

# We are not untouchable

Caste Discrimination and the Durban Review Conference - 260 million reasons why the world should react

## PRESS KIT

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# Caste Discrimination and the Durban Review Conference - April 2009

It is estimated that more than 260 million people worldwide are affected by caste discrimination. Victims suffer a hidden apartheid of segregation, modern-day slavery and other forms of discrimination as a result of having been born into a marginalized group or caste. Caste discrimination constitutes one of the most serious and widespread global human rights challenges today and continues to function as a deeply rooted system of grave human rights violations.

While several other human rights bodies have addressed the issue of caste-based discrimination, it is deeply concerning that the Durban Review Conference in its outset is failing to tackle this type of discrimination and thereby effectively silencing much needed debate regarding one of the most brutal and systematic

forms of discrimination in the world today.

A joint position paper has therefore been published by IDSN, Human Rights Watch, the National Campaign on Dalit Human Rights and other organisations, with recommendations for the Durban Review Conference to effectively deal with this important issue at the DRC and beyond.

While the Durban Declaration and Plan of Action (DDPA) does not refer explicitly to caste-based discrimination, it includes several provisions that recognize its importance, and several UN bodies, in particular the United Nations Committee on the Elimination of Racial Discrimination (CERD), have repeatedly reaffirmed that caste falls under the Race Convention.

With the pending failure to address this issue at the conference, it is crucial that

the problem is addressed through the press and in the public arena. We are therefore appealing to journalists to give a voice to the millions of victims of caste based discrimination who have found themselves silenced by this review mechanism, which claims to aim at protecting all victims affected by discrimination and contemporary forms of racism.

Please do not hesitate to contact us on [mb@idsn.org](mailto:mb@idsn.org) or +45 61701218 for further information on the topic, relevant documents, case studies or interviews with ourselves or Dalit representatives in South Asia, some of which will be available for interview in Geneva.

Profiles of all relevant Dalit representatives available for press interviews during the DRC, are listed on pg. 8-11.



The International Dalit Solidarity Network works on a global level to eradicate caste discrimination. In caste-affected countries, Dalit rights movements try to mobilize their governments to fulfil their human rights obligations. In Europe and the United States, solidarity platforms and international associates raise international awareness and stimulate action by governments and multilateral institutions.

# Programme of events and interview opportunities

## Events in Geneva

18 April/ 3pm - Plain Palais

Dalit organisations from South Asia will participate in a public march as part of a larger Civil Society Forum demonstration.

20 April/ 17:30- UN Premises

Press conference on “Caste Discrimination and the Durban Review Conference”, organised by Human Rights Watch, LWF, IMADR, Pax Romana, and Forum-Asia

21 April - Paul Divakar (NCDHR-India) will speak at the UN during the DRC NGO speaking time at the high level segment.

21/22 April/ Date/Time TBC - UN

Premises “Social Exclusion in South Asia: Challenges and Responses” - organised by NCDHR and others. Gay MacDougall, the Independent Expert on Minorities is Chair and Mr. Doudou Diène, the former Special Rapporteur on contemporary forms of racism, will be key speakers.

22 April/ 11-1pm - UN premises room

XXVII: “Communities empowered to resist discrimination and exclusion” .

Keynote speakers are Ms. Yakin Ertürk, Special Rapporteur on violence against women, and Mr. Githu Muigai, the Special Rapporteur on contemporary forms of racism.

22 April/ 4-6 pm - Venue TBC

“Combating racism through human rights education: examples of National Practice” - event organised by the OHCHR. Henri Tiphagne (Peoples Watch, India) will be a guest speaker on caste discrimination.

23 April/ 18:30- 20:30 - Maison des

Associations - Plain Palais. Public Conference on Caste Based Discrimination and the Role of International Community, organised by Pax Romana, COTMEC, IDSN, NCDHR and ADRM Youth. Geneva based concerned citizens and human rights groups will participate.

