



# Caste-hate speech

Addressing hate speech based on work and descent

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**International Dalit Solidarity Network**

WORKING GLOBALLY AGAINST CASTE DISCRIMINATION

# Caste-hate speech: Addressing hate speech based on work and descent

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The report “Caste-hate speech: Addressing hate speech based on work and descent” is the outcome of in-depth research focused on the impact of caste-hate speech online and offline and the ways to address this. It draws upon desk research and in-depth participant interviews.

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The work and contributions of all these activists and organisations are acknowledged with great appreciation. We would also like to thank the UN Special Rapporteur on minority issues for engaging with us on this report and contributing with his foreword.

# Foreword

When Savita Ali, a Dalit social activist and lawyer from India, attends court, judges and lawyers from dominant castes treat her with contempt. She is mockingly told that she doesn't "look like a Dalit" because of her not so dark skin. "The boundaries between giving a compliment and insult are blurred but firmly rooted in humiliation and hate speech," she notes.

Savita Ali is but one of millions of Dalits who are subjected to discrimination because of their perceived 'low' caste status. One form of caste discrimination is caste-hate speech – a way of humiliating and dehumanising people at the bottom of the caste hierarchy by addressing them as if they were unworthy human beings.

This particular kind of hate speech can have devastating consequences. In its worst forms it incites hatred, violence, even rape and killing. Nevertheless, caste-hate speech has been overlooked in the international human rights discourse. As my report on hate speech at the UN Human Rights Council on 15 March 2021 indicates, the pandemic of hate in social media targeting minorities such as Dalits remains largely unconstrained – and social media owners continue to profit from hate and operate with relative impunity. The time has come for some kind of international regulatory covenant to deal with this global scourge.

Commissioned by the International Dalit Solidarity Network, this report is an admirable and well-researched exploration of a serious, but neglected, human rights issue. It presents numerous real-life examples of caste-hate speech and its links to caste-based hate crime. In particular, the report uncovers an alarming trend on social media platforms – the de facto normalisation of caste-hate speech as a means to oppress and humiliate Dalits.

It argues convincingly that caste-hate speech should be recognised as a distinctive form of hate speech that merits attention from the UN, the EU and INGOs. I would argue that it needs to be tackled in a global regulatory framework so that states cannot so easily avoid or evade their human rights obligations. It should also be considered a protected characteristic in all international covenants related to human rights and hate speech, and caste-affected countries should include it in relevant legislation.

Last November, the UN Forum on Minority Issues reached a similar conclusion when discussing the theme "Hate speech, social media and minorities". One of the Forum's recommendations – presented in my most recent report to the UN Human Rights Council – called for the amendment of national laws to cover hate speech based on caste.

After years of neglect, we now have a chance to place caste-hate speech firmly on the international human rights agenda. We must ensure that Savita Ali and millions of others do not continue to be subjected to this outrageous, humiliating, even life-threatening, violation of their most basic human rights.

***Dr Fernand de Varennes***

United Nations Special Rapporteur on minority issues

# I. Introduction

*“Caste-hate speech is caste-war waged through everyday conversations. It is a war waged against us with humiliating words.”* Rem Bahadur, Jagaran Media Centre, Nepal.

Caste is one of the oldest forms of social discrimination in the world. It continues to exist through endogamous practices, rituals, and cultural codes. It has the power to shape people's identities and life-experiences in the context of violence, privilege, everyday articulation, representation and individual or groups' rights to participate in society.

Caste discrimination affects hundreds of millions of people across the globe. Speech and communication that perpetuate caste-based hierarchies and discrimination by humiliating and dehumanising those at the bottom of the caste order - known in South Asia as Dalits - form an indelible part of the caste system. Thus, wherever there is caste discrimination, there is, almost inevitably, caste-hate speech.

This caste-based form of hate speech can, in its worst forms, lead to extreme violence. In recent years, it has been spreading like wildfire online as a means to oppress Dalits. Hate speech relating to gender, race and sexual orientation is increasingly addressed in a global context. The same cannot be said for caste-hate speech, even though it is prevalent in caste-affected societies. It remains unmentioned in all international covenants on the elimination of discrimination and protection of human rights. In general, international human rights agencies that prioritise hate speech continue to overlook caste-hate speech as a distinctive form of discrimination and humiliation.

Nevertheless, some references to this caste-based form of hate speech have been made by United Nations agencies. When the UN released its strategy on hate speech in 2020, it included hate speech based on ‘descent’ - in UN terminology, descent-based discrimination includes caste discrimination. And as early as 2002, the UN Committee on the Elimination of Racial Discrimination (CERD) made specific references to descent-based hate speech and called upon states to “take measures against any dissemination of ideas of caste superiority<sup>1</sup>.”

Until now, caste-hate speech has been an underexplored phenomenon. This report examines the issue in detail with a particular emphasis on digital media. It is based on extensive research and offers numerous real-life examples of caste-hate speech and its relation to caste-based hate crime.

It argues that global policymakers should consider caste a protected characteristic related to hate speech policies. It calls for the recognition and inclusion of caste in all international covenants related to human rights and hate speech. It further sets out action plans to mitigate hate speech in everyday conversations increasingly mediated by and saturated on digital platforms. And finally, it aims to set a policy agenda and raise media and public awareness of caste-hate speech campaigns and advocacy strategies.

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<sup>1</sup> UN Committee on the Elimination of Racial Discrimination (CERD), *UN Committee on the Elimination of Racial Discrimination: Concluding Observations, Canada*, 25 May 2007, CERD/C/CAN/CO/18. Available at: <https://www.refworld.org/docid/465fe0082.html> [accessed 12 February 2021]

## II. Approach and Methodology

Research and analysis of caste-hate speech are still at an early stage. Recently, an increasing number of news reports and media analysis have covered caste-hate speech on the Internet and Social Media Platforms (SMPs). Several studies have started to focus on the ever-increasing fake news, disinformation, trolling and religious and caste-related hate speech at the regional level in South Asia. Recent research<sup>2</sup> on the growing intolerance by Hindu nationalists in India analysed how techie-turned ideologues, party workers online, political intelligence consultants and entrepreneurs are drivers of extreme speech, fake news, trolling and disinformation.

Another study explored the spread of platform-specific (WhatsApp) disinformation, trolls, propaganda and hate speech in India: it concluded that there existed a "simmering distrust, hatred, contempt and suspicion towards Pakistanis, Muslims, Dalits and critical or dissenting citizens amongst a section of rural and urban upper and middle caste Hindu men and women<sup>3</sup>."

A research paper examined the relationship between parliament members' caste rank and their Twitter influence. The study found out that the "'higher' the caste of a Member of Parliament (MP), the more likely they are to be important in the network, to have reciprocal connections with other MPs, and to get retweeted by 'upper-caste' MPs<sup>4</sup>".

BytesforAll Pakistan's study<sup>5</sup> examined various levels of online hate speech against religious minorities that included Muslim subgroups. At the international level, Equality Labs<sup>6</sup> - an activist organisation based in the US - published a study on Facebook's approach to caste-hate speech.

Most analyses of caste-hate speech have tended to focus on online spaces. For example, comment about caste-hate speech in mainstream (or legacy) media content is markedly absent. Caste-hate speech in mainstream media has long normalised caste-slurs and everyday casteism. At the moment, no research or policy document has made a holistic case for the acknowledgement and recognition of caste-hate speech at the UN or the EU level. This research report addresses this gap. It has adopted the following approaches to collect materials and analyse contents to globally outline the case for setting the caste-hate speech agenda.

