



Indian human rights campaigners Asha Kowtal and Stalin K. made significant contributions to the hearing on caste discrimination, which was opened by the Danish Minister for Development Cooperation (right).

Report: Public hearing on caste discrimination

A hearing on caste discrimination took place at the Danish Institute for International Studies in Copenhagen on 29 October 2012. It featured campaigners for Dalit rights from South Asia as well as representatives of the Office of the High Commissioner for Human Rights, Danish and international NGOs and the Danish Institute for Human Rights. They presented their perspectives on current challenges, good practices and ways forward to end caste discrimination. The hearing was organised by the Dalit Solidarity Network in Denmark (DSN-DK) in association with the International Dalit Solidarity Network (IDSN).

The Danish Minister for Development Cooperation, **Christian Friis Bach**, opened the hearing. He stated that “human rights is the strongest idea ever developed by mankind, and we should work hard to make sure that these rights are respected. I have committed myself to working internationally against discrimination”.

The Minister expressed his admiration for the work that Dalit Solidarity Networks do on an international level. “You are doing a tremendously good job, it is a very focused effort, and you are also keeping the Danish government accountable. If we don’t respect conventions, we should be held accountable.”

Noting that “ending discrimination in all its forms” is a key part of his government’s rights-based approach, Mr Friis Bach named cooperation with international business a “new and promising part of doing this.”

“We must stand firm on principles on non-discrimination, including ending caste- and gender-based discrimination. This is what CSR is all about, the rights-based approach is very much the way we want to work in development cooperation. We work hard to incorporate it in all levels of cooperation.”

The Minister recalled his own experiences – also from his time in the NGO world - when meeting marginalised people, including Dalits in Nepal, and stated that “exclusion creates some of the worst abuses in the world.” Quoting The Economist newspaper, he argued that “equity in society is one of the best ways to promote growth” and added that “the very notion that societies where there is extreme inequality are unstable is a powerful argument.”

Mr Friis Bach concluded that fighting discrimination will lead to stronger, prosperous and peaceful societies, and on a final note, he praised the International Dalit Solidarity Network as an “important part of global civil society, focusing on people suffering the most and who deserve so much better.”

The Minister had time for a few questions before his departure. He was asked whether the Danish government would mainstream the issue or adopt a specific caste strategy. He replied that the issue would be mainstreamed, but added that “caste is one of the worst forms of discrimination you can find.”

He also stressed that Denmark, will have a “strong voice against any form of discrimination”. Mr Friis Bach noted that this would not entail being in conflict with governments who fight to end discrimination in their own countries.

Stalin K.: Caste system violates the rights of 200 million Indians

Following the Minister’s remarks and a screening of the short IDSN film on caste discrimination, “We are not untouchable”, the Indian human rights activist and filmmaker **Stalin K.** opened his intervention by praising Mr Friis Bach, pointing out that he sounded more like an activist than a minister. “I wish we had ministers like that in India,” he said.

Stalin K. spoke on the situation of Dalits in his home country. He noted that India’s public image is very much associated with economic development, Bollywood, its status as the world’s largest democracy and its popularity as a travel destination for those seeking spirituality and yoga. While all this is true, India also “continues to practice, promote and perpetuate one of the most oppressive systems that violates the rights of 200 million people. This is the system of caste.”

Stalin K. described the caste system as “a structure to sanction and perpetuate inequality and exclusion across the social, economic and cultural spheres”. He noted that violence is the most effective form of control within this system. If Dalits transgress the system, they will be met with violence, as “the system is such that it will have to react violently.”

“If you have come across an Indian, not just in India but anywhere in the world, who have told you that the caste system and caste discrimination is a thing of the past, then that person was either fooling you or was downright ignorant. That person, I can guarantee you, must also belong to the privileged caste,” he said.

Commenting on why such an issue should be of concern to the Danish government and general public, Stalin K. noted that it is politically and morally binding for others to address a form of discrimination that violates the rights of millions of people on a daily basis.

“In today’s globalised world, where we have signed up and endorsed the basic principles and values of human rights for all, Denmark cannot afford to stand by as a mute spectator to gross violation of human rights merely because someone is trying to sell you that this is matter of customs and traditions,” he said, referring to those who deem caste discrimination an internal Indian issue.