As indicated some events are still to be confirmed so please contact IDSN for

more information or check [www.idsn.org](http://www.idsn.org)

## Interviews

The following Dalit representatives will be available for press interviews: Paul Divakar (NCDHR/ India), Henri Tiphagne (Peoples Watch/ India), Nimalka Fernando (IMADR/ Sri Lanka), Rikke Nöhrvind (IDSN), Vijay Parmar (NCDHR), Bezwada Wilson (India), Zakir Hossain (BDERM/ Bangladesh), Adv. Dibakar Porichha (India) , Durga Sob (FEDO/ Nepal), Babul Rabi Dash (BDERM/ Bangladesh), Aloysious Irudayam (NCDHR), Jayshree Mangubhai (India), P.P. Sivapragasam (HDO/ Sri Lanka), Vimal Thorat (NCDHR/ India), Dr. Rajkumar (India). Profiles are listed on page 8-11.

## Further Information

Information and updates are available on [www.idsn.org](http://www.idsn.org). Please contact us on [mb@idsn.org](mailto:mb@idsn.org) or +45 61701218 to coordinate interviews, enquire about events, or request documents, case studies, or research.

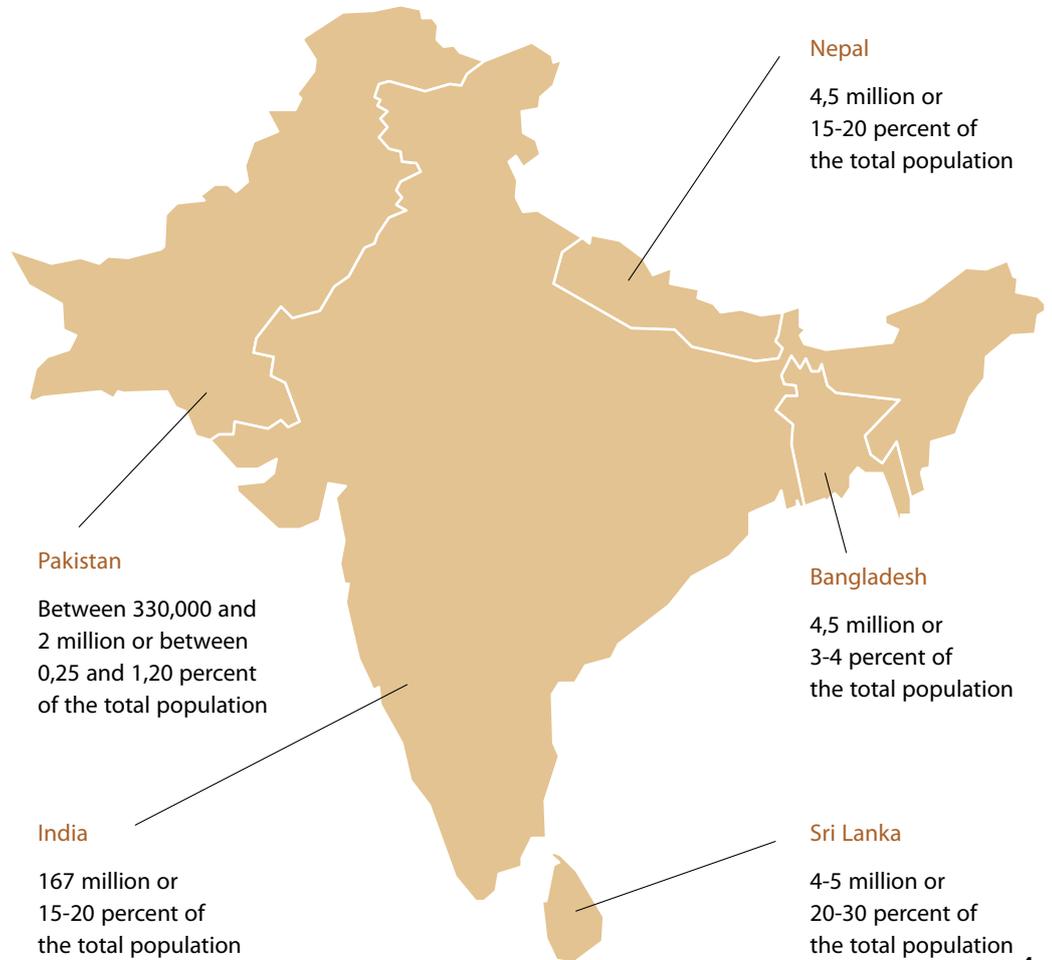
# Caste discrimination

Caste can be defined as a hereditary and hierarchic system of social grouping distinguished by degrees of purity, social status, and exclusiveness. Those who fall outside the caste system are considered 'impure' and thus 'polluting' to other caste groups. They are seen as 'untouchables'.