### Desktop research

The study systematically reviewed the UN and EU international covenants and policies to understand the policy recognition and acknowledgement of race, religion, gender group, and sexual orientation-related speech. An analysis of the results of caste-related search words such as

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<sup>2</sup> Udapa, S. (2019). India needs a fresh strategy to tackle online extreme speech. *Economic and Political Weekly* 54 (No 45): 7–8

<sup>3</sup> Banaji, S., Bhat, R., Agarwal, A., Passanha, N., & Sadhana Pravin. M. (2019) *WhatsApp vigilantes: an exploration of citizen reception and circulation of WhatsApp misinformation linked to mob violence in India*. Department of Media and Communications, London School of Economics and Political Science, London, UK.

<sup>4</sup> Vaghela, P., Mothilal, K.R., & Pal, J. (2020): Indian Political Twitter and Caste Discrimination -- How Representation Does Not Equal Inclusion in Lok Sabha Networks. [arXiv:2007.15863v1](https://arxiv.org/abs/2007.15863v1)

<sup>5</sup> Haque, J. (2014, June). *Hate Speech: A Pakistan Study of Cyberspace*. Bytesforall Pakistan. Available at: <https://bytesforall.pk/publication/hate-speech-study-pakistans-cyberspace> [accessed 8 January 2021]

<sup>6</sup> Zwick-Maitreyi, M., Soundararajan, T., Dar, N., Bheel, R.F., & Balakrishnan, P. (2018). Caste in the United States. A Survey of Caste among South Asian Americans. *Equality Labs*. The USA.

Brahmins and Dalits were critical to understand and contextualise existing caste biases in digital spaces. The methodology included an inexhaustive review of recent media reports on online casteist practices, “key moments” in social media platforms (e.g., COVID-19 and caste) and following popular social media profiles and handles.

## Participant interviews

This report interviewed activists, experts, representatives from civil society organisations, representatives from social media platforms, search engines, IT professionals and internet rights related activists - from India, Sri Lanka, Nepal, Pakistan, Malaysia, UK, USA and France (see Appendix 2 for a full list of participants). Some of these participants were members of the International Dalit Solidarity Network who have been influential campaigners against hate-speech in their national contexts. Others preferred to provide answers to the survey ‘Questions for experts’ and were followed up with additional questions where necessary.

The report has adopted open-ended and in-depth semi-structured (or ethnographic) interviews that lasted up to 90 minutes. These interviews were later transcribed, annotated or quoted, where relevant and appropriate, in the report. This interview method allowed respondents to answer pre-set open-ended questions and helped them explore the sensitive research subject with the interviewer<sup>7</sup>.

Where sensitive, upon request from participants, the report has anonymised quotes. Finally, through a qualitative interview method with diverse stakeholders from various countries, desktop research, various (inter)national media reports, and an analysis of online casteism, this report argues that caste-hate speech has been globalised and occurs in many different religious communities in South Asian societies and beyond.

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<sup>7</sup> Johnson, R. B., Onwuegbuzie, A. J., & Turner, L. A. (2007). Toward a Definition of Mixed Methods Research. *Journal of Mixed Methods Research*, 1(2), 112–133.



### III. Hate speech in a global context

The concept of hate speech covers expressions that encourage hatred, violence, and discrimination against individuals or groups. While it currently has no universally accepted legal definition, hate speech as a human rights issue has been addressed at the highest levels, including by the UN and the EU.

According to article 20 of the legally binding International Covenant on Civil and Political Rights (ICCPR)<sup>8</sup>, nation-states must prohibit by law “any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence”.

The United Nations Strategy and Plan of Action on Hate Speech, released in September 2020, defines hate speech as “any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group based on whom they are, in other words, based on their religions, ethnicity, nationality, race, colour, descent, gender or other identity factor.”<sup>9</sup> While caste is not mentioned directly, the term ‘descent’ includes caste and can be applied to caste-hate speech.

In 2008, the EU adopted a Framework Decision on “Combating Racism and Xenophobia”<sup>10</sup> that rejects and condemns all forms of racism and intolerance that are incompatible with the EU values and principles. The Framework prohibits any speech intended to incite violence, intimidation, hostility or discrimination against people on the grounds of “race, colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other personal characteristics or status.

The Framework “advocates that racist and xenophobic hate speech and hate crime must constitute a criminal offence in all member states and be punishable by effective, proportionate and dissuasive penalties”<sup>11</sup>.

The EU anti-discrimination guidelines from 2019 also address caste-based discrimination under the term descent stating that “‘descent’ does not solely refer to ‘race’ and has a meaning and application which complements the other prohibited grounds of discrimination. The Committee also affirms that 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.”<sup>12</sup>

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<sup>8</sup> UN General Assembly, *International Covenant on Civil and Political Rights*, (December 1966). *United Nations, Treaty Series* vol. 999, p. 171.

<sup>9</sup> United Nations. (2020, September). *United Nations Strategy and Plan of Action on Hate Speech, Detailed Guidance on Implementation for United Nations Field Presences*. Available at: [https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20PoA%20on%20Hate%20Speech\\_Guidance%20on%20Addressing%20in%20field.pdf](https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20PoA%20on%20Hate%20Speech_Guidance%20on%20Addressing%20in%20field.pdf) (accessed 02 Jan 2021)

<sup>10</sup> European Union: Council of the European Union, *Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law*, 28 November 2008. Available at: <https://www.refworld.org/docid/493e8fea2.html> [accessed 2 January 2021]

<sup>11</sup> Ibid.

<sup>12</sup> The EU anti-discrimination guidelines from 2019 <https://data.consilium.europa.eu/doc/document/ST-6337-2019-INIT/en/pdf>

The European Commission against Racism and Intolerance (ECRI, active since 1994)<sup>13</sup> is a human rights monitoring body, linked to the Council of Europe, which specialises in questions relating to the fight against racism, discrimination (on the grounds of "race", ethnic/national origin, colour, citizenship, religion, language, sexual orientation, and gender identity), xenophobia, antisemitism and intolerance in Europe. In 2015, the ECRI (recommendation 15)<sup>14</sup> recognised that freedom of expression is not an unqualified right to all forms of speech. It aims to combat certain forms and manifestations of racism and xenophobia through a common EU-wide criminal law.

The Peace and Security Council (PSC) of the African Union (AU), dedicated its 836<sup>th</sup> meeting<sup>15</sup> in 2019 to express its concerns “of hate speech, identity and religious-based conflicts, hatred, the exacerbation of ethnic divisions, among others, that constitute strong drivers of the ideology of hate which leads to hate crimes and genocide<sup>16</sup>”.

