FEDO in collaboration with Nepal Human Rights Commission and Open Society Justice Initiative/ Alliance for Social Dialogue (ASD), organized a three day conference on "Equal access to justice for all: Using law to dismantle caste based discrimination in South Asia."

There were national human rights practitioners and advocates from the Region, key state champions and regional actors to highlight the state and national efforts to advance the rights of Dalit and marginalized communities. The practitioners shared their experiences, examples of how organizations and coalitions are implementing wide-ranging changes to advance justice, and discuss ways that legal advocates and community partners can collaborate across organizations and coalitions to forge a way forward.

The major objectives of the conference were:

- To contribute the social movement and campaign at regional and international level by using law to eliminate the caste and gender-based discrimination.
- To promote legal empowerment and addressing the implementation issues in legal system.
- To develop the concrete actions by civil society organizations, national human rights institutions, women and dalit right defenders to make government responsive and accountable in equal access to justice for the Dalit community especially women.

There were participants from Bangladesh, India, Pakistan, Macedonia, Moldova, Romania, USA, UK who discussed on different themes like Understanding and addressing the justice needs of Dalit communities, Legal empowerment and advancing equality: Making law work for marginalized communities, Social Movements for the legal empowerment of Dalit in South Asia, Dalit women and the struggle for justice, Advancing equality using justice data and legal strategies, Scaling up basic justice services: Institutional Reform and Role of NHRIs and other key actors.

Caste-based discrimination is a violation of international human rights law affecting more than 260 million people worldwide, mainly in South Asia. Structures of caste and the continuation of caste-based discrimination lead to poverty, violence, caste-based slavery, economic, social and political exclusion. Dalit remains socially and economically vulnerable, politically and educationally excluded and disempowered and continue to suffer from access to justice, marginalization and economic deprivation in South Asia. Although the legal provisions in South Asian countries have prohibited discrimination based on race, caste/ethnicity and gender; in reality caste-based discrimination and untouchability practices continues to exit in society and disproportionately impact the lives of women from the Dalit communities. As more legal advocated and organizations consider what it means to apply anti-discrimination lens to their work, Dalit rights organizations are increasingly seeking out promising practices and new strategies.
Welcoming the participants of the conference, the founder of FEDO, **Ms. Durga Sob** stated that the event was mainly concerned with access to justice for Dalit women in South Asia. She further mentioned that the conference intended to express solidarity between state and non-state actors regionally and globally to end caste based discrimination (CBD) and untouchability. Without access to justice, democracy cannot prosper, she added.

Shedding light on the objectives of the conference, **Ms. Sumaya Islam** from Open Society Justice Initiative (OSJI) stated that the conference intended to understand and advance shared vision of equality and justice for all. She pointed to the fact that the laws, institutions and policies are at times ambiguous, cumbersome and costly, thus making them inaccessible to the most marginalized populations.

Addressing the inaugural session of the conference, **Mr. Bhakta Bishwakarma**, a member of Dalit NGO Federation reflected on the movement of six decades to get CBD criminalized through a law in 2011. Despite constitutional and legal safeguards, the implementation of laws against CBD has been insufficient and ineffective, he added. He further mentioned that social reaction to and atrocities ensuing inter-caste marriages were one of the most serious forms of violence in recent days.

Speaking at the conference, **Mr. N. Paul Diwakar**, Chairperson of Asian Dalit Rights Forum (ADRF) shared that if the total population affected by discrimination based on work and descent was put together, it would make the 6th largest nation in the world. He elaborated that CBD was different than racism based on pigmentation, indigeneity, colonialism, territorial discrimination and ethnic minorities. He presented examples of various forms of discrimination exercised against people in different continents and cited two examples as distinct features of CBD - enforced endogamy and coerced occupational specialization. He urged the participants to form a common group of people suffering from CBD or similar practices, to lobby for an international instrument at the United Nations and to agree on a declaration to that effect.

Addressing the conference, **Hon. Enamul Hoque Chowdhury**, member of National Human Rights Commission of Bangladesh discussed about the differences based on caste and gender in South Asian countries and requested all to eradicate them. He also stated that justice is incomplete until it is implemented.