Stalin K. criticised the mainstream media in India for being caste-biased and noted that in the entire mainstream system, there is not one single Dalit correspondent. As it is not possible to rely on existing producers of content, Stalin’s organisation Video Volunteers trains activists who report about issues that the mainstream media ignore.

Video Volunteers have launched a campaign to urge the National Commission on Scheduled Castes to prosecute cases of ‘untouchability’. Community correspondents across India provide video testimonies that document caste discrimination in many different forms.

“We believe that untouchability practices are downright criminal. Talking about them as a cultural thing is just an escape route,” he concluded.

Nepal: Unless the law is implemented, there will be no big change

Katia Chirizzi, who now works in the Geneva headquarters of the Office of the High Commissioner for Human Rights (OHCHR), formerly spent five years at the OHCHR office in Nepal. Part of her brief was working on Dalit rights issues, and her statement was based on her experience in this area.

Ms Chirizzi opened her speech by quoting the UN High Commissioner for Human Rights, Navi Pillay, who stated in 2009 that “caste is the very negation of the human rights principles of equality and non-discrimination”.

She went on to describe OHCHR’s work on the issue. Its strategic plan for 2012-13 has a focus on “fighting discrimination based on sex, race, colour, descent, national, ethnic or indigenous origin, religion or belief, language, disability, age, sexual orientation and gender identity.” The term “descent” refers to caste.



The UN human rights system – i.e. treaty bodies, Special Rapporteurs and the Universal Periodic Review mechanism - has made numerous recommendations on caste discrimination. The OHCHR also works with national human rights bodies in caste-affected countries and UN agencies on the ground.

In Nepal, the OHCHR focused on access to justice for victims of caste discrimination. It published a report on the issue in 2011 prior to the closing down of its office. The most important development during OHCHR’s time in Nepal was the adoption of a law in 2011 which criminalises caste discrimination.

“The law was seen as milestone, also in a regional context. It was seen as achievement, but it was only a starting point. Unless there is effective implementation, there will not be big change,” Ms Chirizzi said.

She finished her presentation by once again quoting from Navi Pillay’s strong statement on caste discrimination, in which the High Commissioner said that “the time has come to eradicate the shameful concept of caste” and drew a comparison between caste discrimination, slavery and apartheid. Katia Chirizzi called this a “pertinent comparison” and complimented campaigners for Dalit rights for their “tireless efforts aiming at tearing down the wall of caste”.

Dalits vulnerable during natural disasters

The next speaker was **Asha Kowtal**, a leading campaigner for Dalit women’s rights in India. Noting that caste discrimination is not an isolated case, but a human rights violation of a whole community, she urged the audience to take note of the massive scale of the issue.

Ms Kowtal touched upon three main points – how caste operates in modern India, how this form of discrimination affects Dalit women, and what the Indian government does to tackle the problem.

Most Dalit communities are landless – they would not have been able to afford user fees when the land was privatised and they would face discrimination in access to land. Government data also shows differential access to health, education and other services. Dalit students commit suicide as a consequence

of discrimination, and in a country where 51 percent of the population does not have access to toilets, Dalits are particularly deprived.

“We need to be concerned that Dalits clean toilets with their bare hands,” Ms Kowtal said, referring to the outlawed, but still existing, practice of manual scavenging.

She also spoke of the vulnerability of Dalits during natural disasters. They are more exposed as their housing is poorer, and to add insult to injury they are discriminated against during relief operations.

“Some say caste discrimination exists only in rural areas, but this is not true. Even in Delhi, if a Dalit person wishes to rent accommodation in a particular area, it may not be allowed. You can also look at the many caste-based marriage columns and websites.”

Ms Kowtal said that it made her “sad and angry” to speak about Dalit women, who are suffering much violence. She noted that there is serious backlash going on from dominant caste groups against Dalits who are trying to assert their rights. It can take the form of rape, and she mentioned the many recent incidents of gang rapes in Haryana, calling the brutality of such crimes “very disturbing”.