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<sup>13</sup> Council of Europe. (u.d.). *European Commission against Racism and Intolerance* (Council of Europe). Council of Europe, European Union. available at: <https://rm.coe.int/leaflet-ecri-2019/168094b101> [accessed 2 January 2021]

<sup>14</sup> Council of Europe. (2005, December 8). *ECRI General Policy Recommendation N°15*. European Commission against Racism and Intolerance (ECRI). Available at <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.15> [accessed on 02 Jan 2021]

<sup>15</sup> Press Statement of the 836th meeting of the PSC, held on 3 April 2019, on the theme “Prevention of the ideology of hate, genocide and hate crimes in Africa”. Available at <https://www.peaceau.org/en/article/press-statement-of-the-836th-meeting-of-the-psc-held-on-3-april-2019-on-the-theme-prevention-of-the-ideology-of-hate-genocide-and-hate-crimes-in-africa> [accessed 13 August 2020]

<sup>16</sup> Ibid



## IV. Caste-based discrimination

Caste, a form of ranked social identity assigned at birth, has been in existence for many centuries. Today's caste-affected societies include India, Nepal and other South Asian countries. Dalits are assigned to be the “lowest” caste group (the priestly Brahmin caste group being the “highest”) in this system of hierarchy<sup>17</sup>. “Caste can also afford social privileges to those who belong to the upper end of hierarchy and power, while, for others, especially Dalits, there are adverse experiences in everyday life, such as humiliation, separation, (forced) subordination and degradation<sup>18</sup>”.

Caste is an “inherited identity” that can affect all aspects of one's life opportunities<sup>19</sup>, including personal rights, choices, freedom, dignity, access to capital and effective political participation. Caste manifests itself through everyday interactions and various forms of cultural codes and communication forms<sup>20</sup>. Brutal forms of violence erupt when Dalits and oppressed caste group members challenge caste rules of communication. Everyday casteism is experienced through various forms of codes and expressions, including conversations, and the penalty for breaching these codes is both *ex-communication*<sup>21</sup> and ill-treatment such as abuse, hate-speech amongst other manifestations.

The origin of the present-day English term caste is attributed to the Portuguese word ‘casta’ for race or lineage. Caste is the English equivalent of *jati* and *varna*, and these words are interchangeably used in everyday contexts<sup>22</sup>. In South Asia, caste is often associated with the four varnas – broad social categories recognised in the Hindu tradition – but those most discriminated against comprise a fifth group excluded from this system.

The most excluded and subordinated caste groups are considered ‘impure’ and treated as ‘untouchable’ because of their occupations and history of subordination, economic dependency, and enslavement. Many now self-identify themselves as Dalits, a term that originally means broken or crushed. It is now used to denote the growing empowerment of the Dalit communities themselves.

Caste does not exclusively apply to Hindu communities. Caste-based prejudice remains an issue among South Asian Christians and Muslims, although many of these will be converts - or their descendants – from Hinduism. For instance, in Bangladesh, sweeper (Mathor); drum beater (Dholak); cobbler (Muchi) are a few examples of names attached to caste-based occupations<sup>23</sup>. In

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<sup>17</sup> See *Caste Discrimination*. (2015, February 10). International Dalit Solidarity Network. <https://idsn.org/caste-discrimination/>

<sup>18</sup> Shanmugavelan, M. (2019). Everyday Communicative Practices of Arunthathiyars: The Contribution of Communication Studies to the Analysis of Caste Exclusion and Subordination of a Dalit Community in Tamil Nadu, India. SOAS University of London.

<sup>19</sup> Mosse, D. (2018). Caste and development: Contemporary perspectives on a structure of discrimination and advantage. *World Development*, 110, 422-436.

<sup>20</sup> Mines, D.P. (2005). *Fierce Gods. Inequality, Ritual and the Politics of Dignity in a South Indian Village*. Bloomington: Indiana University Press

<sup>21</sup> Ambedkar, B.R. (1916). Castes in India: Their Mechanism, Genesis, and Development. *Columbia.edu*. Available at: [http://www.columbia.edu/itc/mealc/pritchett/00ambedkar/txt\\_ambedkar\\_castes.html](http://www.columbia.edu/itc/mealc/pritchett/00ambedkar/txt_ambedkar_castes.html) [accessed 04 January 2021]

<sup>22</sup> Dhanda. M., Mosse. D. & Waughray. A (2014). *Caste in Britain: Socio-legal Review*. Equality and Human Rights Commission Research report 91. Manchester: Equality and Human Rights Commission Research Report Series.

<sup>23</sup> Jodhka, S., & Shah, G. (2010). Comparative Contexts of Discrimination: Caste and Untouchability in South Asia. *Economic and Political Weekly*, 45(48), 99-106.

India, the Madiga, Valmiki and Arunthathiyar caste groups are associated with sanitation and manual scavenging.

In Sri Lanka, amongst Tamils, caste groups are primarily divided into land-owning Vellalars, craft-making (e.g., carpentry) intermediaries, and lastly manual workers called Panchamars, Pallars and Sakkiliyars whose assigned occupations involve menial work such as sanitation and disposing of dead bodies and animals<sup>24</sup>. Plantation workers (Malayakathor) in Sri Lanka are a caste group whose occupation is commonly reserved for Dalits, although in Sri Lanka the term 'Dalit' is not in common usage.

Sinhala groups such as the Rodi suffer extreme poverty and are under continued pressure to pursue caste occupations, such as removing dead animals<sup>25</sup>.

In Pakistan, sanitary workers belonging to the Chura caste are often from Christian and Hindu communities, mainly from Gujrati and Marwari communities, and they are locally referred to as '*Bhungi or Bhangi*'<sup>26</sup> (a caste name used as a slur).

## Caste in the South Asian Diaspora

Although there is a tendency to project South Asian diaspora along ethnic and religious lines, it is a fact that these *communities* are internally differentiated on linguistic and caste lines<sup>27</sup>. Historically, South Asian immigrants – notably in the UK, US, and parts of Africa – were mostly privileged dominant caste groups. It is estimated that nearly 4.5 million South Asians and other communities living in the UK belong to or are attributed to a caste<sup>28</sup>.

The arrival of globalisation, in the 1990s, opened up employment opportunities for more Dalits in economically developed countries outside South Asia. According to a report submitted by DSN-UK and IDS to the UN Committee on the Elimination of Racial Discrimination review of the United Kingdom in 2011 and 2016, "there is a significant 'population pool' of people of Dalit origin numbering 150,000 to 500,000 and spanning the various sub-continental religions<sup>29</sup>".

The arrival of Dalits in Europe and North America has unsettled the privileged sections of South Asians. Dalits in the West are now organising themselves to fight against caste discrimination at their workplaces and everyday lives. Indian Dalits started migrating to the US in the 1970s, and

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<sup>24</sup> Vegujanen & Raavana (2007). *Ilankayil sāthiyamūm atharkethirāna porāttankalum* (The struggles against casteism in Sri Lanka). Chennai: South Vision.

<sup>25</sup> Silva, K. T., Sivapragasam, P. P., & Thanges, P. (2009, November 6). *Caste Discrimination and Social Justice in Sri Lanka: An Overview*. Indian Institute of Dalit Studies. Available at: [https://idsn.org/wpcontent/uploads/user\\_folder/pdf/New\\_files/Publications\\_from\\_network/Caste\\_discrimination\\_and\\_social\\_justice\\_in\\_Sri\\_Lanka\\_IDS\\_working\\_paper.pdf](https://idsn.org/wpcontent/uploads/user_folder/pdf/New_files/Publications_from_network/Caste_discrimination_and_social_justice_in_Sri_Lanka_IDS_working_paper.pdf) [accessed 13 January 2021]

<sup>26</sup> Shaukat, Z. (2020). Why is sanitation work reserved for non-Muslim minorities? The news on Sunday. Available at: <https://www.thenews.com.pk/tns/detail/592949-faces-of-discrimination> [accessed 13 August 2020]

<sup>27</sup> Kumar, V. (2009). Dalit Diaspora: Invisible Existence. *Diaspora Studies*, 2(1), 53–74.

