are eliminated.

**Cecilia Malmström**, Member of the Commission: Mr President, I would like to thank Eva Joly for asking this question. It enables me, on behalf of the High Commissioner, to discuss the very important matter of caste-based discrimination in several world societies. We are strongly committed to fighting all forms of discrimination. Combating discrimination is high on the list of human rights priorities in the current EU Strategic Framework and Action Plan on Human Rights and Democracy. Caste-based discrimination is an essential part of it.

The EEAS, the Commission and Member States make use of a number of tools and instruments such as bilateral dialogue and EU financial support to civil society organisations. Caste-based discrimination is systematically included in our regular Human Rights Dialogue and in our regular contacts with human rights defenders. This concerns our partner countries in which this human rights issue is particularly relevant, such as India, Nepal, Bangladesh and Pakistan, but also Mauritania. The EU provides support to address caste-based discrimination and the consequences thereof by means of EU instruments, in particular the European Instrument for Democracy and Human Rights (EIDHR). The EIDHR strategy documents for 2011 to 2013 contain an explicit reference to caste-based discrimination.

Allow me to give you a practical example. In India, caste-based discrimination is considered a cross-cutting human rights and development issue and is included in many calls for proposals. The Commission has funded projects worth EUR 4 million on discrimination and violence against women and girls. We are also taking a multi-layered approach based on the promotion of human rights and the socio-economic and psychological emancipation of victims. Development aid has supported initiatives that promote access to education, labour rights, and the rights of women and minorities.

The EU funds several projects in Bangladesh that focus on poverty reduction and the rights of the most vulnerable and impoverished groups. We are also funding projects that aim to improve access to justice for victims of caste-based discrimination. In this regard, the Commission is devoting EUR 30 million to projects in Bangladesh and Pakistan that aim to improve access to and the functioning of local justice and police systems. Allow me to stress that humanitarian aid is always non-discriminatory, based on needs, and pays particular attention to the most vulnerable. Consequently, humanitarian work funded by the European Commission in South Asia explicitly addresses caste-based discrimination and refers to the lowest castes as among the most vulnerable when taking funding decisions.

At the multilateral level, we have been very active in the UN context and have contributed to the work of the former UN Sub-Commission for Promotion and Protection of Human Rights. We also contributed to the debate on caste-based discrimination in the UN Universal Periodic Review for India, Pakistan, Sri Lanka, Nepal and Bangladesh.

In conclusion, caste-based discrimination is a high priority for the EU. We want to combat it and we do so in the most comprehensive and effective way as part of our overall strategy to wipe out all kinds of discrimination. We have a number of tools and instruments at our disposal, such as bilateral dialogues and financial support for civil society organisations. We use them in a flexible manner, taking an approach which is tailor-made to the countries most affected by this problem.

**President:** Thank you, Cecilia. Knowing your commitment, we are sure that you will do everything you can on a subject this awful and this dramatic.

**Alf Svensson**, on behalf of the EPP group: Mr President, we know that dictatorships divide their populations into A- and B-teams, but that democracies and countries that claim to have democratic structures and values do so is of course completely unacceptable. This is something which has to be raised again and again. I don't really agree with those who maintain that caste-based discrimination is put on the

agenda quite often. That countries within their own borders have groups that are called untouchable is absolutely terrible! As Eva Joly said, we are talking about half of the EU's population in the order of magnitude. So you just can't talk about tradition or something like that to explain this behaviour. Real efforts are needed to ensure change, and this needs to be highlighted when we talk about trade relations or any other kind of relations.

I think it is an abomination that women and children are being locked up in a cage which they cannot escape from, cannot climb out of.

I am very grateful that this question is being raised and that the subject is on the agenda. But let's not allow it to remain here on a Thursday morning in the European Parliament, but let us drive these issues forward.

These countries have signed up to the UN's human rights conventions on human rights and freedoms. They are brutally letting down huge groups in their own countries. There is no country that can claim to be completely perfect in these matters, but we have to discard the caste system as completely unacceptable.

