

Post-2015 Sustainable Development Goals

Agenda of Dalits in South Asia

About the Asia Dalit Right Forum

The Asia Dalit Rights Forum (ADRF) was instituted in February 2014, by civil society leaders from Bangladesh, India, Japan, Nepal, Pakistan and Sri Lanka to address the common challenges of socially excluded groups in South Asia. It is a platform that works to empower the socially excluded and safeguard their rights and entitlements. Formed in the aftermath of the historic World Conference against Racism at Durban, South Africa in 2001, over the last decade ADRF has become a global advocacy platform for descent and work based discrimination in the South Asia region and global diaspora.

Founding Members

Bangladesh Dalit and other Excluded Rights Movement (BDERM), Nagorik Uddyog

(NU)

India National Campaign on Dalit Human Rights (NCDHR), All India Dalit Mahila

Adhikar Manch (AIDMAM), Navsarjan Trust

Nepal Feminist Dalit Organisation (FEDO), Dalit NGO Federation, Nepal National Dalit

Social Welfare Organization (NNDSWO), Dalit Parliament, Samata Foundation, Jagaran Media Centre, Rashtriya Dalit Network (RDN), Dalit National Federation

(DNF)

PakistanPakistan Dalit Solidarity Network (PDSN)Sri LankaHuman Development Organisation (HDO)

November 2014

Researcher Lopa Ghosh

Concept & Aloysius Irudayam s.j., Dr. Jayshree P. Mangubhai, Lee Macqueen, Meha Thakore,

contribution Rahul Singh, Dr. Sono Khangharani.

Post-2015 Sustainable Development Goals

Agenda of Dalits in South Asia





DALITS AND THE POST 2015 DEVELOPMENT AGENDA

Addressing the hidden apartheid of millions will be key to the success of the SDGs

The world over it has been clearly demonstrated that economic progress and stages of development have little impact on the continuum of inequalities. Consequently, Dalits,1 constituting 260 million people worldwide with the majority residing in South Asia, have fallen off the wagon of progress. This injustice has been perpetuated for centuries by a rigid caste structure. The Dalits are considered impure and polluting and are therefore physically, socially excluded and isolated from the rest of society. This "hidden apartheid" of segregation, exclusion, and discrimination has been gaining prominence on global forums. Discussions on the post 2015 development agenda, set to replace the Millennium Development Goals (MDGs) in 2015, have recognised caste as a key determinant of social exclusion. Discrimination based on caste structures has been referenced in important outcome documents including the UN Development Group Report, 2013 and report from the Global Thematic Consultation on Addressing Inequalities, 2013. We welcome the recognition that impediments of caste would set back the process of development for all. However, it is regrettable that the draft Sustainable Development Goals (SDGs) fail to mention or specifically address discrimination based on work and descent (caste).

Caste based exclusion is a dominant cause for poverty in South Asian countries, which hold 25 per cent of

the world's population and yet 40 per cent of the global poor. In India alone, Dalits comprise 17 per cent of its population. National and international responses to the condition of Dalits in South Asia would determine the success of a sustainable development trajectory that seeks to reduce inequalities. The draft United Nations Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent, 2009 clearly state that "discrimination based on work and descent exacerbates poverty and constrains progress." It is important more than ever for the SDGs to put pivotal emphasis on caste based exclusion.

An intense and participatory consultative process to define a new development agenda has now come to an end. The Open Working Group (OWG), conceptualized at the Rio+20 conference in June 2012 and appointed by the UN General Assembly has scripted the SDGs which will replace the MDGs set to expire in September, 2015. These 17 goals with 169 targets cover a broad range of issues including ending poverty and hunger, improving health and education, making cities more sustainable, peace and security, social inclusion and climate change.

The discussion on a new set of development goals or what has been commonly known as the post 2015 agenda, has incorporated citizens' feedback on an unprecedented scale. From the onset of this process there was a general understanding that the shortcomings of the way in which the MDGs were developed would not be repeated. Extensive outreach functions were established to gather inputs and feedback from civil society and facilitate dialogue on the new framework through more than a 100 national consultations, 11

In this document Dalits will be used interchangeably with the more official Scheduled Caste, Harijans, Untouchables, Outcastes and all other ways in which caste based exclusion is denoted.

global thematic consultations and using innovative technology such as crowd-sourcing. The post 2015 agenda was considered an opportunity to incorporate issues that were part of the Millennium Declaration but were not reflected in the MDGs, the most crucial missbeing addressing inequalities across the spectrum.

An inclusive paradigm – lessons from the MDGs

Fourteen years ago, a pledge was made to end poverty and save the lives of those threatened by disease and hunger. The MDGs have delivered on the promise to a large extent. They have shown that a globally agreed and broad based framework can help to promote policy change and action at different levels. The success of the MDGs is evident in the strong consensus that another set of goals should be agreed upon once they expire in 2015.

The main achievement of the MDGs was in creating a global consensus through which popular support and political action could be mobilised. In donor countries this reflected in increased aid volume, growth of broader campaigns like "Make Poverty History" and global trade reforms. There was a tangible impact on the priority given to poverty reduction, particularly in developing countries, including those which were not aid dependent and had initially resisted the MDG framework as too donor driven. Studies have revealed that across media, public opinion, youth and legislators, the issue of poverty eradication gained currency. Civil society became prominent in driving citizen led campaigns and strengthening a rights based approach.

The latest MDG global report² captures the following breakthroughs:

- Global poverty has been reduced by half ahead of the 2015 timeframe.
- Ninety per cent of children in developing regions now enjoy primary education with reduced gender disparity.
- An estimated 3.3 million and 22 million lives have been saved from malaria and tuberculosis between 2000 and 2012, along with an overall improvement of health indicators.
- More than 2 billion people have access to improved drinking water.
- Political participation of women has increased.
- The Millennium Development Goals Report, 2014, United Nations, New York

Despite the financial crisis, Official Development Assistance (ODA) reached a record high.

In 2000, the Millennium Declaration was adopted, but did not contain the MDGs in their present form. In 2001, a team of UN experts created the MDGs with targets and indicators but without any intergovernmental process. For the initial five years of its existence, the MDGs faced strong opposition and skepticism from governments of developing countries as well as Northern and Southern NGOs. It was only in the latter half of the decade, that the MDGs had gained traction and became an important organizing principle for a large number of development actors. One of the strongest criticisms of the MDGs is the lack of participation in its formulation process, seen by many as UN driven agenda. Some also argue that by focusing on social sectors, MDGs have reduced the importance attached to aid focused on infrastructure, agriculture and industrial development. The MDGs left out some key issues such as climate change, conflict, security, disability. Translation of global goals into nationally applicable targets and policy making was also considered inappropriate for some countries with completely different development trends.3 Most significantly, the MDGs were felt to be inadequate in addressing the structural causes of poverty. It was completely silent on forms of discrimination based on religion, caste, ethnicity as well as income disparities. By focusing on global and national averages it was seen to be masking inequalities.

Despite significant progress on MDGs, some challenges remain unaddressed:4

- Hunger continues to decline but accelerated effort is required in countries which have some of the poorest people.
- A quarter of all children under 5 years are stunted and 162 million children suffer from chronic undernutrition.
- Much more needs to be done to reduce child and maternal mortality. Both are due to preventable causes but remain unaddressed due to lack of appropriate mechanisms and coverage of health
- Children continue to drop out from schools despite higher enrollment.

After 2015: progress and challenges for development, Claire Melamed and Lucy Scott, March 2011, Overseas Development Institute, London

The Millennium Development Goals Report, 2014, United Nations, New York

Adoption of the MDG framework has strengthened statistical systems national and internationally to enable monitoring of development indices. In a lot of cases this has resulted in progressive policy reforms and targeted action. Gaps in data availability as well as quality remain. The most important learning is the need for disaggregated data to help track progress in the most vulnerable and marginalized social groups and map inequalities.