<sup>28</sup> Dalit Solidarity Network, UK. (n.d.). *Caste in the UK*. Dalit Solidarity Network. Available at: <https://dsnuk.org/caste-in-the-uk/> [accessed 8 January 2021]

<sup>29</sup> Dalit Solidarity Network UK and the International Dalit Solidarity Network (2011). Alternative report submitted to the UN Committee on the Elimination of Racial Discrimination when reviewing the 18th and 19th periodic reports of the United Kingdom: Caste discrimination in the UK.

they were first-generation literates and professionals<sup>30</sup>. This politically conscious new wave of Dalits has challenged subdued caste hierarchies outside South Asia<sup>31</sup>.

In the UK, in 2017, Dalit activists and civil society organisations actively campaigned for caste to continue to be a protected characteristic in the Equality Act 2010. The dominant caste Hindus and Sikhs in the UK ran an influential campaign against the recognition of caste in the UK Equality Act<sup>32</sup>. The campaign is an example of the reluctance of dominant caste members to acknowledge and recognise caste practices in the UK.

In the United States during 2016, organisations such as the Vedic Foundation, Hindu American Foundation, Hindu Education Foundation, and Dharma Civilisation Foundation objected to caste representations in California state textbooks<sup>33</sup>. These organisations are ideologically aligned with the Dharmic and Hindutva traditions that support views of Hindu religious extremism.

A survey on 'Caste in the United States'<sup>34</sup> by Equality Labs showed that Dalits, of all respondents, worried most about their caste being outed by dominant caste colleagues. A series of testimonies<sup>35</sup> from US residents on their everyday casteism experiences documented the discomfort, exclusion, shock, pain, and humiliation experienced by those subjected to various casteist practices at school, in the workplace, in their neighbourhood, and at social gatherings.

In 2020, Dalit Solidarity Network UK launched the "Report Everyday Casteism" project that aims to collect evidence to strengthen the case for the criminalisation of caste-based discrimination in the United Kingdom.

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<sup>30</sup> Kumar, V. (2004). Understanding Dalit Diaspora. *Economic and Political Weekly*, 39(1), 114-116.

<sup>31</sup> *ibid*

<sup>32</sup> Dalit Solidarity Network, UK. (n.d.). *Caste in the UK*. Dalit Solidarity Network. Available at: <https://dsnuk.org/caste-in-the-uk/> [accessed 8 January 2021]

<sup>33</sup> Soundarajan, T. 2016. "Erasing Caste: The Battle Over California Textbooks and Caste Apartheid." *The Huffington Post*, May 3. Available at: [http://www.huffingtonpost.com/thenmozhi-soundarajan/erasing-caste-the-battle\\_b\\_9817862.html](http://www.huffingtonpost.com/thenmozhi-soundarajan/erasing-caste-the-battle_b_9817862.html) [accessed 13 August 2020]

<sup>34</sup> Zwick-Maitreyi, M., Soundararajan, T., Dar, N., Bheel, R.F., & Balakrishnan, P. (2018). Caste in the United States. A Survey of Caste among South Asian Americans. *Equality Labs*. USA.

<sup>35</sup> Ambedkar King Study Circle. Available at: <https://akscusa.org/> [accessed 13 August 2020]

## V. Legal recognition of caste-hate speech

### ***Defining Caste-hate speech***

Everyday speech and communication are crucial to the sustenance of caste order that encompasses cultural, political, economic and developmental aspects of society in every caste-affected society. It is the pervasive glue or the rupture, depending on one's caste rank-based perspective, without which social *interaction* is incomplete in caste-affected societies in South Asia and beyond. Caste lives on through various forms of communication, and the penalty for breaching caste order is *ex-communication*.

Caste-hate speech is understood as any *communication form such as speech, writing, behaviours, codes, signs, or memes that manifest hierarchies, invoke humiliation, serve to dehumanise, incite discrimination, degrade self-worth or perpetuate discrimination and are often the sources of physical, mental or material violence to a person or a group based on caste identity.*

### **Caste-hate speech in a UN context**

Discrimination based on work and descent is the United Nations term for discrimination based on caste or other inherited status. UN human rights bodies have made a number of references to caste-based hate speech.

In 2002, the UN Committee on the Elimination of Racial Discrimination (CERD) published its General Recommendation no 29 on Descent-based Discrimination. The document contains specific references to the dissemination of hate speech, including through the mass media and the internet.

The Committee recommends states to “take measures against any dissemination of ideas of caste superiority and inferiority or which attempt to justify violence, hatred or discrimination against descent-based communities.” It also calls upon them to “take strict measures against any incitement to discrimination or violence against the communities, including through the Internet<sup>36</sup>.”

In 2009, the UN Human Rights Council published the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent – a comprehensive legal framework developed to eliminate caste discrimination. This framework calls on governments to “review or enact... hate speech laws to explicitly prohibit and punish... speech inciting discrimination, hatred, or violence based on work and descent<sup>37</sup>.”

In 2017, the OHCHR published a ground-breaking Guidance Tool on Descent-based Discrimination which sets out practical ways for UN country teams and other stakeholders to combat caste-based

<sup>36</sup> CERD: [General Recommendation XXIX on Descent-Based Discrimination](#) (2002), p. 4

<sup>37</sup> [UN Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent](#), p. 9

discrimination. It specifically mentions hate speech as an early warning sign for predicting violence against descent-based communities<sup>38</sup>.

Recent representations made by International Dalit Solidarity Network led to the inclusion and recognition of caste-hate speech in the “Recommendations from the United Nations European and Asia Pacific Regional Forums on “Hate Speech”, Social Media and Minorities<sup>39</sup>”.

## Constitutional and legal safeguards

The constitutions of India, Nepal, Bangladesh, Sri Lanka and Pakistan prohibit caste-based discrimination. However, in Nepal and India, The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Nepali Dalit Commission Act, 2017 are two special acts to prevent atrocities and hate crimes against Dalits.

India adopted the Protection of Civil Rights (Anti-Untouchability) Act in 1955 and the SC/ST Prevention of Atrocities Act in 1989 that have provisions to criminally charge an individual or a group if a casteist slur is made against an individual or a group. However, in November 2020, the Supreme court of India ruled that insulting remarks made to a person belonging to Scheduled Castes (Dalits) and the Scheduled Tribes (Adivasis, a collective term for indigenous tribes) within four walls (private sphere) of the house with no witnesses does not amount to an offence<sup>40</sup>.

Nepal’s Caste Based Discrimination and Untouchability (Offence and Punishment) Act from 2011 protects the right of each person to live with equality, freedom and human dignity aiming at creating an environment where no untouchability and discrimination prevails on the ground of caste in public or private spheres (Chapter 4 [2])<sup>41</sup>.

Outside South Asia, the UK Government’s Equality Act 2010 recognised caste as a discriminatory offence under the protected characteristic of race<sup>42</sup>. Also, the UK Racist and Religious Hate Crime - Prosecution Guidance recognises caste as a protected characteristic when probing a hate crime incident<sup>43</sup>. However, caste is not recognised specifically in the Hate Crime Act – which is currently under review by the Law Commission.