Let us do everything we can to promote human rights and freedoms and democratic values. This is something that we should really continue pursuing.

**Michael Cashman**, on behalf of the S&D Group: Mr President, it is always good to see you in the Chair when we are discussing fundamental values. Can I associate myself absolutely with the opening statement by Ms Joly and by Mr Svensson. There is absolutely no place in any of our internal activities or our external activities for caste-based discrimination and I hope today the European Parliament will send a very strong message.

Dear Commissioner, I know you are committed, I have listened to what you have said, but I have to come to the conclusion that we are failing. If we have undertaken all of this work, if we have all of these instruments, and 220 million people are still discriminated against solely on the basis of their caste, we are failing. Therefore, my Group and others insist that in all of our external association agreements and trade agreements there should be a non-negotiable human rights clause and, where appropriate, a non-discrimination based on caste clause. Because, quite frankly, when we buy those shirts from Bangladesh, when we buy from Pakistan and India, when we trade on the backs of the poorest, we impoverish them. And when we trade on the backs of those who are being discriminated against, we too discriminate against them and weaken them, and we weaken every single international treaty we sign up to and undertake. Girls, women, are subjected to slavery and abuse, purely because someone says they are untouchable and they belong to a different caste.

Towards the end of our mandate, I am proud that all of the Groups have come together to say no, this will not continue, but can I say to the public, can I say to our EU citizens, this means looking at where we buy our goods, where we buy our shirts, our socks, our ties and our suits. If these countries do not apply international human rights standards and they discriminate on this scandalous basis of caste, then we individually should boycott them and not trade with them.

**Leonidas Donskis**, on behalf of the ALDE group: Caste-based discrimination is one of the biggest paradoxes of the 21<sup>st</sup> century. As the world gets smaller and becomes a common arena of all humankind, as the border between the local and the global fades, as human rights become a universal, not a national affair, hundreds of millions of people still remain robbed of the right to be a human and to enjoy even the most basic human rights. Dalits and similarly caste-affected groups exist even in democracies which are well on their way towards achieving a notable level of development. If we try to explain away caste-based discrimination using solely religious or cultural specificities, we will betray the people who are suffering right next to us and compromise our commitment to human rights. This is a problem not just of one country, of India, it is a widespread global issue.

It is imperative to ensure that the fight against caste-based discrimination becomes part of the standard EU human rights language and is systematically included in the Union's efforts worldwide. Caste-based discrimination should be treated as a specific issue that has to be tackled just like other forms of

discrimination, such as discrimination based on ethnic background, race, religion, beliefs, gender or sexual orientation. Today's debate and the adoption of the resolution on caste-based discrimination represent an important step in this direction. Yet we still have a long way to go until the 260 million people worldwide affected by this issue are finally able to enjoy their human rights and lead a dignified life.

I would like, once again, to call on the EU institutions to fight caste discrimination in a systematic way at all levels; in its human rights strategies, dialogues with partner countries, and in the UN Human Rights Council. I call on my colleagues to support this resolution and not to relinquish the respect for human rights and dignity which is at the heart of our European political identity for the sake of so-called 'real-politik'.

**Jean Lambert**, on behalf of the Green Group: Mr President, I am speaking also as a trustee of the Dalit Solidarity Network in the UK and chair of the Delegation for South Asia, which covers a number of the countries concerned.

I obviously want to support what my colleagues have said about the need to oppose caste-based, descent-based discrimination and that no-one should have to change their faith to be accepted in society, no-one should be refused water in a disaster because of their caste and everyone should be able to benefit from education and use their talents. Particularly, in the week when we celebrate International Day of the Girl Child, I think this has a particular relevance for the Dalits.

