



Cast out Caste
National Campaign on Dalit Human Rights

HUMAN RIGHTS AND DIGNITY OF DALIT WOMEN

REPORT OF THE CONFERENCE IN THE HAGUE
20-25 NOVEMBER 2006

Our rights are rising like the sun.

Who can deny us the sunrise?

Ruth Manorama,

THE HAGUE, 21 NOVEMBER 2006

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TABLE OF CONTENTS

3	Foreword by Mr. Victor Scheffers, director of Justitia et Pax Netherlands
4	Background of the conference
6	Welcoming statement by Mr. Wim Deetman, Mayor of The Hague
8	The Hague Declaration on the Human Rights and Dignity of Dalit Women
14	The conference
22	Outcomes of the working groups
26	Testimonials of Dalit women
30	Statements by United Nations special rapporteurs Ms. Chin-Sung Chung and Mr. Doudou Diène

FOREWORD

After the world conference against racism in Durban (2001), where discrimination against Dalits was put on the international agenda for the first time, and the national conference on violence against Dalit women in New Delhi (2006), The Hague conference on Dalit women's rights represented the next step in the struggle for the human rights and dignity of Dalit women. It was the first time that Dalit women were able to give their testimonies to the international community and ask for its support.

Almost 150 persons participated in the conference, most of them Dalit women from India, Nepal and Pakistan. There were also participants from several European countries and the United States, representing national and international NGOs, governments, media, and the United Nations.

This conference was an important step in the struggle to end the violence against Dalit women and to crack impunity. Before Dalit women can enjoy their human rights, and before the millennium development goals can be achieved, violence and impunity must stop.

It is important to send out this message from The Hague with the outcome of our conference. The Hague Declaration on the Human Rights and Dignity of Dalit women will be the basis for a plan of action, with focal points for our future activities. In the days after the conference there were encouraging developments. It is our duty to make sure that they will have an impact on the lives of Dalit women.

On the 22nd of November, the United Nations adopted a resolution to ban violence against women. This new resolution calls for action on the part of governments to abolish discriminatory laws and harmful cultural practices and facilitate women to take control of their lives. Also, on the 1st of February 2007, the plenary sitting of the European Parliament discussed violence against Dalits and adopted a resolution on the human rights situation of the Dalits in India. We need to push forward, make use of this momentum. Together we can journey on the path to the future. Let us work together for human dignity and human rights of Dalits, for justice and peace. Dalit women's rights are human rights!

We would like to thank all participants for their contribution to the conference. And we would like to thank the municipality of The Hague – international centre for justice and peace – for its hospitality and support.

On behalf of Cordaid, CMC Mensen met een Missie, and Justitia et Pax Netherlands,

Victor Scheffers

DIRECTOR, JUSTITIA ET PAX

BACKGROUND OF THE CONFERENCE

URGENT NEED FOR INTERNATIONAL SUPPORT OF DALIT WOMEN

In March 2006, Dalit organizations and Dalit women's organizations called on the international community for solidarity with Dalit women's concerns. The Dalit Network Netherlands (DNN) responded to this request. The network members Justitia et Pax, Cordaid, and CMC organized an international conference on the human rights of Dalit women in The Hague in close co-operation with Dalit organizations and networks from India.

DALITS

In India and other countries in South Asia, people have been systematically discriminated against for centuries on the basis of their work and descent. Over 200 million people are Dalits, also known as 'untouchables' or 'outcasts'. They experience violence, discrimination, and social exclusion on a daily basis. While the region is prospering economically, the caste disparities are increasing.

DALIT WOMEN

The situation of Dalit women needs special attention. Dalit women are one of the largest socially segregated groups anywhere in the world: they make up more than two per cent of the world's total population. They are discriminated against three times over: they are poor, they are women, and they are Dalits. Although both Dalit men and women suffer under the same traditional taboos, Dalit women are confronted with these more often. They are discriminated against not only by people of higher castes, but also within their own communities, where men are dominant. Consequently, Dalit women have less power within the Dalit movement itself. Although they are active in large numbers, most leadership positions in the organizations, local bodies and associations have until now been held by men.

Paul Divakar, one of the founders of the National Campaign on Dalit Human Rights (NCDHR), expressed the need to fight for the human rights of Dalit women: 'The 500,000 villages in our country are pregnant with the pain and power of Dalit women. Their stories break the shroud of the inhuman violence in our society. While confronting us, they also have the power to challenge us to transform the caste and gender stereotypes, prejudice and violence that we perpetrate. In partnering their liberation we liberate ourselves.'



VIOLENCE AGAINST DALIT WOMEN - IMPUNITY

Certain kinds of violence are traditionally reserved for Dalit women. These include: extreme verbal abuse and sexual epithets, being paraded naked, dismemberment, being forced to drink urine and eat faeces, branding, pulling out of teeth, tongue and nails, and violence including murder after proclaiming witchcraft. Dalit women are also threatened by rape as part of collective violence by the higher castes, but sexual assault and rape of Dalit women and girls occur within their own communities too. The *devadasi* (or *jogini*) system of forced temple prostitution is the most extreme form of exploitation of Dalit women. In spite of its severity and frequency, most cases of violence against Dalit women are not registered. The lack of law enforcement leaves many Dalit women unable to approach the legal system to seek redress. As the women are often unaware of the laws, their ignorance is easily exploited by their opponents, the police and the judiciary. Even when cases are registered, the lack of appropriate investigation, or the judge's own caste and gender biases can lead to acquittal.

