



General Assembly

Distr.: General
7 June 2016

English only

Human Rights Council

Thirty-second session

Agenda item 4

Human rights situations that require the Council's attention

Joint written statement* submitted by Association des étudiants tamouls de France, Association Solidarité Internationale pour l'Afrique (SIA), Integrated Youth Empowerment - Common Initiative Group (I.Y.E. – C.I.G.), Society for Development and Community Empowerment, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-09241(E)



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Honor Killing in Tamil Nadu

The OHCHR has made the elimination of caste-based discrimination a strategic priority in its anti-discrimination work, and the High Commissioner for Human Rights and the UN General Secretary have established caste as a ground of discrimination to be tackled on par with other forms of discrimination, such as race, gender, ethnicity, and sexual orientation.

Caste-based discrimination is a violation of international human rights law, inherently contradicting the universal principles of non-discrimination, dignity, and equality. It is also a violation of the principles underpinning humanitarian assistance.

Dalit women are particularly disadvantaged due to the intersectional discrimination of caste and gender. Dalit women suffer from multiple forms of discrimination based on caste, gender and poverty, which make them highly vulnerable to physical assaults, including rape and forced sex work, and other crimes which often go unpunished. Dalits and many similarly affected communities also are disproportionately subjected to forced and bonded labor and have unequal access to employment, land, and markets. The vast majority of forced and bonded laborers in South Asia are from Dalit communities and minority groups. Caste-based prejudice has a negative impact on social welfare policies.

'Honor killing' is the act of killing their own daughter/son for marrying against their wish. In Indian context, honor killings mostly occurred when the boy/girl marries other caste people. According to United Nations recent report, one fifth of the honor killings were taken place in Indian subcontinent. Recently, the number of honor killings were increasing in Tamil Nadu in Indian Union. Specifically, the Dalit community youths, who are in bottom of the social ladder were the major target in this 'honor killing'. The killing of Dalit youths always be very horrible in order to create terror among other Dalit people.

The independent human right activist report claims that every year 900 women were killed, in that 65% were honor killings. Moreover, most of honor killings were done by their own parents, so the registering the case against them became difficult task. Many time parents kill their daughter and report as suicide with the help of police. Every year averagely 6500 girls were committing suicide in that 50% of the suicides were occurred because of the love affairs. Thus the real number of honor killing must be double, if we includes the suicide cases. We give few of recent honor killing incident as the examples. The examples incident all took place in 2010.

First case, the person called Chitharaman lives in Thiruvannamalai village in Virudhunagar district, killed his 14 years old daughter Rajinilatha under the assumption that his daughter loving his neighbor village person.

Second case, Vettrivel and Suganya who were belong to different communities in Dharmapuri district. Both were separated and Vettrivel was brutally killed by caste mobs.

Third case took place in Sivakangai district. The college youth Sivakumar was killed by his lover's father and brother.

Fourth case is from central part of Tamil Nadu, which is Trichi district. The casteist father Selvaraj murdered his own daughter for fallen in love with different caste boy.

The fifth and final case is from Sivakangai district. Tamilselvi (19) the backward caste girl fallen love with Dalit boy Bhoominathan (27). Tamilselvi eloped with his lover and got married. Meanwhile, her father filed Habeas corpus. The couples surrender in front of Tuticorin (near district) court. The case ended in favor of the Tamilselvi father. After a month, Tamilselvi was burned by his father and his relatives for marrying a Dalit boy.

From these few examples as well as other common information. We could draw some basic details about the honor killings. First, most of the victims were women. Second, most of boy victims were belong to Dalit community. This clearly shows the intersectionality of caste and gender in Indian society.

Dalit leader and former Member of Parliament Thol.Thirumavalavan mention in his speech that between 2015 January to September 2015, twenty six depressed caste youths were killed only from southern part of Tamil Nadu.

The state report says that 2013 to 2016 (till January) totally 82 honor killings were registered in Tamil Nadu. 80 per cent of victims were women. In 2007 alone 30 honor killings were registered in western districts of Tamil Nadu.

Comparatively Tamil Nadu is much educated state and considered to be socially progressive state. However, the statistics of honor killing questions Tamil Nadu's social progress. The situation of other states were much more pathetic than Tamil Nadu. Most of time these honor killing was used as tool to control the Dalit emancipation. Even in academic discourse very recently only the scholars tried to study the intersectionality between caste, gender and honor killing. The most depressive fact is the state did not have any clearly report on honor till now. The international community must look forward these problems.

In less than three years, Tamil Nadu has witnessed 81 incidents of honour killings with the ghastly murder of Dalit youth Shankar in Udumalpet in neighbouring Tirupur district being the latest. The Dalit youth Shankar was attacked with machetes and sickle by a gang of five men in full public view near the crowded Udumalpet bus terminus on Sunday afternoon for marrying a caste Hindu girl Kausalya from Palani defying opposition by her parents.

In an attempt to cover up incidents of honour killings, the Tamil Nadu government dismisses incidents of honour killings and is one among the few states that has not submitted its report on it to the Supreme Court.

Of the 81 incidents of honour killings, 80 per cent of victims are women and 20 per cent are men. "Caste Hindu women, who love or marry a Dalit are murdered by their family members. On the other hand Dalit women, who marry caste Hindu men, are ditched due to societal pressure. Almost 84 per cent of Dalit women, who are into inter-caste marriage face humiliation due to marital discord," said Kathir.

In a disturbing trend, the Western districts of Tamil Nadu have also been gaining notoriety for honour killings. As many as 30 incidents of honour killings have been reported in Western districts since 2007, he claimed. Gokulraj, who was in love with a girl from Gounder community, was murdered and his body was abandoned on the railway track at East Thottipalayam near Pallipalayam in Tiruchengode on June 24 last year.

In a similar tragic end to a love story, in 2012, Dalit youth E Ilavarasan, whose marriage to a Vanniyar girl triggered caste tension with torching of over 200 huts of Dalit families, was found dead near a railway track in Dharmapuri. Though incidents of honour killings have been in prevalence for long, the culture of mob violence and daring murders in full public view have been sowed by caste-based outfits that are growing in popularity.

Access to justice is inhibited by entrenched caste discrimination within the criminal justice system and enforcement agencies. In many affected countries, the police exhibit caste biases in perpetrating or colluding in atrocities against Dalits. In India, for example, atrocities and violence against Dalits are on a double-digit rise, whereas acquittal rates for these crimes remain extremely high. The attacks are brutal and inhumane, ranging from gang-rapes to the recent burning alive of two children in India's Haryana state. A special concern is the continued practice of "manual scavenging" in India – the cleaning of human waste by communities considered low-caste – due to non-enforcement of the laws prohibiting this discriminatory practice.

We urge the Human Rights Council, its member states to call on states affected by caste discrimination to:

- Act on the recommendations of the Special Rapporteur on Minority Issues in her report presented to the Human Rights Council at its 31st session;
- Enact and enforce anti-caste discrimination legislation; addressing as a priority the existing patterns of impunity for human rights violations against Dalits and other similarly affected communities as committed by both state actors and non-state actors, and ensure their fair and due access to criminal justice;

Conduct country level studies on the situation of communities discriminated on the basis of caste and analogous systems of inherited status in under-researched regions; and initiate a thematic, regional level study in India on violence against Dalit women and research on the nexus of caste discrimination and forced and bonded labor.

May 17 movement (Tamil nadu) Collectif La Paix au Sri Lanka, an NGO without consultative status, also shares the views expressed in this statement.
