

**Statement of Raj Cherukonda
Tom Lantos Human Rights Commission
with the House Foreign Affairs Committee
Washington DC, June 7, 2016**

Honourable Chairman and Members of the Commission,

Greetings from the Dalit Community in India and the United States. I thank you for giving me opportunity to brief you on the situation of our community in India.

I speak here, as a representative of the Dalit American **Federation**, which represents over 20 Dalit American organizations across the United States. It is particularly **poignant** for me, representing as a Dalit who has survived atrocities of Caste **Apartheid** in India. And who is now a successful entrepreneur and community leader in the United States.

This marks me as one of the **first** Dalit-Americans to give testimony before Congress on the issues of our people. I also want to emphasize that my ability to give testimony freely as an American citizen, is evidence of what a Dalit can accomplish when unencumbered by the vicious caste system I speak now, not only for myself, but for the hundreds of millions of Dalits in India, whose calls for equity and justice must be heard.

There are some key trends that I **would like to** share with the committee about Dalits and our inability to access justice in 2015:

- 1) **As** more Dalits assert our rights and try to engage with government services and grants we see a corresponding increase in caste atrocities against our communities. Simple assertions like voting, getting an education, obtaining legal services, accessing community resources like land and water, choosing occupations of our choice versus ritually-polluting occupations, organizing for just wages, participation in the cultural life of the community, **and** demands for dignity and self-respect can all end in brutal physical violence.

The resulting caste atrocities our communities are facing range from verbal abuse, physical assault, public humiliations, burning of neighborhoods, socio-economic exclusion, custodial violence, rape, gang rapes, mass murders, among others.

- 2) While there are numerous legal instruments to address the issue of caste atrocities, **there is an** utter failure in the implementation of these laws. For even though untouchability is forbidden by **law** in the constitution of India and caste atrocities are to be dealt with through the 1989 **Prevention of Atrocities Act**, **there has, according to India's National Crime Bureau's own statistics, still been a 44% rise in caste atrocities over the past 5 years.**¹

¹ <http://www.indiaspend.com/cover-story/sexual-assault-rape-top-crimes-against-scheduled-castes-34410>

The top five states for this violence are Uttar Pradesh, Rajasthan, Bihar, Madhya Pradesh, and Andhra Pradesh. They represent 69% all crimes against the Dalits and Adivasis across India.

Some of the most heinous crimes of 2015 included:

- Two infant children one 2 years old and another merely 9 month old were set on fire, while they were sleeping, by the dominant castes in Faridabad, Haryana²
- The murders and rapes of Dalit students Delta Meghwal in Rajasthan and Jisha in Kerala.³
- Three Dalits were run over by tractors in caste disputes in Rajasthan⁴
- The branding of Dalit Student Rohith Vemula as an anti-national which led to his suspension, scholarship loss, and eventual suicide instigated by the institution in Hyderabad⁵
- The public stabbing and honor killing of Gokulraj Shankar in Tamil Nadu for his inter-caste relationship with an upper caste girl.⁶
- The murder of a Dalit youth for having a ringtone on his cellphone that was a song about Dalit leader Dr. Ambedkar⁷
- Over 1300 have died from the terrible dalit ritually polluting job of manual scavenging where Dalits are forced to clean up the shit of the upper castes.⁸

Each of these cases represent the alarming lawlessness that is growing towards our vulnerable community. Much of this is rooted again in a failure to implement the rule of law.

These failures span from police not wanting to assigning caste crimes as hate crimes under the law, victims not being informed of their rights and financial support that should be available to them under the law to enable them to attend court hearings, threatening victims into silence; police discouraging Dalits from registering atrocity cases and **instead of supporting them**, encouraging compromises with the accused; even police foisting false cases against victims at the behest of the perpetrators of atrocities to push through a settlement; to, police intentionally delaying their arrival to the scene of atrocity, which contributes to weakening of the evidence trail. Finally, the dismal under-reporting of caste atrocities calls into question the failure of even the data related to caste crimes,

² <http://www.firstpost.com/india/ugly-face-of-caste-violence-despite-police-protection-dalit-children-burnt-alive-in-haryana-2476088.html>

³ <http://www.firstpost.com/india/3-dalits-run-tractors-caste-violence-flares-rajasthan-village-land-dispute-2247568.html>

⁴ <http://www.firstpost.com/india/3-dalits-run-tractors-caste-violence-flares-rajasthan-village-land-dispute-2247568.html>

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⁶ <http://www.hindustantimes.com/india/caste-and-violence-in-tamil-nadu-a-state-of-honour-killings/story-W5RDkUTnOSz9NhEqqs6dOI.html>

⁷ <http://www.thehindu.com/news/national/other-states/dalit-youth-killed-for-ambedkar-song-ringtone/article7232259.ece>

⁸ <http://timesofindia.indiatimes.com/city/delhi/Over-1300-manual-scavengers-died-at-work-Safai-Karmachari-Andolan/articleshow/51826182.cms>

for given just the anecdotal evidence, the scope and scale of caste atrocity is not evidenced by the National Crime Bureau's statistics-it is in fact far worse.