Speaking at the event, **Ms. Nira Jairu**, Member of Parliament, Nepal reminded that Dalit men and women in Nepal had contributed to the unification of Nepal in different capacities. She also mentioned that many women leaders have been elected as people’s representatives at the local levels although not as key position holders. She pointed to the fact that women participation in executive and legislative functions is limited in Nepal.
Hon. Sapana Pradhan Malla, Justice at the Supreme Court of Nepal, speaking at the event, opined that Nepal has been in the process of social and political transformation. She said that exclusion caused poverty, violence, forced slavery, etc. and the legal provisions of criminalizing untouchability have not been translated into actions. She added that in a diverse society, numbers may always not make a rational meaning. Even a majority of population may be marginalized and state policies needed to be formulated looking into those dimensions beyond the size of population of a group. She highlighted that Nepal's constitution, 2015 is victim-centric and in line with restorative justice system. There are multiple international human rights instruments addressing the discrimination, she added. She further suggested that interconnection between these national and international human rights instruments was key to overcome these barriers. She said, legal instrument is more effective than just a declaration to address caste based discrimination. Additionally, litigation is a strategic tool in South Asia for reforms in and implementation of laws, she maintained.

The Chairperson of National Human Rights Commission (NHRC) and chief guest of the conference, Hon. Anup Raj Sharma said that CBD is a common issue in most of the South Asian countries. He further stated that because of the discriminatory practices, women and children from marginalized communities are facing multiple challenges. He further referred to the constitution of Nepal 2015, which ensures the fundamental rights of Dalit, women and other marginalized communities through affirmative measures, such as provisions of forming specialized commissions for women and Dalits. Addressing CBD has been a priority of policies, laws and programmes in Nepal, he added.
Session 1: Time for Justice: Understanding and Addressing the Justice Needs of Dalit Communities

The session was moderated by Dr. Ram Krishna Timalsena, Executive Director, National Law College (NaLW) and Dr. V. A. Ramesh Nathan from India, Tek Tamrakar from Nepal and Sono Khangharani from Pakistan made presentations.

Dr. V. A. Ramesh Nathan, General Secretary of National Dalit Movement for Justice (NDMJ) discussed constitutional and legal safeguards for Dalits in India and portrayed a vivid picture of discrimination faced by Dalit women. He further analyzed how institutions at the national, regional and global levels responded to the needs of Dalits. He recommended official recognition of CBD in Bangladesh, Sri Lanka and Pakistan and called on states to take firm measures to address CBD. Affirmative actions and cooperation among state institutions, CSO and NHRIs to end CBD were also recommended by Dr. Nathan.

Mr. Tek Tamrakar, Human Rights Advocate and Programme Analyst from UNDP Nepal highlighted that laws are meant to control negative aspects and promote positive aspects of a society. He raised concerns regarding non-participatory law making process, misinterpretation of laws, lack of accountability, lack of public ownership and confidence. Mr. Tamrakar recommended multi-sectoral analysis of anti-discriminatory laws, analysis of law enforcement agencies, fast-track court procedures for discrimination cases, more severe penalties for discrimination, stronger oversight of law implementation and strong role of NHRIs for addressing caste based discrimination.

Mr. Sono Khangharani, a Dalit rights activist from Pakistan stated that Pakistan doesn't have Dalits but there are scheduled castes. There have been some amendments in laws, for example related with bonded labour, to address discrimination in Pakistan. Discrimination is at times manifested in the form of human rights violation or crimes, such as religious conversion, rape, kidnapping.
Session 2: Legal Empowerment and Advancing Equality: Making Law Work for Marginalized Communities

The session was moderated by Ms. Sumaiya Islam, Senior Program Manager, OSJI. Crina Marina Morteauunu from Romania, Prakash Nepali from Nepal, Marbre Stahly Butts from USA and Khalid Hussain from Bangladesh made presentations.

Ms. Crina Marina Morteauunu, Roma Rights Activist from Romania shared that there are six hundred thousand Romas in Europe who came from India centuries ago and they are suffering from transgenerational discrimination. She shared: 'According to European Commission, 12 million Romas are in Europe and for 5 hundred years, they experienced slavery in Romania. Some of key human rights challenges faced by Roma included deportation, oppression and lack of access to justice. Roma people migrated to other places and faced similar challenges and discrimination. We cannot access justice and our culture is not preserved and we are suffering from discrimination.'