Sustainable Development Goals – a roadmap

December 2011 General Assembly Resolution mandating Secretary General to initiate the Post-2015 process March 2012 UNDP and UNDESA draft papers on UN's vision and roadmap April, May 2012 Meetings on post-2015 held by UN agencies and the civil society: Berlin Civil Society Centre, UNMC, UNICEF, Save the Children, Beyond 2015 May 2012 -Q1 of 2013 UN national consultations and thematic consultations on Post-2015 **June 2012** Rio+20 UN Conference on Sustainable Development - The Future We Want, Intergovernmental Open Working Group established **July 2012** UNSG appoints a High Level Panel of Eminent Persons May 2013 UN High Level Panel delivers report September 2013 UN Special Session on the MDGs **July 2014** Sustainable Development Goals comprise of 17 goals with 169 targets Sep 2014 UN General Assembly, SDGs tabled 2014 - 2015 Intergovernmental negotiation process

Engaging with the SDGs from a Dalit perspective

Accelerated delivery of social justice, income equality and overall well being of the poorest and most excluded social groups is a pre-condition for a credible development agenda. The Rio+20 outcome document (*The Future We Want*, 2012) reaffirmed the need to be guided by the purposes and principles of the Charter of the United Nations, with full respect for international law and its principles. It reaffirmed the importance of freedom, peace and security, respect for all human rights, including the right to development and the right to an adequate standard of living, including the right to food and water, the rule of law, good governance, gender equality, women's empowerment and the overall commitment to just and democratic societies for development. It also reaffirmed the importance of the Universal Declaration of Human Rights, as well as other international instruments relating to human rights and international law.

Given the strong intent and political will to protect the rights of the most vulnerable and the principles on which stand the new framework, the Asia Dalit Rights Forum (ADRF) finds it opportune to engage in the post 2015 SDG process and amplify the voices and concerns of the socially excluded communities.

Importance of the SAARC platform

South Asian Association of Regional Cooperative (SAARC) countries have achieved considerable progress in socio-economic indicators like poverty reduction, education and health. The progress, however, is not uniform across the countries. There are disparities based on caste, ethnicity, religion and gender within the region and communities. Due to lack of access to information and availability of disaggregated data, demanding accountability has been a challenge for the civil society organisations (CSO) of South Asia.

The South Asian Sub-region (SAS) holds a population of around 1.5 billion, which is increasing at the annual rate of 1.8 per cent. This has led to an increasing demand for goods and services resulting in unsustainable consumption of natural resources and resource inefficiency. Rapid population growth is aggravating poverty in the region besides increasing income and development gaps within and between countries.

Four years after the inception of the MDGs, regional heads of state from South Asia came together for the 12th SAARC Summit in Islamabad and adopted the SAARC Development Goals on livelihood, health, education and environment. However CSOs of the region have not been engaged much on the SAARC Development Goals and post 2015 SDGs to have their

concerns, especially of the socially excluded groups of the South Asia region, reflected and captured in the new framework.

Dalit agenda from SAARC countries

The upcoming 18th SAARC Summit to be hosted by the Government of Nepal from 22-27 November 2014 becomes a strategic opportunity to pull together an advocacy push from the civil society of South Asia on inclusion of caste based discrimination (CBD) as a central focus in the SDGs.

The SDGs will be adopted in September 2015 and become a framework for national policies and sociolegal measures. Between now and September 2015 lies a crucial opportunity. It is important to have a regional strategy based on cooperation that will ensure monitoring, accountability and resourcing of the implementation of this global commitment. SAARC provides an appropriate platform to forge those regional linkages and agree on a regional strategy to strengthen the collective Southern voice on equity and social inclusion in the SDGs. The regional agenda of advocacy on Post 2015 and SAARC needs to be collectively evolved between parliamentarians and

members of civil society. It is also critical to establish a dialogue with the parliamentarians of the region. In order for parliamentarians to effectively engage with the development agenda, they must have access to the latest information on developments and trends not only in their own countries, but also across the region.

Regionalization of the SDGs according to SAARC priorities

- Develop a regional framework for the post 2015 SDGs with a focus on SAARC priorities and deriving from the SAARC social charter
- Amend SDGs on inclusion, poverty, health and other relevant goals to include and prioritise CBD
- Commit to strong implementation through national action plans and interim targets
- Set up a mechanism for regional collaboration and accountability on sustainable development, poverty alleviation and social inclusion, elevating cooperation on these to equal status with those on trade and security
- Roadmap for funding of the post 2015 SDGs through the SAARC development funds and other means

Chapter 2

AGENDA OF THE EXCLUDED AT SAARC

Importance of the SAARC platform

South Asian Association of Regional Cooperative (SAARC) countries have achieved considerable progress in socio-economic indicators like poverty reduction, educational attainment and improved health facilities. The progress, however, is not uniform across the countries. There are disparities based on caste, ethnicity and gender within the region and communities. As for the civil societies groups in South Asia, access to information has been often insufficient in enabling civil society to enforce accountability.

The South Asian Sub-region (SAS) holds a population of around 1.5 billion, which is increasing at the annual rate of 1.8 percent. This has led to an increasing demand for goods and services resulting in unsustainable consumption of natural resources and resource inefficiency.⁶ Rapid population growth is aggravating poverty in the region besides increasing income and development gaps within and between countries.

Four years after the inception of the MDGs, regional Heads of State from South Asia came together in Islamabad for the 12th South Asian Association for Regional Cooperation (SAARC) Summit to assess its progress, and adopted the SAARC Development Goals (SDGs) under Livelihood, Health, Education and Environment. However, the civil society organisations have not been engaged much on SAARC SDGs and

5 KushumShakya: Achievements of MDGs in SAARC countries, Journal of pro poor growth, 2013 Post 2015 SDGs to have their concerns, especially of those working for the socially excluded groups of the South Asia region reflected and captured in the new framework.

Dalit Agenda from SAARC countries

The upcoming 18th SAARC Summit to be hosted by the Government of Nepal, from 22-27 November 2014, becomes a strategic opportunity to pull together an agenda from the civil society of South Asia on inclusion of caste based discrimination as a primary focus in the SDGs. It is also critical to engage with the parliamentarians of the region. In order for parliamentarians to effectively engage with the development agenda, they must have access to the latest information on developments and trends not only in their own countries but across the region.

The SDGs will be adopted in September 2015, and become a framework for national policies and sociolegal measures. Between now and September 2015 is a crucial opportunity It is crucially important to have a regional strategy based on cooperation that will ensure monitoring, accountability and resourcing of the implementation of the global commitment.

SAARC provides an appropriate platform to forgethose regional linkages and agree on a regional strategy to strengthen the collective Southern voice on social Inclusion in the SDGs. A regional agenda of advocacy on Post 2015 and SAARC will be collectively evolved between Parliamentarians and members of civil society.

Post - 2015 South Asia Development Agenda, http://www. unep.org/civil-society/Portals/24105/documents/Civil%20 Society%20prior%20to%20E0E/schedule_Overview/ SADA%20ExecutiveSummary.pdf

DALITS IN **SOUTH ASIA**

A brief profile

There are both commonalities and differences in the way that caste manifests on the ground across the region, the universal features being inequality and discrimination. Dalits in all these countries can be easily identified by the 'unclean' occupations they are forced into. Therefore a person sweeping and lifting garbage in public places, cleaning public latrines and sewer lines, dealing with dead bodies of humans and animals, engaging in casual daily wage labour on land and elsewhere generally is a Dalit. They also are distinguished by their segregated living spaces with severely restricted access to public and private services of housing, water and sanitation, health, education, markets, land and employment. As a consequence, there is a large gap between the general population and Dalits in terms of most human development indicators, with Dalit women at the bottom of the scale. Any resistance from the Dalits to undertake occupations assigned to them usually result in violence.

