



Global Partnership and Joint Action in Addressing, Discrimination based on Work and Descent, Untouchability, Contemporary Forms of Slavery and Analogous Forms of Discrimination

Dakar Consultation 9-11 April

Executive Summary Report



The Consultation was an initiative launched by The Inclusivity Project (TIP), Trust Africa, Asia Dalit Rights Forum (ADRF) and Amnesty International (AI) with support from Global Call to Action against Poverty (GCAP), Free the Slaves, CIVICUS, IDS N, UNESCO in Dakar, Senegal and IMADR. The Consultation brought together a network of resource persons from similarly discriminated communities in Africa, Asia and

Europe. It included 38 representatives of the committed national and international NGOs and civil society organizations from Africa, Asia and Europe, activists, leaders of the communities discriminated based on work and descent, human rights defenders, UN experts and academics. Representatives from Senegal, Chad, Mauritania, Mali, Niger, Burkina Faso, Somalia, and Gambia represented the DWD communities in Africa. The objective of the consultation was to understand the societal structures and hierarchies in African region that perpetuate and reproduce DWD from one generation to the next. It examined multiple forms of discrimination which can aggravate DWD when combined with, for instance, race, ethnicity, sexual orientation, age, religion, creed, disability, and gender. The consultation explored how DWD impedes human rights violations including resource allocation, access to quality education, health care and protection of the natural environment and engage in a global call to action to end such discriminatory practices in Africa, Asia including South, Central, South East, Far East, Middle East, the Americas, and the Europe. It further, examined UN human rights machinery, which imposes obligations on States to protect against DWD. The consultation tried to discover ways in which collaborative partnerships on eradicating DWD can yield efficient and effective results toward the implementation of the SDGs, the mandate of the UN Human Rights Council, as well as Regional Mechanisms. Finally, it aimed at articulating a protocol that will call for the elimination of DWD worldwide and trigger global dialogue on DWD towards its ultimate eradication through effort deployed by various international and multilateral platforms



Dr. Ebrima Sall, (Executive Director, TrustAfrica), opened the inaugural session of The Consultation by thanking and welcoming speakers, participants, guests and the media, especially participants from Asia, Africa, the West African sub-region and Senegal. Dr. Sall said the phenomenon was not new but had been affecting many, such as the Dalits in India and enslaved and caste communities in Africa, where accusation of witchcraft had, also, been used to discriminate against women in Burkina Faso. In his words: “Often, discrimination is descent-based, hereditary and intergenerational. It exists in all continents as people of African descent in Asia and even in the Caribbean countries are at the crossroads of this discrimination. Its different layers need to be examined and exposed. It is unacceptable that humanity be denied basic rights, suffer segregation, stigma and victimization. These practices are often embedded in culture and beliefs, and even prevalent in cities, where inquiries on origin seek to reveal identities.”

Mr. Paul Davikar said the Consultation would provide the opportunity to define how to network, strengthen the fight, and create an urgency within stakeholders and partners’ communities. He said that the time had come for global solidarity toward the establishment of a common framework – through a declaration - which could

be used as a mobilization tool to move forward with demands from each country to the UN for a specific framework on Discrimination based on Work and Descent including caste.

The keynote speech was delivered by Prof. Penda Mbow, from Cheikh Anta Diop University (UCAD), historian, human rights activist and an active advocate for elimination of caste system in Africa..

“Old habits are ingrained, and work will be required to remove the roots of the caste system. There is need to build democratic societies and new citizenry demands its wellbeing. Critical critique of societies is needed as any struggles avoided now will fester to full-blown conflicts as in the example of Rwanda. Organization and coherence are needed, for example in Mali, where the same clan of Soundiata descendants is in power; and when societies don’t progress, liberty which is important, is jeopardized when a particular social structure does not change. In Senegal, the social conditions of people of caste have changed, but the system remains because its structure remains, and the mechanisms of hierarchical reproduction linger. Real democracy and individual self-realization are hindered. Examples of caste system exist in Senegal through statutory hierarchy. Dismantling the caste system will require work through education and awareness,” she said.