The European Union has consistently recognised caste-based discrimination and violence against Dalits in business, the economy and, most importantly, in everyday practices<sup>44</sup>. But the EU has yet

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<sup>38</sup> *UN Guidance Tool on Descent-based Discrimination*, p. 64

<sup>39</sup> *Regional Forums on “Hate Speech, Social Media and Minorities”*. (n.d.). Minority Forum Info. Available at: <https://www.minorityforum.info/en/page/regional-forums> [accessed 4 January 2021]

<sup>40</sup> Press Trust of India. (2020, November 5). *Insulting remarks to SCs/STs within four walls not offence: Supreme Court*. Hindustan Times. Available at: <https://www.hindustantimes.com/india-news/insulting-remarks-to-scs-sts-within-four-walls-not-offence-supreme-court/story-Y8LjggCexsGEYawLEwLdcP.html> [accessed 08 January 2021]

<sup>41</sup> Caste Based Discrimination and Untouchability (Offence and Punishment) Act, (2011), chapter 4. Available at: [https://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_190732.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_190732.pdf) [accessed 04 February 2021]

<sup>42</sup> In 2017, the UK government launched the Public Consultation ‘Caste in Great Britain and equality law’. The government’s response to the independent analysis of the result was that the Introduction of additional statutory protection to caste in the Equality Act was unnecessary. Consequently, the government announced that it would remove the word caste from the Equality Act. The UK government, however, acknowledges the existence of caste (and discriminations thereof).

<sup>43</sup> *Racist and Religious Hate Crime - Prosecution Guidance | The Crown Prosecution Service*. (2021, January 29). The Crown Prosecution Service. Available at: <https://www.cps.gov.uk/legal-guidance/racist-and-religious-hate-crime-prosecution-guidance> [accessed 04 January 2021]

<sup>44</sup> Detailed and systematic responses against caste-based discrimination by the European Union can be seen [here](#).

to develop concrete<sup>45</sup> policy-oriented action plans to address caste discrimination either within the EU or other caste-affected countries.

In the US, there is no law to criminalise caste-based discrimination. However, following a caste-based discrimination complaint by a Dalit victim against the Cisco Systems corporation, various activist groups<sup>46</sup> have increasingly taken up the cause to hold tech corporations and social media platforms accountable to such discrimination. The state of California has committed to take the case forward, and this has received considerable media attention in the US and abroad.

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<sup>45</sup> See section 11, under Human Rights and Democracy: general trends and key challenges of the [European Parliament resolution of 15 January 2020 on human rights and democracy in the world and the European Union's policy on the matter](#)

<sup>46</sup>For a detailed analysis, see everyday casteism project by [Ambedkar King Study Circle](#) and [the Equality Labs](#)

## VI. Manifestations of everyday caste-hate speech

Since caste-hate speech is mostly an unexplored phenomenon and is often subsumed within racial and ethnicity-oriented discrimination, it is relevant to offer real-life examples of caste-hate speech and its relation to caste-based hate crime. In an international context, discriminatory speech has often been distinguished from hate speech<sup>47</sup>. In caste-affected societies, discrimination of any form, including speech, is illegal and punishable under the protection of constitutional rights and other legal instruments. However, implementation of this legislation is poor, and caste discrimination, including caste-hate speech, is often carried out with impunity.

“Caste-hate speech unsettles me very much,” says Rem Bahadur, Chairperson, Jagaran Media Center in Kathmandu. “Even a casual reference can upset social cohesion and incites violence. It strips off one's humanity, and it humiliates our very existence. The casual use of caste slur can devalue one's dignity.”

Caste-based discrimination, as a form of everyday expression<sup>48</sup>, is a conscious recognition of ‘deemed inferiority’ by perpetrators to humiliate, dehumanise and, in extreme cases, exert violence on Dalits and members of other oppressed caste groups. The severity of everyday caste-hate speech can be broadly categorised as follows:

- Discriminatory speech and trolls
- Indirect discrimination
- Dehumanising and humiliating an individual or group
- Incitement to hatred
- Incitement to violence and killing

### Discriminatory speech and trolls

On a daily basis, caste-based discriminatory references can incite hatred, thus legitimising hate speech that rides on the perpetrator's perceived caste supremacy or the victim's inferior identity and normalise indignation to mobilise caste-hate supporters and coerce victims, especially Dalits.

According to Savita Ali, a social activist and lawyer from India, there are many layers and attributes to caste-hate speech. When she attends court, she constantly feels how judges from dominant castes treat her differently because she is a Dalit woman.

“I can feel the rudeness and apathy in their choice of words directed towards me. I can feel their behaviour is so different that they are naturally biased against the Dalit women advocate, no matter how well I present my argument and evidence. Dominant caste lawyers usually occupy the advocate chamber, and one can feel the animosity in their tones. They don't need to say anything; their body language is enough to dehumanise me. They also comment about our clothing, skin colour and physical appearances. They compare our dark skin with our Dalit identity or appear to

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<sup>47</sup> Ghanea, N (2012), The Concept of Racist Hate Speech and its Evolution over time. *The United Nations Committee on the Elimination of Racial Discrimination's day of thematic discussion on Racist Hate Speech*. Geneva.

<sup>48</sup> See *Report everyday casteism*. (n.d.). Dalit Solidarity Network. Available at: <https://dsnuk.org/caste-in-the-uk/report-everyday-casteism/> [accessed 8 January 2021]



be mockingly surprised for our lighter skin tone with an 'oh, you don't look like a Dalit' comment. The boundaries between giving a compliment and insult are blurred but firmly rooted in humiliation and hate speech."

Another Dalit activist, Riya Singh, of the Dalit Women Fight Collective, has noted a trend in social media that normalises caste-hate speech as a harmless troll.

"Take reservation for instance: I see it as a constitutional right, and the Dalit community has earned it through a series of political struggles, thanks to Babasaheb Ambedkar [a Dalit icon, lawmaker, and social reformer]. Any debate around the reservation, in my opinion, is a manifestation of caste-hate speech. It is so tiring and emotionally exhaustive for us to defend our constitutional rights about reservations endlessly."

'Reservation' in India, Nepal (and Bangladesh until recently) is a social justice mechanism to provide education and public sector employment to Dalits, Adivasis and other oppressed caste and minority groups.

## Indirect discrimination

Indirect discrimination need not be personal, but it occurs in an open environment when the expression serves to make Dalits and other oppressed caste groups look inferior.

On 9 March 2020 when the COVID-19 pandemic was beginning to become a reality across the globe, a Twitter handle<sup>49</sup> from India said the virus should affect Dalits and Adivasis first since they demand reservation in everything. The Twitter handle (that no longer exists) ridiculed and degraded Dalits and Adivasis about their rightful claims to entitlements by insinuating perverse reservation in death by the virus.

In Pakistan, the pandemic inspired a post about Dalits on a social media platform. According to Purbhu Lal Satyani of the Pakistan Dalit Solidarity Network, a Muslim man wrote that "Covid-19 will spread faster amongst the Dalits, because they are dirty and eat dead animals. Through Dalits, other people in the society might get infected and thus, it is essential to keep a reasonable physical distance from them."