We have seen recent legislation in Nepal which has challenged discrimination. We have seen EU projects there which have made an enormous difference but, as people have said, unless this is taken up and becomes part of a real cultural shift, all we are doing is supporting some people. This is extremely valuable and shows what it is we are trying to do, but we need to have these rights entrenched, not just in the Constitution, but in implementation in the law. We also need to look at our own Member States. The UK has recently brought caste discrimination into its anti-discrimination legislation, but we are seeing deliberate moves by a particular Home Office minister to prevent the implementation of that change. So this is something we need to be aware of in our own countries, as well as in the values that we promote internationally.

**Mikael Gustafsson**, on behalf of the GUE/NGL-group: Mr President! Thank you Commissioner Cecilia Malmström. I must admit that it is very difficult to add something new to everything that has been said by my remarkable colleagues, but I will touch upon an issue that I consider important.

These problems exist in different countries, but I wish to emphasise the particularly vulnerable situation of Dalit women. They make up 16 per cent of the total number of women in India. Dalit women are subjected to triple discrimination: on the basis of class, gender and caste. They are poor, they are women, and they are Dalits. Up to 50 per cent of children may not be registered at their birth. This makes it more difficult to protect Dalit women from prostitution, from trafficking, from child labour, and forced marriages. Violence against Dalit women is registered very rarely. When it is done, the police and judiciary show a very limited interest. Impunity appears to be widespread.

I think that the EU and its member states can do a lot more in this area by engaging in dialogue with these countries and have relevant programmes. I know that you, Cecilia Malmström, are engaged in the issue, and I believe that you will do things, but I think that we can do a lot more.

Working with civil society organisations in these countries is immensely important – and especially to work with women's organisations, as they have experience in this field.

We must to all we can to ensure that caste discrimination does not occur in any country on this planet.

**Gay Mitchell** (EPP): Mr President, I would like to thank our committee chair, Eva Joly, for highlighting the issue of caste-based discrimination through her report. I think she has done a singular service in uniting this House to highlight this issue. I should also like to support the comments made by Michael Cashman earlier in the debate. We really do have to be much more proactive in ensuring that we take boycott action against those countries that continue to treat people in this way.

I commend the messages in the report, in particular the need for the EU to recognise caste-based discrimination as a distinct form of discrimination which must be tackled with other forms of discrimination, such as discrimination on the grounds of ethnicity, disability, race, religion, gender and sexuality.

I am glad that our colleague Mr Gustafsson, the Chair of the Committee on Women's Rights and Gender Equality, raised the issue of Dalit women. They are among the most severely exploited, including sexually exploited. They often suffer from sexual violence, sexual slavery, bonded labour and limited access to food or sanitation. This is in the 21st century. It is an extraordinary thing. But this caste-based discrimination is not confined to Asia. I spoke to a young man in Dublin as last weekend. His name is Robin, he is an Asian and he appealed to me to raise this issue because in parts of Europe the trend continues.

So I am really delighted that our committee Chair has taken the initiative on this, that she has put this issue firmly on the agenda and that there is strong cross-party support for it. I hope that communicates itself to the Commission and that collectively we can challenge this issue, which has been allowed to fester for far too long.

**Zita Gurmai (S&D):** Mr President, caste-based discrimination remains a striking reality for over 260 million people in the world. It is one of the most widespread violations of fundamental human rights. Among these victims of social exclusion, women and girls are particularly vulnerable and face multiple forms of discrimination and violence, including sexual abuse. Children are also at high risk of being sold or sexually exploited. Despite some legislation enacted by the Indian and Nepalese authorities, the reality remains harsh for the Dalits and the true scope of the new legislative framework remains uncertain.

Specific guidelines have been published by the UN on the effective elimination of discrimination related to work and descent. I would like to hear from the EEAS how the EU can effectively push for that implementation. I would also like to underline that this is not only a matter for south Asian countries. For example, many female Dalits are employed in work that is basically modern slavery, and several reports have pointed out that some of the factories employing them produce garments for Western companies. This is something we cannot allow.

