



**Contribution for the report of the United Nations Office of the High Commissioner for Human Rights
on “Protection of Child Rights - 2030 Agenda for Sustainable Development Goals”
by
National Dalit Movement for Justice and International Dalit Solidarity Network**

Dalit Children

October 2016

1. Introduction

This contribution is prepared by National Dalit Movement for Justice (NDMJ) and International Dalit Solidarity Network (IDSN) with a focus on the inclusion and protection of the rights of children who are subjected to caste based discrimination in the implementation of the 2030 Sustainable Development Agenda.

NDMJ - is a democratic, secular, non-party movement of Dalit survivors, defenders, academics, organizations headed by Dalits to initiate advocacy and involve in mass action to address the issues of caste based discrimination (CBD) and violence (primarily untouchability and atrocities) to ensure dignity, equality and justice. It is one of the four movements that comprise the National Campaign for Human Rights (NCDHR). It has presence in 17 states across India to organize, educate and mobilize the Dalit community, organizations and civil society to promote and protect civil and political rights of Dalits. In capacity of a Dalit/Adivasi focused entity, National Dalit Movement for Justice (NDMJ) have been undertaking the Fact Findings and following up the atrocities against Dalit/Adivasi taking place across different parts of the country www.ncdhr.org.in, www.atm.org.in, phone: Tel : +91-11-45009309/25842251.

IDSN - is an international network that works on a global level for the elimination of caste discrimination and similar forms of discrimination based on work and descent. Members include national Dalit platforms in caste-affected countries; Dalit Solidarity Networks in seven European countries; and international associates, among others (www.idsn.org). Contact information: Email: info@idsn.org, phone: +45 6043 3430.

Caste-based discrimination subjects an estimated 260 million people globally to discrimination on the grounds of work and descent. Caste discrimination involves massive violations of civil, political, economic,

social and cultural rights and affected communities are denied a life in dignity and equality. As NDMJ is based in India this submission is drawing primarily on examples and data provided in the local context, however, though caste-based discrimination is mainly found in South Asian countries, caste based discrimination is an entrenched human rights violation which also occurs in communities in Japan, Yemen, some African countries and Diaspora communitiesⁱ. Children who are subjected to discrimination based on their assigned caste are even more vulnerable than their adult counterparts and face discrimination in education and are particularly vulnerable to child labor. Moreover, Dalit girls suffer multiple discrimination at the intersection of caste and gender discrimination.

2. Millennium Development Goals (MDGs)

The MDGs were adopted by 189 world leaders at the UN Millennium Summit in September 2000. Having signed the MDGs, 149 heads of state and government vouched to achieve said goals by 2015. At the outset it is pertinent to point out that out of the 8 goals identified as the MDGs, only one specific goal of “achieving primary education” focused on children’s rights. However, other goals such as promoting gender equality and eradicating poverty are important goals impacting children in numerous ways.

According to the UN-MDG Report 2012, child mortality has been steadily decreasing globally. Enrolment rates of primary schools increased from 58 to 76% in sub-Saharan Africa between 1999 and 2010, professional assistance during childbirth has improved from 55% in 1990 to 65% in 2010 (Indicator 5.2) and the aimed reduction of slum dwellers by 100 million (Target 7.D) is already achieved (UN, 2012)ⁱⁱ.

However, progress across all MDGs has been limited and uneven across countries. An estimated 15.5% of the world population still suffers from hunger, and many countries, have not met the targeted two-thirds reduction in child mortality by 2015 (ODI, 2010; UN, 2012). In sub-Saharan regions and Southern Asia, where 80% of people in extreme poverty live, progress in reaching MDGs have generally been very limited (UN, 2012).

Rising Crime against Dalit Children

Across the world children continue to be vulnerable to circumstances, leading to lack of realization of the rights and dignity of children. In India children face discrimination leading to denial of rights as an outcome of social exclusion based on the caste system and a majority of children who are subjected to marginalization, poverty, bonded labor, discrimination and trafficking are children from Dalit and tribal backgrounds. Factors such as social exclusion, economic crisis, unemployment, unplanned urbanization and rising crime affects children in enormous ways making them vulnerable to hunger, deprived of education and compelled to work, exposed to discrimination and violence. In India, the National Crime Records Bureauⁱⁱⁱ (NCRB) reported crimes against children have risen from 26,694 in 2012 to 58,228 cases reported in 2013 to 89,423 cases in 2014. The number exhibit a 50 % increase in crimes over the past year children’s unsafe future and the death of innocence. The data also includes the percentile of children in conflict with law (NCRB, 2014)^{iv}.