## Dehumanising and humiliating an individual or a group

Caste-based discrimination can result in harassment which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person<sup>50</sup>.

Ankita Paudel BK, a Dalit woman activist from Nepal's Feminist Dalit Organization (FEDO), recalls being harassed at school: "Caste-hate speech leads to mental anxiety and emotional stress. During my school years, I faced personal attacks from a teacher. These instances have created huge

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<sup>49</sup> Ingloe, P., & D, B. (2020, March 21). *Coronavirus and Caste: Is Our Response to the Pandemic Casteist?* The Quint. Available at: <https://www.thequint.com/voices/blogs/coronavirus-outbreak-india-social-distancing-caste> [accessed 02 January 2021]

<sup>50</sup> Metcalf, H. & R. Heather (2010). Caste discrimination and harassment in Great Britain. *Report into Caste Discrimination in Great Britain*: National Institute of Economic and Social Research: Report 101213. London

mental pressure, self-doubt, and anxiety for me as a young Dalit woman seeking university education.”

In the UK, a doctoral student belonging to an oppressed caste group undertook part-time employment to supervise a car parking area at a Hindu temple. The temple priest quizzed him about his caste identity in public, but the student refused to answer. The relentless priest found out about the student's caste after doing some background checks. "The priest was obsessed with my caste and called me by caste name in public. He humiliated me so much, and it left me with no option but to leave the work that I badly needed<sup>51</sup>”.

Caste-based harassment also takes places online. In Bangladesh, a youth from a Dalit community known to work with shoes and leather products announced on Facebook that he wanted to start his own online business. According to Tamanna Singh Baraik of the Dalit Women Forum, this led to derogatory remarks: “Immediately he was attacked by comments saying ‘You Muchir Chele’ (son of a cobbler), how dare you want to do business, you’d better mend shoes on the street”.

In Sri Lanka, caste-hate speech is prevalent, especially for Tamil communities of both Indian and Sri Lankan origin, but also amongst Sinhalese. Women politicians deemed to be of ‘lower caste’ origin are vulnerable to discrimination: “Women politicians from *lower castes* are heavily discriminated in general and face online caste-based slurs. These women are mainly targeted and abused by mentioning their *lower caste* identities,” said Ms D. Vibooshi Balakrishnan, a digital security human rights trainer.

## Incitement to hatred

Stirring up hatred against someone because of one's caste rank is already an offence in South Asian countries and the UK. Article 20 of the International Covenant on Civil and Political Rights (ICCPR) stipulates that states must prohibit by law “any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence.”

In 2019, when the SMP TikTok became popular in India, videos by dominant caste Tamil youths to annihilate Dalits became very common. "Our time will come. When it arrives, we will kill you<sup>52</sup>,” said a TikTok user. “Fight us if you are a real man, you Dalit dogs. You bastards are worthless in front of us. We’ll butcher you lowlives<sup>53</sup>”, a drunk TikTok user ranted in another video. Casteist videos associated with a Tamil caste (known for their violence towards Dalits) is still available on TikTok with thousands of views as of November 2020<sup>54</sup>.

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<sup>51</sup> Personal interview

<sup>52</sup> Omjasvin, MD (2019): S(h)ame old story: Casteist voices in Tamil Nadu find new platform in TikTok. The New Indian Express. Available at: <https://www.newindianexpress.com/states/tamil-nadu/2019/sep/22/shame-old-story-casteist-voices-in-tamil-nadu-find-new-platform-in-tiktok-2037173.html> [accessed 13 August 2020]

<sup>53</sup> Christopher, N ( 2019). TikTok is fueling India’s deadly hate speech epidemic. The Wired. Available at: <https://www.wired.co.uk/article/tiktok-india-hate-speech-caste> [accessed 13 August 2020]

<sup>54</sup> *ibid*

## Incitement to violence and killing

In caste-affected societies, caste violence remains pervasive. Dalits are physically harmed, killed, and, in some cases, women are raped for challenging caste-hierarchies and unwritten caste rules. Intersectional caste and gender discrimination results in increased levels of violence and sexual abuse of Dalit women. Symbolic violence or violence through the imposition of categories of thought, perception, and expression by dominant caste groups is a prime condition for the production of physical, material, and emotional violence.

Dalit lawyer and activist Devji Maheshwari wrote about atrocities against Dalits and was critical of Brahminism on his Facebook account. Bharat Raval who followed Maheshwari on Facebook disagreed with those comments and warned Devji to remove the content. Both Raval and Maheshwari were from the same town Kutch in Gujarat, but the former worked in a stationery shop in Malad, Mumbai. After heated arguments on the phone, Raval travelled from Mumbai to Kutch (around 950 km) and attacked Maheshwari multiple times with a sharp weapon resulting in death, according to charges filed by the police.

Though different in several respects, the real-life situations described above share one central feature: an assault on the self-respect of those involved. Those subjected to caste-hate speech are demeaned, harassed, mocked, degraded, devalued, made objects of ridicule or contempt and diminished in their own and others' eyes.

## Caste pride – a source of incitement to hatred

Caste pride is often a reaffirmation of one's caste location with superiority. Talking up one's caste or "caste-positivism", is often used to remind oneself of caste-hierarchy and the so-called inferior position of those at the bottom rung of the caste ladder. Boasting about "Brahmin intelligence" insinuates that non-Brahmins are less capable and intelligent. Asserting Jat pride or the bravery of Rajputs are expressions of caste supremacist behaviour. In everyday lives, dominant caste groups use caste speech to normalise caste practices as a positive culture. "Caste-positivism normalises caste-hate speech. Hate speech is often an outcome of caste-pride and positivism" said Avinash Kumar, Former Director of Amnesty International India.

In 2015, for instance, a phone-in caller and second-generation British Asian said in a BBC Asia Network programme<sup>55</sup> that he was proud of (his) Jat caste and "wouldn't marry outside of his caste because it wouldn't sit with my family dynamic". SMPs are littered with Brahmin and intermediary dominant caste groups that are private and exclusive to these caste groups.

A Tamil Brahmin (*Tambram*) group on Facebook, required its prospective members to answer a few questions specific to Brahmin caste practices to validate members' caste authenticity. Various organisations (such as Brahmin Society, Patel Community) in the UK, USA and Canada require caste identity proof from its members. These places are exclusive spaces to interact and communicate with members from fellow caste groups.

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<sup>55</sup> Nihal, --. (n.d.). *Nihal - Proud Jatt - BBC Sounds*. BBC. Available at: <https://www.bbc.co.uk/sounds/play/p0338yk5> [accessed 13 January 2021]

TikTok, before the ban in India, was a popular place where users asserted their caste-pride that even resulted in the killing of a youth in a southern State. According to Wired magazine<sup>56</sup>, during the five months between 31 November 2018 and 19 April 2019, the company removed 36,365 videos that breached its hate speech and religious rules. Another 12,309 videos were deemed to include dangerous behaviour and violence. Under the caste-linked hashtags, the hate-fuelled videos showed users lip-syncing to popular movies and songs about their pride for their caste.