**Phil Bennion (ALDE):** Mr President, I think this oral question is to be welcomed.

This is not the first time we have raised in the European Parliament this issue of caste-based discrimination, and very unfortunately it is unlikely to be the last. Although I understand that we will not be able to change the situation overnight, I think we have to admit that the level of progress is really insufficient. We owe it to all these overlooked people, hundreds of millions of people, who suffer from discrimination every day.

In Bangladesh, for instance, caste-based discrimination affects both Hindu and Muslim populations. It is thought of very often just as a Hindu issue but Muslims and Buddhists are also affected. In Pakistan, Dalits have limited access to equal and meaningful political participation. I think that is absolutely unacceptable and many of these people, of course, are also religious minorities at the same time, so they are doubly discriminated against.

I am not asking the Commission and the EEAS today to export the European social model in a one-size-fits-all manner, but as a liberal I am asking us to export our values of democracy, freedom and human rights, because I do not think we should consider that to be imperialism in any form.

**Martina Anderson (GUE/NGL):** Mr President, I am pleased to see this issue being addressed and I condemn the human rights violations committed against the estimated 260 million people worldwide suffering from caste-based discrimination.

Caste systems are unjust as they divide people into unequal and hierarchical social groups. Those at the bottom are considered lesser human beings, impure and polluting to other caste groups. Known as untouchables or Dalits, they are often forcibly assigned the most dirty and most hazardous jobs and many are subjected to forced and bonded labour and are kept in severe poverty.

Without doubt, when relevant, there should be a caste-based discrimination clause in EU international trade agreements and association agreements. The Commission should also take steps to combat this discrimination within Europe's borders, as no community anywhere should be exempt from equality legislation and from human rights protection.

**Ria Oomen-Ruijten** (EPP): President, I can note that there is a large measure of consensus in the Parliament concerning the report that Ms Joly has drafted. I think she has given a good reflection of the size of the problem we are facing.

When we talk about caste-based discrimination, we are talking about groups of people who because of their birth, and for the rest of their life, have to carry a stigma, and therefore they are treated differently.

That is a violation of the most basic human right, because we want to make sure that there are equal rights for everybody. We want freedom of religion, freedom of your convictions, the right to development, and we don't want people in caste-based system to have no prospects and be condemned to live in poverty.

The estimate is that there are 260 million people around the world who suffer from caste-based discrimination, so it is deeply rooted in some societies where it occurs. Even if legislation is put in place to try and remedy that, impunity is widespread, and abuse of the law means that caste-based discrimination remains.

My colleague Mr Mitchell made this point: we have to use all possible tools to deal with this. I have also tabled a number of questions to the External Action Service because I think that we should be working more with our embassies not just to reflect and report on what is happening but to try and have an influence on combating caste-based discrimination.

President, I think that in agreements with these countries, we have to do more - and this is something that has to go further than basic human rights dialogue. I think it would be a good idea if the EEAS had an annual report, if you like, on their website, as to what projects they are doing, how they are dealing with authorities, to address this particular problem of caste-based discrimination.

**Seán Kelly** (EPP): Mr President, I think it is important that we discuss this topic here today. Particularly with advances in technology, with the power of the internet and so forth, we can get ideas, particularly the values of human rights, taken on board right across the world in due course – far quicker than has been the case in the past.

They say that all men and women are born equal, but some more equal than others. That is something that is true maybe in relation to opportunities and discrimination that might exist in our own countries. But certainly where caste-based discrimination is practised, once they are born they are unequal and they are unequal until they die. That is something that is not acceptable and I concur fully with what my great colleague Mr Mitchell has said. Indeed I compliment him on the huge work he has done on the whole area of development aid, etc., over many years. That is something that we should put into development aid, to ensure that human rights for all is part of it as well.

**Paul Murphy** (GUE/NGL). - Mr President, if you are not considered human, human rights do not apply to you. They are the words of Moni Rani Das, a Bangladeshi Dalit women's activist. I think they sum up the problem facing 260 million people affected by caste-based discrimination.