THE SUFFERING OF DALIT WOMEN IS OUR SUFFERING TOO

Welcoming statement by Mr. Wim Deetman, Mayor of The Hague



Ladies and gentlemen,
I would like to wish you a very warm welcome to The Hague, the city that has the honour to host this first international conference on the human rights of Dalit women!

I would like to extend a special word of welcome to the Dalit women who are present here. I am very happy that you have been able to come to The Hague. And I would like to thank you very much for the wonderful welcome you just gave me with your drumming and dancing. I feel very honoured by it!

Dear guests,

The world is a very small place today. In less than 24 hours we can be on the other side of the globe. And it takes only a few seconds for an e-mail to cover the same distance. All the events of the day, wherever they occur, are there on the nightly news bulletins for anyone who wants to see them. And just as people in a small community are generally well informed about the comings and goings of their neighbours, so we, the inhabitants of the global village, know only too well what is going on elsewhere in the world. Of course, we can always look the other way, switch channels, pretend we haven't heard and think to ourselves: it won't be that bad. But no one can say any more: 'I had no way of knowing'. And yet human rights are still being trampled on today. Everywhere. For example in South Asia, where Dalit women have been discriminated against for centuries on the basis of their work and descent. We cannot and must not close our eyes and ears to that fact.

Even though, as the title implies, the Universal Human Rights apply everywhere, recent efforts to paint them as purely Western-inspired values have rightly fallen on deaf ears. Nowhere in the world do people want to be mistreated and humiliated. The fact that

so often they endure such treatment is not a question of culture, but of fear. The struggle for human rights is the struggle for a life without fear, a life lived in freedom and dignity. It is the struggle of justice against injustice.

The local authority of The Hague attaches great importance to the fact that this international conference on the human rights of Dalit women takes place in our city. Why? Because The Hague has a sense of urgency about supporting the many international organizations so important to fostering peace, stability and ending impunity around the world. We are not only committed to supporting international organizations but also to giving a voice to those people who are deprived of their human rights. The Dalit women are one of the largest socially segregated groups anywhere in the world. They make up more than two per cent of the world's total population! Dalit women are discriminated against three times over: they are poor, they are women and they are Dalits.

The discrimination of Dalit women and the failure to punish their abusers are a disgrace for the whole civilized world. Dalit women have bravely risen against their oppression. But they need support. Our support too.

Today, we saw the faces and heard the testimonies of Dalit women. The fact that Dalit women, present here today, speak out against such treatment is a stepping stone for the fulfilment of their human rights. Today's conference, they assured me, is by no means the end but a beginning.

As of today the international community will be kept informed about the situation of Dalit women. The report that has been presented today and the powerful testimonies of Dalit women on the systematic violation of their rights is a call to all who are present here right now not to leave their plea unheard.

For the city of The Hague it is important to be part of a global effort for the human rights of Dalit women. And that is why it is a great honour for us to host this conference. Dalit women are suffering discrimination and abuse. Their suffering is our suffering. Dalit women are fighting for a better future. Their struggle is our struggle too. We cannot close our ears and eyes any longer. I really do hope that this conference will be a turning point in the struggle for the human rights of Dalit women.

Thank you.

THE HAGUE DECLARATION ON THE HUMAN RIGHTS AND DIGNITY OF DALIT WOMEN

On the 20th of November, the Dalit women and other participants from India, Pakistan and Nepal came together to discuss a common declaration on their human rights and dignity. The following declaration was adopted by consensus and was presented to the international community on November 21st in the City Hall of The Hague.

We, the participants of the Hague Conference on Dalit women's rights, held in The Hague on 20 and 21 November 2006, after deliberating upon the issues of discrimination, violence and impunity against Dalit women, adopt this Declaration on the Human Rights and Dignity of Dalit Women.

In South Asia – that is, India, Nepal, Pakistan, Bangladesh and Sri Lanka – Dalits have endured discrimination based on work and descent for centuries, and this discrimination continues today. The Dalits – known as 'untouchables' or 'outcastes' – number around two hundred and sixty million people in South Asia. On account of their caste, they experience discrimination, social exclusion and violence on a daily basis. Although economic growth in the region has been strong over the past decade, caste disparities remain and are in fact increasing. The situation of Dalit women in these countries needs urgent and special attention. They constitute one of the largest socially segregated groups anywhere in the world and face systemic and structural discrimination thrice over: *as Dalits, as women, and as poor.*

SYSTEMIC DISCRIMINATION, VIOLENCE AND IMPUNITY

The caste system declares Dalit women to be intrinsically impure and 'untouchable', therefore socially excluded. In class terms, the vast majority of Dalit women are poor; many are landless daily wage labourers who are systematically denied access to resources. As women, they are subjugated by patriarchal structures. Due to this intersectional discrimination, Dalit women are specifically targeted for daily, egregious

acts of violence, in particular for sexual violence, including the Devadasi system of forced and ritualized prostitution. On account of their 'impure' caste and poverty, Dalit women comprise the majority of manual scavengers, that is, labourers who clean human excrement from dry toilets. When they assert fundamental rights, Dalit women are targeted for punitive violence by dominant castes. Due to patriarchal notions of community honour residing in women, dominant caste violence against Dalit women functions to punish the entire Dalit community and teach Dalits a lesson of obedience to caste norms. Moreover, Dalit women are discriminated against not only by dominant castes on account of their caste, class and gender, but also by their own communities on account of their gender. Dalit women have less power within the Dalit community in general.