Of the South Asian countries, some collect and provide official data on the situation of Dalits, while others have not initiated such efforts so far. Given these limitations, what follows is a brief profile of Dalits, their livelihood, overall development parameters and the discriminations they face in the South Asian countries.

Over 210 million Dalits live across South Asia

201 million

in India (16.6% of the total Indian population)

3.5 million

in Nepal (13.2% of its total population of 26.5 million)

3.5 to 6.5 million

in Bangladesh (3-4% of total population)

330,000

in Pakistan (13.6% of its 2.44 million Hindu minority population)

4 to 5 million

in Sri Lanka (20-30% of total population)

Status of Dalits in the Region

NEPAL:

In Nepal, the National Dalit Commission has listed 26 castes as Dalits, including 7 Hill Dalit castes and 19 Terai Dalit castes. According to the Nepal Human Development Report 2014, Dalits are among the poorest of the poor and one of the most vulnerable social groups in the country, with no security of livelihood or life. Their socio-economic status is consistently lower than the national average: 43.6% of Hill Dalits and 38.2% of TeraiDalits are below the poverty line, as compared to the national average of 25.2%.

Caste-based discrimination and 'untouchability' is ubiquitous in Nepal perpetuated through long held customs and practices:

- Hundreds of forms of caste discrimination and 'untouchability' are documented in studies - these include prohibition of inter-caste marriages, denial of access to common water sources, temple entry and social boycott.⁷
- Segregated settlements in both rural and urban areas; prejudice prevails in urban areas where Dalits fail to find rental housing.
- Religious and cultural practices discriminate against Dalit women such as the practice of Badi women being forced into prostitution as a caste occupation.

Widespread violence and insecurity of life distinguish the lives of Dalits in Nepal

Dalit CSOs have noted cases such as killings, torture, abduction, disappearances, beatings, threats, displacement, boycotts, rape, sexual abuse, trafficking and verbal abuse as some of the key forms of caste-based violence that Nepali Dalits endure. This situation is compounded by little access to justice for such rights violations, despite the existence of the Caste based Discrimination and Untouchability (Offence and Punishment) Act 2011.

INDIA:

India is home to the largest population of Dalits in the world. The caste system has religious sanction and is reinforced by cultural customs. Formally termed Scheduled Castes (SC) by the Indian government, over three-quarters (76.4%) live in rural areas while less than a quarter (23.6%) live in urban areas. Due to historical and continuing caste discrimination, Dalits today continue to be among the poorest of the poor, congregated in the informal sector as landless, daily wage labourers in farm and non-farm occupations, with extremely low levels of education and health. With the exception of a small minority who have benefited from India's policy of quotas in education and government

7 Bhattachan, Krishna Bahadur. Existing practices of castebased untouchability in Nepal and strategy for a campaign for its elimination, Action Aid Nepal. jobs, Dalits continue to face severe forms of social injustice:

- Relegated to menial tasks due to lack of employment opportunity.
- Dalit children sold into bondage to pay off debts to dominant caste creditors.
- Unequal economic opportunities due to caste structures; Dalitshave failed to access the benefits of globalization and market liberalization.
- and human rights violation which include being prohibited from public and community spaces such as wells, temples, claiming land that belongs to them legally, segregation of Dalit habitats, made to perform degrading rituals in the name of caste, violent reactions to inter-caste marriages, 10 discrimination of Dalit children in schools. 11 Dalit girls are forced to become prostitutes for dominant caste patrons and village priests under the 'devadasi' system, and face sexual abuse and other forms of violence by landlords and the police to inflict political "lessons" and crush dissent within the community. 12

High rates of crime related to caste based discrimination:

Overall, a total of 33,719 crimes against scheduled castes have been officially reported in 2011, with a significant increase in the incidence of murder (18.1%), rape (15.4%), kidnapping and abduction (20.5%) and arson (12.7%) over the year 2010.¹³ There is also the impunity to perpetrators: the average conviction rate for crimes against scheduled castes stood at 31.8% as compared to the overall conviction rate of 41.1% for general cases under the Indian Penal Code that year. Due to the legal safeguards that exist, a strong civil society, presence of Dalit intellectuals, leaders and prominent figures, self assertion has been strong amongst the Dalits of India. This is turn leads to violent backlash frequently.

⁸ Census of India, 2011.

⁹ Census of India, 2011, National Sample Survey Organisation data, National Family Health Survey data and MHRD Selected Education Statistics data.

¹⁰ See Senthalir, S., 2012. 'Caste Fire in Dharmapuri, Tamil Nadu', Economic and Political Weekly, Vol - XLVII No. 52, December 29.

¹¹ See Ramachandran, V. and T. Naorem, 2013. 'What it means to be a Dalit or Tribal child in our schools', Economic and Political Weekly, Vol - XLVIII No. 44, November 02.

¹² Irudayam, A. et al, 2011. Dalit Women Speak Out: Caste, Class and Gender Violence in India. New Delhi: Zubaan.

NCRB, 2012. Crimes in India 2011. New Delhi: NCRB, table on incidence of crimes against scheduled castes.

BANGLADESH:

Bangladesh has a Muslim majority (90%) and a Hindu minority (9%). Almost 25% of the Hindu population are Dalits. The Hindu Dalits are generally categorized as 'Harijons' and the Muslim Dalits as 'Arzals'. The primarily caste-based system of exclusion takes a complex shape in practice. Class, citizenship, religion, gender intersect with caste to deepen the nature of discrimination. Dalits are largely identified by their specific caste names associated with their traditional caste-based occupations such as fishers, sweepers, barbers, blacksmiths, goldsmiths, cobblers and oil-pressers.

Extreme forms of exclusion and human rights violation include the following:

- Denied access to public spaces including places of worship, social gatherings, restaurants, movie theatres, burial grounds, cultural events.¹⁴
- Dalit women face extreme discrimination such as forced labour for cash or food, trafficking and forced migration to Arab nations as domestic help.
- Discrimination in schools from admission to segregation in seating.
- **Income inequality** with more than 78% of Dalits surviving on an income of less than Tk.5000
- Employment in most vulnerable conditions in low paying traditional caste occupations such as cleaning, sweeping and manual scavenging
- **Limited access to public services** of water, sanitation and electricity
- Absent from public administration services or public decision making bodies.
- Condition of Muslim Dalits are worse than those of the Hindu Dalits in some areas¹⁵
- **Abject housing conditions,** segregated settlements with little or no basic amenities
- Routinely face severe human rights violation and violence such as abduction, rape, torture, destruction of houses, land grabbing, eviction from land, threats and intimidation.
- IDSN, 2012. 'Discrimination against Dalits in Bangladesh', IDSN Briefing Note. http://idsn.org/fileadmin/user_folder/pdf/New_files/Bangladesh/Bangladesh_briefing_note_2012.pdf.
 Ghanshyam Shah and S. Jodhka, 2010. "Comparative Con-
- 15 Ghanshyam Shah and S. Jodhka, 2010. "Comparative Contexts of Discrimination: Caste and Untouchability in South Asia" in Economic and Political Weekly, Vol. 45, No. 48, Pp. 99-106
- 16 IDSN, 2012. 'Discrimination against Dalits in Bangladesh', IDSN Briefing Note. http://idsn.org/fileadmin/user_folder/pdf/ New_files/Bangladesh/Bangladesh_briefing_note_2012.pdf.

PAKISTAN:

While the word 'Dalit' is not mentioned in any official document, estimates suggest that Dalits form 90% of the total Christian and Hindu population in the country, concentrated mainly in Sindh, Punjab and Baluchistan provinces. Add to this the 'lower castes' within the Muslim community and the Dalit population is even higher. Such is the exclusion and invisibility of this social group that the dominant caste Hindu minority has moved to erase the words 'scheduled caste' from the gazetteer.

