



THE LUTHERAN WORLD FEDERATION

LUTHERISCHER WELTBUND - FEDERACIÓN LUTERANA MUNDIAL - FÉDÉRATION LUTHÉRIENNE MONDIALE

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Item 6: Racism, racial discrimination, xenophobia and all forms of discrimination

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Joint statement by Lutheran World Federation, Human Rights Watch and Asian Legal Resource Centre

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DISCRIMINATION ON THE BASIS OF OCCUPATION AND DESCENT

Mr. Chairman,

Already in 1996, whilst commenting on India's report, the Committee on the Elimination of Racial Discrimination made it clear that "the term 'descent' mentioned in article 1 of the Convention [on the Elimination of All Forms of Racial Discrimination] does not solely refer to race." The Committee affirmed that "the situation of the scheduled castes and scheduled tribes [in India] falls within the scope of the Convention."

As recently as last Tuesday (20 March 2001), the Committee on the Elimination of Racial Discrimination made the same observations regarding the situation of Burakumin people in Japan. In commenting on the interpretation of the definition of racial discrimination contained in article 1 of the Convention, the Committee declared that "the term 'descent' has its own meaning and is not to be confused with race or ethnic or national origin", and that it covers the situation of the Burakumin community.

It is also noteworthy that, in the context of the preparations for the World Conference Against Racism, the African Regional Seminar of Experts on the Prevention of Ethnic and Racial Conflicts in Africa (held in Addis Ababa, 4-6 October 2000) called for an in-depth study of the question of castes, in particular in Africa.

Mr. Chairman,

These initiatives reflect a growing understanding of the wider global significance of discrimination based on caste or descent, as a sub-category of racial discrimination. This understanding was distilled in the resolution on 'Discrimination on the basis of work and descent' (2000/7) passed by

the Sub-Commission on the Promotion and Protection of Human Rights during its session in August last year. In that resolution, the Sub-Commission noted that “discrimination based on work and descent has historically been a feature of societies in different regions of the world and has affected a significant proportion overall of the world's population”, and declared that “discrimination based on work and descent is a form of discrimination prohibited by international human rights law”. The working paper requested by the Sub-Commission in that resolution is due to be presented to its next session, in August this year.

Caste-based discrimination, wherever it is found, is a form of discrimination based on occupation and descent, and is covered by the definition of racial discrimination in the International Convention on the Elimination of all Forms of Racial Discrimination. This and similar forms of discrimination are amongst the most ancient forms of social exclusion based on birth. It is a social construct, like any other form of discrimination, and can be changed. It is also a form of discrimination which is experienced in many different countries, and in a number of different sub-regions. As such, it is deserving of the international attention which it has hitherto failed to receive, and for which an increasingly widespread international civil society movement is advocating.

Mr. Chairman,

We consider that the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance is an invaluable opportunity for acknowledging and addressing this concern, which affects so many millions of people around the world and which involves the systemic denial of a wide spectrum of their human rights and fundamental freedoms. We call upon all governments to support and promote proper attention to this issue in the context of the World Conference. We hope that the many references to this issue which appeared in different elements of the preparatory processes for the World Conference will be acknowledged and introduced into the draft Declaration and Programme of Action.

We also call upon all governments in whose territory caste-based discrimination and similar forms of discrimination are experienced, to issue an invitation to the Special Rapporteur on contemporary forms of racism to visit their countries - to help to deepen the understanding of this issue and of the obstacles to its resolution.

Finally, we call upon all relevant governments to accept and implement the recommendations issued by the Committee on the Elimination of Racial Discrimination, the Sub-Commission on the Promotion and Protection of Human Rights, and other human rights bodies, in respect of all forms of discrimination on the basis of occupation and descent.

I thank you for your attention.