Dominant caste groups now articulate themselves to be part of a “casteless world of middle-class merit<sup>57</sup>”. In reality, caste-speech – similar to white supremacist speech – can only exist by dehumanising and making other caste groups inferior. However, caste-positive narratives are gaining credibility in modern societies with growing urbanisation. The rise of Hindutva (a form of Hindu nationalism) as a champion of “national unity” in India disguises caste as a credible multicultural form in the West. In reality, it only serves to contribute to modern manifestations of caste. For example, modern British-Asian bhangra music that originated in 1970s as an expression of British-Asian identity has not been free from caste pride and prejudice<sup>58</sup>.

### The rhetoric of Hindu nationalism, multiculturalism and casteism

At the national level in India, Hindutva ideologues present themselves as the most ardent champions of “national unity” and this rhetoric is generally deployed as an excuse to clamp down on all dissent against ruling class/caste hegemony, including every challenge to Brahminism on the part of the oppressed castes. Outside South Asia, such articulations are often dubbed as cultural identities of diasporic population, based on *Sanatana dharma*<sup>59</sup> that reflects an exclusively Brahminical view of Indian history and culture.

In India, for example, communal rhetoric and hate-speech by Hindutva leaders has spurred violent vigilante campaigns against beef consumption (often targeting Muslims, Dalits, Adivasis and other minorities). According to a Human Rights Watch report<sup>60</sup>, between May 2015 and December 2018, at least 44 people—36 of them Muslims—were killed across 12 Indian states in such campaigns.

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<sup>56</sup> Christopher, N. (2019, August 14). *TikTok is fuelling India's deadly hate speech epidemic*. WIRED UK. Available at: <https://www.wired.co.uk/article/tiktok-india-hate-speech-caste> [accessed 04 January 2021]

<sup>57</sup> Mosse, D. (2020). Outside Caste? The Enclosure of Caste and Claims to Castelessness in India and the United Kingdom. *Comparative Studies in Society and History*, 62(1), 4–34. <https://doi.org/10.1017/s0010417519000392>

<sup>58</sup> Chester, N. (2017, January 25). *How Does Caste Discrimination Affect the British Bhangra Scene?* Vice. Available at: <https://www.vice.com/en/article/ae84ma/british-bhangra-caste-feature> [accessed 10 March 2021]

<sup>59</sup> A critical idea developed in classical Hinduism is that dharma refers primarily to a person's responsibility regarding class (*varna*) and stage of life (*ashrama*).

<sup>60</sup> Bajoria, J. (2019). *Violent Cow Protection in India*. Human Rights Watch.

## VII. Caste-hate speech in media and digital spaces

Print and television media houses in South Asian societies are mostly owned and controlled by families of more privileged castes<sup>61</sup>. Robin Jeffrey, a media scholar, could not find a single Dalit journalist in the entire country during the 1990s<sup>62</sup>. There is still no Dalit-run mainstream media or Dalit chief editor in India. According to Himanshi Matta, a communication and development professional from India, “traditional mainstream media spaces particularly news channels in India, have often justified acts of violence against marginalised communities. They, through their unethical and click-bait journalism, are contributing to the rising hate against Dalits, Muslims and other minorities<sup>63</sup>.”

“Lack of qualifications” was often cited as a reason for the absence of Dalit participation in Indian mainstream media. According to a recent report published by Oxfam and Newslaundry, “of the 121 newsroom editorial leadership positions across the newspapers, TV news channels, news websites, and magazines, 106 are occupied by journalists from the ‘upper castes’ and none by those belonging to the Scheduled Castes [Dalits] and the Scheduled Tribes [Adivasis]<sup>64</sup>”.

When tech giant Cisco Systems faced allegations of discrimination against a Dalit employee, leading western newspapers and online portals, especially in the US and the UK, started to acknowledge and report caste-based discrimination in the West. In 2015, the Special Broadcasting Services (Australia)<sup>65</sup> ran an in-depth analysis of rampant caste-based discrimination practised amongst Australia’s half-million-strong South Asian community. And in a recent article, a Melbourne-based academic of Indian origin noted that “caste goes where South Asians go<sup>66</sup>”. However, sustained and critical reporting of caste and its effects is still rare in western media.

High profile media, communication, IT and development organisations in South Asia are also known to ignore the caste issue even though it is a powerful barrier to inclusive participation and development. However, the proliferation of mobile phones, access to social media platforms such as Facebook, Twitter, TikTok and Instagram, and affordable access to data plans have significantly influenced mobilisation of Dalit and anti-caste activist movements in the last two decades.

Dalits who could not find their own spaces and voices in the mainstream media space found alternative spaces for political participation. This change has led to the organic growth of independent Dalit media outlets producing their own content. For example, Dalit Camera – a

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<sup>61</sup> Patel, A (2009). When will the Brahmin-Baniya hegemony end? *Livemint*, Available at: [www.livemint.com/Leisure/3u2QUPuXBEFPaBQXU2R8mJ/When-will-the-BrahminBania-hegemony-end.html](http://www.livemint.com/Leisure/3u2QUPuXBEFPaBQXU2R8mJ/When-will-the-BrahminBania-hegemony-end.html) [accessed 13 August 2020]

<sup>62</sup> Jeffrey, R. (2001). [NOT] being there: Dalits and India’s newspapers, *South Asia: Journal of South Asian Studies*, 2001, 24, pp 225-238.

<sup>63</sup> A type of content that uses hyperlink text or a thumbnail link designed to attract attention and entice users to click that link with a defining characteristic of being deceptive or misleading.

<sup>64</sup> Newslaundry (2019). Our Stories Matter, Representation of marginalised groups in Indian newsrooms, Oxfam India.

<sup>65</sup> Knox, M (2015). Caste Acts. SBS. Available at: <https://www.sbs.com.au/topics/voices/feature/caste-acts> [accessed 13 August 2020]

<sup>66</sup> Jokiranta, M. (2021, February 6). *Australia’s caste divide*. ABC Radio National. Available at: <https://www.abc.net.au/radionational/programs/earshot/australia/13085900> [accessed 12 February 2021]

YouTube channel modestly started with a still camera in 2011 – is now an influential anti-caste media outlet with over 69,000 subscribers and thousands of videos. Without funding from international media and development agencies it addresses the gap that the "mainstream" media continues to manufacture. Dalit Camera – a caste-hate speech free space – is now recognised as a credible news feed on Dalits and other oppressed groups by mainstream media in India. These anti-caste online media outlets also hold casteist practices of mainstream media to account.

Dalit women, who have long been subjected to intersectional and multiple discrimination through the twin oppressions of caste and gender, have found a space on Twitter and Facebook. "I do believe that online space is refreshing and a space we never had earlier," said activist Beena Pallical<sup>67</sup>. "There used to be limited regional media spaces, but we are now visible, and much of our anti-caste conversations are now happening on social media platforms." Beena pointed out that stories about victims of cow vigilantes only appeared in national and international media because of mobile phone footage. "Una, a small city with 60,000 people, where Dalits were flogged and assaulted in full public view for allegedly skinning a dead cow, would have never made it to international media without mobile phones and the Internet. It forced the local government to react to the event".

But the Internet has also exposed Dalits, especially women, and other oppressed caste members to a vast number of abusers: "We are suddenly faced with an army of caste-speech abusers from nowhere. We realised physical distance is no longer a barrier to these abusers; this has put all our Dalit activists in a very vulnerable place" said Beena. "Alongside opportunities, digital spaces have also created an atmosphere of fear and intolerance, as there is more often than not outburst of obnoxious caste-hate speech".