- Most of the Dalits live in remote rural areas and lag behind in all spheres of life, including education, health and employment opportunities.
- **High incidence of poverty**, lacks all basic amenities including toilets,
- Own no land or are mostly small and marginal landowners.
- Over 48% of scheduled castes work as agricultural workers and daily wage labourers, drawing lesser wages than the dominant castes.
- Bonded and child labour is a frequent occurrence; children are often forced work abject conditions.¹⁸

Dalit women have little or no representation in any political or processes or institutions. Especially in rural areas of Sindh, they face severe challenges in accessing education. Many are forced into traditional forms of bonded and debt labour in rural areas in both agriculture and in the brick kilns and sexually abused. Kidnappings and forced conversions of young Dalit women also occur frequently, reportedly with total impunity for the offenders and with the consent of the authorities. ¹⁹

SRI LANKA:

In Sri Lanka, there is no common identity as 'Dalits' among the 'lower' castes and it has been difficult for them to organize themselves as a community.²⁰ This is partly due to the existence of three parallel caste systems practised by the three major ethnic groups of

¹⁷ Upadhyaya, Krishna Prasad, 2008. 'Poverty, Discrimination and Slavery: The Reality of Bonded Labour in India, Nepal and Pakistan'. London: Anti-Slavery International.

Human Rights Council, 2006. 'Progress report of Mr. Yozo Yokota and Ms. Chin-Sung Chung, Special Rapporteurs on the topic of discrimination based on work and descent'. UN Doc. A/HRC/Sub.1/58/CRP.2, p. 14.

Human Rights Council, 2006. 'Progress report of Mr. Yozo Yokota and Ms. Chin-Sung Chung, Special Rapporteurs on the topic of discrimination based on work and descent'. UN Doc. A/HRC/Sub.1/58/CRP.2, p.17.

²⁰ http://idsn.org/country-information/sri-lanka/

the country, viz, the Sinhalas (around 74 per cent of the total population), the Sri Lankan Tamils and the Indian Tamils (together making for around 20 per cent of the total population). Each of these systems is based on the idea of hierarchy and discrimination, while there is no uniformity in the notion of untouchability. The importance of caste hasdiminished over the years, some pockets of caste discrimination continue to exist. Sri Lanka also has witnessed certain new forms of caste discrimination which have emerged in the plantation economy.

In Sinhala society, lower ranks in the caste hierarchy are most excluded from power, land ownership and dignity. Many Dalits continue to perform menial services assigned to them. Living conditions have improved gradually due to opportunities offered by the Sri Lankan welfare state. But these opportunities have not evenly benefited all such caste groups or all members within a specific caste group. Hence, there are many depressed caste pockets where extreme poverty and continued pressure to pursue hereditary caste occupations exist.

The caste system among Sri Lankan Tamils, especially in Jaffna, is most rigid with clearly defined patterns of discrimination and social rejection driven by a religiously articulated notion of untouchability. Those at the bottom of the caste system and those internally displaced during the civil war have no land ownership or any other resources to reconstruct their lives. In war and tsunami affected areas of Eastern Sri Lanka too, caste appears to be of considerable importance in identity formation, local politics as well as in processes of social discrimination.

Indian Tamils working in the plantations in Sri Lanka are from the Dalit castes of South India. They are among the poorest communities, adding to their social marginality. They have the lowest life expectancy and the poorest quality of life. In urban areas, the sanitary labour communities are Dalits of Indian origin. ²¹

Shared Concerns and Challenges of Dalits in South Asia

Across the countries of South Asia, caste discrimination and violence continue to mar the lives of the Dalits. It is critical to acknowledge the historical exclusion and discrimination of Dalits for the eradication of poverty and the overall development of the region. While colonial classifications have identified caste with Hinduism and India, it is a pan-South Asian phenomenon that cuts across religion. The similarities of ascribed 'unclean' occupations, forced labour or labour performed under substandard conditions, segregated living spaces, poor living conditions and little or no access to resources and services, discrimination and violence are stark. Within the community, Dalit women face multiple oppression for being poor, Dalit, woman and minority (religion in Pakistan, Bangladesh and Sri Lanka and linguistic in Sri Lanka). This enhances their vulnerability to exploitation and egregious forms of violence. It is critical to develop a sensitive human rights based approach, improve implementation, strengthen laws that define the vulnerability, violence and deprivation adequately and include mechanisms for accountability.

²¹ Silva, K.T., PP.P. Sivapragasam and P. Thanges, 2009. 'Caste Discrimination and Social Justice in Sri Lanka: An Overview'.

Chapter 4

STATE RESPONSES: EXISTING CONSTITUTIONAL AND LEGAL SAFEGUARDS FOR DALITS

Colonial classifications identified caste with Hinduism. As a result, apart from India and Nepal, other South Asian countries do not recognize caste based exclusion and discrimination of Dalits. In Nepal and India, Dalits are officially recognized within the majority Hindu population, as a separate demographic category. Both constitutions uphold their rights as do various laws, policies and schemes. Bangladesh, Pakistan and Sri Lanka identify Dalits with the Hindu minorities and do not acknowledge their existence in the majority Muslim and Sinhala population. Systematic enumeration of Dalits is not carried out. No laws, mechanisms, policies and schemes exist to address their vulnerabilities and deprivations.

Nepal

The Interim Constitution 2007 of Nepal prohibits untouchability and aims to progressively dismantle the unitary state structure for a more inclusive society. Various legal measures have been put in place including the Caste-based Discrimination and Untouchability (Offence and Punishment) Act, 2011 which seeks to protect Nepali citizens from a caste and untouchability related crimes such as preventing access to public good and services, compelling someone in a particular occupation or preventing an inter-caste marriage. Government schemes exist to reduce discrimination in areas of education, inter caste marriage and bonded labour through school feeding programmes, scholarships, reservations, incentivisation of inter caste marriages and rehabilitation of those in vulnerable employment. Specific safeguards in the form of affirmative action in government – civil services, police

and the army – employment and 13 per cent seats in the Constituent Assembly are some important measures. The state, however, has failed to support these initiatives with appropriate budgetary allocation. The 13th Three-Year Plan of Nepal allocates a small portion of the general budget for education and housing needs of Dalits. There are no serious financial commitments yet to lift this population from poverty and deprivation. However the second Long-Term Health Plan (1996-2016) promises to make basic free health services available to all and pledges to improve access for socially disadvantaged citizens including Dalits.

Strong institutional mechanisms such as the National Dalit's Commission, The Dalit Upliftment Board, Badi Development Board have been proposed. Due to lack of adequate resources and undue political interference none of these implementation bodies have been active so far.

India

The Constitution of India 1950 provides a rights-based framework and upholds unequivocally the right to non-discrimination on the basis of caste (Article 15), the right to equality before and equal protection of law (Article 14), a ban on the practice of 'untouchability' (Article 17). In addition the Indian state is committed to promoting the educational and economic interests of Dalits, protecting them from exploitation, affirmative action via quotas in government jobs and education (Article 46). Special laws have been enacted such as the SC and ST (Prevention of Atrocities) Act 1989 and the DevadasiSystem Abolition Acts. All these laws are in

addition to general civil and criminal laws applicable to protect their rights and other provisions for inclusion in all major policies.

A number of national policies exist to safeguard Dalit rights. Equality or inclusive growth has been the main tenet of the 11th and 12th Five Year Plans. The Right to Education Act attempts to remove all forms of discrimination in education. Likewise, National Health Policy, National Urban Housing and Habitat Policy and National Water Policy pledge to improve access for the socially disadvantaged. Three types of government schemes currently exist that specifically provide entitlements for Dalits, especially those living below the poverty line:

- i. targeted provisions for SCs under schemes for national rural drinking water, rural livelihoods, housing, self-employment, education scholarships, hostels and residential schools and health insurance
- rehabilitation schemes for bonded labourers, devadasis, manual scavengers and child labourers in hazardous industries and
- iii. 'promotive' schemes such as for inter-caste marriages, local cost sanitation for liberated scavengers, credit towards purchase of land by SCs, land redistribution schemes for landless labourers, etc.

