



International Dalit Solidarity Network
WORKING GLOBALLY AGAINST CASTE-BASED DISCRIMINATION

IDSN Statement for the 50th Anniversary of the International Convention for the Elimination of all forms of Racial Discrimination - 26 November 2015

50 years of ICERD – from paper tigers to global action

Today, we join you in celebrating 50 years since the momentous occasion where the International Convention for the Elimination of all forms of Racial Discrimination was adopted. Set against the backdrop of the international struggle against Apartheid, the convention marked an important international agreement that all forms of racial discrimination must be fought with a joint resolve and broad solidarity.

For the work to eliminate caste-based discrimination, a caste-apartheid affecting the human rights of more than 260 million people, the convention's inclusion of descent within its scope and explicit affirmation in [CERD General Recommendation 29](#), that descent includes caste and analogous systems of inherited status, has been crucial.

The fact that the Committee on the Elimination of Racial Discrimination has repeatedly reminded states under review to take concerted efforts to eliminate caste-based discrimination, has been an important pillar of support for Dalit human rights defenders in the face of their adversaries. In 2002, the Committee organized a full day debate on the topic and caste-related recommendations have been issued to 18 states. Other treaty bodies, the Office of the High Commissioner for Human Rights and UN Special Procedures mandate holders have also repeatedly raised serious concern over caste discrimination.

Today, the situation remains shockingly stark. Millions of victims of caste discrimination are living in caste-apartheid, segregated from their fellow citizens in most aspects of life and viciously attacked when standing up for the rights enshrined in the International Conventions.

Atrocities and violence against Dalits are rising every year, and the attacks are heartless and inhumane, ranging from gang-rapes to the burning alive of little children. Access to justice for victims of caste discrimination is severely hampered and attackers often get off scot-free due to ingrained discrimination within the police and justice systems.

Victims of caste discrimination are disproportionately subjected to slavery and unequal access to labour, and school children are often discriminated against, bullied and may be made to sit separately from the others at school or clean the school toilets.

The severe implications of this form of structural discrimination mean that victims are often the most impoverished and disenfranchised with the least access to education, health, and opportunities for economic and social advancement that may change their circumstances. Dalit women are particularly disadvantaged due to the intersectional discrimination of caste and gender and are often at the receiving end of retaliation violence against their communities.

The Special Rapporteur on Contemporary Forms of Racism has noted that caste-based discrimination remains “deplorably widespread and deeply rooted” and has repeatedly recommended implementation of measures contained in general recommendation 29. The Special Rapporteur encourages the continued use

of the draft [UN principles and guidelines for the elimination of discrimination based on work and descent](#) as a guiding framework for the elaboration of effective measures to be taken by States. The rapporteur also invites Governments to consider creating a consultative body of regional human rights institutions to study the issue and raise regional awareness.

Despite the severity of the situation and the recognition of this by key UN Human Rights Mechanisms, the issue of caste continues to be under rug swept by states at important UN fora because powerful elements do not wish to address it at an international level. Historically, influential states have been successful in forcing the issue of caste out of important UN processes and declarations, including the World Conference on Racism (WCAR) in 2001, and the Durban Review Conference in 2009.

The Special Rapporteur on Contemporary Forms of Racism has noted the challenges in the fight against caste-based discrimination at the international and national levels, and deplored the lack of effective implementation of international obligations stating that,

“Governments have failed to implement such obligations effectively and have, in some instances, sidestepped the question of caste discrimination by claiming that it does not fall under the scope of the international conventions, such as the International Convention on the Elimination of All Forms of Racial Discrimination, in contrast to the opinion of the Committee on the Elimination of Racial Discrimination”.

As highlighted by the Special Rapporteur on Freedom of Assembly, the silencing of groups working to eliminate caste discrimination extends to the Committee on NGOs where the International Dalit Solidarity Network’s application for ECOSOC status has been pending for 8 years and is continuously blocked on arbitrary grounds. This also impairs the access of human rights defenders from caste-affected communities to influence the UN rights mechanisms meant to defend them.

Within this scenario, the role of CERD in the future becomes increasingly important if caste discrimination is to be given the leverage and support that similar issues in the past such as apartheid have received. As the former UN High Commissioner for Human Rights stated in her 2009 opinion piece [Tearing Down the Wall of Caste](#),

“The time has come to eradicate the shameful concept of caste. Other seemingly insurmountable walls, such as slavery and apartheid, have been dismantled in the past. We can and must tear down the barriers of caste too.”

If caste affected communities across the world are to use the paper commitments from their Governments for more than lighting fire to the funeral pyres of their loved ones, killed in retaliation for claiming their rights, affected states and the international community have to join hands and create a framework that will uphold these commitments. In this effort, the Committee on the Elimination of Racial Discrimination could play an important role in pushing for a concrete UN wide action plan based on the wealth of concluding observations, recommendations and guidance tools from the UN human rights bodies.

As part of strengthening action on these commitments, we urge the Committee to organise a Thematic Consultation on Caste Based Discrimination in cooperation with other Treaty Bodies and Special Procedures Mandate holders, identify means for creating a regular joint review process on status and follow up on observations, conclusions and recommendations on caste discrimination, and develop a road map for action to improve implementation of such recommendations.

The determination to eliminate racial discrimination throughout the world in all its forms and manifestations, as set out in the pre-ambule of ICERD, should be brought to the fore to end caste discrimination. The international community must speak out loudly and clearly, and commit to action.

We call on states, UN institutions and people, and those who stood behind the anti-apartheid movement, to align themselves for an equally important human rights cause. We thank the Committee and all the institutions and people across the world who have taken action and spoken out against caste discrimination and hope that this commitment to eliminating caste discrimination will find increased global support in years to come.

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Links to background information

[CERD recommendations on caste-based discrimination](#)

[Caste extracts from the report of the Special Rapporteurs on Racism](#)

[Full Compilation of UN references to caste](#)

[IDSN position paper on the interrelations between caste, descent and race](#)

[Caste violence in India rises as Dalits assert their rights](#) (IDSN November 2015 news article)

[Caste references in statements and reports by the High Commissioner and the Secretary-General](#)