When considering discrimination and violence against Dalit women, one can state that impunity is *the key problem* Dalit women face today – not only while seeking legal and judicial redress for violence, but also while attempting to access and enjoy their fundamental rights and freedoms. Perpetrators enjoy virtual immunity from prosecution for violence against Dalit women, as the police, who themselves often harbour caste prejudices, wilfully neglect to enforce the law. Not only the police, but perpetrators and their communities use their political, social and economic power to silence Dalit women, thereby denying them access to justice. The nature of collusion between state and dominant caste actors is such that the modern rule of law has no place in the hierarchical order of socio-economic and political power relationships, as caste-based power supersedes state-derived executive authority.

ASSERTION BY DALIT WOMEN

Dalit women today are not simply passive victims; the current mood is not one of mere acceptance, but one of determination to 'transform their pain into power'. In fact, they have been active throughout history, though often this has not been recognized and recorded. They have been actively involved in the anti-caste and anti-untouchability movements. Today they are the strongholds of the Dalit movements in thousands of South Asian villages, and are often at the forefront of struggles for basic human rights. They continue to play a critical role in the movements for land and livelihood rights and against untouchability, pointing to the potential for their self-emancipation, given adequate support. They are making their mark as independent thinkers and writers in the literary world by critiquing dominant caste ideologies. They participate today as visionary leaders in the local governance institution by asserting their rights. While they continue to struggle against structural discrimination and exclusion, violence and impunity are systematically unleashed by dominant castes to keep them in their place.

While recognising the gendered nature of caste discrimination for Dalit women, these women have turned their suffering into one of resistance, actively participating shoulder to shoulder with men in their communities in the anti-caste and anti-untouchability movements. They have simultaneously contributed to the welfare of their families, sustained their communities given their labour for producing food and wealth for their countries. In this regard, Dalit women build their identities on a culture of resistance against the hegemonic culture of the caste system, expressing their defiance and revolt against the caste, class and gender discrimination that oppresses them. This assertion of distinct identity and simultaneous forging of a collective identity in multiple struggles marks the Dalit women's movement in various ways.

HUMAN RIGHTS OF DALIT WOMEN

The countries where caste discrimination persists are party to most of the relevant human rights instruments: the Universal Declaration on Human Rights and treaties such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). These treaties provide equal rights for men and women. As these countries are also party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), governments have a specific obligation to make sure that women can realize their human rights. It is generally accepted in international legal standards that governments have to do more than just pass laws to protect human rights. Governments have an obligation to take all measures, including policy and budgetary measures, to make sure that women can fulfil and enjoy their fundamental rights. Equally importantly, governments must *implement* these laws, policy measures and programmes to fully discharge their obligations under international law. This includes an obligation to exercise due diligence in punishing those who engage in caste-based discrimination and violence.

MILLENNIUM DEVELOPMENT GOALS AND DALIT WOMEN

In 2000, one hundred and eighty-nine countries accepted the Millennium Declaration and agreed to take the necessary action in order to attain eight specific goals: the Millennium Development Goals (MDGs). The realization of human rights of Dalit women will have a substantial positive effect on the realization of the MDGs. This is because Dalit women are extremely poor, and make up two percent of the world's population. In India, for example, 60 million children do not attend primary school; a disproportionate number of these children are Dalit girls.

INTERNATIONAL CONFERENCE ON DALIT WOMEN'S RIGHTS

Over the years Dalit women's organizations and movements have increasingly voiced their specific concerns and asserted their separate identity, calling for solidarity from the international community. The Fourth World Conference on Women in Beijing in 1995 saw for the first time international recognition given to the discrimination faced by Dalit women. Dalit women also played a crucial role in the World Conference Against Racism in South Africa in 2001, where Dalit issues were brought to the fore of the international attention. Following the National Conference on Violence against Dalit Women in Delhi on 7 and 8 March 2006, Justitia et Pax Netherlands, Cordaid, and CMC as members of the Dalit Network Netherlands (DNN), in collaboration with the National Campaign on Dalit Human Rights (NCDHR, India), the National Federation of Dalit Women (India), the ALL India Dalit Women's Rights Forum (India), Feminist Dalit Organization (FEDO, Nepal), the International Dalit Solidarity Network (IDSN) and other Dalit and Women's rights organizations, responded to the request of Dalit women and organized the International Conference on the Human Rights of Dalit Women on 20 and 21 November 2006 in The Hague, The Netherlands.

FOCUS OF THE INTERNATIONAL CONFERENCE

Caste, class and gender discrimination prevents Dalit women from enjoying their basic human rights, particularly to dignity, equality and development. Atrocities and violence against Dalit women are both a means of sustaining systemic discrimination, as well as a reaction when particularly untouchability practices and caste norms are challenged or not adhered to. Impunity for this discrimination and violence is then used as a means to preserve the existing caste and gender disparities. Before Dalit women can enjoy their human rights, and before the Millennium Development Goals can be achieved, discrimination, violence and impunity must stop.

Therefore we, the participants of The Hague Conference on Dalit Women's Rights, call upon the respective governments in Nepal, India, Pakistan, Bangladesh and Sri Lanka to take seriously the voices of Dalit women as they explain their specific situation, to support them in asserting their rights and to ensure Dalit women and girls are brought on par with the general population in terms of overall development (e.g. poverty reduction) within a period of five years. We call upon the international community to undertake and support every possible measure to fight the widespread discrimination, violence and impunity committed against Dalit women.