One of the most significant policy measures is the Scheduled Caste Sub Plan, which mandates Plan fund allocations in proportion to the national/state SC population. These funds should be spent only on programmes that have a direct benefit to SC individuals and families, or to SC habitations. The central government also provides Special Central Assistance (SCA) to the state governments for the SC Sub Plan and for implementation of SC/ST (PoA) Act.

A number of government institutions are established to specifically safeguard and promote Dalit rights. The Ministry of Social Justice and Empowerment, which has counterparts in all the states and union territories, is the nodal agency for the overall policy, planning and coordination of programmes for the development and welfare of Scheduled Castes.

Despite progressive policies and targeted measures, the social reality of Dalits in India continues to be dismal. Implementation of state measures remains a serious challenge as does deeply entrenched prejudices which affect the delivery of service and justice. Budget provision is impressive but actual allocation is far from satisfactory. Allocations are often redirected to be spent under general schemes and programmes applicable to all communities.

Bangladesh

The Constitution of Bangladesh does not have any direct or explicit provisions on caste save Article 28, which mentions: 'The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth". Beyond the mention of caste as one form of discrimination, there are no special references to Dalits or 'untouchability', nor a call for economic and social development of excluded groups. Affirmative action does not exist in employment or education opportunities. Six public universities introduced quota for Dalit students from academic year 2014-15 (Dhaka University introduced from 2013-14). None of the national policies on Education, Health or Housing refer to caste-based discrimination and 'untouchability' or put in place measures required to address this problem. Recently a few schemes were introduced for the upliftment of Dalits, Bedes (river gypsy), Harijons and other marginalized communities. Only in the recent times has the government allocated resources specifically for the Dalit community. There are no specialized institutions to safeguard or oversee Dalit welfare. Years of advocacy and sensitization has brought discrimination under scrutiny. The National Human Rights Commission has received capacity building support from UNDP, recruited commissioners. The Law Commission has submitted the draft of Antidiscrimination Act to the Ministry of Law, Justice and Parliamentary Affairs, which explicitly acknowledges and seeks to redress CBD.

Pakistan

In Pakistan, the Constitution prohibits caste based discrimination but there are no legal or administrative measures to address the problems, no reservation for scheduled castes in the parliament, the provincial assemblies nor local governments. There are laws for the abolition of Bonded Labour and a National Action Plan, but ILO has listed Pakistan among the countries with the worst form of bonded labour and child labour. While there are constitutional safeguards in place to prohibit caste-based discrimination in Pakistan, the government has not made a serious effort to implement or enforce those laws. Scheduled Caste populations in Pakistan continue to suffer high degree of poverty,

as no major provisions have been made. As a matter of concern, several discriminatory laws and policies exist that deepen the impoverishment of the Dalits. A Bonded Labour Fund, established in 2003 for the welfare of the children of released bonded labourers, remain unused. The labourers continue to live in camps in the outskirts of Hyderabad in subhuman conditions. Similarly, a law ensuring 6 per cent employment quota in government services was scrapped in 1998 during the regime of Prime Minister Nawaz Sharif.

Sri Lanka

Article 12 of the Constitution of Sri Lanka provides that all persons are equal before the law and entitled to equal protection. According to paragraph 2, "no citizen shall be discriminated against on grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds", while paragraph

3 stipulates that "no person shall, on the grounds of race, religion, language, caste, sex or any one of such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of worship of his own religion". Although the right to work enjoys no constitutional protection, the Supreme Court has "upheld the principle of equality of opportunity of advancement in the Public Service irrespective of race, caste, religion, etc." Welfare policies of the government from 1930 onwards assume universal coverage in providing services; no reservations of any kind have been introduced to address hereditary disadvantages of the deprived caste groups. In most, the Dalitsdeny or ignore the existing inequality and choose coping mechanisms such as overseas migration, migration to cities or new settlements and change of name.

Chapter 5

BLUE PRINT OF THE NEW FRAMEWORK: WILL IT TRANSFORM?

The zero draft of SDGs prepared by the Open Working Group is a historic document which will replace the MDGs in 2015. It is the result of an exemplary and extensive global process, truly participatory in nature, enriched at the same time by inputs from significant global conferences, pledges and treaties. The MDGs called to End Poverty Now! having faith in the rare political consensus and commitment made by 189 heads of states to the Millennium Declaration. The SDGs are being drafted in more difficult times, a planet at peril and in a world more resource constrained than ever. Significant learnings from the MDGs and deliberations over the past decade on key issues, a new generation of technology enabled information, empowered citizenship and strong political intent have backed the new development agenda. It carries upon itself the onus of strengthening the social dimension, a major drawback of the MDGs. Given the urgency of issues such as rights of children, empowerment of women and girls, the need to end inequalities of all forms and achieving sustainable development, this document must have transformative potential and set new principles. Inclusion was considered to be the cornerstone of the path ahead.

We attempt an analysis of the proposed SDGs from the point of view of caste based exclusion. Even as local governments must bear the responsibility of ending specific forms of discrimination, the historic exclusion faced by Dalits must feature as a violation of human rights in all global and trans border cooperation or relations. The global framework must now more than ever attempt to devise tools and measures to end exclusion of all forms. This analysis is by no means comprehensive. Since caste based exclusion has been

largely overlooked in most global deliberations, this document is an attempt to showcase how the most marginalized ought to have been the primary participants of the new development process.

The Chapeau: An ordinary beginning

The Chapeau text in the zero draft of the SDGs is an opportunity to set ideals. While we welcome that it upholds a rights based framework, including the rights to development, water and food, and emphasises on governance, accountability and inclusion, the text falls short of being inspirational. We welcome the assertion that "people are at the heart of sustainable development", commend the call for global cooperation and the recognition that different countries adopt culture specific mitigation measures as well as the fact that developing countries are resource constrained.

There is a strong focus on reiterating existing policy instruments and declarations such as Agenda 21, Johannesburg declaration, Monterrey Consensus, Millennium Declaration and MDG outcome document. To set the context and ensure continuity it is prudent that past learnings and commitments should be evoked. However none of that legacy lays the basis for a transformational agenda. The SDGs in themselves are commendable, strong and a response to the exceedingly complex global reality. They put sustainability at the heart of progress, well being and justice. We feel that despite the intent, the chapeau is a weak attempt at making this connection, of establishing the urgency of this imperative. It falters particularly in addressing the catalytic and structural issues of exclusion. That

extreme inequality exacerbates poverty and undermines economic growth is a premise well established, and should be clearly reflected in the chapeau.

We also feel that given the exemplary consultation process that was mobilized worldwide for the post 2015 development framework, it is an opportunity lost that the chapeau text does not acknowledge those inputs. The participatory methodology of the national consultations and thematic meetings included a series of meetings and yielded a document on inclusion of the most marginalized in the new bid to eradicate poverty. Much of the advocacy, research and inputs were focused on evolving process based indicators that would address the structural barriers to equality. Despite references to the poorest and most marginalized and a standalone goal on creating an inclusive society, the new framework fails to address the causes of this deep rooted deprivation and hegemony.

The chapeau text makes a strong case for sustainability, recognizing the challenges faced by vulnerable and conflict prone countries in achieving sustainable growth. It also acknowledges cultural diversity and the differentiated manner in which cultures and civilisations may contribute to sustainable development. However, apart from this distant reference to cultural heterogeneity, increasing polarization despite and because of globalization, the deep rooted causes of exclusion and social and economic injustice do not fall within the scope of this document. Unless exclusion is defined or called out it cannot be addressed. Since at the heart of exclusion is a moral and ethical failure which cannot be overcome merely through policy measures, a paradigm shift is missing from the intention as well as prescription of the chapeau.

