

United Nations Commission on Human Rights

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

CASTE-BASED DISCRIMINATION AND SIMILAR PRACTICES

On behalf of the Lutheran World Federation, a communion of 128 member churches around the world, I thank you for the floor.

The Lutheran World Federation wishes to raise the issue of caste-based discrimination and similar practices as fundamental obstacles to the enjoyment by a significant proportion of humanity of their human rights. Whilst obstacles of this type are to be found in a number of different contexts, they are most obviously confronted by the Dalits of South Asia, as has been highlighted over the last year by the National Campaign on Dalit Human Rights in India and the Human Rights Watch report "Broken People", among others. The term 'Dalit' carries the meaning of brokenness, referring to the situation of the people outcast by the caste system.

Despite the abolition of 'untouchability' by the Indian Constitution in 1950, and despite a range of admirable legislative measures taken by the Government of India to eliminate caste-based discrimination and similar practices, serious human rights violations continue to be perpetrated against Dalits because they are Dalits. The social disabilities imposed on Dalits by virtue of their birth remain very much a part of life in South Asia, especially in rural areas. Such disabilities include the segregation of entire villages, and not being able to use the same wells, visit the same temples, or drink from the same cups in tea stalls as the higher castes. Dalit children are frequently separated from others in schools. Dalits are forced to undertake the most menial and hazardous tasks, and most Dalits continue to live in extreme poverty, deprived of land or opportunities for better employment or education. Dalits suffer disproportionately under debt bondage and exploitative economic relationships.

Reports of violence against Dalit individuals and communities are commonplace and increasing. On 12 March this year, seven Dalits were burned to death in a rural village in Karnataka, in what is only one of the most recently reported atrocities against Dalits. Dalit women, who suffer triple discrimination on the basis of caste, class and gender, are particularly targeted for sexual abuse and other forms of violence against women.

The perpetrators of such violations enjoy virtual impunity for their crimes.

The antiquity of a particular social system or cultural practice does not excuse gross human rights violations arising from it. Furthermore, the Committee on the Elimination of Racial Discrimination has clearly stated that the term "descent" contained in article 1 of the Convention on the Elimination of All Forms of Racial Discrimination does not refer solely to race, and that the situation of the scheduled castes and tribes falls within the scope of the Convention.

It is our hope that the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance will provide an opportunity for redressing the relative lack of attention given to this subject in the international human rights discourse to date, and that the full range of human rights mechanisms will be able to devote proper attention to the many different dimensions of this human rights crisis.