

STATEMENTS AND REFLECTIONS ON CERD'S REVIEW
OF INDIA'S PERIODIC REPORT
Geneva, February 23 & 26, 2007

QUOTES FROM ACTIVISTS FROM CASTE-AFFECTED COUNTRIES

“The Indian delegates’ refusal to address caste-based discrimination before CERD is a sound rejection of the principles of the human rights conventions that India has itself ratified. The laws enacted to address caste-based discrimination are not only un-enforced, but the government has no intention of enforcing them. This strategy is part of the state’s sponsorship of ‘hidden apartheid.’”

Paul Divakar, National Convenor, National Campaign on Dalit Human Rights.

“The Indian delegation’s manipulative representation of its efforts to ensure equality for Dalits in India was a reflection of India’s casteist political structure. Their lies will not end discrimination against the 167 million Dalit men and women who are to this day considered the ‘wretched of the Earth.’ What was missing was the point of view of Dalits, and Dalit women in particular who are rendered invisible in their personal lives, in their communities, and in society at large. We are not asking for more reservations, we are asking for our rightful share of the economy that has been built on the backs on generations of Dalits.”

Ruth Manorama, National Federation of Dalit Women.

“Discrimination and violence against Dalit women are deeply entrenched in the patriarchal caste system. The impunity and complicity of the state and other state actors exacerbate this situation. Rights and laws to protect Dalit women do exist but the will to enforce them is utterly absent. On the other hand, the courage of Dalit women to assert their dignity and rights in the face of such brutal violence points to the formidable challenge Dalit women present to the caste system.”

Aloysius Irudayam, co-author of the study *Dalit Women Speak Out: Violence Against Dalit Women in India*.

“If the Indian government is, as the Solicitor General said this morning ‘fully committed to tackling this at every level,’ then why did it spend a majority of its speaking time talking about why it did not want to talk about caste? And if the government of India claims that the *only* reason it will not discuss this issue before CERD is because it believes that descent-based discrimination does not include caste, then I suppose they would support and promote the creation of any and all international instruments and procedures specific to caste discrimination?”

Vincent Manoharan, General Secretary, National Campaign on Dalit Human Rights.

“I am deeply hurt with the statements of the Indian delegation and their continued refusal to even talk about caste discrimination in this important international forum. Caste discrimination is one of the oldest and most inhumane practices in the world that continues to thrive even in the twenty-first century.”

Manjula Pradeep, Executive Director of the NGO Navsarjan in Gujarat.

“The discrimination faced by Dalit students in the mid-day meal scheme is unparalleled and includes the purposeful exclusion of Dalit men and women as cooks in the schools. Such discrimination is a reflection of the deeply rooted problem of caste discrimination in India. Members of the Indian delegation who took a high moral stand at the CERD hearings should hang their heads in shame that they practice ‘Hidden Apartheid’ and are not willing to accept India’s obligation and contribute to eliminate the worst forms of discrimination against Dalits.”

Dr. Umakant, Ph.D., Co-author of the NCDHR Alternate Report to CERD on India’s periodic report.

“The Indian delegation’s statements once again expose the casteist mindset of the Indian government. They will go to any length to protect the caste system, including pretending that they are serious about their laws even though they have never been faithfully implemented.”

Dr. Sinivella Prasad, Director of the NGO Sakshi in Andhra Pradesh.

“The Indian delegation’s patently false statement that ‘there are no indigenous people in India’ is a sad case of Indian officials once again being ignorant of their policies, not to mention their history. Article 339 of the Constitution of India instructed the President of India to set up the Scheduled Castes and Scheduled Tribes Commission, which in its report on 14 October 1961 stated that the ILO has classified such people as ‘indigenous’.”

Suhas Chakma, Coordinator, National Network for Human Rights Treaty Monitoring in India.

“The Nepalese government should at the very least ensure: proportionate representation of Dalits in all formal and informal institutions at all levels in the country with reservations and special rights; a Constitutional provision should provide safeguards to promote Dalit Human Rights and bring them into the development mainstream; and a discrimination-free and just society by intervening in the socialization processes and institutions with new norms, values and beliefs.”

Tej Sunar, Dalit NGO Federation, Nepal.

“The fight for the rights of Dalits is a long and continuous struggle. Governments like India always deny the rights of the people by using all their resources to safeguard their position. We need to work at the grassroots level to empower people to struggle against their own state.”

Perumal Sivapragasam, Human Development Organisation, Sri Lanka.

QUOTES FROM IDSN AND DALIT SOLIDARITY PLATFORMS

“In its landmark resolution on the plight of Dalits, the European Parliament encouraged the Indian government to start cooperating with relevant UN human rights bodies on the issue of caste-based discrimination. India’s lengthy delay in submitting its report, the lack of information on Dalits in the report, its refusal to respond directly to Committee members’ written and oral questions and its taking up of valuable Committee members time with erroneous academic and sometimes insulting debates comparing race to caste, do not show that it is ready or willing to cooperate with UN human rights bodies.”

Rikke Nöhrind, Coordinator, International Dalit Solidarity Network.

