

## Asia Parliamentarians Forum on Dalit Concerns

### Dhaka Statement

#### *In Solidarity with Dalit Communities of Asia demanding Equality, Justice and Development*

We, the Parliamentarians from Bangladesh, India and Nepal, gathered in Dhaka, Bangladesh on 19<sup>th</sup> November, 2015, reflected on the struggles and aspirations of our Dalit sisters and brothers in Asia to live with dignity and self-respect. Although we are from different countries and diverse background, our solidarity transcends land and boundaries, beliefs and religions, cultures and customs. Our strong bonds of friendship, cooperation and fellowship are closely knit together by our abiding love for our people, our concern for their welfare and our moral responsibility to serve them as elected representatives.

Our people are resourceful, yet exploited

As we are gathered here, our hearts go out to the 210 million Dalits in South Asia. We recognize their enormous contribution to the development and progress of their respective countries through their sweat and labour by tilling the farms and estates, building cities and malls, laying railways and roadways, and digging canals and reservoirs. However, we are shocked to see how little the fruits of post-independence democracy, development and progress achieved in each of our countries have reached our people. We also cannot remain silent at the inter-generational injustice done to our community by the dominant castes and classes through their discrimination, exclusion and violence which have resulted in the denial of various social, economic, political, cultural and civic rights to us as citizens of the countries they belong to. We condemn the multiple layers of violence, discrimination and exclusion our Dalit women face as a result of the inter-sectionality of caste-class-gender-religion thrust on them.

But they are resilient and assertive

But we feel proud of our people because all along the history of our countries they have always held their heads high and their hearts filled with hope. For in recent years, we have seen them becoming increasingly aware of their dignity and self-respect. We notice them mobilizing themselves in asserting their rights and entitlements. We admire them for launching movements and demonstrations to get their voice heard in the nation's constitutions and legislations, parliaments and governments, judiciary and the media. We acknowledge a great number our women and men today who, following in the footsteps of our illustrious personalities in history who gave inspiring leadership in history, have dared to sacrifice their lives for the noble cause of empowerment and emancipation of our people. We further applaud those activists, academics and organizations that have been working tirelessly in solidarity with the large number of our people at the grassroots.

We have a mission to fulfill

At this juncture we feel happy about having chosen the parliamentary path in committing ourselves to walk with our people in their journey towards progress and prosperity. We would like to further dedicate ourselves,

therefore, to ending discrimination and violence faced by them by working towards the enactment of laws and policies and by ensuring the proper and effective implementation of the rule of law. India, Bangladesh and Nepal have constitutional provisions to ensure the equality of all citizens irrespective of caste consideration. However, India's Protection of Civil Rights (PCR) Act, 1955 and the SC/ST Prevention of Atrocities (POA) (amendment) Act, 2015 require effective implementation. The Constitution of Nepal, 2015 and Caste-based Discrimination and Untouchability (Crime and Punishment) Act, 2011 of Nepal, though milestones in the history of Dalits, calls for serious application. The proposed draft Anti-discrimination Law of the Law Commission submitted to the Law Ministry in Bangladesh in 2014 demands immediate follow-up. As on the one hand, we, as Parliamentarians, are privileged to represent the voices of our people in the law-making bodies of our respective countries and feel happy to have our voices heard on behalf of our people, on the other hand we are aware of the task yet to be completed, of our promises yet to be fulfilled in full.

## Our Charter of Demands

We, therefore, call on all those in governance in South Asian nations to respond to the following proposals:

### I. National level

#### 1. Commitment to Affirmative Action

(1) We propose that appropriate legislation is enacted for the Dalit communities in order to entitle them for affirmative action in proportion to their population in different areas of life and to ensure that penalties are attached for non-implementation, non-compliance, negligence and dereliction of duty of concerned persons in authority charged with implementation:

- right to all basic necessities of life and civic amenities;
- right to higher education, information and knowledge, skilling;
- right to employment in private and public sector;

(2) We propose that Dalit communities, wherever not identified as such, are given official recognition in the Constitutions and state policies so as to enable them enjoy legally the benefits that have been denied to them for centuries as communities affected by caste-based discrimination.

(3) We propose that disaggregated data on Dalits be gathered regularly on the basis of their caste, work, gender, age, religion, education, income, etc. so as to use this information adequately and systematically while working out affirmative action programs.

(4) We propose that appropriate mechanisms are constituted in order to monitor the implementation of the legislation on affirmative action and review periodically the progress made so as to make appropriate course correction or improvements as and when required.

#### 2. Commitment to Development

(1) We propose that appropriate policies are put in place for providing skilling, financial resources, institutional infrastructure and market opportunities to Dalit communities in order to empower them in the areas of entrepreneurship, trade, commerce and business enterprises, procurement and marketing facilities, etc. with a view to proactively promote them to become empowered as asset owners;

(2) We propose that progressive educational policies with scholarship facilities are enacted for enabling as many enterprising Dalits as possible to pursue higher levels of learning and research in the areas of art,

science, technology and market with a view to raise their status to the level of becoming knowledge producers and technology inventors.

(3) We propose that either new land legislations are enacted or existing land legislations are reviewed with a view to provide Dalits with sufficient lands- properties that would ensure their sustenance and security, or to prevent appropriation of their lands by the state and public companies in the name of economic reforms and national development.

