

Yes, it's time to accept reality

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The government of India is once again rehashing an old debate, stubbornly refusing to recognise it has been long resolved. It refuses to report to UN human rights monitoring committees on caste-based discrimination, and is now repeating its long-held stand that caste is not included in the mandate of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).



Miloon Kothari, Convener WGHR

This is a wholly inaccurate reading of settled international human rights standards. Numerous authoritative sources at the UN explicitly recognise caste-based discrimination as a form of racial discrimination. This position was also taken by the Indian National Human Rights Commission at the 2001 World Conference against Racism in Durban.

In 1965, after the intervention of the Indian delegate, the term 'descent' was included in the CERD definition of racial discrimination. Padoxically, it was this input from India that eventually made it possible to include caste in the CERD mandate.

Moving ahead from 1965 to 2002, the CERD committee confirmed the legal interpretation of the term descent and explicitly brought caste-based discrimination within the scope of racial discrimination as defined in the convention. The committee states, "Discrimination based on 'descent' includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights..."

India is wrong to oppose clear international standards and perpetuate worthless semantic debates. Our government should ensure that all forces are brought together at both national and international levels towards eradication of caste-based discrimination. The scale of human rights violations as a direct result of caste-based discrimination demands a vigorous response. This is what prompted our PM to equate castebased discrimination to apartheid.

A first step for India would be to drop its defensive posturing and join hands with the international community, as it did on apartheid, to eradicate caste-based discrimination.

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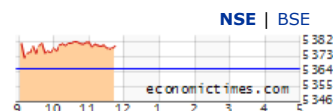
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