Newer forms of ‘untouchability’ are emerging, such as incidents where Dalits are not allowed to use mobile phones in certain places. And while India is becoming a global power, the situation in the country itself is critical. Legislation against caste discrimination looks “beautiful on paper” and the Prime Minister has said that “we need to get rid of caste-based discrimination”. But in reality, Dalits have no access to justice and billions of rupees in official funds have been diverted from social programmes for Dalits to other purposes.

Ms Kowtal also pointed out that India is “obsessed with growth”, but that greater growth means greater social exclusion.

“It is time to expose the cruelty of the caste system. The culture of impunity has permeated Indian society. We need a strong call at the international level, so I call upon each of you, with our collective efforts we can put an end to this,” Asha Kowtal concluded.

The age of internet and instant coffee



Ms Kowtal’s intervention was followed by a Q & A session involving all the three previous speakers. On the question on how to create change, Stalin K. noted that caste is not the result of a social tradition, but that social tradition is used to perpetuate caste. “Human societies do not change instantly, even in the age of the internet and instant coffee. Every person has to change - from a clinical psychology point of view a superiority complex is an illness.”

A representative of the Danish Ethical Trading Initiative stated that suppliers often deny the continuing existence of the caste issue, and that it is difficult to integrate caste into codes of conduct. The panel advised her to look at other forms of fair practices, such as rules regarding the use of animal skin in shoes.

One question concerned possible strategic alliances between Dalits and other oppressed groups. Stalin K.

agreed that there should be alliances, but also noted that the caste issue is complex. He added that there have been clashes over land between Dalits and Adivasis (tribal people).

“Land is the most crucial issue, land is the battle. Nobody talks about it, but all the Indian shining stars are culprits, and they are supported by the Indian state,” he said.

Following this session, four panelists from Danish and international organisations gave their perspective on caste discrimination from the point of view of their respective work on the issue.

Dalits targeted by police

Jan Ole Haagenen from the Rehabilitation and Research Centre for Torture Victims shared his insights into the interrelationship between torture and discrimination of Dalits. He stated that the caste conflicts have been reinforced by processes of rapid modernisation. Today, huge populations in South Asia “remain marginalised, stigmatised, impoverished and kept in a position where they cannot escape poverty”.

Mr Haagenen spoke of the situation in three countries - India, Nepal and Sri Lanka. He noted that torture is seen as a standard operating procedure of law enforcement agencies and that Dalits are overrepresented among people who claim to have been tortured.

An EU funded survey on torture in India suggested that as many as 1.8 million people suffer torture and other forms of cruel, inhuman and degrading treatment in the hands of law enforcers. Dalits are significantly overrepresented in the survey.

In Nepal, Dalits are also overrepresented in torture statistics, and according to Jan Ole Haagenen there is no reason to believe that the situation should be any different in Sri Lanka where poor Dalits are also overrepresented among the tortured. State institutions are not accountable to Dalits and are often directly used to suppress Dalits from exercising their rights.

Mr Haagenen pointed out that torture and police atrocities aggravate the already dire poverty situation and marginalisation of the Dalits: “They are the primary prey targets and victims of torture by the police. Without awareness yet of their rights, these marginalised people suffer in silence and brokenness”.

He concluded that state sanctioned torture can be seen as an important instrument in the suppression of Dalits. Hence, a “struggle against torture is also a struggle against the suppression of Dalits”.

Promise of land reforms

Jørgen Thomsen of DanChurchAid spoke of good practices and the possible positive contribution governments can make in ending caste discrimination.

“We must acknowledge governments - for better or for worse. The Ministry of Foreign Affairs in Nepal has been a strong spokesperson against caste discrimination, and the Indian constitution is exemplary in this respect. It is our job to hold governments accountable, but also to acknowledge their contribution,” he said.

Mr Thomsen mentioned his experiences in working with the land rights movement Ekta Parishad that has successfully campaigned for land redistribution – a policy which would also benefit Dalits. He noted that an Indian government minister had promised such a reform policy when tens of thousands of campaigners marched to promote the issue.

Jørgen Thomsen concluded that international NGOs should continue to support movements and the affected, but “also improve our own practice.” He noted that disaster responses have not been able to

reach Dalits and welcomed the development of a set of humanitarian standards that will secure the rights of Dalits during disaster relief operations.