### 3. Commitment to Justice Delivery

(1) We propose that legislations are enacted to ensure prevention of atrocities against Dalit individuals and communities and to provide for stringent penalties to deal with perpetrators of violence against them, especially Dalit women and children.

(2) We propose that annual compilation of disaggregated data on incidences of discrimination and atrocities against Dalit individuals and communities are undertaken for the purpose of effective monitoring of atrocities and evolving appropriate preventive measures.

(3) We propose that all the atrocity prone areas in every region in the country are identified and declared so as to facilitate effective monitoring and preventing of violence against Dalits.

(4) We propose that appropriate legislation is enacted for the eradication of manual scavenging and the subsequent rehabilitation of manual scavenging workers in such a way as to remove from them, their families and their children the scar of this polluting occupation.

### 4. Commitment to Participative Governance

(1) We propose that appropriate legislation is enacted in order to ensure proportional representation of Dalits in governance at all levels, including parliaments and local governance institutions, with a view to provide Dalits with opportunities to govern and manage public affairs.

(2) We propose that suitable policy provision is made for empowering the Election Commission with authority to monitor the electoral politics in the Dalit reserved constituencies so as to ensure proportional representation through free and fair election and prevent surrogate candidates in elections.

(3) We propose policy measures that will ensure the elected Dalit candidates to carry out their official duties with no interference and control but with freedom and independence.

### 5. Commitment to Gender Justice

(1) We propose that, suitable policy measures are put in place for the benefit of Dalit women with a view to give them due recognition to their rights and entitlements in all areas of life, including basic livelihood needs, higher education, economic development, employment in private and public sector, entrepreneurship and business enterprises and budgetary allocations.

(2) We propose that legislation is enacted to ensure population based proportionate representation of Dalit women at all levels of governance, including parliament and local governance institutions.

(3) We propose that special provision is made in the law for protecting Dalit women from multiple forms of caste and gender based violence, discrimination and exclusion and for providing stringent penalties for the perpetrators of violence against them.

### 6. Commitment to Youth and Children

(1) We propose that education of Dalit children is given high priority and to that effect policy measures are enacted to help them access for free, compulsory and quality education in all the government and private educational institutions and to provide for penalties for those perpetrating child labour and discrimination in educational institutions.

(2) We propose that useful and attractive policy and program measures are introduced for the benefit of young Dalit women and men to be trained in employable and entrepreneurial skills so as to enable them for patented and skillful development of traditional caste based occupations wherever they are done and instead enter into professional job market.

(3) We propose that disaggregated data on young Dalit youth and children be gathered regularly in order to use this information for designing educational and employment programs and the requisite budget allocations.

#### 7. Commitment to Allocation of Resources

We propose the enactment of law for targeted budgetary allocations with the effective involvement of Dalit representatives in proportion to the population of the Dalit communities in order to ensure their access to education at all levels, health care and nutritional facilities, employment and economic development as well as access to legal remedial measures in instances of discrimination and atrocities.

## II. SAARC level

#### 8. Commitment to promote human rights

We propose that a regional human rights framework and strategy is worked out to address collectively the untouchability caste based discrimination in South Asian countries.

#### 9. Commitment to Dalits' just and proportionate share in the 2030 SDG Development Agenda

We propose that in the forthcoming two SAARC meetings at Islamabad, Pakistan - 8th SAARC Finance Ministers Meeting in March, 2016 and 19th SAARC Summit in November, 2016 - the 2030 SDG Development Agenda be given a top priority for discussion and deliberations and that priority of priorities be given for adequate state responses for achieving sustainable development for communities facing untouchability and caste based discrimination.

#### 10. Commitment to Humanitarian Aid

(1) We propose that a regional level mechanism be set up with adequate financial resources and management systems in order to respond adequately and effectively to any major natural disaster and that a set of principles and guidelines are worked out for monitoring discriminatory and exclusionary practices while engaging in relief and rehabilitation work.

(2) We propose that a policy be enacted for the official deployment of civil society organizations in such relief and rehabilitation operations.

#### 11. Recognition of Asia Parliamentarians Forum

We propose that the Asia Parliamentarians Forum on Dalit Concerns be recognized as the official body of Parliamentarians in Asia that is committed to addressing caste based discrimination against Dalits and that functions as a link between the Dalit communities and the Governments in the South Asian countries.

While acknowledging, therefore, the progressive legislative and policy measures which our countries have adopted for the welfare of our Dalit community, we would like to state unambiguously that we will continue to stand by our people in the South Asia region for the noble task of upholding their rights and entitlements. We will add our voice to theirs in taking forward the state's obligation as their representatives and spokespersons.

The occasion of the 125<sup>th</sup> Birth Anniversary of Dr. B. R. Ambedkar, who with courage and determination fought for the rights of Dalits by fearlessly raising his voice against untouchability and caste based discrimination and atrocities, makes our gathering significant and inspires us to redouble our efforts to work for the equality, justice and development of our Dalit community in South Asia.

My final words of advice to you are educate, agitate and organize; have faith in yourself. With justice on our side, I do not see how we can lose our battle.  
The battle to me is a matter of joy.  
The battle is in the fullest sense spiritual.  
There is nothing material or social in it.  
For ours is a battle not for wealth or for power.  
It is battle for freedom.  
It is a battle of reclamation of human personality.

- Dr. B. R. Ambedkar

Date: November 19<sup>th</sup>, 2015  
Place: Dhaka, Bangladesh

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