

ADDRESSING CASTE DISCRIMINATION IN THE POST-MDG 2015 FRAMEWORK

Preliminary Input by the International Dalit Solidarity Network (November 2012)

Social inclusion is a critical issue for the post-2015 development agenda. The principles of equality and non-discrimination must be at the heart of the goals and targets established in the framework, and special attention should be given to the most marginalised and excluded groups.

When discussing the future development goals in the post-2015 framework, caste-based discrimination needs to be addressed as a major structural factor underlying poverty, and as a root cause of inequalities and social exclusion of particularly marginalized groups.

Caste discrimination is a strict hierarchical social system based on underlying notions of purity and pollution. It entails social and economic exclusion, segregation in housing, denial and restrictions of access to public and private services and employment, and enforcement of certain types of jobs on Dalits, resulting in a system of modern day slavery or bonded labour.

Caste discrimination is a major obstacle to achieving the Millennium Development Goals (MDGs). Victims of caste discrimination are routinely denied access to water, schools, health services, land, markets and employment. The social exclusion of Dalits and similarly affected communities lead to high levels of poverty among affected population groups and exclusion, or reduced benefits, from development processes. It furthermore precludes their involvement in decision making and governance, and their meaningful participation in public and civil life.

Dalit women and girls belong to the category of particularly vulnerable groups, who are exposed to multiple and intersecting forms of discrimination and violence on the basis of gender and caste. The intersection between gender and caste therefore needs to be explicitly addressed under the post-2015 framework's focus on inequalities and multiple forms of discrimination.

The majority of people affected by caste discrimination are Dalits (or „outcastes“) live in South Asia. It is estimated to affected 260 million persons globally. Similar forms of discrimination are found in Japan, Yemen, some African communities, and the South Asian Diaspora, as confirmed in a comprehensive UN study on the topic.ⁱ The UN High Commissioner for Human Rights and UN human rights bodies have expressed concern about the persistence of caste-based discrimination and have called on governments for it to be eliminated.ⁱⁱ

Two Special Procedure mandate holders – the Independent Expert on minority issues and the Special Rapporteur on the human right to safe drinking water and sanitation – have already argued that caste discrimination needs to be taken into consideration in the post-2015 development agenda.ⁱⁱⁱ

Recommendations for advancing Dalit rights in the post-2015 framework:

- Inclusion and social development should be at the heart of the post-2015 agenda, and the framework be should be based on the principles of equality, non-discrimination, and participation.
- The post-2015 framework should address the root causes to inequalities and poverty, focusing on the poorest and most marginalised groups including Dalits and similarly excluded communities.
- The post-2015 framework should have a strong focus on multiple forms of discrimination, including the intersection between caste and gender-based discrimination.
- Human rights indicators should be used to develop and assess the goals and targets of the post-2014 framework to ensure that equal access and distribution of resources are integrated in the post-2015 framework from a rights-based perspective.
- The post-2015 framework should mainstream the collection of disaggregated data and research on intersecting forms of discrimination, including caste-based discrimination, as a way to measure inequalities and to develop and implement programmes to address the systematic patterns of marginalization and exclusion at the root of poverty and exclusion. This data should be collected in consultation with affected groups, and should especially aim for the participation of women in the design, collection, evaluation of data, and impact assessment.

Examples of caste-inclusive guidelines and toolkits:

Several guidelines and toolkits exist to give guidance to states, international institutions, civil society and the private sector on how to effectively address caste-based discrimination. These can be used as reference and guidance in the formulation and implementation of goals in the post-2015 framework.

Draft UN Principles and Guidelines on discrimination based on work and descent

The draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent is a comprehensive framework on caste-based discrimination. Based on existing international human rights principles and obligations, the framework proposes general and special measures to be taken by multiple stakeholders. Although still a draft, the UN Principles and Guidelines constitute a strong tool to encourage specific anti-discrimination legislation and relevant policy measures for governments and their agencies, UN and other international agencies, educational institutions, non-governmental organizations and the private sector on a voluntary basis. The soft law framework is the result of a UN study on discrimination based on work and descent undertaken by the former UN Sub-Commission on the Promotion and Protection of Human Rights. The final report, including the draft principles and guidelines, was published by the Human Rights Council at its 11 session in 2009 (A/HRC/11/CRP.3).

- [Link to UN Principles and Guidelines on discrimination based on work and descent](#)

A UNDP Resource Guide and Toolkit: Marginalised Minorities in Development Programming

In collaboration with UNDP, the Independent Expert on minority issues has developed this guide and toolkit to further enhance UNDP's policy and programming interventions on minority issues (2010). It includes several observations on measures to be taken to promote and protect Dalit rights in caste-affected countries, and includes a reference to the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent. The publication has the potential to enhance UNDP's treatment of minority issues and to increase the opportunities available to minorities for meaningful participation and representation in development processes and for strengthening partnerships to protect and promote the rights of minorities.

- [Link to UNDP Resource Guide and Toolkit on Marginalised Communities in Dev Programming](#)

Good practices to eliminate caste-based discrimination:

In response to the call for the sharing of good practices to eliminate caste-based discrimination, an international conference was organized to discuss this topic in November 2011. The aim of the consultation was to identify, share and learn from examples of good practices and strategies to eliminate caste-based discrimination by a wide range of actors, incl. governments, national human rights institutions, UN agencies and Country Teams, the EU, civil society, etc.

As an outcome of this conference, a Joint Declaration and Global Call for Action to Eliminate Caste-based Discrimination was prepared, containing recommendations on specific themes, such as discrimination against Dalit women, access to service, humanitarian standards, forced labour, and effective institutions – many of which are particularly relevant to consider when formulating and implementing the post-2012 framework.

- [Download the Joint Declaration and Global Call for Action](#)

ⁱ Study on discrimination based on work and descent by the former UN Sub-Commission on the Promotion and Protection of Human Rights (A/HRC/11/CRP.3)

ⁱⁱ See the [UN High Commissioner's opinion piece on caste-based discrimination \(19 Oct 2009\)](#) and a [comprehensive overview of recommendations on caste-based discrimination by UN human rights bodies](#)

ⁱⁱⁱ The SR on water and sanitation has underlined that different factors need to be taken into consideration in the post-2015 framework in order to ensure equal shares for disadvantaged groups, including those affected by caste discrimination (A/67/270, para. 36). The Independent Expert on minority groups has noted that progress to meet the MDGs for many of the most disadvantaged groups, including Dalits, has not met expectations. She has stated that "without significant and continuing efforts to raise attention to the need for solutions that work for disadvantaged minorities, post 2015 strategies at the national level may in some cases continue to follow the same patterns, priorities and models that have proved to be flawed in their ability to address minority needs" (Online submission re. the Post-MDG Development Agenda on Inequalities).