We note with regret that caste based discrimination, a cause for human rights violations impacting the social, economic and political rights of over 260 million people worldwide, finds no mention in the document.

Goal 1: End poverty in all its forms everywher e

Good intent, expands the meaning of well being but lacks punch

A key lesson that has emerged from the MDGs is that unless the poorest and most vulnerable are lifted out

of perpetual poverty and social injustice, development targets will not be met. In its closing analysis, MDG reports have cited the need to focus on the conditions of inequality, the widening income gap, disparity in nutritional intakes, health access, etc. Goal 1 of the SDGs fails to make this urgent connection between poverty and inequality.

Social protection floors (target 1.3) are inadequate unless specifically directed at those who exist at the margins of society, lacking either confidence, access or means to legitimize their identities.

We welcome target 1.4 which expands the imperatives of a poverty free life beyond access to basic services, pledging by 2030 "equal rights to economic resources, as well as access to basic services, ownership, and control over land and other forms of property, inheritance, natural resources, appropriate new technology, and financial services including microfinance."

Omission of access to employment and decent work from the goal on poverty seems to be in keeping with the neo liberal approach of the SDGs. Livelihood or decent work, of significant import to socially excluded communities, has been instead anchored under economic growth.

Global cooperation is acknowledged as the key means to implementation (target 1.a), but watered down significantly. Resource commitment from developing countries has been aggregated as 0.7% of GNI in ODA to developing countries under Goal 17, target 4. We also note that national governments have not been made accountable towards inclusive budgeting. A target on monitoring of actual delivery of services and proper implementation of schemes is an urgent necessity from the perspective of caste based discrimination.

Goal 2: End hunger, achieve food security and improved nutrition, and promote sustainable agriculture

Pressing concerns such as malnutrition and vulnerabilities of the small and marginal farmer undermined

We urgently call for interim timelines and quantifiable targets under the goal on hunger. Malnutrition and related deficiencies are pressing emergencies that need

to be addressed with more commitment. Dalits of South Asia are left out of the food chain as they often fail to avail of public distribution system or access community food dissemination points and kitchens. Hence overarching policy measures fail to provide safety net in cases where they are most needed. The assertion of nutrition security is a weak one.

We welcome target 2.4 on improving agricultural productivity specifically for the marginalized groups, but note with regret that caste based discrimination or discrimination based on work and descent does not find a mention. Landless, deep in debt, farm labourers and subsistence farmers are almost always Dalits, subjected to the most deplorable forms of oppression. We are concerned that a technical response to food productivity once again ignores calamitous tragedies such as the farmer suicides of South Asia.

Goal 3: Ensure healthy lives and promote well-being for all at all ages

Market driven approach a cause for great concern

The goal on health needs to be stronger with a clear commitment to universal, tax financed healthcare systems. Universal Health Care – widely agreed upon as the flagship approach, finds no mention. From the viewpoint of marginalised communities, who have poor health, non-discriminatory and affordable healthcare is a priority. Yet currently the pledge to ensure healthy lives for all does not outline the central role of the state and the urgent need to make healthcare affordable.

Goal 4: Ensure inclusive and equitable quality education and promote life-long learning opportunities for all

Ignores discrimination and barriers of access faced by children of the marginalized communities

Dalits have been historically and systematically excluded from education. Despite strong policy measures such as the Right to Education Act in India and despite an overall improvement in the achievement of universal primary education across the region, Dalit children continue to face oppressive conditions at school

forcing them to drop out. The goal on education does not take into account realities such as violence and extreme harassment targeted against children from the marginalized communities by peers as well as teachers. "Safe, non-violent, inclusive and effective learning environments for all" is to be achieved through upgraded education facilities, as outlined in Means of Implementation 4.a. We are concerned at this weak interpretation of what constitutes structural barriers emanating from deeply embedded prejudices, cultural norms etc. No means of protection have been provided for victims of caste based discrimination who undergo significant trauma as well as abuse. The focus of the targets seems to centre primarily on the tangibles of education - teacher qualification, vocational skills, gender disparity, scholarships etc. While these continue to be imperatives of ensuring affordable and universal education, they do not build on the baseline already created by the MDGs.

Dalit children do not find constructive representation of their community and culture in the curriculum further alienating them from education. The curriculum and text book reviews need to include Dalit leadership and adequate representation and diversity should be ensured. Teachers need special support to build an inclusive and supportive environment for Dalit and other marginalized children in the school and class rooms. Private education increasing the inequalities in education is a worrying trend, and needs strict state measures to regulate private education and promote inclusion even there.

Early child hood care and education are recognized to be important for education and development. Majority of Dalit children do not access this service despite universal coverage mandated in India. This early impediment to education should be urgently addressed.

Goal 5: Achieve gender equality and empower all women and girls

Improvement on MDG 3 but falls short of being a central pillar

A stand-alone goal on the empowerment of women and girls is certainly welcome and it does make a praiseworthy attempt to address the intersectionality of deprivation. We applaud target 5.2 for tabling the need to "eliminate all forms of violence against all women and girls in public and private spheres." Our

concern is that it does not adequately represent the multi dimensionality of oppression. We recognise that the goals and targets must retain brevity and simplicity. Hence, it is regrettable that the chapeau text fails to establish an overarching gender transformative, gender inclusive and gender responsive framework for all goals and targets. It is crucial to acknowledge that women from the excluded communities face extreme and atrocious forms of injustice, and are among the most vulnerable even among vulnerable and marginalised communities. The document could rise to the occasion and underpin the fact that in health, education, food security, right to water, land and housing rights, peace and conflict, women are the worst sufferers, with therefore the need for specific commitments under each goal.

Goal 6: Ensure availability and sustainable management of water and sanitation for all

Apropos urgency accorded but need to make goal more people centric

The goal on water and sanitation is to be commended for taking water related deaths into account and proposing various technological interventions for better water supply. There is a pressing need to consider climate resilient water resource management for extremely arid or natural disaster prone areas. We also note the lack of a people centric approach in management and ownership of water bodies and dispensation points. Dalits and the most excluded fail to overcome barriers at the point of access to water and sanitation. Moreover, we note that across South Asian countries most sanitation workers are Dalits, who work in the most deplorable conditions. This includes the prevalence of Dalits engaged in manual scavenging or cleaning of sewer lines. Hence, target 6.2, while commendable in committing to the end of open defecation, could go further in calling for an end to all manual scavenging of any kind.

Goal 10: Reduce inequality within and among countries

A much anticipated goal but room for improvement

A stand-alone goal on inequality has been one of the strongest outcomes of the global consultations on the post 2015 agenda. However this eagerly anticipated

goal meets expectations partly. Measures continue to be prescriptive addressing certain outcomes and proposing policy fixes. Laudable effort has been made to address inequality between countries or globally through renewed commitment to ODA, stringent migration laws and rehabilitation measures, differentiated approach under the WTO. Important commitments have been made to end discriminatory laws and practices (target 10.3), promote social protection policies (target 10.4) and to enhance the participation of developing countries in decision making (target 10.6). However inequality within countries and communities have not been touched upon nor the national governments held accountable to addressing conflicts and exclusionary practices that negatively affect the equal distribution of resources and opportunities within the state or society. We regret the limited view taken of exclusion and that the targets do not delve into the systemic causes of uneven development and poverty. In the case of caste based discrimination, for instance, little can be achieved unless historically held prejudices and cultural practices often enshrined as rituals and non negotiables are questioned and dismantled. This calls for an overhauling of the way in which service delivery, last mile monitoring and accountability are perceived. A review of the macro-economic policies and market imperatives that deepen exclusion has not been attempted. Most of the targets are quick fixes that will not unseat the worst and most entrenched forms of injustice faced, for instance, by the Dalits of South Asia.

