

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

Oral Statement: 7th session of the Forum on Minority Issues

Agenda 5: After violence breaks out – essential measures for resolution, protection and security

Speaker: Taisuke Komatsu

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Thank you Mr. Chair,

We would like to endorse the draft recommendations to address ongoing violence, especially the paragraph 44 (gender-based violence against minority women), 47 (objective and professional law enforcement) and 48 (female law enforcement officials). Many girls and women belonging to minorities are easily targeted for gender-based violence including rape and sexual assault. However, their access to justice is often denied, which pushes them to more marginalised situations.

In India, Dalit girls and women suffer from multiple discriminations which are derived from the caste-based discrimination and the patriarchal system of society. National Crimes Records Bureau of India reported 2,073 cases of rape of Dalit women in 2013, an increase of 31.5% from 2012.¹ This indicates that at least 5 Dalit women were raped everyday last year. However, this number is just the tip of the iceberg. Many Dalit girls and women do not report to the police due to the fear of intimidation and the disbelief in rule of law. Many of them experience punishment or threats to withdraw a complaint when they try to file a complaint, in which police personnel use physical abuses including rape and threats for further actions.² Even if women file complaints, perpetrators are frequently released on bail without any further legal action.³

Dalit girls and women in Nepal also face multiple discriminations based on the Hindu Caste hierarchy, the patriarchal system of society and a traditional belief that Dalit women practice witchcraft. Due to the multiple discriminations against Dalit women, they are more likely to experience gender-based violence than the dominant groups. However, their access to justice is often denied by law enforcement. Police personnel tend to recommend or force Dalit victims of violence to reach a settlement informally to maintain communal peace, even for serious crime cases.⁴

These experiences of Dalit girls and women are not unique. It is only reasonable to assume that there are a great number of unreported cases of violence against minority girls and women all over the world. Prevailing impunity can only escalate the gender-based violence targeting minorities once armed conflict breaks out. States, including India and Nepal, should provide effective trainings for police personnel on gender-based violence issues as well as to deal with complaints from minority victims objectively. The number of female law enforcement officials specialised on gender-based violence needs to be increased. States must address day-to-day violence and crimes against minorities to prevent a large scale of abuses of minority rights.

Thank you Mr Chair.

¹ National Crimes Records Bureau of India (2014), "Crime in India 2013", p.109

² International Dalit Solidarity Network, "IDSN Briefing Paper: DALIT WOMEN, Dalit Women - Facing Multiple Forms of Discrimination", available at: http://idsn.org/fileadmin/user_folder/pdf/New_files/Key_Issues/Dalit_Women/DALIT_WOMEN_-_IDSN_briefing_paper.pdf

³ Ibis

⁴ Shadow Report on the 4th & 5th Periodic Report by the Government of Nepal on CEDAW (2011), p.63, available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fNGO%2fNPL%2f49%2f9796&Lang=en