RECOMMENDATIONS

RECOMMENDATIONS TO THE RESPECTIVE GOVERNMENTS OF NEPAL, INDIA, PAKISTAN, BANGLADESH AND SRI LANKA:

- > Disaggregate all criminal, economic, social and political data on the grounds of gender *and* caste.
- > Evolve and implement a comprehensive strategy to address impunity and ensure criminal justice for Dalit women.
- > Grant powers to make legally binding recommendations to relevant national human rights institutions to establish an independent complaints and monitoring mechanism to address the discrimination and violence against Dalit women.
- > Enact domestic violence (prevention and protection) laws that acknowledge the unique vulnerability of Dalit women, allocate adequate resources and ensure a comprehensive monitoring mechanism with representation of Dalit women for effective implementation of these laws.
- > Provide support to establish informal organizations for Dalit women to freely discuss the social, domestic and development issues in their own community and to strengthen leadership within local governance structures.
- > Mandate proportional representation of Dalit women elected into parliaments, legislatures and local governance systems, including equal distribution of other minority groups, such as joginis / badis (India/Nepal) irrespective of their faith, and provide adequate budget allocations in this regard.
- > Restore land earmarked by governments for Dalits and register them in the name of Dalit women or jointly with men, and also acquire and distribute surplus land by implementing and reform acts and distribute land to Dalits in proportion to their populations in each country.
- > Issue legal title to land possessed and enjoyed by Dalit women and men, in the name of Dalit women or jointly with men; grant each Dalit family five acres of land registered in the name of Dalit women; allocate and distribute sufficient budget for the purchase of land and distribute to Dalit women; ensure payment of equal and living wage to Dalit women without discrimination;
- > Ensure Dalit women enjoy equal access to and share of common property resources, in particular water resources, and provide budgetary support to create common property for their own.
- > Enact appropriate legislation to prevent displacement of Dalits and alienation of their land in the name of development projects and schemes in the context of economic globalization.
- > Eradicate the practice of manual scavenging and the jogini system and enforce rehabilitation policies and programmes for their alternative livelihood and sustenance.
- > Implement laws that prohibit bonded or forced labour.
- > Allocate sufficient budget for full primary and secondary level education of all Dalit girls, including funds for staff in schools and infrastructure, and vocational institutions.
- > Ensure reduction of pre-natal mortality, infant mortality and maternal mortality among Dalit women on a time-bound basis.
- > Provide assistance to launch a national campaign of caste sensitization and elimination of caste, class and gender discrimination.

RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY, TO THE UNITED NATIONS AND THE EUROPEAN UNION:

Recalling the Universal Declaration of Human Rights;

Having regard to the UN Convention on the Elimination of All Forms of Discrimination Against Women and all other relevant UN Conventions;

Having regard to General Recommendation XXIX of the UN Committee on the Elimination of Racial Discrimination, in particular to paragraphs 11-13;

Having regard to and reinforcing the urgency of the ongoing UN study on Discrimination based on Work and Descent and the development of principles and guidelines for the effective elimination of this form of discrimination, we call upon:

- > The international community to ensure that the large gap is closed, at the latest by 2015, by achieving targets of the Millennium Development Goals for the population in general and Dalit women and girls in particular, through providing additional measures for Dalit women and girls to realize their right to development on par with others.
- > The United Nations Human Rights bodies and mechanisms, the United Nations organizations, intergovernmental institutions and organizations, the European Union, bilateral aid agencies and international non-governmental organizations to give full recognition and effect to the content and the recommendations of The Hague Conference on the Rights of Dalit Women;
- > The international community to express its outrage against the caste-induced, systematic practice of untouchability and atrocities against Dalits in South Asia in general and against Dalit women in particular.
- > These institutions and bodies to raise the issues and concerns of Dalit women at all levels and to involve and introduce all necessary measures, and to support and secure the implementation of the recommendations of this declaration with a sense of great urgency.
- > The Human Rights Council to address the issue of untouchability and violence against Dalit women and men and the impunity related to caste practices and discrimination.

The ILO in its annual global reports on fundamental labour rights (no child and no forced labour, non-discrimination in employment and the right to association and collective bargaining) to highlight and propose measures to fight the systematic violation of these fundamental rights as far as Dalit women and girls are concerned.

the
CONFERENCE

**3,000
YEARS...
HOW MUCH
...LONGER?**

THE CONFERENCE

NOVEMBER 19

WELCOME

On the evening of the 19th of November, the participants of the international conference were welcomed in Plein XIX, a restaurant on the main square of The Hague. Dinner conversations made it clear that there was a high incentive to make the conference an important stepping stone for the human rights of Dalit women.

Ms. Lillianne Ploumen, director of Cordaid, expressed her support for Dalit women: 'A warm welcome to the guests from India, Pakistan and Nepal – the Dalit women and men who are fighting for their rights, and those who support this struggle. A welcome also to the guests from other countries who are raising the issue of caste discrimination as a global responsibility. I would like to give a special welcome to the Dalit women, to each of you who has come here to give testimony of the injustices and violence you have experienced, because you are a Dalit and a woman.'

Ms. Monique Helling, head of the programmes department of CMC also warmly welcomed the Dalit women and all the participants: 'We stand for a long-lasting commitment with our partners. People who live in hope in times of adversity and suppression. People who take their fate in their own hands, who are actively involved in activities for justice and peace and who fight for a humane existence.'