Goal 12: Ensure sustainable consumption and production patterns

Perfunctory emphasis on the role of private sector, consumption patterns of the wealthy

What needs to be questioned and brought under the spotlight more prominently is the role of the private sector, the impact of the wealthy and profiteering on sustainable consumption. Yet again the goal on consumption and production fails to point out the cultural and social causes behind irresponsible consumption patterns. Wastage of food should have been linked to lifestyles, retail chains, the tourism and luxury industry instead of to post harvest losses. It trains the lens indirectly on the need for food stockpiling for instance - an imperative in countries reeling under food injustice. We commend the inclusion of target 12.8 which recommends "lifestyles in harmony with

nature" but call for the developed countries to shoulder the responsibility, promote a North-North cooperation and moderation of the media and popular culture in perpetuating the cult of excess.

Target 12.6 calls for companies to incorporate "sustainable development principles in their business practice" but does not provide the means to hold defaulters accountable. Setting down reporting obligations is a weak attempt to improve corporate governance and ethics, directly watering down the claims and voices of the vulnerable communities.

Goal 13: Take urgent action to combat climate change and its impacts

Link between poverty, justice and climate change is tenuous

Agriculture will be impacted by climate change due to changing weather patterns, severity of droughts, monsoons etc. The small and marginal farmers as well as those in allied sectors livelihoods such as fishery and livestock have no protective shields. The link between climate change and conserving bio diversity is also extremely crucial for the livelihoods of Dalits, as many survive on eco systems and related services that are in obvious peril.

A generic approach to climate change, adaptation and mitigation strategy as well as implementation as suggested in Target 13.2 is best avoided to account for local, regional and cultural differences – an issue that has been contentious all along. Now is the opportunity to amend that decisively. The Dalits, most marginalized sea tribes and various other social groups devise their own culture specific adaptive measures that should be fostered.

The poorest are pushed to marginalized spaces due to inadequate land reforms and encroachment of commons by the powerful sections of society. Once again the role of private sector, extractive industries in particular become crucial. Natural disasters such as floods and cyclones or the effect of erosion compels the landless Dalits to move further away into insecure spaces of habitation. Given that the linkage between social good and environment is a fundamental premise of sustainability, the goals and targets under climate change, protection of oceans, forests, bio diversity ie, Goals 13, 14 and 15 collectively do little to protect environmental justice.

Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Limited interpretation and representation of violence

The open ended target 16.1, which refers to 'significantly reducing all forms of violence and related death rates everywhere', is an extremely problematic and hegemonic proposition. Its impact on the most marginalised will vary according to the nature of authority and could be capable of promoting militarism and undemocratic state action. Legal instruments such as the Armed Forces (Special Powers) Act in India or the containment of naxalism in India and Nepal are instances of how state action towards the stemming of violence seriously jeopardises the most excluded. Violence in this case is made to bear the connotation of rogue-ism or terrorism - essentially a Northern perspective. It does not take into account violence emanating from the repression of civil disobedience and protests of the marginalised against their untenable conditions of oppression and exploitation. At the heart of conflict everywhere around the world is deprivation of some form or the inability to manage cultural heterogeneity. The "protection of "fundamental freedoms, in accordance with national legislation and international agreements" (target 16.10) makes a tenuous reference to the peril of vulnerable communities or those resorting to violence as a form of protest. But it is a weak statement and curiously clubbed with public access to information, which is by itself extremely important and ought to have been qualified further.

On the other hand, the eradication of corruption, bribery, illegal arms trade, etc. are important points that have been made. From the perspective of Dalits, the targets 16.3 on 'ensuring access to justice for all' and 16.6. on 'developing effective, accountable and transparent institutions at all levels' are especially welcome. Given the fact of widespread impunity for caste based discrimination and violence against the Dalit, there is an urgent need to develop effective measures to ensure the implementation of laws and ensure justice. This requires a complementary focus on building effective institutions committed to social justice and the impartial enforcement of the law.

A RESPONSE TO THE PEN WORKING GROUP'S T SDGs FROM THF ALIT PERSPECTIVE

Making the SDGs truly inclusive: Recommendations for the way forward

The zero draft of SDGs prepared by the OWG is a historic document which sets the agenda for the replacement of the MDGs in 2015. Given the urgency of the need to end inequalities of all forms, this document must have transformative potential and set new principles. We have attempted an analysis of the proposed SDGs from the point of view of caste based exclusion and discrimination. We call for a stronger reference to inequality, admission of past shortcomings and lessons learnt, new methodologies and instruments that depend on process indicators for equitable outcomes that are to be achieved in a measurable and time bound manner.

Our recommendations are in the form of:

- 1. re-wording of current goals and targets deletions highlighted, amended text written in red, qualified as alternative goals/targets
- 2. addition of new goals and targets qualified as new and highlighted in blue

A more ambitious and dynamic chapeau text

We recommend that the introductory passages incorporate the following to create a visionary prologue:

Establish an equitable approach to all goals and targets, placing foremost the needs of the poorest, most excluded and vulnerable.

- Pledge that targets under education, health, water rights and sanitation and other basic rights will be equitable and close the gap between the advantaged and disadvantaged, particularly the most excluded, in a time bound manner.
- Recognise that extreme inequality is the key hindrance to economic growth as well as poverty eradication.
- Respond to the worst forms of deprivation caused by caste structures and recognise this as a key concern.
- Commit to interim milestones on key goals such as hunger, health, water, sanitation, end to violence and discrimination.
- Uphold human rights as an inviolable principle.
- Commit that no one will be left behind; goals will be met only if the targets are achieved for all socioeconomic sections of the society.
- Ensure that all goals and targets are gender transformative, gender inclusive and gender responsive particularly to the social and economic burden of women.
- Build on the new and optimistic as well as just premise that extreme inequality hinders economic growth.

PROPOSED GOAL 1: End poverty and reduce inequality in all its forms everywhere

Alternative 1.2: by 2030, reduce by atleast half the proportion of people of all ages living below x calorific intake

Alternative 1.3:by 2030, implement universal appropriate social protection measures including floors, with a focus on coverage of the poor, women, children, persons with disabilities and those discriminated on the basis of caste, religion, ethnicity and sexuality

Alternative 1.4: by 2030 secure equal access for all men and women, particularly those most in need and discriminated, to basic services, the right to own land and property, productive resources and financial services

Alternative 1.5: by 2030 strengthen early warning and disaster risk reduction systems and related capacities including effective rehabilitation, aiming to build resilience and protecting the poor and those in vulnerable situations from disasters, shocks, and climate-related extreme events and manmade disasters

New 1.6: by 2030 achieve equal access to productive employment and decent work with living wages for all, including the poorest, women, persons with disabilities and those discriminated on the basis of caste, religion, ethnicity and sexuality

New 1.7: By 2030 reduce by x% deaths and economic losses related to disasters

New 1.8 End income inequality through aggressive tax reforms and just distribution of opportunities and wealth

PROPOSED GOAL 2: End hunger, achieve food sovereignty and improved nutrition for all and promote sustainable agriculture

Alternative 2.1: by 2030 end hunger and ensure that all people have access to adequate, safe, affordable, diverse and nutritious food all year round

Alternative 2.2: by 2025 end all forms of malnutrition, with special attention to stunting by 40% and wasting to less than 5% in children under five years of age, and address the nutritional needs of pregnant and lactating women

Alternative 2.3: by 2030 substantially increase small-scale food producers' productivity and incomes, particularly of women, marginalized communities, family farmers and pastoralists through secure access for all to productive resources and inputs, knowledge, financial services and markets, agriculture and water commons

Alternative 2.b: phase out all forms of agricultural export and other subsidies and all trade-distorting measures that are harmful for small producers in developing countries

Alternative 2.c: end extreme food price volatility including through improved functioning and regulation of food commodity markets, and improved market information, and support public food stockholding²² in developing countries

PROPOSED GOAL 3: Attain universal public health care and healthy lives for all

PROPOSED GOAL 4: Provide equitable and inclusive quality public education and life-long learning opportunities for all

