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11.6.2013

B7-0000/2013

## MOTION FOR A RESOLUTION

further to Question for Oral Answer B7-0000/2013

pursuant to Rule 115(5) of the Rules of Procedure

on Caste-based discrimination  
(0000/2013(RSP))

**Eva Joly**

on behalf of the Committee on Development

**Barbara Lochbihler**

on behalf of the Sub-committee on Human Rights

**European Parliament resolution on Caste-based discrimination  
(0000/2013(RSP))**

*The European Parliament,*

- having regard to its resolutions of 13 December 2012 on Caste Discrimination in India, 17 January 2013 on Violence against women in India, 1 February 2007 on the Human Rights Situation of the Dalits in India, and 18 April 2012 the Annual Reports on Human Rights and Democracy in the World and the European Union's policy on the matter including implications for the EU's strategic human rights policy,
  - having regard to the International Human Rights Conventions, including the International Convention for the Elimination of Racial Discrimination (CERD) and its General Recommendations XXIX,
  - having regard to the draft UN Principles and Guidelines on effective elimination of discrimination based on Work and Descent published by the Human Rights Council (A/HRC/11/CRP.3),
  - having regard to serious concerns, observations and recommendations on caste discrimination arising from the UN High Commissioner for Human Rights,
  - having regard to the Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance of 24 May 2011 (A/HRC/17/40), as well as to those in Universal Periodic Reviews of caste-affected countries,
  - having regard to the European Parliament study on "A human rights and poverty review: EU action in addressing caste-based discrimination",
  - having regard to the question to the Commission on Caste-based discrimination (O-0000/2013 – B7-0000/2013),
  - having regard to the question to the Council on Caste-based discrimination (O-0000/2013 – B7-0000/2013),
  - having regard to Rules 115(5) and 110(2) of its Rules of Procedure,
- A. whereas caste-based discrimination, recognized also as discrimination based on work and descent, is a form of discrimination prohibited by international human rights law as proclaimed by the Universal Declaration of Human Rights, by the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child and the International Labour Organization Convention No. 111;
- B. whereas despite the measures taken by governments of some caste-affected countries to

provide constitutional and legislative protection and special measures against caste discrimination and untouchability, caste discrimination continues to be widespread and persistent affecting an estimated 260 million people worldwide;

- C. whereas caste-based discrimination exists in numerous countries across the globe, affecting an estimated 260 million people, the highest number of victims are found in South Asia;
  - D. whereas non-implementation of legislation and policies and lack of effective remedies and effectively functioning state institutions, including the judiciary and the police, remain major obstacles to eliminate caste based discrimination;
  - E. whereas provision of disaggregated data, special legislation and measures to protect against caste discrimination remain unaddressed in many affected countries;
  - F. whereas, despite the efforts of Governments and increasingly of the international agencies, caste-based discrimination affected people continue to suffer from severe forms of social exclusion, poverty, violence, segregation, physical and verbal abuse linked to prejudices and a notion of purity and pollution;
  - G. whereas untouchability practices remain widespread and take on modern forms; whereas affected communities face restricted in political participation and serious discrimination in the labor market;
  - H. whereas the ILO estimates that the overwhelming majority of bonded labour victims in South Asia are from Scheduled Castes and Scheduled Tribes; whereas forced and bonded labour is particularly widespread in agriculture, mining and garment production industries, which supply products for a number of multinational and European companies;
  - I. whereas non-discrimination in employment is one of the four fundamental labour rights and also included in international guidelines and frameworks for business like the UN Guiding Principles for Business and Human Rights, the OECD Guidelines and the ISO 26000 Guidance for organizations, while in the latter caste-based discrimination is specifically mentioned as a serious form of discrimination;
  - J. whereas governments and authorities of caste-affected countries are urged to take note of the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent and to take all necessary measures to eliminate and prevent caste based discrimination and to address any implementation gaps at federal, state, regional and local level to implement, amend or introduce special legislation and policy measures for the protection and promotion of the rights of Dalit, and similarly caste-affected groups;
1. Condemns continuing human rights violations committed against people suffering from caste hierarchies and caste-based discrimination, including the denial of equality, access to justice and labour, continued segregation and caste-induced barriers to the achievement of basic human rights and development;
  2. Expresses its serious concern that the social exclusion of Dalits and similarly affected

communities leads to high levels of poverty among affected population groups and exclusion, or reduced benefits, from development processes; stresses that it furthermore precludes their involvement in decision making and governance, and their meaningful participation in public and civil life;