NOVEMBER 20

STRATEGY AND NETWORKING, IDAZAAL, THE HAGUE

The stakes were high on this first official day of the international conference. The 80 participants had set the goal of reaching a common declaration on the human rights and dignity of Dalit women. Ms. Manjula Pradeep gave an introduction to the situation of Dalit women. This was then represented by means of cultural performances of the group Chindu and other participants. Theatre, dancing, drumming and singing depicted the violence and humiliation that Dalit women experience. At the same time, it showed the strength of Dalit women and the beauty of their culture.

The chair of the day, Ms. Annemiek van Voorst, guided the participants into the process that was designed to give everyone a say in the declaration. There were five working groups, each of which discussed a specific theme, for input for the declaration. After the discussions in the working groups, there was a plenary discussion about the recommendations and the draft declaration. The draft declaration was adopted by consensus. The notes of all the groups were handed over to Ms. Vimal Thorat, who represented the writers of the declaration.





NOVEMBER 21

SOLIDARITY AND ADVOCACY

This public day of the conference took place in the City Hall of the Hague. Known as the international city of justice and peace, the location also had a symbolic value. The day was co-chaired by Ms. Emma Sydenham and Mr. Tony Fernandes.

The conference opened with an impressive cultural performance by the group Chindu: an abstract musical piece focusing on the struggle of Dalit women. More cultural performances took place during the day. The first persons to take the floor were four Dalit women, who presented shocking and heart-breaking testimonials about the violence perpetrated against them and the impunity which followed.

The testimonials of the four Dalit women unfortunately do not stand alone. Mr. Aloysius Irudayam, Ms. Jayshree Mangubhai and Mr. Joel Lee of the Institute of development, education, action and studies, authors of the study *Dalit Women Speak Out - Violence against Dalit Women in India*, presented the findings of their three-year comprehensive study in four major Indian states on the predominant forms, causes, magnitude and systematic nature of violence which are accompanied by equally systematic patterns of impunity. The study revealed that out of all the cases of violence recorded during the study period 1999-2004, in less than one percent were perpetrators convicted by the courts.

Underlining the fact that violence against Dalit women is systemic and targeted due to their ascribed low caste-class-gender status, the study documents how physical, sexual and verbal assaults and humiliation of Dalit women are intentionally used by the dominant castes to maintain the oppression of the Dalit community as well as block their development. Impunity is the key problem that Dalit women face today when they try to seek justice after violence is perpetrated against them. Perpetrators enjoy virtual immunity from prosecution as the police, who often harbour caste prejudices, wilfully neglect to enforce the law.

The declaration that was adopted on November 20 was presented to the international community. The recommendations were read aloud by a group of representatives of Dalit women and Dalit organizations.



The declaration was followed by a number of statements of national and international support for the human rights of Dalit women. Ms. Ruth Manorama, director of the National Federation of Dalit Women explained how Dalit women have been fighting for their rights for many years. They are strongly opposed, but there is no doubt that they will succeed in the end: 'We are looking for reparation for the past violations of our human rights. And we are demanding an apology. It is true with Pakistanis. It is true with Nepalese. We need an apology from all our South Asian governments for the crimes against humanity. In India, we are working against our powerful government. We are not working against governments that do not know anything. We have constitutions. We, Dalit women, must pledge to liberate all of our people. Our rights are rising like the sun. Who can deny us the sunrise?'

The next speakers were Ms. Rikke Nöhrind, on behalf of the International Dalit Solidarity Network, and two United Nations special rapporteurs, Ms. Chin-Sung Chung, Special Rapporteur on discrimination on the basis of work and descent and Mr. Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

NOVEMBER 22-24

LOBBY, OPEN SPACE AND EXPOSURE

Immediately after the conference, a delegation of Dalit women visited the European Parliament and the European Commission. It was the first time that Dalit women were heard in Brussels and were able to personally and directly request the European Union to take action. They discussed the human rights situation of Dalit women in a round table meeting with several members of the European Parliament and representatives of the European Commission. The issues of temple prostitution, manual scavenging, violence, impunity, and abuse by the police were focussed upon in this discussion. The representatives of the European institutions were impressed and shocked by the stories. The Hague Declaration on the Human Rights and Dignity of Dalit Women was presented by the Dalit women and the European Union was requested to act upon it.

During the days after the conference, the participants had the opportunity to discuss matters related to discrimination of Dalit women in open space meetings. In time slots of 90 minutes, a wide range of issues was raised. The meetings were:

- > *Dalit human rights – perceptions and strategies of CMC partners* (chair: Mr. Ambrose Christy);
- > *Dalit women – dimensions of empowerment* (chair: Ms. Hilaria Soundari);
- > *Human rights of Nepalese Dalit women* (chair: Ms. Anita Pariyar);
- > *Process of acceptance of women leadership in the Dalit context* (chair: Ms. Sivakami Palanimuthu);
- > *Dalit resurgence: towards an unbroken existence* (chair: Ms. Jyothi Raj);
- > *Gender-based discrimination in Pakistan* (chair: Ms. Firdous Chaudry);
- > *Discrimination against Dalit Christians* (chair: Mr. Nithiya Sagayam).

On November 22, a group of twenty participants went on a cultural visit of Delft, a historical town nearby The Hague. On November 24, a group of seventeen participants visited Amsterdam for an exposure visit on the theme of domestic violence and forced prostitution. This visit included two women's shelters and the red light district. Dalit women learned about the different ways in which women who are faced with domestic violence can look for shelter. The visit made clear that the struggle against domestic violence is shared by women across borders.