Mr. Khalid Hussain from Bangladesh stated that Biharis in Bangladesh are victimized inside and out of camps. He added: 'they are Urdu speaking and they have no citizenship. There are 116 camps in Bangladesh with Biharis. They don't have equal rights despite they were ensured by the high court in 2008. Now, 300,000 Urdu speaking Bangladeshi people have been registered in the voter list. Based on the court verdict of 2008, Urdu speaking Bangladeshis are claiming citizenship certificates, birth certificates, passport, license, national identity card and civil documentation. Community based paralegal programmes are helpful in securing them civil documentation, statelessness and other human rights violations.

Ms. Marbre Stahly-Butts from US-based law for black lives is an advocate for fight of black people for freedom. In response to police killing of black people almost every day, the organization was established. She shared: 'The principle is that legal infrastructures needed to address those atrocities to protect the rights of black people, to conduct researches, to support jail facilities and to engage in legal field. There is systemic subjugation of black people and they are deprived of health facilities, discriminated in education. Deep-rooted white supremacy and capitalism are the fundamentals of oppression against the blacks in the USA.

Mr. Prakash Nepali, a practicing lawyer with Samata Foundation in Nepal stated: 'Historically, caste hierarchy was introduced in 1854 but in past constitutions and penal code of 1963, there was restricted untouchability. Only in 1971, when CERD was ratified, caste based discrimination was removed. Now, there is a fundamental right against CBD, reservation of 9% of civil service seats for dalits and proportional electoral system. Thus a good number of Dalit women have been elected at the local level. Implementation status of CBDU, 2011 law, reservation and election related laws have been negligible. Mainly inter-caste marriages are pressing challenges of the hour and there are nominal successes on this.'
Session 3: Social Movements for the Legal Empowerment of Dalit in South Asia

Mr. Bhakta Bishwakarma, a member of Dalit NGO Federation in Nepal made a presentation on social movements for legal empowerment of Dalits in South Asia. He stated: 'Nepal's Dalit movement started as a social movement but not as a legal or political one although the social, legal and political movements can reinforce each other. In civil code, 1852, caste system and untouchability are codified. In 1940, Bhagat Sarbajit Bishwakarma from Baglung started Dalit's fight against caste based discrimination. After 1990, it became easier to conduct social movements together with political movements and to align national policies with the international instruments of equality. Litigation against CBD started by Mana Bahadur Bishwakarma who filed a writ petition in the Supreme Court against discrimination. Legal aid, awareness and litigation are key instruments to social movements and legal empowerment.' (Slides presented as Annex 3.3)

Mr. Sono Khangharani from Pakistan presented Pakistan's situation related with discrimination. He explained, 'we do not recognize Dalit but as scheduled castes. In 1906, Congress party appointed a Dalit as a primary teacher and it was the start of social movement in Pakistan. There were schools built for Harijans. After 1932, a movement was launched to fill schools with boys and girls, which included enrolling children from disadvantaged communities. Yogendra Nath Mandal promoted legal rights and constitutional protection of people from the scheduled castes. Organizations of and for scheduled caste groups were created which gave a boost to the movement. In 1970s, active movement of scheduled caste groups started and in 1980s, under army dictatorship, 10 seats were reserved for scheduled caste (non-Muslims) in national assembly. That can be taken as the beginning of political participation of scheduled caste in Pakistan. Now, scheduled castes are said to be from mainstream. Community based movements have lately started. Some challenges of current Pakistan are violation of human rights, political exclusion and poverty. Forty-eight people from scheduled caste were fielded in the last elections although none were elected. We are optimistic about changes.
**Day Two: 14 August 2018**

**Session 4: Dalit Women and the Struggle for Justice to All**

The session was moderated by Honorable Member of Parliament Dr. Bimala Rai Poudyal and panelists for the session were Mr. Zakir Hussain from Bangladesh, Ms. Manjula Pradeep from India, Durga Sob from Nepal and Ms. Anis Bibi Memon from Pakistan.

Ms. Manjula Pradeep, a human rights activist stated that justice issues were related with vulnerability and less access to justice based on gender, caste and economic status. She stated: 'Dalit women are not seen as special category, we don't have quantitative and qualitative data. Implementation of laws is a challenge. Disaggregated data is required when cases are registered at police and justice is delivered. Subjugation is experienced at the family level and that hinders their access to justice. There is no protection from parents and family. When someone's rights are violated, they become more vulnerable to discrimination. Justice is not just getting someone convicted but it's more than that. Legal framework is just one element and legal action is a weapon.