Dalit means 'broken people'. This is the name the 'untouchables' have chosen for themselves to signify a growing movement of empowerment.

Caste-based discrimination is one of the most serious human rights problems in the world today, affecting approximately 260 million<sup>1</sup> people worldwide; the majority live in South Asia with 167 million in India alone.

1. Human Rights Watch, Caste Discrimination, a Global Concern, 2001



Caste discrimination takes many forms and often involves 'untouchability' practices. Caste-based discrimination and related practices constitute a gross violation of fundamental human rights, denying victims their human dignity and equality.

**'Untouchable':**

Separate and Unequal

- Segregation in housing, schools and cremation grounds
- Limitation or prohibition of access to public places such as roads, temples and tea houses
- Denial or limitation of access to public services such as water taps, health care and education
- De facto prohibition of inter-caste marriage

**'Untouchable':**

Denied Civil and Political Rights

- Subjection to extreme forms of violence and humiliation as part of caste oppression
- Harassment and discrimination to prevent Dalits from participating in political processes
- Use of sexual violence against Dalit women as a way to suppress an entire community
- Denial of access to justice; caste bias in the police and judiciary means virtual impunity for crimes against Dalits

**'Untouchable':**

Denied Economic, Social and Cultural Rights

- Restrictions on occupation; assignment of the most menial, dirty and dangerous jobs as defined by the caste hierarchy
- Forced and bonded labour; a high number of Dalits enslaved
- De facto prohibition of access to and ownership of land
- Widespread poverty
- Limited access to and poor quality of education

Unfortunately, this list of prohibitions, restrictions and violations against Dalits is far from exhaustive.

# State and Caste in South Asia: What is at stake?

**India:** Rights of one fifth of the population not only an 'internal issue'

Home to the vast majority of South Asia's Dalits, the issue of caste-based discrimination is a highly politicised issue in India. Despite constitutional safeguards and special legislation for the protection of Dalits, violations of fundamental human rights occur on a massive scale. The extreme and violent

crimes committed against Dalits (in India called atrocities) and the widespread impunity for perpetrators, do not fit well with India's image as the world's largest democracy. A global market player and regional nuclear power, India prefers to divert international attention to caste discrimination by referring to it as an 'internal issue' that need not be dealt with by the United Nations.

**Pakistan:** State denial of caste discrimination

Dalits in Pakistan are mostly part of the Hindu minority and fall victim to double discrimination on the basis of their religion and their caste. A promise by Pakistan's founder, Muhammad Ali Jinnah, that there would be no caste discrimination in Pakistan as Islam teaches equality, was never kept. Pakistan as a state is in sheer denial of caste-based discrimination. According to researchers no reliable official data on the number of Dalits exists. Yet, local authorities sometimes conduct raids in the Sindh and Punjab provinces to liberate Dalit bonded and forced labourers enslaved by landlords. Both in rural and urban industries Dalits are exploited grossly as a work force. When access to justice is sought by Dalits, it is in most cases denied by law enforcement agencies and the judiciary. If rule of law is to prevail in Pakistan, minority protection in general and protection of the 'Scheduled Castes' in particular is essential.





### **Nepal:** A new beginning for Dalits?

The change in the political system in Nepal might signal a new beginning for Dalits in Nepal. Dalits in Nepal have been almost totally excluded from political processes and positions in state institutions such as the judiciary. They are landless and suffer from poverty to a much greater extent than the dominant caste population. The Dalit movement has over the past decades challenged the exclusion of Dalits in the decision making and development processes in Nepal. The interim constitution indicates a degree of success for the Dalit movement in securing some constitutional provisions for non-discrimination, equality and protection. Now law experts and Dalit activists work hand in hand to develop those rights further in the coming constitutional process. If the movement towards a more inclusive and stable Nepalese society is to succeed, international attention and support to reform processes must be sustained.