OUTCOMES OF THE WORKING GROUPS

On the 20th of November, the participants were divided into five working groups. Each group focussed on a specific issue and discussed recommendations for the declaration. The following reports from the working groups were used to write the final declaration.

WORKING GROUP 1

ATROCITIES AND THE CRIMINAL JUSTICE ADMINISTRATION

This working group was moderated by Ms. Anne Offermans. The resource persons were Ms. Ruth Manorama, Ms. Sudha Rani and Ms. Urmila Bahan. The reporter was Mr. Tim Gill. Many issues were discussed in this group, such as the devadasi system of temple prostitution, rape, torture, manual scavenging, and how assault and rape reinforce social dominance over the whole Dalit community. The legal systems of India and Nepal were discussed. The following recommendations were agreed on:

1. On information: Disaggregate data on gender and caste, on issues such as crime and economic and social indicators.
2. On fighting impunity: Strategize to address criminal justice for Dalit women from the police level up, including all enforcement mechanisms. Implement the existing laws. Action against impunity, by creating an ombudsperson for atrocities, so Dalits can file complaints about non-implementation to an independent office with power to make legally binding recommendations. Internationally, the EU should raise the issue of impunity in their political dialogue with affected countries.
3. On prevention: Pay more attention to preventing atrocities against Dalit women, nationally as well as internationally. There are several ways of achieving this: human rights and legal education and training for police, judiciary, and prosecutors; empowerment for Dalit women and civil society; legal education for Dalit female lawyers; representation of Dalits in the United Nations, in embassies, in the judiciary and in bureaucracy; Dalit women should be recruited in the police; criminal justice mechanisms should be sensitized to the problem of impunity regarding Dalit women; United Nations agencies should take a proactive role in implementing treaties and monitoring government performance and strengthen the process already going on in the subcommission; ratification of conventions and protocols should be pushed; European Union funds should be made available for the development of Dalits.

WORKING GROUP 2

DOMESTIC VIOLENCE

This working group was moderated by Ms. Hilaria Soundari. The resource persons were Ms. Manjula Pradeep and Ms. Jhansi Geddam. The reporter was Mr. Joel Lee. This group discussed how the first act of violence which a Dalit woman faces is from her own family. Patriarchy denies Dalit women from asserting their choices and participating in decision-making in both the community and the family. The possibilities offered by the Protection of Women from Domestic Violence Act of 2005 (India) were discussed. The following recommendations were agreed on:

1. To states: Enact domestic violence legislation – both act and rules (with a special clause for Dalit women acknowledging unique vulnerability to domestic violence) – and ensure its implementation and a monitoring system in which Dalit women themselves are participants. Ensure allocation of adequate resources for the law's implementation (in India, this would include giving the protection officers freedom from other responsibilities so that they can adequately focus on Domestic Violence Bill work).
2. To Dalit men: Change your attitude; change your mindset. You must see the world through Dalit women's eyes. Women must be prioritized in the Dalit movement. You must acknowledge that violence against women is a problem in our community; even the ratio of female children is dropping – the movement must address this openly. You must respect the right of women to decide when to have children – indeed, the integrity of our bodies.
3. To Dalit women: Stop following brahmanical practices, including discriminatory practices regarding childbearing and raising, the feeding, educating and care of children. Assert your rights and break your silence. Come together with other Dalit women to fight domestic violence and create social security systems to support the survivors of domestic violence.

WORKING GROUP 3

PARTICIPATION IN GOVERNANCE

This working group was moderated by Ms. Sudha Varghese. The resource persons were Ms. Jothi Raj and Ms. Mary John. The reporter was Ms. Jojanneke Spoor. This group discussed the way in which Dalit women, including specific groups such as differently-abled Dalit women and joiginis, should be enabled to include their concerns in decision-making processes. The following recommendations were agreed on:

1. Expand, strengthen and maximize Dalit women's political voice. A Dalit women's movement should be established.
2. Panchayats should include Dalit women's participation and leadership. Establish informal organizations where Dalit women can feel they can discuss and take

responsibility for their own community to discuss development, social and domestic issues.

3. Establish proportional representation: 50% Dalit women among Dalits in parliament, legislation and local level political systems.
4. Dalit women's equal representation should be supported by proportional budget allocation, also by funding agencies.

WORKING GROUP 4

LAND RIGHTS

This working group was moderated by Ms. Indrani Sigamany. The resource persons were Mr. Vincent Manoharan and Ms. Palanimuthu Sivakami. The reporter was Ms. Jayshree Mangubhai. Land rights are an area in which Dalit women are especially vulnerable to discrimination and exploitation. Related issues such as housing, wages, and access to resources were also discussed in this group. Regarding land, the following recommendations were agreed on:

1. Land earmarked for Dalits by governments should be restored and registered in the name of Dalit women or jointly in that of Dalit men and women.
2. Surplus land should be earmarked for Dalits in proportion to their populations in each country.
3. Governments should suitably amend laws in accordance with the optimum land ownership level for the livelihood of an average family, implement land reform acts and constitute and empower independent monitoring mechanisms with equal representation of Dalit women and men to ensure implementation of such legislation on a time-bound basis, so that actual enjoyment of the land is the basis for ascertaining success of land rights reform programmes.
4. Governments should issue legal title to land possessed and enjoyed by Dalit women and men, with legal title issued to the name of Dalit women or jointly in that of Dalit men and women.
5. Governments should allocate sufficient budgets for purchase of land to be distributed to Dalit women.
6. Appropriate policies should be designed to enhance the effectiveness of agricultural practices, to build and strengthen capacities within Dalit communities and to provide market support.
7. Governments should enact appropriate legislation to prevent displacement of Dalits and alienation of their land.