The stories that you hear are horrific: the countless rapes of young women to which police turn a blind eye; the story of Chanchal Kumari, a 19-year-old student who suffered a vicious acid attack simply for daring to ignore teenage boys; or the heart-breaking stories of young children who cannot understand why other children refuse to play with them.

But of course caste discrimination, as has been mentioned, is not confined to Asia. In Britain the disgraceful attempts of the government to block or delay the extension of equality legislation to include

caste-based discrimination should be condemned. While it is illegal in most countries, it does not stop human rights violations, exclusion, torture, rape, slavery and murder being a daily reality for many.

But the growing number of brave, oppressed caste activists raising their voices shows a way forward. Linked with the struggles of other workers and the poor, an alternative society based on equality and solidarity can be built and this barbaric feudal remnant can be consigned to the dustbin of history.

**President:** I cannot resist the temptation to share some thoughts with you.

A delegation from the Development Committee has just returned from the summit on the achievement of the Millennium Development Goals of the United Nations. Mr Mitchell was there, Mr Nicholson was there, Mr Cashman was there, and so was I.

And I have to say that I do not recall this topic being highlighted there, perhaps something also indicated by some of the speakers, perhaps not to upset the largest democracy in the world.

But it's good that we react to this, because, as I say, the world community seems to have hushed up the issue a little bit, when we all agree that it is a problem of tremendous injustice and tremendous drama.

Forgive me for this comment, but it is good that the few that are present are aware of this phenomenon.

**Cecilia Malmström**, Member of the Commission. – Mr President, thank you for raising this question. I fully agree with you that, in 2013, to have millions of people considered as untouchable and discriminated in the horrendous ways that you have borne witness to and that we all know, is of course not acceptable. We must do everything we can not only to raise awareness, but to fight against this.

As some of you highlighted, there has been certain progress. For example, in India, the government has established a regime providing for affirmative action quotas for these castes, to ensure their political representation, as well as quotas for access to higher education and employment in public service. In Nepal, there is a new law on anti-discrimination that was enacted in 2011 and is now under implementation. So there is progress. But surely, so much more needs to be done. We try to use our existing tools to the maximum, as I told you in my introductory comments, to try to support the most vulnerable and constantly raise the issue in our Human Rights Dialogues with these countries.

We will keep on pushing for change with the different instruments that we have. We are also publishing, as you know, an annual report on the implementation of the EU Strategic Framework and Action Plan on Human Rights and Democracy, and caste-based discrimination is fully part of it. That report is shared with the European Parliament and fully available. Let me say that deep-rooted discrimination and attitudes of course do not change in a couple of weeks. It takes time, and that is why it is so important to raise awareness, not only in those countries, of course, but also here in Europe.

I would like to congratulate the European Parliament on this report by Ms Joly, with cross-border support from all political groups, to raise awareness and make sure that these people, who are very often forgotten, are not forgotten, but are given a face, and that the world and its citizens are aware of the full extent of the discrimination and realities that they live under. You can count on the Commission and the High Representative's continued commitment to do whatever we can in order to fight this discrimination.

The debate is closed. The vote will take place today, at 12.00.

#### **Written statements (Article 149 of the Rules)**

**Lena Kolarska-Bobińska** (EPP), in writing. – Mr President, Caste discrimination is not new. It has been around for centuries. The case of the Dalits is so well known that the term 'the untouchables' is even a staple of European popular culture. But just because a hate, fear or prejudice has existed for a long time, does not make it right or acceptable. There was no place for caste discrimination in the 20th Century and for sure, there should not be any now in the 21st Century. The Indian Constitution is clear on this point. Articles 15 and 17 have since 1950 outlawed and banned such discrimination. Yet to this day, it can be found not only in India but other South Asian communities world-wide. As the nation that was the first to struggle against caste discrimination, I believe that India should do more to support international

measures against it. Actions at the United Nations and elsewhere are not targeted at the Republic of India, but are in fact attempts to help enforce the very principles of the republic, the fundamental principle that all Indian citizens are equal. Indeed, India should be a light against caste discrimination not only for itself but for the world. Thank you.

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