Ms. Durga Sob, founder of FEDO from Nepal stated: 'We understand justice as legal procedures and physical violence only but to me, access to justice in education, in participation, in economy, in health and everywhere is important. Dalit women are facing CBD, gender based discrimination and violence and extreme poverty, no legal, social, economic and political protection. Lack of confidence, insufficient legal aid and services, no trust on police and justice system, lack of coordination among service providers, strategies to empower them, need of paralegal training and orientation are existing difficulties. We need to prepare frontline leaders in each district and train them on empowerment.

Mr. Zakir Hussain, human rights and environmental rights activist from Bangladesh stated: 'Law is not sufficient to address discrimination but multiple actions are required. We don't have legal or institutional framework or legal protection in Bangladesh to address discrimination. Constitution is good but fundamental rights do not include anti-discrimination provisions. There are 6.5 million Dalits, however, the government says there are only 6.3 million. Identity and recognition are lacking and there is no data. . Political empowerment is nominal. Recognition of Dalits as human being and anti-discriminatory laws are non-existent.

Ms. Anis Bibi Memon from Pakistan spoke on role of paralegals for access to justice. She stated denial of access of public services, discriminatory restrictions, political discrimination, bonded laborers, sexual harassment, domestic violence, unequal wages, inequality in education are some of many challenges faced by scheduled caste people. Hatred from Muslims and upper caste Hindus, harsh treatment, discrimination against women are also existent. Civil society organizations and media are highlighting such cases. Still there is more room to improve the situation. Some networks are being formed with paralegal assistance. Data collection is needed.
Session 5.1: Sustaining Basic Justice Services: Exploring Public and Private Financing Models

The session was moderated by Mr. Yagya Prasad Adhikari, Director of NHRC Nepal. The panelists included Matthew Burnett from OSJI, Prof. Dr. Govinda Nepal from Institute for Strategic and Socio-Economic Research (ISSR), Sumaiya Islam from OSJI and Hristina Vasilevska Dimchevska from Macedonia.

Mr. Matthew Burnett started his presentation with a question on how much would justice cost the state and communities have to bear. He added: 'The lack of access to justice due to the cost is challenging. We have rich ecosystem of data in relation to the costs for justice gathered through court system, projects, etc. Some key questions include why measure the costs of justice and reduce costs and increase efficiency and what the benefits are. Access costs for individuals and delivery costs for the government are two major dimensions of cost analysis in access to justice. Legal fees, transportation, court fees, materials, children's education are direct costs in access to justice. Delivery costs include costs of civil society, government and justice delivery mechanisms. Other costs include financial hardship, personal stress, performance at work, unresolved costs and meaningful access to justice. Social enterprises, cooperatives and legal insurance, can be ways of funding access to justice. Results-based financing are some options for funding access to justice costs.

Prof. Dr. Govinda Nepal discussed about the cost of social infrastructure for access to justice and the government's focus on physical infrastructure. He highlighted that the government investment in the justice sector is negligible. He added: 'Most of the development partners are channeling their support through the government. Therefore, there is a possibility to foster partnership between public and private sector in providing funding support to access to justice. Private sector has to set aside 1% of their annual net profit for corporate social responsibility. So far, most of the private institutions are not funding access to justice initiatives. The local governments may also collaborate in the access to justice initiatives. The monitoring and supervision efforts are also important.

Ms. Sumaiya Islam stressed that the traditional approach to analyze costs of access to justice which is focused on courts and legal system is incomplete. She said: 'Beyond that, we have to think resolving cases which do not go to the formal legal system. For example, if you have some problem with your neighbor, you don't go to the court or police but you seek other options. The costs involved in such cases are not recorded in the traditional cost analysis for access to justice. That should form a part of the access to justice system. Justice should be understood not only from the criminal justice perspective but from civil justice point of view. Access to civil justice system should be prioritized by addressing communities' needs. Referral and legal aid can be provided through schools or health facilities. Flexibility of funding at the sub-national level can be utilized to support access to justice initiatives. Legal empowerment agencies have public financing. How do we retain quality of services? Independence of such agencies should be ensured. Quality of services to the community should be ensured.