MDGs and Primary Enrollment

Existing literature and reports show serious gaps in the implementation of the policies for attaining primary enrollment on the ground. Though there is a high enrolment rates of children in primary education in India; there are approximately 10.12 million working children in the age group 5-14 years, and a low retention rate for students who are in school^v with only 10% of the State owned schools being RTE compliant^{vi}. Further, reports show a non-implementation of the Compulsory Right of Children to

education Act from 2009 and government schools are facing closure on the grounds of rationalization, state and non-state occupation of schools.

3. Sustainable Development Goals (SDGs)

The Millennium Development Goals (MDGs) were ambitious in a world fraught with discrimination and violence, however, the mechanisms put in place by signatory states to meet the required goals left room for improvement. Key lessons learnt from the implementation of the MDGs is to ensure the rights of children by providing effective mechanisms to safeguard the goals identified in securing rights of children in the forthcoming 2030 Agenda for Sustainable Development.

The building blocks of a sustainable future under the SDGs consist of 17 goals and 169 targets. Not all goals are focused on children, but all are relevant in impacting the lives of children; as the amalgamation of the goals necessitates a holistic approach in order to meet children's requirements in terms of education and health facilities, protecting children from harm and securing their environments by curbing violence and discrimination. Therefore, the goals of achieving education, ending poverty, protecting children from harm and ensuring gender equality remain the modus operandi in achieving development with a special focus on children.

Though most of the SDGs are highly relevant for the issue of caste, the goals fail to explicitly consider the rights of minorities and effectively address discrimination based on caste. In her latest report on minorities and discrimination based on caste (A/HRC/31/56) from 2016, the Special Rapporteur on minorities issues recommended states to consider including caste-specific indicators to ensure that the Sustainable Development Goals and their targets effectively address the situation for caste affected groups.^{vii}

Goal 10 which focuses on reducing inequality within and among countries for building a better world for children advocating for child rights requires the world leaders to recognize the existence of caste based discrimination and thereby allocating resources, planning and perspective building in the direction of achieving literacy amongst children. It adds a development milestone and aims to ensure that education is accessible to all children, whether girl, boy or disabled coming from Dalit, tribal or minority groups.

Education

Goal number 4 on quality education recognizes the existence of an educational system which is filled with loopholes. The nature of gross violence and discrimination against children on the basis of their identity is very much rampant in institutes of learning and education. Children belonging to marginalized communities such as Dalits, Adivasis (tribals) and religious minority groups form a much more vulnerable section of the Indian society; are subjected to routine discrimination, humiliation, violence and ill-treatment in schools^{viii}, with instances of Dalit children made to sit separately during mid-day-meals in Uttar Pradesh, Rajasthan, and HP^{ix}. The systems in place do not address larger issues of social exclusion^x to combat crime and discrimination leading to denial of the basic rights of children.

The lack of quality education at the primary and elementary levels negates the potential of children from growing and leading healthy lives full of aspiration. Quality education should be focused on providing parity between education levels in public and private schools. The availability of infrastructures is a prime requirement. Children in many public schools of Chhattisgarh, Jharkhand, Odisha, lack teachers and other material infrastructures like books, uniforms, toilet facility and safe drinking water. In 2014, the Committee on the Rights of the Child noted concern over high drop-out rates among scheduled caste children^{xi}. Parred with inadequate support in government schools and pressure to earn money caste based discrimination makes Dalits and other caste-affected groups more

likely to drop out of school, thus creating a self-sustaining system of discrimination against caste-affected groups many of whom are forced into bonded labor and trafficking.

In her latest report on debt bondage Special Rapporteur on contemporary forms of slavery reported that in India the majority of people affected by bonded labor are Dalits or qualified as “low caste”.^{xii}

In the south-western region of Tamil Nadu in India, an estimated 200,000 adolescent girls (between 13/14 and 18 years) work as bonded laborers under the Sumangali or camp coolie scheme in textile mills and garment factories. The majority of these workers belong to Dalit communities.^{xiii}

Goal number 5 on achieving gender equality and empowering all women and girls provides strong targets on empowerment, discrimination and violence ending practices child marriage, sexual violence and discrimination against the child based on the gender and ethnicity the child belongs to. For instance, the high occurrence of sexual violence in schools is a challenge faced by many children today both girls and boys. The development of safe environment in school through monitoring should be a priority for the leaders, teachers and managers.