The Consultation started with the Inaugural session, the solidarity message and a keynote address, while the three sessions that followed were on the nature and practices of discrimination in different countries. Contemporary forms of slavery are manifest through trafficking of people - children, women and men - who are sold into slavery for work. Many testimonies were shared by the participants on the active, passive forms of discrimination and some lived realities or experiences of working closely with the affected communities. Social Stratification and Work seemed to be a common denominator for discrimination in Asia and Africa. Beliefs are at the foundation of societal behaviour; state and people who perpetuate discrimination uses such beliefs to control people. States are responsible for abusing of laws and constitution. States role has been to use state apparatus to diminish the impact of such discriminatory practices but do not use the same apparatus to protect the rights of the affected communities. Hereditary nature clearly manifests even in the diaspora communities from Africa and Asia region and the discriminatory practices remains and discrimination continues. Women are the most affected population in both Asia and Africa. Endogamy is preserved and children are maltreated. In both regions converting to other religion provides an escape from hierarchy and caste discrimination. National or regional legal and policy framework has no impact on these issues as the justice system is used to further demean certain groups. An identity of discrimination based on work, descent,

hierarchical structure and colonial systems bear hall marks of discrimination in Asia and Africa. A declaration for call to action to eradicate discrimination must resonate with institutions, affected communities and rest in philosophical framework to support the initiative such as “oppressed fight for right”, “if you are not with us your against with us”, “Black Lives Matter” movement, capturing progressive nature of European conventions in the matter of DWD and Caste issue.

Session 4, on the convergences and divergences in experiencing and understanding discrimination. Key convergence features include the exclusions in social stratification and space including habitation; the discrimination on basis of dominations over rights including right to choose of employment; inter marriages; political participation. Apart from this, there is system of witchcraft, dehumanisation, forced prostitution and concepts of purity pollution in some of the countries. The divergent points include, the dominant communities in some countries like Mauritania is from different ethnic background. There are concepts of purity pollution including considering these communities as dirty due to the slavery dimensions, there are no evidence of untouchability among many communities. People under slavery are often not particularly linked with any one community in some of these countries.

Speakers during sessions 5 and 6 examined national mechanisms in addressing discrimination and found out constitution considers all citizens equal before law, human rights organization, CSOs and NGOs exist but the issues of discrimination, slavery and trafficking are not adequately addressed. Additionally, despite having range of instruments on slavery or discrimination and national and regional strategies; the legal vacuums and absence of legal redress compounds violation of rights in Africa and Asia.

India has constitutional tools, fantastic legislations and other specific legislations on discriminated populations. National commissions on Dalits statutory body major functional elements guaranteed by law. No accountability and national judiciary address the problem and missing link on information and mis-information. In Pakistan laws do not recognize no legal structure; census have recently recognized Dalits but there exists no constitutional or legal provision to combat discrimination. New government in power is taking positive steps. Bangladesh has no official recognition, while specific programs exists, and resources made available. Sri Lanka-Alike Nigeria and Senegal Sri Lanka too rejected the finding of the Global Report on Caste. Though not recognised as Dalits but the plantation workers face similar discrimination and resources committed. In Japan, no legal provisions to combat discrimination but Burakumin community set a good model by involving private sector source sustainable development goals. They are key stakeholders in private sector and working for their own upliftment. In Malaysia, diaspora workers have CSOs groups that have taken up causes and organized them towards economic sustainability in lack of national legislations for DWD communities.

In Somalia, no legal mechanism to combat discrimination, community concerns are used to get funding, but no actual work is done. Human rights organization exist but outreach to victims is challenging task. Similarly, in Mali no law that criminalises discrimination, laws elaborated through national assembly and council of ministers but could not be adopted due to crisis and conflict situation in 2008, US Embassy was contacted to put pressure on government but no positive outcome yet has emerged. In Niger, legal provisions exist but despite criminalizing and adopting national action plan to combat slavery, lack of enforcement in the implementation of laws. In Chad, Embassies and CSOs advocate for prevention of discrimination and maltreatment of children, laws are also enacted but lacks enforcement. Gambia also faces existence of no legal frameworks that strives to combat discrimination. In Burkina Faso, no specific laws exist for the prevention of discrimination, neither witchcraft. In Mauritania, despite slavery has been abolished four times, slave masters are quite strong and continues slavery practices. In Senegal, Senegal rejected the findings of the global report on caste, no specific laws exist for prevention of discrimination.