This failure of law is evidenced by the the fact that even at the end of 2014 , 85.5% cases under the Prevention of Atrocity Act were still pending trial across the country.

3) Additionally in 2015, we saw a spotlight on caste discrimination occurring on India's campuses. Dalit students were the leaders of the mass movements around the country sparked by the untimely suicide of Dalit student Rohith Vemula. His death spotlighted that caste discrimination on University campuses included the following:

- Improper implementation of affirmative action policies so that full quota of Dalit and Adivasi/Tribal students and faculty were not achieved at any Indian campus.
- Delays of six months to even a year in Dalit Scholarship funds yielding to undue economic hardship on students and families.
- Casteist student culture where Dalit Students are targeted, bullied and even assaulted.
- Casteist faculty, grading and curriculum standards.
- Targeting and branding as anti-national of Dalit student Activists who are organizing for their rights.

4) We also saw in 2015 that despite the increasing lawlessness towards our community there was a 57% budget cut in allotments towards Dalits and Adivasis. These allotments are known as the Scheduled Caste Sub Plan (SCSP) and the Scheduled Tribe Sub Plan (STSP). They were initiated in 1979 to address the exclusion of Dalits and Tribals from their share of government funds essentially required for their development.

As atrocities and violence against our communities rise, the systematic violation of their economic rights further aggravates violence, including torture. This is evidenced by the fact that the overwhelming majority of those subjected to torture and ill-treatment are from the lowest strata of society; poverty and marginalisation makes Dalits and Adivasis easy and defenceless targets.

5) Year 2015 also saw many gaps for enforcement of the government's affirmative action programs towards Dalits. Recommendations from various national Dalit groups advocate for the greater representation and verifying the effectiveness of all Dalit quota programmes in the areas of education and employment, special police and special courts.

6) In 2015 the status of Dalit women is still of major concern. According to the 2005-2006 National Family Health Survey, 41.7% of Dalit women reported having faced physical violence since the age of 15 years from someone other than their current or last husband, as compared 26.8% of other women.

Women and girls from Dalit communities are also particularly vulnerable to trafficking for sex work and domestic work. For while Dalit Women represent 8.08% of the overall

population, they represent the majority of women engaged in prostitution, making them even more susceptible to sexual violence and other forms of abuse.

Dalit women are also vulnerable to specific forms of religious violence. Studies revealed that over 90% of Dalit women are forced into ritualized pollution also known as Devadasi tradition.

And while sexual atrocities are the on the rise against Dalit women, less than 1% of all incidents of violence end in convictions.

7) Finally the assignment of ritually polluting tasks leaves Dalits incredibly vulnerable. One such job is manual scavenging which affects over 3.5 million People. While this job is illegal and unconstitutional the Indian Railways is the largest violator continuing to hire thousands of Dalits for this job.

To conclude, the situation for Dalits in India is dire and requires urgent attention. To that end we have the following recommendations:

- 1) It is our hope that the US can follow recommendations by both the UN and the EU to incorporate concerns about Dalit rights and the ending of caste-based discrimination in the US-India relationship and US policy vis-a-vis the [US-India Strategic Dialogue](#), which is the framework of engagement that the US State Department has devised to define its relationship with India. Currently, human rights and religious freedom do not form part of this framework even though counter-terrorism is very much part of the framework. Also, this position is in contrast to the US policy with regards to China where the [US-China strategic dialogue](#) does include human rights.
- 2) The time is ripe for the US to pass resolutions on condemning Caste-based discrimination similar to other resolutions by the EU parliament and the UN.
- 3) With respect to USAID, current resources channelled to India do not prioritize the issues of the marginalised. We hope we might be able then to help target some US AID grants directly to the core constituency of Dalits and Adivasis who are most affected by poverty and underdevelopment.
- 4) Finally in the UN Sustainable Development Goals process at the UN General Assembly we hope that the US can be a partner for all resolutions for elimination of Caste and Discrimination based on work and descent.

It is our hope that my testimony can be a compelling argument as to how human rights and Dalit rights is a vital and necessary addition to this conversation.

Thank you,

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Dalit American Federation