Ms. Hristina Vasilevska Dimchevska shared Macedonian experiences on public financing on access to justice. She discussed: Paralegal support and litigation support are practiced in Macedonia. Roma people are deprived of many of the social services and paralegal services and legal aid need funding support. Partnership with government and international organizations is ongoing. CSOs are exploring support from the communities for access to justice services.
Session 5.2: Making The Case for Basic Justice Services: Strengthening and Leveraging Evidence on the legal needs of Dalit and Marginalized communities

The session was moderated by Mr. Kamran Arif from Pakistan and discussants of the session included Deepak Thapa, Executive Director, Social Science Baha, Nepal on legal needs of Dalit communities in Nepal; Alexis Johara Hoag from USA on using data and legal advocacy to advance rights of marginalized communities; Natalia Camburian from Moldova on investing in justice needs study to scale up services for marginalized communities in Moldova and Ms. Anita Thapaliya, LACC on strengthening the use of case data to advance rights of women in Nepal.

Mr. Deepak Thapa discussed about the legal needs survey (slides presented as Annex 3.5) which tried to identify obstacles for the citizenry to access the justice system. He also stated that the deep-seated values and discriminatory attitudes often lead to poor implementation of laws. The study revealed that the prevalence of justice problems is more or less equal across the researched 6 categories of people. They seemed to have good physical access to the justice institutions and some of them preferred to use informal systems in justice delivery system.

Ms. Alexis Johara Hoag from the USA made a presentation on using data and legal advocacy to advance the rights of marginalized communities (slides presented as Annex 3.6). She presented how the state entities used data to oppress black population. She also stated that historically the discrimination against the blacks in the US was in schools, health facilities, etc. The law was used to control the blacks and suppress them.

Ms. Natalia Camburian from Moldova shared her experiences. As a new and a small country, we have a huge backlog of cases. She stated that some legislations to deal with discrimination are present. Paralegal networks are available and availability of data is an advantage but it doesn't guarantee access to justice, she stated. 'Data is necessary for right decision making. People's legal needs are explored. Paralegals are helpful to address local disputes. Advocacy is based on data', she added.

Ms. Anita Thapaliya from Nepal shared her experiences with LACC. She shared that advocacy for property rights was based on data and the advocacy was successful. Similarly, citizenship in the name of a mother was another case advocated for on the basis of data. She stated that data is helpful to identify people's needs. Through paralegals, data has been collected and LACC has set up a database.
**Session 6: Scaling Up Basic Justice Services: Institutional Reform and Role of NHRIs and Other Key Actors**

The session was moderated by Dr. Bipin Adhikari, Dean of School of Law, Kathmandu University and panelists included Hon. Mohana Ansari, Member of NHRC Nepal, Hon. Enamul Hoque Chowdhury, Member of NHRC Bangladesh and Mr. Aftab Alam, Director General of National Commission for Human Rights (NCHR) Pakistan.

Mr. Aftab Alam from NCHR Pakistan shared that it has extensive mandate from awareness to policy recommendation, monitoring, promotion and protection. He shared that NCHR monitored the cases of Kalasha community, which is a minority group and recommended some actions to the government. Apart from this, the Commission also investigated into cases of transgender, bonded labour and other marginalized groups, he added.

Hon. Enamul Hoque Chowdhury from Bangladesh stated that poverty was the main cause of vulnerability and that is true across many countries and cultures. He stated that every one as a human being, they are equal. Bangladesh is also not an exception. We have been using media to eradicate discrimination. NHRC Bangladesh receives complains from marginalized communities, he expressed.

Hon. Mohana Ansari from Nepal discussed about the historical background and current situation of NHRC. (Slides presented as Annex 3.9) She also made reference to international human rights instruments and procedures to which Nepal is a party and national constitutional and legal frameworks. She opined that the issue of non-discrimination is still a cosmetic disposition. She stated that the NHRC has been responding to the needs of marginalized people but that is not sufficient. She also made a mention of conflict related cases, impunity and breach of laws as current challenges of Nepal's human rights situation.

**Session 7: Strengthening Access to Justice for Marginalized Communities**

The Seventh Session was a group work in four teams which discussed on different themes. The themes were access to legal identity and legal empowerment; technology and legal empowerment; access to legal identity and legal empowerment and economic justice, legal empowerment and equity. With rigorous discussion from the participants Kathmandu declaration was prepared which will put forward a call on the United Nations and member states which have a large number of population affected by caste and descent based discrimination.
Day Three: 13 August 2018 – Closing Session

In the closing session, the Kathmandu Declaration was read out by Mr. Yagya Prasad Adhikari, Director of NHRC.