The important intervention is changing mentalities of the people perpetuating discrimination. Working with people on the ground with micro actions such as education, involvement of youth with incentives is crucial in the process as they are fearless and have more capabilities in bringing change. State needs to act and CSOs need to play crucial role in Asia and Africa to advocate for constitutional and legal provisions and amendments

for the protection of the discriminated communities. Session 7 focused on regional and international mechanisms in addressing DWD and was presented by Dr Michèle Buteau, of the Office of High Commissioner for Human Rights who explained the UN's role and support in the fight against discrimination and DWD. Dr Michèle Buteau said it is crucial to address through various platforms the internal complicity between UN and nation states for the adoption and effective implementation of various treaties/committee recommendation/mandates. Political momentum is key in all types of discrimination and can lead to Declaration and then to a Treaty, organizations, activists can get required appropriate support from the UN national team in this regard. It is important to use legal language and logical structures using short, concise documents while intervening in UN mechanisms. In meeting with a UN official, develop programs based on precise potential personal actions and submit.



Day3 focused, in session 8, on Role of UN monitoring bodies, Special Rapporteurs and SDGs in addressing discrimination. Dr Rita Izsak Ndiaye, Member of Committee on Elimination of Racial Discrimination spoke about her findings in the Special Rapporteur of Minority Rights report (2016) that it is a common practice in many countries in Asia and Africa systematic and structural exclusion based on hereditary and caste. She also raised that many states have rejected these findings while the Special Rapporteurs have constantly brought the issue up. She talks of the social tyranny of forcing people to dangerous and inhuman jobs on basis of birth and social positioning is worse than the political tyranny. Speakers during session 9 discussed collaborative approaches for future. Session 9 was followed by review, reflection and closing remarks. Dr. Rita Izsak Ndiaye stressed upon peer review mechanism for writing reports and bring out global report on caste in all countries so that the countries who deny presence of caste discrimination can be asked to support the issue. Good NGOs make a difference if UN hears from them the issue is taken up this should be done with the support from who are passionate working to work on such issues and the fight must continue, there is no going back. Involvement of private sector is much highlighted in all of the sessions as private sector is possible source of funding to continue the work.

Thirty-eight representatives of the committed national and international NGOs and civil society organizations from Africa, Asia and Europe, activists, leaders of the communities discriminated based on work and descent, human rights defenders, UN experts and academics were able to attend this consultation and contributed to make it a great success. A major achievement of the consultation is the emergence of Africa Network Against Discrimination Based on Work & Descent and Contemporary Forms of Slavery to take up the further actions in the region. As a result of the fruitful discussions during the consultation the agenda and declaration document of the Dakar Consultation have been updated accordingly and we will be sending you a copy along with some photos for your information.



A guiding document on further interventions was created known as Dakar Declaration on Global Partnership and Joint Actions in Addressing Discrimination based on Work & Descent - DWD, Untouchability, Contemporary Forms of Slavery and Analogous Forms of Discrimination. Going forward, it is proposed to further initiate and strengthen a global network which would address the issues of DWD and slavery globally. Participants in the Dakar Consultation have further agreed to call for a Global Assembly of the representatives of the DWD communities in Africa, Asia, Americas and Europe during the UN General Assembly review meeting of SDGs between 20-24 September 2019.

Key Outcomes

1. The *Dakar Declaration on Global Partnership and Joint Actions in Addressing Discrimination based on Work & Descent - DWD, Untouchability, Contemporary Forms of Slavery and Analogous Forms of Discrimination* adopted towards collectively addressing discrimination based on work and descent and its forms in Africa and Globally.
2. Creation of **Africa Network Against Discrimination Based on Work & Descent and Contemporary Forms of Slavery** with 9 countries from Africa signed to be the members and further 5 countries showing their interest in joining the Network.
3. Collective actions are proposed including an International Congress on Discrimination based on Work & Descent: including Untouchability, Contemporary Forms of Slavery and Analogous Forms of Discrimination on 22-23 September 2019 during UNGA in New York.