

PRESS RELEASE

**Eminent Experts Condemn India's Stand at the UN on Caste-Based Discrimination:
Call for a Radical Change**

New Delhi, 4 December 2009 – Human Rights Day, 10 December 2009, is dedicated to “non-discrimination” and recalls the first words of the Universal Declaration of Human Rights: “All human beings are born free and equal in dignity and rights.” On this significant occasion, the Working Group on Human Rights in India and the UN (WGHR) calls upon the Government of India to radically change its international stand on caste-based discrimination and join hands with the international community to firmly address the multiple dimensions of human rights violations, affecting over 200 million people in the country. WGHR also urges India to meet its international legal obligations and Constitutional commitments towards creating a state free of all forms of discrimination.

India's position on caste at the UN and other international forums has been regretful, with the government engaging in worthless semantic debates and adopting a stand of denial. India has refused to report to the Committee on the Elimination of Racial Discrimination (CERD) on the issue of caste-based discrimination, despite clear indications by the Committee that caste falls within the ambit of the *International Convention on the Elimination of Racial Discrimination* (ICERD), ratified by India. General Recommendation 29 (2002) of CERD: “strongly condemns descent-based discrimination, such as discrimination on the basis of caste and analogous systems of inherited status, as a violation of the Convention.” General Comment 20 of the Committee on Economic, Social and Cultural Rights, also unequivocally prohibits discrimination on grounds of birth.

At a press briefing organised today by WGHR – a national coalition of human rights organizations and experts – a diverse panel of speakers examined the recent developments at the UN on the issue of discrimination based on work and descent and their relevance to India. Of particular significance are the 2009 UN *Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent*. These Guidelines offer preventive and remedial measures for states and other actors to counter caste-based discrimination and protect and uphold human rights.

Rajya Sabha member, Praveen Rashtrapal (Congress) stressed that, “The Indian government should adopt the UN stand on discrimination based on work and descent and take the lead in the global campaign to eliminate discrimination, especially on grounds of caste.”

Paul Divakar, WGHR member, and General Secretary, National Campaign on Dalit Human Rights (NCDHR), further emphasised that, “India's ban on caste-based discrimination will not be effective unless the government moves away from its rhetoric and implements a stronger strategy both at the national and international level.” Former Chairperson of the National Commission for Women, Dr. V. Mohini Giri, felt that caste-based discrimination was one of the greatest obstacles to achieving unity in India.

In a strong opinion piece (“Tearing Down the Wall of Caste,” October 2009) UN High Commissioner on Human Rights, Ms. Navi Pillay made a compelling call, “Like slavery and apartheid, the international community should come together to tear down the barriers of caste too.”

According to Miloon Kothari, WGHR Convenor, and former UN Special Rapporteur, “The timely and courageous words of the UN High Commissioner should begin the process of bursting the bubble that India has created at the UN, denying caste as a basis of racial discrimination. Such a position attempts to conceal the gross human rights violations against millions of women, men and children belonging to Scheduled Castes. This is a direct affront to their dignity.”

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Also see: www.wghr.org