Alternative 4.5: by 2030, eliminate gender disparities and ensure equal access to all levels of education and vocational training aligned with labour market needs for people from marginalized communities and in vulnerable situations, including persons with disabilities

NEW 4.8: End discrimination against the children of those excluded on the basis of religion, caste, ethnicity or sexuality in schools and institutions of higher education through stringent laws and by enforcing structural corrections

New 4.d: by 2030, all countries allocate at least 4-6 % of their Gross Domestic Product(GDP) or at least 15-20% of their public expenditure to education, prioritizing groups most in need; and strengthen financial cooperation for education, prioritizing countries most in need

PROPOSED GOAL 5: Achieve gender equality and empower all women and girls

New 5.7: Ensure the availability of gender-disaggregated data to improve gender equality policies, including gender-responsive budgeting

New 5.8: Protect women and children of the marginalised groups as they are the most vulnerable by

Public food stock holding is essential for developing countries with a large poor and underfed population for ensuring access to food and guarding against global and domestic food price volatility which hurts both poor producers and consumers. With the recent National Food Security Act (NFSA)in India it is necessary to support public food stockholding with subsidies on both consumption and production. The subsidies, essential in the given context, are now being challenged by WTO rules.

enforcing strict laws to end violence and impunity of the perpetrators

Alternative Goal 6: Ensure the right to water, its availability and sustainable use of water and sanitation for all²³

New 6.7: By 2030, abolish manual scavenging and provide complete rehabilitation to millions of those engaged in such degrading work.

Alternative 6.a: By2030, expand international cooperation and support in people-centric, appropriate and sustainable water and sanitation related knowledge, exchange and sharing, approaches, processes and technologies including water harvesting for artificial recharge, low-cost sanitation facilities, sustainable low-cost desalination technologies and waste water treatment, recycling and reuse.

Alternative Goal 7: Ensure access to affordable, sustainable and reliable modern energy for all

Alternative 7.1: by 2030 ensure universal access to affordable, sustainable and reliable energy services and diversify sources of energy with focus on non-electrical forms of energy]

New 7.5 : by 2020 reduce wasteful energy use in developed countries by x%

Alternative 7.b: by 2030 expand and upgrade as appropriate infrastructure and technology for transmission and distribution of modern, renewable and sustainable energy services for all, including with a view to doubling primary energy supply per capita for LDCs

PROPOSED GOAL 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Alternative 8.1 (8.8 brought up and amended)
Protect labour rights, and promote safe and secure
working environments of all workers, including migrant
workers, particularly women migrants, sex workers and
those in precarious employment, abolish livelihoods of
extreme injustice such as manual scavenging and ensure

rehabilitation of those engaged in such occupations into decent work.

New 8.2 (in lieu of 8.1 to shift focus away from GDP led growth): sustain income growth of the bottom 40% of the income distribution of each country of at least (greater than x %) to reduce income inequalities by 2030

Alternative 8.3: promote greater resource efficiency of economic activities, including through sustainable supply chains, according to national circumstances and capacities

Alternative 8.4: By 2030 achieve full, productive, decent employment and livelihood for all women and men, including for the poorest and those excluded on the basis of religion, caste etc, the most vulnerable such as those displaced due to natural disaster or conflicts, young people and persons with disabilities with the guarantee of equal pay for work of equal value

New 8.5: Take immediate and effective measures to end child labour in all its forms by 2020

New 8.6: Guarantee access to employment opportunities by enacting equal opportunity laws that prohibit discrimination in capital markets, hiring decisions and processes at the work place along the lines of gender, religion, ethnicity and caste

PROPOSED GOAL 10: Reduce inequality within and between countries

Alternative 10.2: By 2030 reduce economic, social, and environmental inequalities of opportunity and outcome among social groups through reducing wealth inequality between richest 10% and poorest 40%

New 10.d: by 2030 ensure the availability of highquality, timely and disaggregated data to ensure monitoring of progress for marginalized groups and people in vulnerable situations

PROPOSED GOAL 11: Make cities and human settlements inclusive, safe and sustainable

Alternative 11.1: by 2030, ensure universal access to adequate and affordable housing and basic services for all, eliminate informal housing conditions everywhere as also a measure to build resilience of communities to natural disasters

In its present version, the proposed targets are technologyfocused and not referencing the role of the community adequately. Further, there is a need to foreground the goal more in line with 'sustainable and climate resilient' water resources management.

PROPOSED GOAL 12: Promote sustainable consumption and production patterns

New 12.e: Ensure finance and technological support to small producers (SMEs) especially in developing countries for meeting sustainability standards in public procurement

PROPOSED GOAL 13: Take urgent action to combat climate change and its impacts

New 13.5: Ensure resources and technological support for disaster risk reduction and management of the excluded communities most at risk of displacement.

New 13.c: scale up support for developing countries in particular LDCs, LLDCs, SIDS by investments in safe and clean renewable energy and infrastructure(12.5ofG77 and China Paper)

New 13d: remove by 2020, barriers that developing countries face or may face, in obtaining access to clean energy technology (12.9of G77 and China Paper)

PROPOSED GOAL 14. Conserve and promote sustainable use of oceans, seas and marine resources

New 14d: by 2020, eliminate subsidies which contribute to over capacity and over-fishing, and refrain from introducing new such subsidies, taking into account the need of developing countries, notably east developed countries

New14e: implement integrated and participatory coastal management to increase resilience of coastal ecosystems and coastal communities

PROPOSED GOAL 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Alternative 15.2: by 2030, ensure the implementation of sustainable management of all types of forests, halt deforestation, check rainforest loss due to growth in agro-fuels, and increase reforestation by x% globally

New 15.8: Defend people's rights to land and forest, safeguard forest and other natural resources from the private sector by promoting self rule, local planning and ownership, social audits

New 15.9: Make land acquisition by private sector subject to stronger scrutiny and ensure rehabilitation and resettlement of the displaced without interrupting their quality of lives, cultural practices, emotional well being and livelihood

New 15.d: integrate disaster risk reduction, natural resources and biodiversity values into national and local planning, development processes, and accounts

PROPOSED GOAL 16: Promote peaceful and inclusive societies, for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Alternative 16.1: by 2030 reduce levels of violence, especially violence against women and children and socially-excluded groups, byx%andhalverelateddeathrat eseverywhere

Alternative 16.3: Promote the rule of law at the national and international levels, abolish all anti-people, anti-democratic laws, engage politically with conflict regions and initiate police and judicial reforms to uphold peace and human rights.

New 16.9: by 20xx recognize the number of internally displaced persons and refugees and minorities, including linguistic, ethnic, religious and sexual, in all countries as citizens with equal rights

New 16.10: ensure by 20xx, increased openness of statebusiness transactions to public scrutiny using human rights standards, including in the extractive resource sector

New 16.11: Undertake police and judicial reforms with a focus on responsiveness to marginalized groups, speedy redress of complaints and appeals, and prevent all unlawful torture.

Incorporate an $18^{\rm th}$ goal garnering political and resource commitment to end discrimination based on work and descent

PROPOSED GOAL 11 (moving current Goal 11 to Goal 12):

End caste, work and descent based discrimination by 2030

We call for an unprecedented approach to social development by mainstreaming a global and ubiquitous campaign to end long held, deeply entrenched social values. This bid to alter the hegemonies will be a long one and yet now, more than ever exists the political will, global consensus, technological tools that could attempt to end power structures in a democratic, peaceful and creative manner. We also call for the United Nations to raise resources and mobilise expertise for a separate agency that could power this effort.

HEAD OFFICE

Kupondole, Lalitpur, Nepal T +977-01-5520982

SECRETARIAT

8/1, 2nd Floor, South Patel Nagar, New Delhi - 110008, India T +91 (0)11 45668341, 45037897 F +91 (0)11 25842250

E comms@asiadalitrightsforum.org
W www.asiadalitrightsforum.org