Mr. N. Paul Diwakar thanked the participants for organizing the event and congratulated the group for successfully completing the event. He mentioned that the gathering of participants from 9 countries of 3 continents was historic one and the participation of NHRI and civil society together was notable. He stressed that there are multiple layers of intersectionality with gender, disability, age, religion, language, place of inhabitation (rural or urban) and sexual orientation, in addition to caste. He added that this is a global phenomenon affecting people from the globe. He urged, ‘We need to have a forum to take up this issue globally and advocate for a UN declaration on discrimination based on work and descent including caste.

Mr. Hari Sharma, Director of Local Foundation of OSF in Nepal as a special guest, stated that we have been fighting against CBD for years and action from this type of group is assuring. He added: 'Social activism is recent in South Asia except in India. Conversations like this are useful. Institutions are changing, there are new possibilities with new generation. Youth, new technology, can be used for new type of social movement. Targets are changing. Our space is being limited by the state differently. It's a difficult task. Turning rights movement into justice movement is the need of the time. As long as rights are business of professional NGOs, states don't respond to them. Rights don't ensure justice. Rights have been fragmented. Justice is a political struggle. Using law for justice is a peaceful way, future will be contentious. Fight for justice is a long one.

Mr. Aftab Alam, Director General of NCHR Pakistan said that this conference has given good insight on marginalization. Solution to diverse problems should also be different. Discrimination still existing in South Asia and complexities associated with their resolution have been discussed. Holistic approach is needed in modern day principles of human rights. Constitutions and affirmative actions enshrined in the are not adequate to address discrimination, he added. He further elaborated: 'Lack of implementation of laws and policies is a problem and the discrimination continues. Marginalization is due to poverty and illiteracy. Dalit women face more discrimination. Occupation and places of settlement are changing in South Asian society. If citizenship is a bundle of rights, Dalits are far short of them. We need to work collaboratively in dismantling the caste based discrimination. It should not be as a charity but a right movement.

Ms. Renu Sijapati, FEDO delivered vote of thanks to NHRC, OSF, panelists, moderators and participants for their respective roles in the conference and for providing important issues.

Hon. Prakash Osti, member of NHRC and chair of the closing session sated that discrimination can not be justified on any ground. Law enforcement has been weak in Nepal despite the laws criminalizing it, he clarified. Historically, division of labour was done but that was misused and turned into a caste system, he added. He further emphasized that there are laws and constitution on anti-discrimination but the implementation is important.
Kathmandu Declaration on Equal Access to Justice for All: Using Law to Dismantle Caste Based Discrimination in South Asia

Preamble

1. We, the National Human Rights Institutions, Civil Society Organizations of South Asia and Human Rights Organizations and Dalit Rights Movements from the continents of Asia, America and Europe (Bangladesh, India, Maldova, Mcedonia, Nepal, Pakistan, Romania, UK and USA) have come together in Kathmandu on 13-15 August, 2018, at the Regional Conference on Equal Access to Justice for All: Using Law to Dismantle Caste Based Discrimination (CBD) in South Asia to express our solidarity in calling upon all the organs of the State and inter-State bodies regionally and globally to end the caste and gender based discrimination and untouchability perpetrated against the communities affected by this systemic and heinous crime and to work for their development and progress within the parameters of equality, justice, equity and inclusion.

2. Recalling the terms of the Universal Declaration of Human Rights according to which all human beings are born free and equal in dignity and rights and are entitled to the rights and freedoms therein without distinction of any kind, including race, colour, ethnicity, sex, sexual orientation, gender identity, disability, language, religion, social origin, birth or other status;

3. Recognizing that caste-based discrimination is a violation of international human rights law affecting more than 260 million people worldwide, mainly in South Asia;

4. Taking note that Dalit and similarly marginalised communities remains socially and economically vulnerable, politically and educationally excluded and disempowered and continue to suffer from access to justice, marginalization and economic deprivation across the world, mainly in South Asia;

5. We recognize caste and gender based discrimination as one of the worst forms of discrimination in the world. Within the international discourse, particularly in UN Systems, caste-based discrimination is referred to as Discrimination based on Work and Descent (DWD). We further believe that promoting peaceful just and inclusive societies is possible by providing access to Justice for all and the accomplishment of the Sustainable Development Goals No. 5,10,16 and others adopted by the United Nations General Assembly (UNGA) in September 2015 is largely dependent on effective, inclusive and accountable justice systems and institutions.