3. Remains alarmed at the persistently large number of reported and unreported cases of atrocities and untouchability practices in caste-affected countries, including in India, and the widespread impunity enjoyed by perpetrators of crimes against Dalits and other victims of caste-based human rights violations;
4. Reiterates its serious concern on the violence against Dalit women and other women from similarly affected communities in societies with caste systems, multiple and intersecting forms of discrimination based on caste, gender and religion affecting Dalit women and women from minority communities, leading to forced conversions, abductions, forced prostitution, and sexual abuse by men of dominant castes;
5. Stresses the need to promote an enabling environment for civil society and human rights defenders working with caste-discrimination affected people in order to ensure their security to avoid any impediments, stigmatization and restriction of their work including access to funding, cooperation with United Nations human rights bodies and ECOSOC accreditation;
6. Calls on the EU to promote the draft UN Principles and Guidelines for the Effective elimination of discrimination based on Work and Descent as a guiding framework to eliminate caste discrimination, and promote their endorsement by the UN Human Rights Council
7. Calls for the recognition by the European Commission of caste as a ground of discrimination which must be tackled together with other grounds of discrimination, such as ethnicity, race, religion, gender or sexuality, in EU efforts to fight all forms of discrimination; calls on the EU to consider people affected by caste-based discrimination as an identifiable group in the EU policies and programmes;
8. Urges the Commission and the EEAS to mainstream the fight against caste-based discrimination into EU legislation, policies and programming documents and to adopt operational guidelines for its implementation; calls on the EEAS to enhance monitoring and evaluation mechanisms to effectively assess the impact of EU action on the situation of people affected by this form of discrimination;
9. Recommends the EU to carry out a systematic assessment of the impact of trade and/or investment agreements on groups affected by caste discrimination, and to address these issues with the industry representatives, governmental authorities and relevant civil society organisations;
10. Calls for the inclusion of caste-based discrimination as a human rights issue in future EU human rights policies, strategies and action plans;
11. Calls on the Commission to provide stronger support for development projects combating caste-based discrimination as a serious human rights violation that exacerbates poverty

and to take this form of discrimination into account in all projects with a focus on education, women, access to justice, political participation and labour in relevant countries;

12. Calls on the Commission to develop and apply caste-sensitive approaches in times of humanitarian crisis ensuring that humanitarian aid is delivered to all marginalized groups including people suffering from caste-based discrimination;
13. Urges the EU to raise the issue of caste-based discrimination at the highest level and with Governments of affected countries, during bilateral summits and other international meetings;
14. Encourages the EEAS to strengthen policy and human rights dialogues and promote joint initiatives to eliminate caste discrimination with governments of affected states, including India, Nepal, Pakistan, Bangladesh, Yemen Sri Lanka and Mauritania, as well as Nigeria, Senegal, Somalia;
15. Calls on the Commission and the EEAS to include when relevant a "caste-based discrimination clause" in all trade and association agreements;
16. Calls on the EU to promote regular and broad consultations with civil society on caste-based discrimination and allocate adequate resources to civil society organisations for fighting caste discrimination;
17. Calls on the EU to promote a caste-sensitive post 2015 development agenda with reduction of inequalities based on or aggravated by caste as a crucial and measurable goal ensuring that caste discrimination is explicitly addressed as a major structural factor underlying poverty, and as a root cause of structural inequalities;
18. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Secretary-General of the United Nations and the United Nations Human Rights Council.