### **Bangladesh:** No real development without Muslim and Hindu Dalits

Caste hierarchies and discrimination permeate both Muslim and Hindu populations in Bangladesh, and perpetuate the poverty trap the country is caught in. Dalits live on an amount far below the poverty line with extremely limited access to health and education services. They suffer from very poor housing conditions and lack of employment opportunities. Different governments have been able to undermine the principle of secularism, minority and basic human rights protection to their own benefit – including the constitutional safeguards given after Bangladesh's independence in 1971. From an international development perspective, any attempt to promote rights-based development in Bangladesh must take great care not to perpetuate existing patterns of caste discrimination with special measures to reach the Dalits.



### **Sri Lanka:** Civil war undermines Dalit human rights struggle

In a civil war that seems to have no end, Sri Lankan Dalits find themselves in free fall. Caste hierarchies are present in the Sinhalese as well as the Sri Lankan and Indian Tamil populations. While many Sinhalese Dalits have managed to overcome their disadvantaged position through the Sri Lankan welfare state, the Tamil Dalits have seen their struggle overshadowed by the Sinhalese-Tamil divide. Yet, caste discrimination is still deeply entrenched in society. More than 150 years of social exclusion and the lack of mobility for Indian Tamil plantation workers indicate that the 'caste-blind' policies of both state and non-state actors such as the Liberation Tigers of Tamil Eelam as well as international agencies do not adequately address caste discrimination in Sri Lanka. Due to the civil war, little room exists for promoting human rights and international attention is crucial.

# Profiles of persons available for press interviews in Geneva during the DRC

## NAMALA PAUL DIVAKAR (NCDHR/ INDIA)

Mr. Divakar is a human rights defender and one of the founders of the National Campaign on Dalit Human Rights (NCDHR\*), a forum committed to the elimination of discrimination based on caste in India.

Mr. Divakar has been selected as one of the 5 civil society speakers who will address the DRC during the General Segment on 21st April. He represented Dalits at the World Conference Against Racism in Durban (WCAR) 2001 and leads the Dalit Economic Rights movement in India, addressing the issues of budgetary entitlements, and inclusion of Dalits in economy and education. He was a recipient of the Rafto Human Rights Award in 2007, on behalf of NCDHR. He is also the Co-convenor of the Asian Dalit Rights Movement (ADRM), a platform of the Dalit and human rights movements in Asia, and served as a Council Member of IDSN\*.

## HENRI TIPHAGNE (PEOPLES WATCH/ INDIA)

Mr. Henri Tiphagne is the founder and executive director of Peoples Watch, India.

Peoples Watch is a national human rights organisation present in nine Indian states, working to document and legally pursue human rights abuses. Mr. Tiphagne was central to the Dalit intervention at the World Conference Against Racism, Xenophobia, and Related Intolerance (WCAR) held in Durban, South Africa in September of 2001. Mr. Tiphagne started as a student leader and went on to become a civil rights lawyer and in recent years also a prominent human rights activist on the international scene. He is particularly known for his fight against torture and has worked extensively to combat caste discrimination. Mr. Tiphagne is one of the founders of NCDHR in India – the National Campaign on Dalit Human Rights, and a Member of the National Core Group of NGOs of the National Human Rights Commission of India.

## NIMALKA FERNANDO (IMADR/ SRI LANKA)

Ms. Nimalka Fernando is an attorney-at-law and women's rights activist from Sri Lanka who is the President of the International Movement Against All Forms of Discrimination and Racism (IMADR).

IMADR is an international NGO that has been focusing on Racism and Discrimination issues and was involved in the World Conference Against Racism (WCAR 2001). IMADR continuously work very closely with the UN Treaty Bodies, especially the Committee on the Elimination of Racial Discrimination (CERD). Ms. Fernando is a member of the Democratic People's Movement in Sri Lanka, and the Women's Forum for Peace in Sri Lanka. Ms. Fernando is also a founding member of the Asian Regional Exchange for New Alternatives (ARENA) and of APWLD (Asia Pacific Women for Law and Development) and the Women's Alliance for Peace and Democracy, Sri Lanka.

# Profiles of persons available for press interviews in Geneva during the DRC - continued

## RIKKE NÖHRLIND (IDSN)

Ms. Nöhr Lind is the Co-ordinator of the International Dalit Solidarity Network (IDSN)\* since 2003.