“It is our duty as the international community to say ‘this is enough,’ to work together without delay to change the situation by mobilizing international solidarity and to ensure the fundamental rights and dignity of all Indians, in particular Dalits and Tribals, and of similarly situated people in others parts of the world.”

Lawrence Kwark, Collectif Dalit, France.

“It was shocking to witness the Indian delegation’s complete silencing of the plight of its own citizens. The eyes of a wide range of actors in Indian civil society and the international community are on the Indian government in expectation that it will now act on the most severe human rights problem of the world today.”

Maia Ingvardson, International Dalit Solidarity Network.

“India’s description of discrimination of Dalits after the tsunami as occurring in “isolated cases” is defied by our report ‘Making Things Worse’ which shows systematic discrimination in emergency relief and rehabilitation. The voices of hundreds of local people and groups are more credible than an Indian delegation that belittles the severity of caste discrimination, not only following the tsunami, but in every day political life.”

Gerard Oonk, Coordinator of Dalit Network Netherlands and Director of India Committee of the Netherlands.

“The last time I heard this type of response to criticism in international fora was from Afrikaners in the apartheid era. The overt attack on the credibility of NGOs submitting detailed shadow reports, many of whom represent the oppressed minorities, exhibits the same kind of denial of the basic problem as the apartheid Government demonstrated towards its critics in the apartheid years.”

Rev. David Haslam, Former Executive Member of the Anti-Apartheid Movement (1976-1988), Chair of Trustees of Dalit Solidarity Network UK, and Co-convenor of the International Dalit Solidarity Network.

“Just as they did at the World Conference Against Racism in South Africa, India once again refused to deal with the issue of caste discrimination and instead engaged in a debate on semantics and legal interpretation. And just like in Durban, the more they denied the problem, the more obvious their own biases became.”

Walter Hahn, Convenor, German Dalit Solidarity Platform.

QUOTES FROM INTERNATIONAL/RESEARCH ASSOCIATES

“For a country of laws, India’s position before the Committee was distinctly anti-law— from its inability to recognize how closing the gaps in the laws’ implementation is the responsibility of the State, to its rejection of the Committee’s unequivocal position that caste is covered by the Convention.”

Jayne Huckerby, Research Director, Center for Human Rights and Global Justice, and co-author of the shadow report *Hidden Apartheid: Caste Discrimination Against India’s ‘Untouchables.’*

“India has been confronted yet again on the issue of caste discrimination by a committee of UN experts on issues of discrimination. On this occasion, the Committee has challenged with even greater force the government’s attempt to hide its unfinished business with regard to caste discrimination under the carpet of ‘Shining India.’ The position of the Indian government is frankly illogical and unethical.”

Peter Prove, Lutheran World Federation.

“The Indian delegation that included officials and an academic appeared to contradict each other. The officials agreed that caste discrimination existed, and cited laws, the media and civil society that serve as protective mechanisms. The academic, however, appeared to deny the very existence of the caste system’s problem and practices that subject 167 million Dalits to suffering. While the officials cited newspaper articles and said that the NHRC takes action based on UN, NGO and

media reports, this academic recommended that the Committee members should not believe NGOs or what they read in newspapers.”

Meenakshi Ganguly, South Asia Researcher, Human Rights Watch.

“Filling gaps and holes with darkness has been the strategy of the government of India throughout international fora whenever it was examined on deeper issues like caste-based discrimination. However, light was shed upon darkness exposing the ground realities through specific questions and interaction by the experts on the CERD committee. This light is expected to shine further in the Committee’s concluding observations. This is help to bring a ray of hope to the darker corner of life of a few million people who have been condemned to situations worse than slavery from generation to generation, merely for being born into a community and chained therein by the wretched caste system.”

Bijo Francis, South Asia Desk, Asian Human Rights Commission.

“Given that thousands of Dalits convert en masse from Hinduism to other religions every year in a futile effort to escape untouchability, it is incomprehensible how a member of the Indian delegation can make the blanket statement that people ‘don’t want to escape their caste.’”

Jeena Shah, NYU School of Law, and co-author of the shadow report *Hidden Apartheid: Caste Discrimination Against India’s ‘Untouchables.’*

“It is simply incredible that India can claim that it is ‘committed to battling discrimination in all its manifestations’ and then openly reject the Committee’s offer to engage in a constructive dialogue on steps that India can take to protect Dalit rights. India has once again failed to live up to its international human rights obligations.”

Stephanie Barbour, NYU School of Law, and co-author of the shadow report *Hidden Apartheid: Caste Discrimination Against India’s ‘Untouchables.’*

“Countless cases relating to atrocities against Dalits, tribal community members, and religious minorities in India have been dismissed, sabotaged, or have never even come to light. How can the Indian government defend its record on ensuring equality before the law in light of such stark impunity?”

Professor Smita Narula, Faculty Director, Center for Human Rights and Global Justice, NYU School of Law, and co-author of the shadow report *Hidden Apartheid: Caste Discrimination Against India’s ‘Untouchables.’*