A key tool for monitoring and accountability in relation to the implementation of the 2030 Agenda is data disaggregated by caste and gender including disaggregated data on educational disparity, rate of drop out, gross enrolment rate at primary, secondary, higher, college, technical and professional institutions, scholarships and grants inclusive of – age, sex, disability, race, caste, ethnicity, social origin, religion, region or economic or other status. Furthermore there is a need for comprehensive policies to address educational disparity. To ensure a successful implementation of special measures to advance the situation for affected community, anti-discrimination initiatives needs to be prioritized in national budgets and there should be sufficient allocation to ensure rights of the children are realized and development is accessed.^{xiv}

In line with the UN Draft Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent^{xv} national and local government should take all necessary measures to ensure equal access to free and quality education, ensuring safe and enabling educational environment has to be viewed as the right of children to be realized by world leaders in order to attain sustainable goal for better lives of children and a better tomorrow. These new goals in place should focus on pragmatic concerted efforts in achieving the said goals rather than remaining rhetoric; thereby augmenting international community’s commitment towards providing a fair chance in life for every child irrespective of social and economic background. The stakes are high, it is time that the world leaders should invest in children for building a better future; thereby in creating more opportunities for a more peaceful, prosperous and sustainable world.

ⁱ Report by the Special Rapporteur on minority issues report to the 31st session of the HRC: Minorities and discrimination based on caste and analogous systems of inherited status.2016. [A/HRC/31/56](#).

ⁱⁱ The Millennium Goals Report 2012: <http://www.un.org/millenniumgoals/pdf/MDG%20Report%202012.pdf>

ⁱⁱⁱ The NCRB comes out with annual data on crimes across India under different crimes heads and categories.: <http://ncrb.nic.in/>

^{iv} <http://ncrb.nic.in/StatPublications/CII/PrevPublications.htm>

^v In 2012-13, nearly 41% female students had dropped out of the schools without completing elementary education, as against 40.3% male students. The gender gap in dropout within a year appears to be more profound in the upper primary classes (5-8). The figures are based on provisional data of Unified District Information System for Education. See: Kanchan Srivastava, “More boys than girls dropping out of schools in India”, DNA, 8 Aug 2015 <http://www.dnaindia.com/india/report-more-boys-than-girls-dropping-out-of-schools-in-india-2112206>

^{vi} Right of Children to Free and Compulsory Education(RTE) Act enacted by the Government of India in 2010

vii [A/HRC/31/56](#) (para. 128)

ix Identity Based Discrimination and Violence in School Education: A Report, NDMJ, 2015 can be accessed at www.atm.org.in National Public Hearing was held by National Dalit Movement for Justice (NDMJ-NCDHR) on cases related to violence and discrimination children faced in schools due to their caste and religious minority status.

x According to Annual Status of Education Report, 2014, India achieved close to 96 per cent or above enrolment ratio in elementary schools. See: ASER 2014: ANNUAL STATUS OF EDUCATION REPORT by PRATHAM available at <http://img.asercentre.org/docs/Publications/ASER%20Reports/ASER%202014/National%20PPTs/aser2014indiaenglish.pdf>

Human Rights Watch: "They say we are dirty"- denying an education to India's marginalized. 2013. (p.3) [A/HRC/31/56](#) (para. 88 -90).

xi CRC/C/IND/CO/3-4 (art. 28, 29, 30 and 31)

xii [A/HRC/33/46](#) (para. 18)

xiii DSN-UK, READ and NCDHR: End all forms of forced labour in the garment sector – A report of the national consultation. 2015): <http://dsnuk.org/wp-content/uploads/2014/10/READ-DSN-Delhi-Consultation-report.pdf>
Center for research on multinational corporations (SOMO) and India Committee of the Netherlands, 2012: <http://www.indianet.nl/MaidInIndia.html>

Flawed Fabrics -the abuse of girls and women workers in the South India Cotton Industry, 2014:

file:///C:/Users/idsn/Downloads/Flawed%20fabrics.pdf

India Committee of the Netherlands: Captured by Cotton 2011: <http://www.indianet.nl/CapturedByCotton.html>

xiv ADRF: 260 million Dalits appeal for inclusion in the Sustainable Development Goals: http://idsn.org/wp-content/uploads/2015/10/ADRF_Indicator_list-with-Narrative_26_09_15.pdf

xv United Nations Principles and Guidelines for the Effective Elimination on Discrimination Based on Work and Descent (para. 46)