

Speech by Piet de Klerk, Dutch Human Rights Ambassador, given in Utrecht on 9 October 2004 on the occasion of the 'Stop Caste Discrimination – Support the Dalits' campaign by the Dalit Network of the Netherlands

Ladies and gentlemen,

I would like to start by thanking the India Committee of the Netherlands and the Dalit Network of the Netherlands for inviting me to speak here today. I also want to thank all of you for coming to Utrecht in such large numbers to attend the launch of the campaign against caste discrimination. The campaign by the Dalit Network of the Netherlands deserves every support. As you know, the Dalit Network of the Netherlands is a coalition of Cordaid, ICCO, CMC, Justitia et Pax, Kerkinactie and the India Committee of the Netherlands, and I am delighted to see so many organisations joining forces in support of the Dalits.

The violation of the rights of 260 million casteless people in Asia and Africa is an *international* human rights problem. The Netherlands is concerned about the plight of the Dalits, and equality of opportunity for casteless, tribal and minority peoples is one of our main goals in the field of international relations.

Caste discrimination is viewed by the EU, and therefore by the Netherlands, as discrimination based on work and descent – a view expressed on various occasions, such as the UN World Conference against Racism in Durban, South Africa in 2001. The UN Committee on the Elimination of Racial Discrimination also regards caste discrimination as discrimination on the grounds of descent, as referred to in the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Since India, like the Netherlands and the other EU Member States, is party to the CERD, the Convention creates a shared basis for action and shows that the issue is not purely national.

Within the European Union, the Netherlands is working hard to promote strong international action to combat discrimination and racism. Fighting discrimination and other forms of intolerance is in fact a key priority of Dutch human rights policy. Partly thanks to our insistence, the European Union raises racism and discrimination every year in the UN Human Rights Commission and the UN General Assembly. Our basic philosophy is the need to eliminate all forms of racism and discrimination. The Dutch government is also engaged in dialogue with all its partners to determinate whether specific attention can and should be

paid to particular forms of racism and discrimination common in a given region. It is especially important to have allies when raising region-specific problems in international fora.

The Netherlands is of course concerned about the situation of the Dalits in Asia and Africa. Less than half of the 260 million casteless people in the world today live in countries like Nepal, Pakistan, Sri Lanka, Japan and countries in Africa. The majority, some 170 million, live in India. Violence against Dalit women is a common and serious problem. Dalits suffer public humiliation and, as we have seen, are often forced to do the dirtiest work. They receive almost nothing for their services and are often virtual slaves. The majority of the population rejects intermarriage and even refuses to eat food prepared by casteless people.

Before discussing what the EU is doing about the position of the Dalits in India, I would like to mention the progress India has made over the last few years. These developments help to determine EU and, more specifically, Dutch policy on India and dialogue with that country.

Our relations with India are not based solely on human rights. India is important to the EU first and foremost because of the way it is currently repositioning itself in the world. It clearly wants to be recognised as a superpower, at least in regional terms. In its view, there are only three superpowers today: the United States, India and China. Relations with the US have improved considerably over recent years. Those with China are ambiguous. India both distrusts and admires China's success as an emerging market and future economic powerhouse. This is the source of New Delhi's awareness of the need to liberalise the Indian economy. The recent policy decision to terminate formal intergovernmental development cooperation relations with several donors should also be viewed in this context – as should India's more active position on the Kashmir conflict, its relations with Pakistan, and its interventions in the affairs of Nepal and Bhutan. Its superpower ambitions are also reflected in its attempts to gain a permanent seat on the UN Security Council and to take an independent position on nuclear weapons and non-proliferation. For India, the Non-Proliferation Treaty is discriminatory. The country has had military nuclear capability since 1998 but has never been found to have engaged in any form of proliferation, that is, disseminating military nuclear technology to third countries. It has also presented itself as a supplier of troops for successive UN missions with the exception of Iraq.

Last June, the European Commission issued a Communication proposing further expansion and deepening of relations between the EU and India with a view to an eventual Strategic Partnership. Such partnerships already exist with the US, Canada, China, Japan and Russia.

They are characterised by discussion and consultation on many matters in a wide range of policy areas, with the two partners operating as equals.

In late August, India set out its views on its relations with the EU in a document in which it welcomes the Partnership and looks forward to the expansion and deepening of those relations. The goal is to have the EU and India draft a joint action plan for adoption at the EU-India Summit in 2005. As you know, the EU-India summit scheduled for the next few days has been postponed indefinitely at India's request because of pressing domestic concerns.

Returning to the issue of human rights, I would like to draw a distinction between law making and law enforcement. On the first count, there is little to criticise in India's performance.

Since independence, governments have shouldered their responsibilities and used both the Indian Constitution and other national legislation to prohibit untouchability. Dalits are now represented in the federal legislature and the country has a well-organised national human rights commission, a free press that regularly reports on specific issues, and independent courts before which cases can be brought.

On the second count, that of law enforcement, things have been rather different – at least until recently. In practice, discrimination is by no means a thing of the past. However, the current government, which came to office following the elections of May 2004, has announced a policy programme that gives high priority to providing equal opportunities for casteless, tribal and minority peoples. The Netherlands welcomes this initiative and will continue to monitor developments, while realising that the Indian government must be given some time to put its policies into practice.

The broadened, deepened relationship between the EU and India must include a place for human rights. Substantive dialogue is indeed under way in this area, however sensitive the issue of human rights may be. In early 2003, a format was agreed for this, and several meetings have since taken place between EU ambassadors in New Delhi and officials from the Indian Ministry of Foreign Affairs. So some progress has been made, although I will not try to hide the difficulties. Bilateral issues have proved particularly sensitive. The Indian government is showing greater enthusiasm for consultation and cooperation in multilateral fora, and this is why the EU intends to concentrate its initial efforts in this area. During a meeting of senior EU and Indian officials in September, it again emphasised the importance it attaches to multilateral cooperation on thematic issues.

Keen to achieve concrete improvement in the situation of Dalits in 2002, the EU selected two projects in Nepal and Southern Asia which are receiving €1 million in assistance channelled through the European Initiative for Democracy and Human Rights (EIDHR). In addition, the EIDHR will issue a call this month for project proposals on the subject of caste discrimination. The European Commission has earmarked €5 million to fund the projects.

In addition to the EU and the Dutch government, the co-financing organisations are also working to improve human rights in India. I commend them for using their contacts with central and – more particularly – local governments in India to tackle the human rights situation and make it an integral part of their own development policies. The co-financing organisations have a major responsibility here, especially in view of their often close, direct contacts with local authorities and administrators.

It would be shortsighted to limit our efforts in respect of caste discrimination to relations with India. As I pointed out earlier, such discrimination also occurs in many other countries in Asia and Africa. This is why the European Union, supported by the Netherlands, places great emphasis on raising the issue of caste discrimination in the international arena where we have international human rights conventions on our side. Caste discrimination is clearly unacceptable. In practice, however, the long-standing, deeply rooted traditions on which it is based make it impossible to eliminate without broad-based cooperation, not only between India and Europe, but also between national governments and civil society. Because caste discrimination it is not primarily a political problem but a social issue. One that can and must be approached from many directions. For that reason, I wish you every success in your campaign.