WORKING GROUP 5

STATE BUDGET ALLOCATION FOR THE MDGS (EMPLOYMENT, EDUCATION AND HEALTH)

This working group was moderated by Mr. Aloysius Irudayam. The resource persons were Mr. Paul Divakar and Ms. Vimal Thorat. The reporter was Ms. Nidhi Sadhana. The following recommendations were agreed on:

1. Any national and international budget must have separate budget allocations for Dalits (and 50% for Dalit women) which are at least proportionate to the population of the constituency against set targets.
2. The following priorities for budget allocations should be used: Land for the landless poor and women; education at all levels; employment and training; guarantee of infrastructure; economic development taking into account diversity, contracts and market share; health, especially pre-natal, infant and maternal mortality; effective time-bound monitoring with clear indicators.
3. A national campaign of caste sensitization and elimination of ongoing caste discrimination should be launched.



TESTIMONIALS
of Dalit women

TESTIMONIALS OF DALIT WOMEN

On the 21st of November, four Dalit women presented testimonials about the violence perpetrated against them and the impunity which they continued to suffer. The testimonies took place in the City Hall of The Hague, where many representatives of national and international governmental institutions were present to listen.

Ms. Sandankoti Hajamma told her story of being dedicated as a jogini, a temple prostitute:

I was eleven years old when they decided to dedicate me to the goddess. I had no idea what it meant. How could I? The older joginis, who had been through this experience, told me to run away. But what could I do? Where could an eleven year old girl run to? Where could I hide? So the ceremony took place. I was like a goddess that day. Dressed in wedding-like finery. Flowers and shiny fake jewellery. I felt like a princess. But the old women cried. There were around fifty of them. Old joginis who had been used up and thrown out. No one to even give them a meal. Despised and humiliated. Then the men would come and pester me, proposition me. I had no peace. Harassment all day and often at night. It is your duty to come with me, they would insist, after all you are a jogini. One day I met the man I loved. He loved me too. We wanted to get married. But the community was furious. 'You can't', they told us. 'The whole village will be cursed. Everyone will die.'

Ms. Hikati Devi was one of the first women to stand up to the violence towards Dalit men and the violence and rape of Dalit women in her village:

We worked for the Yadav caste in their fields. One day, a group of Yadavs came shouting into our village. They raped four women and beat up the educated youth to teach them a lesson. I went to the village head to complain. He said that he would look into it, but one of the rapists was his brother-in-law. He came to my house and abused me in the filthiest language: 'You bitch, whore, who do you think you are, approaching my in-laws? Just wait, we'll teach you a lesson'. Soon after this a gang arrived at night. We sent our men into hiding for fear we would all become widows. So we women were alone in the village with our children and old folk. Two men raped me. When I screamed they shoved a cloth in my mouth. Over the years, I had saved 3000 rupees in cash for my son's wedding. They took everything. The next day I went to the village head again and told him, 'I am going to the police'. He laughed and said: 'The courts are for the rich people.' I went to the police station, but was chased away. No case was registered.

Ms. Bangaru Sridevi was born into the safai karmachari community, the caste that is destined to manually clean dry toilets:

My mother and grandmother used to clean shit in the public toilets. Because I loved my mother so much, I used to follow her while she worked. She sent me away to live with relatives so I wouldn't be subjected to the humiliation she put up with every day. My mother was determined I would study. She saved money for me and fought to get me a scholarship. Others told her: 'Why make your girl study? However much she studies, she will be a toilet sweeper.' School and college were bitter experiences. No matter how well we worked, the upper caste teachers would always give us lower marks, even if we did better than the dominant caste students. One experience stays with me forever. During a celebration, a safai karmachari child fell into the water. No one would jump in to save him, because he was a safai karmachari. Touching him would pollute them. So the child drowned. I will never forget that. The best thing that happened to me was joining the Safai Karmachari Andolan in 2004. Every year we stop scavenging in different places. We identify dry latrines and take complaints to government officials. So far in Andhra Pradesh 1000 people have stopped cleaning shit. There are still 3000 people engaged in it in Andhra Pradesh. Until every single person stops, our job will not be done.

Ms. Ranjan Parmar told her story of domestic violence. She explained how Dalit women are especially vulnerable and have no means of getting out of violent situations. Like the other speakers, Ms. Ranjan Parmar does not see herself as a victim:

I was only sixteen years old when I was married off. I realized immediately that my husband could not stand the sight of me. He never slept with me, could not bear the thought of touching me. He said: 'If you come close to me, my skin will become as black as yours, keep away.' He treated me worse than a servant. I was the daughter-in-law. I had to cover my face with my sari. I was asked never to show any part of my body. Not to speak with anyone outside the house ever. I had to fetch water from the well with my face covered, veiled with the end of my sari. I had to make eighty big rotis every day for all the family members and to eat last, when everyone had finished. I used to wash the clothes of twenty people every day. I had to wake up at four in the morning and sleep last, after all the work was done. I slept alone. My husband hated me. I told my mother about the state of things, but I didn't want a divorce because this would bring shame on my mother and my entire family. My mother's brother got me to sign the divorce papers. He slapped me to bring me to my senses. I signed and was divorced. I went back to working as a tobacco field labourer. Then I came into contact with an organization that works for Dalit rights, Navsarjan Trust. They heard my story and invited me to work for women's rights. Fighting for exploited women has given me meaning in my life. My only aim is to help other women. This is my whole life now.