Charlotte Flindt Pedersen from the Danish Institute for Human Rights (DIHR) admitted that more could be done to integrate caste discrimination issues into the Institute's work. She had taken a closer look at the IDSN compilation of UN references to caste discrimination and noted a number of recommendations on countries and issues relevant to the work of DIHR.

"We are working in countries like Yemen and Nepal, but caste discrimination is not our focus, so we will look at areas where these issues could merge," she said.

Ms Flindt Pedersen mentioned human rights and business and justice reform as areas with a particular DIHR focus that could also be relevant for the work against caste discrimination.

"I promise that we will look into our policies," she concluded.

Growing UN concern about caste discrimination



Rikke Nöhrind of the International Dalit Solidarity Network spoke on IDSN's work in the international arena. She stressed that "caste discrimination is one of the biggest human rights problems in the world; it is a root cause of poverty and grand scale human suffering; and the international community has a responsibility to extend support, exert pressure and develop policies for its elimination."

Reflecting on ten years of international struggle against caste discrimination, Ms Nöhrind mentioned a number of trends in the UN, EU and Denmark.

UN human rights bodies, such as treaty bodies and Special Rapporteurs, have expressed growing concerns about caste discrimination. This demonstrates how the issue cuts across the wider spectrum of human rights. However, the UN Human Rights

Council has yet to deal with caste discrimination in a comprehensive manner.

"In this context," she noted, "the work of the OHCHR and the High Commissioner for Human Rights, Ms. Navi Pillay's personal commitment to ending caste discrimination stand out".

She also highlighted the progress made in some of the caste-affected countries, including new legislation in Nepal and increasing civil society pressure for Dalit rights in Bangladesh and Pakistan.

Turning to the EU, Ms Nöhrind noted that the "institutions of the European Union have taken a moderate interest in addressing caste discrimination, compared to the scale of this human rights violation." Despite resolutions and other initiatives in the European Parliament, the EU has not yet taken comprehensive policy action to address the issue. It is, among other things, absent from EU's anti-discrimination agenda.

"Therefore, IDSN lobbies for an overall EU policy on caste discrimination as part of EU's foreign and human rights policies. Such a policy would give the necessary recognition and visibility to this human rights problem," she said.

The Danish government has supported the anti-caste discrimination agenda for a number of years. Nevertheless, it should "step up its contribution" and include elimination of caste discrimination as a priority area, Rikke Nöhrind concluded.

Following these interventions, a number of panelists made concluding remarks, and the audience also took part in the debate. The moderator, Knud Vilby, described the data documenting the scale of caste discrimination as “overwhelming and shocking” and added that many politicians don’t wish to say things directly to the “touchy government of India”.



Asha Kowtal stressed the necessity of “intersection” in the work against caste discrimination, be it caste and land rights or caste and patriarchy. She noted that feminist organisations “might work on domestic violence, but might ignore caste.”

Speaking from the floor, the former Danish human rights ambassador, Tyge Lehmann, stated his belief in the OHCHR as a key factor in fighting caste discrimination. “The question of human rights is a matter for the international community, and it is the duty of states to implement human rights on all levels,” he said.

With regard to the unwillingness of India to internationalise the issue, Stalin K. concluded the hearing by stressing a paradox: “India is touchy, yet we practice ‘untouchability’. It is not the business of a nation state to have an ego. India should allow this issue to be taken forward.”

The hearing “End Caste Discrimination” was attended by an audience of approximately 80 people. During the week of the hearing, there were interviews with IDSN coordinator Rikke Nöhrind on Danish Radio and with Stalin K. in the daily newspaper, Kristeligt Dagblad. The television station DK4 also produced two programmes about the work of the Dalit Solidarity Network in Denmark and caste discrimination as a whole. Stalin K. also conducted a well-attended seminar at the documentary film festival CPH:DOX.

Relevant links:

[Opening the door to equality: Access to justice for Dalits in Nepal \(OHCHR report\)](#)

[Caste discrimination and UN human rights bodies \(a compilation prepared by IDSN\)](#)

[Read IDSN’s Appeal to the UN](#)

[Read IDSN’s Appeal to EU institutions](#)

[International Dalit Solidarity Network \(IDSN\)](#)

[The Dalit Solidarity Network in Denmark \(DSN-DK\)](#)

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