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Plenary sitting

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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on caste discrimination in India
(2012/2909(RSP))

José Ignacio Salafranca Sánchez-Neyra, Lena Kolarska-Bobińska, Cristian Dan Preda, Filip Kaczmarek, Jean Roatta, Bernd Posselt, Roberta Angelilli, Mario Mauro, Eija-Riitta Korhola, Sergio Paolo Francesco Silvestris, Zuzana Roithová, Monica Luisa Macovei, Sari Essayah, Giovanni La Via, Laima Liucija Andrikienė, Philippe Boulland, Eduard Kukan, Tunne Kelam, Jarosław Leszek Wałęsa, Edit Bauer
on behalf of the PPE Group

**European Parliament resolution on caste discrimination in India
(2012/2909(RSP))**

The European Parliament,

- having regard to its previous resolutions on India, in particular the one of 1 February 2007 on the human rights situation of the Dalits in India,
 - having regard to Articles 2 and 3(5) of the Treaty on European Union,
 - having regard to the International Covenant on Civil and Political Rights, signed and ratified by India,
 - having regard to the various provisions in the Constitution of India for the protection and promotion of the rights of Dalits, concerning at least 167 million people, including the provisions on the abolition of the practice of untouchability, the prohibition of discrimination on grounds of caste, equality of opportunity in matters of public employment and educational, employment and political affirmative action through reservations in State-run institutions and political representative bodies; having regard also to numerous legislative measures ordering the abolition of some of the worst practices of untouchability and caste discrimination, including bonded labour, manual scavenging and atrocities against Dalits,
 - having regard to the draft United Nations Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent,
 - having regard to the 9 July 2012 report of the United Nations Working Group on the Universal Periodic Review on India¹, in particular recommendations 138.47, 138.72 and 138.118,
 - having regard to the EU-India Thematic Dialogue on Human Rights,
 - having regard to Art. 122(5) of its rules of procedure,
- A. Whereas India is the largest democracy in the world and its citizens are granted equal status by its Constitution and discrimination based on caste and untouchability are deemed illegal by Articles 15 and 17 of the Indian Constitution;
- B. Whereas Dalits have served in the highest political functions;
- C. Whereas India has laws and regulations intended to protect Scheduled Castes and Scheduled Tribes, such as the 1976 Protection of Civil Rights Act and the 1989 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act;

¹ A/HRC/21/10, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-10_en.pdf

- D. Whereas there are Hindu schools of thought which reject caste discrimination and exclusion as an aberration of their faith;
- E. Whereas Indian Prime Minister Manmohan Singh has made several strong statements about prioritising combating violence against Dalits;
- F. Whereas the proportion of Dalit population represents 16.2% of India's total population and Whereas Dalits as well as tribal people have been benefiting from broad and mandatory job reservations, school admission quotas and affirmative action programmes and Dalits also have reserved seats in India's parliament and state assemblies;
- G. Whereas however caste discrimination is widespread and persistent and affects hundreds of millions of people, in particular an estimated 166 million Dalits; whereas according to the ILO, Dalits constitute the single largest group in South Asia subjected to forced and bonded labour and whereas in many Indian states and regions Dalits are forced into manual scavenging, prostitution and other inhumane and degrading activities;
- H. Whereas Dalit women face double discrimination on the basis of caste and gender and are subjected to gross violations of their physical integrity, including sexual abuse by dominant castes with impunity, and are socially excluded and economically exploited;
- I. Whereas literacy levels are as low as 24% for Dalit girls, compared to the national average of 43% for the female population;
- J. Whereas in the state of Haryana numerous Dalit women and girls have been raped in recent months and whereas according to some estimates 90 percent of crimes against Dalit women are not reported due to fear of social ostracism and threats to personal safety and security;
- K. Whereas in Dharmapuri, Tamil Nadu State, a mob of approximately 1,000 people from higher castes looted and torched 403 houses in Dalit communities without police intervention;
- L. Whereas implementation of existing legislation and judicial follow-up of atrocities and cases of discrimination is insufficient in many states and regions;
- M. Whereas India, when presenting its candidacy for the Human Rights Council, ahead of the elections of 20 May 2011, pledged to uphold the highest standards to promote and protect human rights;
1. Acknowledges the significant work that has already been done at federal, state, regional and local levels to eradicate caste discrimination;
 2. Remains however alarmed by the high level of caste discrimination still occurring in India;

3. Urges the Indian government, to live up to its pledges, to implement existing legislation, to ensure protection of Dalits and other vulnerable groups in society, to ensure victims can safely register their cases and to ensure a police- and judicial follow-up of reported atrocities and other cases of discrimination;
4. Calls on the Indian authorities to allow for funding, including from abroad, for Dalit organizations and other organizations representing disadvantaged groups in Indian society;
5. Asks the Indian Parliament to push through its plans to pass a Bill prohibiting manual scavenging;
6. Calls on the Council, the Commission and Member States to recognise caste discrimination as a global human rights issue;
7. Calls on the Member States to endorse the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent in the UN Human Rights Council;
8. Calls on EU and Member States' representations in India to include the issue of caste discrimination in their dialogues with the Indian authorities;
9. Calls on the Commission to prioritise programmes addressing caste discrimination and putting special emphasis on programmes for Dalit women who are primarily affected by this practice;
10. Encourages the government of India to undertake additional school programming aimed at eliminating caste-based discrimination;
11. Instructs its President to forward this resolution to the VP/HR, the Council, the Commission, the governments and parliaments of the EU Member States, the Secretary-General of the Commonwealth, the Secretary-General of the UN, the President of the UN General Assembly, the International Labour Organization, the UNICEF, India's Prime Minister, India's Minister for Law & Justice, India's Home Minister and the Indian Parliament.