STATEMENTS BY UNITED NATIONS SPECIAL RAPPORTEURS

Two United Nations special rapporteurs, Ms. Chin-Sung Chung, Special Rapporteur on discrimination on the basis of work and descent and Mr. Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, expressed their solidarity with the struggle of Dalit women.



MS. CHIN-SUNG CHUNG

In her statement, Ms. Chung stressed the importance of the Dalit women's movement. Especially the most victimized people can make a change. Ms. Chung urged the Dalit women who were present to keep fighting against caste discrimination and gender discrimination and to keep building their international network.

Ms. Chung explained which United Nations bodies are dealing with caste and gender-based discrimination and how the United Nations has taken up these issues until now. The Committee on the Elimination of Racial Discrimination (CERD) dealt with caste-based discrimination in 1996 when it reviewed India's report. In 2002, CERD General Recommendation XXIX stated: 'The Committee strongly condemns descent-based discrimination such as discrimination on the basis of caste and analogous systems of inherited status, which is a violation of the Convention.' Other relevant United Nations bodies are the Committee on the Elimination of Discrimination against Women (CEDAW), the Human Rights Council, and special rapporteurs, such as the special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the special rapporteur on housing, and the special rapporteur on education.

Ms. Chung also explained her own work as a special rapporteur. In 2005, there was a preliminary report by Mr. Yokota and Ms. Chung. In 2006, there was a progress report with an analysis of the replies of the questionnaires distributed to the governments, NGOs, national human rights institutions, and United Nations bodies and specialized agencies which the two special rapporteurs distributed through the office of High Commissioner. In 2007, there will be a final report on principles and guidelines for the elimination of discrimination based on work and descent. In this report, there will be special attention for multiple discrimination against women. The principles and guidelines will include a strong gender perspective. The Hague Declaration and the other outcomes of the conference will be included in the process.



ADDRESS BY MR. DOUDOU DIÈNE

I am here to listen to you. I have been filled and nourished, intellectually, emotionally, and politically, by what was said and sung here today. I will be going back, motivated to move ahead. Your testimonies are very powerful. Express these testimonies wherever you go. At the same time, think globally. Try to build powerful coalitions. These will allow you to overcome the resistance of some governments. One part of my mandate is to receive allegations. This means that if one of you is discriminated against, for example in Kerala or Nepal, you can write to me. I can ask the government to answer to this allegation. If they do not answer with facts, I will put the allegation in my report as a matter of fact.

One thing that I learned as a special rapporteur is that discrimination and racism are like icebergs. What the laws can touch on and change are the visible parts: manifestations, acts, expressions, and violence. It is highly important that the law combats these visible parts. However, if you look around in the world today, the actual context is very negative and dark for combating racism and discrimination. It is interesting that we are in the Netherlands today. Tomorrow, there will be elections here. One of the central issues is discrimination. One party is talking about forbidding Muslim women from wearing a burka in public streets. Are we going to see policemen in the Netherlands arresting women because they are wearing this sign of their religion? The context we are in is also relevant for the liberation of Dalit women. We are all part of a global struggle against racism. I am mentioning this to you because I have realized that racism, discrimination and xenophobia are like a monster with many heads. You cut one, and ten will come back. To combat racism, you have to get to the invisible part of the iceberg: where the culture and mentality of discrimination have been cooked and boiled, throughout centuries. All forms of discrimination have a historical depth. They come from a very long way in the past.

Combating discrimination against Dalit women requires certainly what you have been fighting for and expressing this morning: getting the necessary legal, judiciary and political arms to combat it. However, the examples of South Africa, the United States and other countries show us that if you remain at this level of combating discrimination through the law, you may not touch on the fertile womb of discrimination. I remind you of the words of Bertold Brecht, who said after the Second World War: 'The womb is still fertile from which the human beast emerged.' What Brecht was saying is that Nazism had been military, politically and legally eliminated. But the culture, the mentality, the value system which had created it, was still there. This is why I highly recommend you to get to the deep root causes of why in India, Bangladesh, Pakistan, Sri Lanka, Nepal and India you have caste-based discrimination. You have to go beyond the law. You have to get to the identity constructions. How, over centuries, the Indian identity has been constructed. All forms of discrimination can be traced historically and intellectually. One of the key strategies of the racist, discriminating communities is to make us believe that discrimination is natural, that it is part of nature, and that you have to accept it. This is part of their ideological weapon and it is not true. Discrimination does not come from the cosmos. Caste-based discrimination can be retraced and deconstructed to combat it. Please, engage in this ethical and intellectual strategy to uproot what is building and creating the culture and mentality of discrimination.



COLOFON

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Following the National Conference on Violence Against Dalit Women in Delhi on the 7th and 8th of March 2006, Justitia et Pax Netherlands, Cordaid and CMC Mensen met een Missie, in collaboration with the Dalit Network Netherlands (DNN), the National Campaign on Dalit Human Rights (India), the National Federation of Dalit women (India), ALL India Dalit Women's Rights Forum (AIDMAM), Feminist Dalit Organization (Nepal), the International Dalit Solidarity Network (IDSN), and other Dalit and women's rights organizations responded to the request of Dalit women and organized the international conference on the human rights of Dalit women on 20 and 21 of November 2006 in The Hague, The Netherlands.



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