Ms. Nöhr Lind has been engaged in the struggle for Dalit rights' since 1999 and is a co-founder of IDSN. She has previously worked with the UN and International NGOs. She also worked at Danish NGO Danchurchaid; from 1999 to 2003 as a human rights coordinator, and since 1992 as a coordinator for programmes in Southern Africa. In this capacity she was involved in the anti-apartheid movement and worked closely with South African organisations, also in the post apartheid transformation period. Ms. Nöhr Lind holds a masters degree in development studies from the University of Copenhagen.

## VIJAY PARMAR (NCDHR/ INDIA)

Mr. Vijay Parmar is the National Coalition Convener of the National Campaign on Dalit Human Rights (NCDHR).

He was involved in the legal rights issues during the communal violence against Muslims in the State of Gujarat, and later in the state of Orissa where he worked to address the issue of communal violence against Christians in Orissa. Having faced discrimination himself due to his caste identity as a Dalit, he has committed his time to Dalit rights. His associates were murdered due to the land rights struggle and he fought their cases as an advocate, from district courts to the Supreme Court and secured justice in cases which would have normally gone unpunished.

## BEZWADA WILSON (MANUAL SCAVENGING CAMPAIGN/ INDIA)

Mr. Wilson is the convener of the movement for the elimination of manual scavenging.

Having come from a community which is forced to clean human excrements from dry toilets, he has vowed that such a thing should never be done by human

beings. He leads this national movement, representing 1.3 million people engaged in this type of inhumane work. Outlook magazine, a prime English weekly in India, has recognized him as one of the 20 most influential people in the country without official power.

## DURGA SOB (FEDO/ NEPAL)

Ms. Durga Sob is the President and founding member of the Feminist Dalit Organization (FEDO).

Ms. Sob is a lifelong advocate for the rights of Dalits and women and has the responsibility for coordinating FEDO's programming, activities and policies as well as for organizing and attending various high level events. She is also a Founding Member and the past president of the Dalit NGO Federation (DNF), and from 1998 to May 2002, held the post of member secretary of the National Dalit Commission. She currently serves on the Board of Directors of the

## Profiles of persons available for press interviews in Geneva during the DRC - continued

International Movement Against all Forms of Discrimination and Racism- Japan (IMADR), and is a member of the National Development Council (government body).

### ZAKIR HOSSAIN (BDERM/ BANGLADESH)

Mr. Hossain is the Director of 'The Citizens Initiative' (Nagorik Uddyog), a human rights organization that focuses on the issues of promoting access to justice, women rights, right to information, labor rights, and rights of the Dalits.

He is one of the key human rights and environmental activists in Bangladesh and has been promoting and protecting human rights and the environment in Bangladesh for the past 15 years. He has a Masters of Economics from Dhaka University, and has played a key role in initiating the Bangladesh Dalit and Excluded Rights Movement (BDERM) established in 2008, and functions as advisor to the organisation.

### ADV. DIBAKAR PORICHHA (INDIA)

Mr. Porichha, is a law practitioner and works for civil society empowerment.

He is based in the Kandhamal district of Orissa, torn by violence unleashed by communal forces. He is himself a victim of this violence and is actively involved in providing legal advice for its victims.

### BABUL RABI DASH (BDERM/ BANGLADESH)

Mr. Rabi Dash is the National Campaign Secretary for the Bangladesh Dalit and Excluded Rights Movement (BDERM).

He holds a law degree from the University of Bangladesh and is a regular contributor to newspapers on the issues of discrimination and untouchability. As a Dalit himself, he has encountered discrimination both in education and socially and joined the Bar Council, to help communities like his own access the formal court system. Mr. Rabi Dash also played an important role in organizing BDERM's first National Dalit Conference in

Bangladesh, in January 2009.

### ALOYSIOUS IRUDAYAM (NCDHR/ INDIA)

Mr. Irudayam S.J. is Programme Director of the Research, Advocacy and Human Rights Education Department at the Institute of Development Education, Action and Studies (IDEAS), India, and one of the founders of the National Campaign on Dalit Human Rights (NCDHR).

