

**UN Commission on Human Rights
Sub-Commission on the Promotion
and Protection of Human Right
Working Group on Minorities
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Agenda Item no. 3 (a)

Thank You Mr. Chairperson,

My name is J.Suresh from India. I represent the Human Rights Lawyers Forum. I would like to focus on Dalit Struggle in India.

Discrimination against Dalits in India is the major human rights issue of the current era. The Dalits are discriminated on the basis of place of birth, the community one which is born. It is mentioned that two million children are working in hazardous industries in India. Most of these children are Dalits who are socially oppressed and economically poor. Whether it is child labour, bonded labour, sex exploitation and rape victims, - most of the people affected are Dalits. Several NGOs came together recently and formed the National Campaign for Dalit Human Rights which has produced several publications to highlight the importance of removing discrimination based on untouchability and to create a casteless society.

The Human Rights Watch, USA Report on India under the title "*Broken People"- Caste Violence Against India's Untouchables*"(April 1999) records the violence inflicted on the untouchable people in four states. This is perhaps the first time a research report was drawn with the cooperation of activists engaged in protecting Dalit Human Rights. This Report also contains a detail analysis of laws pertaining to the Human Rights of the Dalits. It also gives suggestions and recommendations to alleviate the sufferings of the Dalits and minimize the violations of their Human Rights.

The Special Reporter on Religious Intolerance has published a report* on his visit to India during 1997 which refers to the Report of Extra Conventional Mechanisms. In Para 61 of it has been mentioned that the Secretary of the Ministry of Law, of the Government of India has accepted "Loss of privileges of Dalit Christians" and the proposal to remove discrimination against Dalit Christians was before Parliament. We would like to bring to the

*Document Ref. No:E/CN.4/1997/91/Add.1 dated 14.02.97.

attention of the august body that the Government of India has not yet introduced the proposed law to remove discrimination on the Dalit Christians in the Parliament. Art.27 of the International Covenant on Civil and Political Rights, specifically states that ***"Persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, etc"*** This provision is applicable to Dalit Christians in India as Dalit Christians are denied of equal opportunities, by discriminatory laws of the Government. Because if the Dalit people changes the religion from Hinduism to Christianity the Government of India deny the privileges enjoyed by those peoples. The seriousness of this situation should be brought to the attention of the Indian Government to remove such laws of discrimination against the Dalit Christians. The Civil Protection Acts should include the Dalit Christians who are subject to the increasing violence in rural parts of the country were 84% of all Dalits live.

We plead with the distinguished Members of the Working Group on Minorities to impress our Government for the need to remove the discrimination against Dalit Christians in view of Article 2 of United Nations Declaration of Minorities and Article 27 of the International Covenant of Civil and Political Rights which makes it obligatory on the States that have ratified the Covenant "to ensure that all individuals under their jurisdiction enjoy their rights; this may require specific action to correct inequalities to which minorities are subjected". Therefore the legitimate demand of the Dalit Christians to remove discrimination against them should be immediately attended to because of their long standing struggle for equal treatment before the law.

Despite the fact the UN GENERAL ASSEMBLY discusses every year Racism in the world and adopted resolutions to eliminate all forms of racial discrimination and declared " a third decade to combat racism", the UN failed to see the realities of caste discrimination in South Asia despite the attempts by some NGOs raising this issue both in the World Conference on Human Rights in 1993 and subsequently through the Working Groups on Minorities and the Sub-Commission on Promotion and Protection of Human Rights and thereafter by national campaign on Dalit Human Rights and under its umbrella at least one hundred NGO's made their presence felt in the World Conference against Racism held in Durban, South Africa in Aug/Sep 2001 by making vigorous plea for their grievances to be heard in the world forum. Yet this world body has not waken up fully to see the reality of this discrimination on which societal violence and violations of Human Rights are inflicted on innocent Dalits.

Recommendations:

1. Under Article 9 of United Nations Declaration of Minorities ,We plead with UNDP and other specialized Agencies like UNESCO, UNICEF, ILO, WHO, etc. in India to reorient their projects and policies to protect the Human Rights of the Dalits, to improve their socio-economic conditions in the light of latest UNDP policy guidelines and to uplift the Dalit people from their down-trodden life. The problem of Dalits, like any other deprived people, should be studied in an integrated manner including human rights, ecology and sustainable development. from their down-trodden life.
2. We request the Government of India to introduce the Human Rights as an compulsory subject at secondary school level and to implement it.
3. We request the Commission should undertake a study on discrimination and discriminatory practices based on untouchability and the caste system and its manifestations in contemporary forms of slavery in the South Asian Region.
4. We request the working group on minorities under the Article 2 of United Nations Declaration of Minorities to persuade the Government of India to change the discriminatory law against the Dalit Christians and make necessary provisions in the Constitution for the legitimate demand of Dalit Christians.

Thank You Mr.Chairperson.

J.Suresh.
Human Rights Lawyers Forum.