

PUBLICATION

Report

International Development

A Human Rights and Poverty Review

EU ACTION IN ADDRESSING CASTE-BASED DISCRIMINATION



[1]

In order to mainstream the fight against caste-based discrimination, the EU, and the EEA S in particular, should utilize all

options with regard to that country, including association agreements, development cooperation or humanitarian assistance.

Caste-based discrimination is a serious human rights violation negatively affecting the political, economic, social, cultural, and civil rights of approximately 260 million people worldwide. This briefing by Susanne Langsdorf (Ecologic Institute) for the European Parliament aims to assess to what extent the EU has integrated the fight against caste-based discrimination in its external relations. Light is shed on the specific situations in Bangladesh, India, Nepal, Pakistan, and Yemen and the European Union's actions to address caste-based discrimination in these countries. Based on the analysis, the briefing elaborates recommendations on how the EU can mainstream the fight against caste-based discrimination into policies, strategies and programmes as well as dialogues with countries with caste systems. The briefing is available for download.

Caste-based discrimination is built on traditional notions of purity and pollution. It is characterised by separation of groups and exclusion of lower castes, hereditary divisions of labor, and hierarchy. The biggest group suffering from caste-based discrimination is the 'Dalits' of South Asia, a mixed group of sub-castes that form the lowest group in the social stratification. Most vulnerable within the Dalit and low-caste community are women, some specific sub-castes, and children.

It is often connected to employment, as castes are mostly created along occupational lines. Members of lower castes are constrained in engaging in society, taking part in religious life, and conducting business. Economic exclusion and restricted access to resources and services result in higher poverty rates among lower castes. Discrimination tends to be aggravated in times of crisis, leaving Dalits especially vulnerable during man-made or natural disasters.

Caste-based discrimination and the European Union

In recent years, the European Union has repeatedly addressed caste-based discrimination in resolutions and reports. The EU has various channels to address the issue. Among them are dialogues with caste-affected countries, development cooperation, humanitarian assistance, and trade relations. In the briefing the author analyzes to what extent these channels are already used in addressing caste-based discrimination and which further channels might be explored. The caste situation and legal provisions in five caste-affected countries - Bangladesh, India, Nepal, Pakistan and Yemen - and the EU's actions with regard to caste-based discrimination have been analyzed.

In the five countries the forms of caste discrimination were similar. However, the legal realities, the awareness of caste-based discrimination, and the way in which it is addressed in the EU's cooperation with the respective country varied considerably. India and Nepal have model legislation to combat caste-based discrimination. Bangladesh and Pakistan have only young Dalit movements and lack of legislation is a problem. In Yemen the "Akdham" is a caste outside the Hindu caste system which suffers discrimination similar to the castes of South Asia and their plight is largely ignored by the government.

In Nepal and India the implementation of existing legislation and access to justice for low castes and Dalits are the most crucial issues for addressing caste-based discrimination. While this is important in all caste-affected countries, lack of legislation is a particularly important issue in Yemen, Bangladesh, and Pakistan. Provisions against discrimination may include criminalizing so-called untouchability practices in the public and private sphere or introducing quotas for the political representation of low castes. The analysis of the EU's cooperation with the five countries

revealed that while "human rights" are a focal point of the EU's relations with Bangladesh, Pakistan, and Yemen, caste-based discrimination is not addressed in the specific instruments and not mainstreamed in dialogues and programmes.

Regarding India, the EU has addressed caste-based discrimination in two resolutions—the Country Strategy Paper (2007–2013) and in some development projects. In dialogues, such as the EU-India summits, caste-based discrimination was not addressed. In the near future India will be treated as a graduated country and will not receive bilateral aid from the EU. Therefore, the EU activities will need to put a stronger focus on dialogues to tackle caste-based discrimination. Action has also been taken with regard to Nepal, where caste-based discrimination is addressed in the Country Strategy Paper (2007–2013). Caste-based discrimination is not thoroughly mainstreamed yet, but caste-based discriminatory practices have been addressed in most projects in Nepal.

Any assessment of actions against caste-based discrimination by the EU must thus take national legislation and existing policy measures into account. Furthermore, the relevant institutions and their functionality need to be considered. However, based on the analysis and drawing from the mainstreaming of human rights in the EU, the author elaborated the following recommendations for the EU:

- Introduce a "caste-based discrimination clause" into all cooperation agreements.
- Provide stronger funding for projects tackling caste-based discrimination.
- Projects in caste-sensitive key areas, such as labor, education, justice, or projects targeting certain groups (i.e., women) should always take caste-based discrimination into account. Minimum recommendations for these sectors need to be elaborated.
- A caste-sensitive approach needs to be applied in humanitarian and development assistance. Training on caste-based discrimination for EU personnel in caste-affected countries needs to be elaborated and given.
- The network of human rights "focal points" could be used to improve information flow on caste-based discrimination.
- Consistent with the resolutions "Human rights of the Dalits in India" and "Caste discrimination in India", the issue of caste-based discrimination should be raised during EU-India summits and other meetings as part of all political, human rights, civil society, development, and trade dialogues.
- Concerning Bangladesh, Pakistan, and Yemen, the EU should work towards more recognition of caste discrimination and support the countries in issuing legislation against caste discrimination and for reservations.
- The EU should endorse the draft UN principles and

guidelines for the effective elimination of discrimination based on work and descent and promote their use.

Consultations with civil society on caste-based discrimination should be held.

The results of the briefing were presented to the European Parliament in February 2013. Both, the [presentation](#) [2] [pdf, 70 kB, English] and the [briefing](#) [3] [pdf, 692 kB, English] are available for download.

Attachments

-  [Langsdorf-Presentation-EP-Brussels_Caste-based-discrimination_2013-02-18_EPversion.pdf](#)

Main Link

[A Human Rights and Poverty Review: EU Action in Addressing Caste-Based Discrimination](#) [pdf, 692 kB, English]

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