He is an experienced grassroots activist and trainer and has co-authored several advocacy publications such as; "Black Paper - Promises Broken and Dalits Betrayed", "Atrocities against Dalits in India Vol. I" and "Adivasis Speak Out: Atrocities against Adivasis in Tamil Nadu."

### JAYSHREE MANGUBHAI (INDIA)

Ms. Mangubhai is a lawyer activist working in the field of human rights documentation and research in India, focusing on rights advocacy for Adivasi and Dalit communities.

## Profiles of persons available for press interviews in Geneva during the DRC - continued

She has co-authored several advocacy publications, including "Atrocities against Dalits in India Vol. I" and "Adivasis Speak Out: Atrocities against Adivasis in Tamil Nadu". She holds a Masters degree in Human Rights and has been working as Research and Human Rights Associate in IDEAS, Madurai, India.

### P.P.SIVAPRAGASAM (HDO/ SRI LANKA)

Mr. Sivapragasam is the President of the Human Development Organisation in Sri Lanka and is a pioneer human rights advocator in United Nations on minority rights. He works with caste discrimination and minority rights in Sri Lanka, helping organize minorities and securing their rights in a broader context. He has also co-authored articles and reports on these issues.

### VIMAL THORAT (NCDHR/ INDIA)

Ms. Thorat is the Convenor of the All India Dalit Women's Rights Forum and a professor at the Indira Gandhi Open University, New Delhi. She also a co-

founder of NCDHR.

She was one of the recipients of the Rafto Human Rights Award in 2007, on behalf of NCDHR. As a Dalit Woman, she has worked with the poor and marginalized and is actively involved with working to end manual scavenging and for the strengthening of Dalit Women. She has also written and edited Dalit women's poems.

### DR. RAJKUMAR (INDIA)

Dr. Rajkumar is a human rights advocate who has been advocating international human rights entitlements for marginalised groups around the Asia Pacific Region.

He is a trainer for human rights defenders from all over the world. He leads the NCDHR lobby team at the DRC in Geneva, for Dalits from Asia.

CONTACT: IDSN Communications Officer on +45 61701218/ mb@idsn.org to arrange interviews.

\* NCDHR - The National Campaign on Dalit Human Rights is a forum committed to the elimination of discrimination based on caste. A democratic secular platform led by Dalit activists, with support and solidarity from movements and organizations, academics, individuals, people's organizations and institutions throughout the country who are committed to work to protect and promote human rights of Dalits. See [www.ncdhr.org.in](http://www.ncdhr.org.in) for further information.

\* IDSN - The International Dalit Solidarity Network works on a global level to eradicate caste discrimination. In caste-affected countries Dalit rights movements try to mobilize their governments to fulfil their human rights obligations. In Europe and the United States, solidarity platforms and international associates raise international awareness and stimulate action by governments and multilateral institutions. See [www.idsn.org](http://www.idsn.org) for further information.



# IDS N

International Dalit Solidarity Network

For more information, please visit [www.idsn.org](http://www.idsn.org)

The International Dalit Solidarity Network consists of:

## National Dalit Platforms in South Asia

- Dalit NGO Federation, Nepal (DNF)
- National Campaign on Dalit Human Rights, India (NCDHR)
- Pakistan Dalit Solidarity Network (PDSN)
- Bangladesh Dalit and Excluded Rights Movement (BDERM)
- Human Development Organisation, Sri Lanka (HDO)

## Solidarity platforms:

- Dalit Solidarity Network – UK
- Dalit Solidarity Network – Sweden
- Dalit Solidarity Network – Denmark
- Dalit Solidarity Network – Belgium
- Dalit Solidarity Network – Netherlands
- Dalit Solidarität in Deutschland
- Collectif Dalit, France
- Dalit Solidarity Forum – USA

## International Associates

- Human Rights Watch
- The Lutheran World Federation
- The International Movement Against all Forms of Discrimination and Racism
- Anti-Slavery International
- The Minority Rights Group International
- The Asian Human Rights Commission
- The Centre for Human Rights and Global Justice
- The Asian Center for Human Rights
- The Robert F. Kennedy Foundation
- ICMICA/Pax Romana
- FORUM-ASIA
- The World Council of Churches
- The Commonwealth Human Rights Initiative

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