6. Dalit women are amongst the most marginalised people in the world. The caste hierarchy and patriarchal structures multiply alienate Dalit Women on the basis of class, caste, age, disability and LGBTIQ. While Dalit women experience high levels of physical and sexual violence, their vulnerability is largely a result of socio-economic deprivation, cultural and political exclusion.

7. We recognize that DWD/CBD affects millions of people mainly in South Asia and worldwide. It violates a wider range of civil, political, economic, social, cultural and religious rights;

8. We are aware that there remain constitutional, legislative and institutional gaps in protecting and promoting the rights of Dalits and Dalit women;

9. We are mindful that the lack of equal access to justice for all, particularly Dalit women, children, people with disabilities hinder their overall development and well-being;

10. We are concerned that lack of adequate and effective accountability measures and redressal mechanisms at the local, regional and global levels impede full enjoyment of human rights by all due to CBD;

11. We stand in support and solidarity for the effective implementation of the UN OHCHR Guidance Tool for Elimination of Discrimination based on Work and Descent (DWD);
I. We, therefore, call on the United Nations and Member States:

12. To take necessary steps towards legal empowerment of women affected by DWD/CBD through enabling community leaders, paralegal practitioners and sub-national governments;

14. To prioritize and arrange for DWD Desks and to give representation to the DWD/CBD communities at the National Human Rights Institutions and proactively address such human rights violation cases;

15. To ensure that UN Sustainable Development Goals (SDGs) identify Caste and DWD as a system which excludes communities and, therefore, make proactive measures to address DWD and caste and gender based discrimination across targets with necessary indicators;

16. To ensure that UN Sustainable Development Goals (SDGs) identify Caste and DWD as a system which excludes communities and, therefore, make proactive measures to address DWD and caste and gender based discrimination across targets with necessary indicators;

17. To call for a UN Declaration and/or Convention for combating discrimination on work and descent and caste discrimination and establish a Special UN Fund to support representatives of those communities from across the globe to participate in all UN processes on behalf of the community.

18. To initiate a Forum on DWD issues similar to the Permanent Forum on Indigenous issues and the Forum on Minority Issues

19. To give due recognition to the rights of the growing population of DWD/CBD affected children and youth, plans specially designed development projects that are relevant to their needs today and accordingly allocate sufficient budgets,

II. We call on the nation states which have a large number of population affected by DWD/CBD:

20. To take urgent steps to fulfill the commitments made by the Busan Partnership for effective Development Cooperation on Promoting Sustainable Development Goals in situations of conflict and fragility by donors;

21. To invest more in legal empowerment to build the capacity of Dalit community Paralegals, particularly Dalit women for the consistency and quality of their efforts;

22. To build and strengthen legal frameworks and enforcement of justice systems and administration of justice and implement available laws on access to justice for women and people facing DWD/CBD;

23. To encourage sub-national governments to make SDG Goals No. 5, 10, 16 and others a development agenda and codify SDG 16 in plans and programmes to uplift the Dalit community, in particular Dalit women;

24. To promote community-based justice services including institutionalization of the paralegal services and introduce provision of emergency funds from the governments to enable victims of DWD/CBD and domestic violence to access justice;

25. To document good practices from past or ongoing initiatives on access to justice for all within South Asia and across the world, collect disaggregated data with safeguards for misuse of such data for policy interventions;

26. To increase public financing for empowerment of people affected by DWD/CBD, keep track of financial resources used for people affected by DWD/CBD;
27. To promote new technologies and approaches in the elimination of caste based discrimination, implementation of laws and connecting the larger populations in South Asia and across the world and between countries;

28. To accelerate global efforts towards dismantling caste based discrimination in all its manifestations and criminalizing such discriminations with stronger penalties and creating basket funds for providing legal support to the victims;

29. To ensure security of Dalit community in particular inter-caste marriages;

30. Take up measures for political participation and strengthen Capacity development initiatives for Dalit and DWD communities;