Asha Kowtal, another Dalit activist, has commented that "in the beginning, we used to engage with abusers and casteist bullies, and it put us in a defensive mode and caused severe stress on our fellow activists and me. We, therefore, thought about this strategy and decided to disengage with these caste-hate speech abusers."

A recent report by Equality Labs found that caste and other forms of hate speech "almost completely remains up or is reinstated by moderators on Facebook, an increasing number of minority user accounts are being banned or removed entirely<sup>68</sup>". One main reason for this, according to Saurabh from Dalit Women Fight Collective, is that Community Standards guidelines of all social media platforms are not yet localised for local languages and contextualised to address caste-hate concerns. "This situation encourages abusers to be bold and more vicious".

Suman Saurabh, an activist at Dalit Women Fight, started to notice that casteist handles were replying to anti-caste tweets with an "OK Bhimer<sup>69</sup>" - a new derogatory reference to cancel followers of the philosopher and Dalit leader 'Bhim'rao Ambedkar. "I was extremely triggered by

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<sup>67</sup> General Secretary, Dalits and Employment Rights, National Campaign on Dalit Human Rights

<sup>68</sup> Soundararajan, T., Kumar, A., Nair, P., Greely, J. (2019), Facebook India: Towards The Tipping Point of Violence Caste and Religious Hate Speech. Equality Labs, USA.

<sup>69</sup> OK Bhimer is a copy of "OK boomer" - an internet slang phrase used to cancel, mock or dismiss an older generation's outdated opinion.

this dismissive tweet”. Suman Saurabh and Riya Singh, from the Dalit Women Fight Collective, said they had taken it up with Twitter, but received no response.

Dalit activists across the globe strongly feel that SMPs should be a lot more caste-sensitive. Online activists want tech corporations and SMPs to engage with Dalit groups, as caste-hate speech is layered and locally contextualised. One possible way forward is to make policy manuals and decision-making processes more transparent about what qualifies and constitutes caste-hate speech. Such sharing might enable anti-caste activists to share their perspectives with SMPs to foster a caste-sensitive environment.

Constant caste abuse and inadequate measures by SMPs to hold abusers to account can leave Dalit online users with psychological stress and anxiety. Anti-caste handles and online spaces are committed to ensuring equality and dignity. However, many activists feel that SMPs are letting them down. This situation leads to the ghettoisation of Dalit users and followers. As a result, some Dalit women choose to anonymise their identities so as not to give ammunition to casteist trolls.

Social media can also expose Dalit activists to online abuse. In some instances, casteist handles join together and descend on Dalits until the latter give up and disappear. "We are very aware that we are constantly watched and monitored by trolls and haters. Frankly, we are scared of this (level of) exposure, especially when the political climate is increasingly anti-Dalit", said Mohini Bala, another Dalit Women Fight member. She has stopped sharing pictures and family details and now restricts her sharing to mundane work-related updates.

Other Dalit activists felt SMPs should be more caste-sensitive to support Dalit visibility and much-needed anti-caste conversations. According to a woman activist, "I am popular in social media and attract lots of traffic to my page, but I choose not to upload my picture and name out of fear of being bullied by dominant caste abusers. At the moment, SMPs do not allow me a verified account unless I upload my real face and picture. I am willing to share this information privately, but SMPs tend to insist I upload and de-anonymise myself. On the other hand, dominant caste influencers and politicians are flaunting their privileges in full public view".

Tech corporations lack clear and transparent caste-sensitive policies which can often lead to frustration and increase mistrust between users and these platforms.

## **Towards a caste-sensitive internet**

The social media platforms Google, YouTube, Facebook and Twitter have acknowledged and included caste into the list of protected characteristics under their hate speech policies. This has happened in response to anti-caste activists and civil society organisations and is an important step in the right direction.

According to Ms Fadza Madzingira, Public Policy Manager Content, Facebook<sup>70</sup>, the platform has been having a series of internal meetings with stakeholders to acknowledge and mitigate caste-

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<sup>70</sup> In response to the question by the report's author, at the European Regional Forum on Hate Speech, Social Media and Minorities, September 22, 2020



hate speech on the platform. Google has started to recognise the anniversaries of anti-caste icons such as Ambedkar and Savitribhai Phule in their doodles. Twitter India celebrated Ambedkar's anniversary by releasing a Twitter-exclusive emoji for a limited period. As part of its efforts to understand caste-related online safety concerns, Twitter India has started to work with the National Campaign on Dalit Human Rights (NCDHR) and Social Media Matters to connect more structurally and comprehensively with members of oppressed castes.

These responses are encouraging, but many of those interviewed still believe that these platforms could and should invest in more resources to be caste-sensitive at organisational (diversity and inclusion) and policy levels to mitigate caste-hate speech.

Building a caste-sensitive internet is not just about acknowledging caste in policy documents, it requires structural rethinking of the Internet. Principles behind search engines and machine learning need to be objective and fair. Reimagining the caste-sensitive Internet requires tech corporations to involve and empower Dalits and other oppressed communities to be part of fixing errors in these codes and principles.

Tech corporations, online platforms and internet-related rights-based non-profits are unlikely to back Dalit and anti-caste causes. In the US, the race issue has received its recognition in critical academic scholarship<sup>71</sup> and official policy discourses. Policy and academic discussions of critical race studies not only reveal the emergence of a racist Internet<sup>72</sup> but also how the technology has long produced a set of commercial products that are themselves shaped by historical prejudices, biases, and inequalities.

For example, light skin became the chemical baseline for film technology, keeping its target dominant market in mind. Known as the "Shirley" card – named for the original model and a Kodak employee – it was used as the measuring stick against the lab technicians who calibrated the skin tone. This "practice" has now extended into the world of digital technology<sup>73</sup>.

## The casteist Shirley

A leading Indian matrimonial site shaadi.com was accused of perpetuating caste-based social prejudices with an algorithm that discriminated against its users on caste grounds. According to The Sunday Times<sup>74</sup>, a Brahmin profile was designed not to generate potential Dalit matches. The machine only generated matrimonial matches from respective castes, and the search engine did not produce inter-caste matches. Shaadi.com has denied any caste-based bias because it would not view the personal settings by its users as discriminatory.

Related to this controversy, Shaadi.com also asked its members to select how dark or light their skin is under the "skin tone" option. When a user sought an explanation, the company's

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<sup>71</sup> Chakravartty, P., & Jackson, S. J. (2020). The disavowal of race in communication theory. *Communication and Critical/Cultural Studies*, 17(2), 210-219.

<sup>72</sup> Benjamin, R. (2019). *Race After Technology: Abolitionist Tools for the New Jim Code* (1st ed.). Polity.

<sup>73</sup> Lewis, S. (2019, May 31). *The Racial Bias Built Into Photography*. The New York Times. Available at: <https://www.nytimes.com/2019/04/25/lens/sarah-lewis-racial-bias-photography.html> [accessed 08 January 2021]

<sup>74</sup> Rudra, P., Urwin, R., & Calver, T. (2020, February 1). *Indian dating site deems 'untouchables' undateable*. The Sunday Times. Available at: <https://www.thetimes.co.uk/article/indian-dating-site-deems-untouchables-undateable-08xhkpd6b> [accessed 04 February 2021]

representative said, “this is a filter required by most parents<sup>75</sup>”. The matrimonial company eventually agreed to remove the filter in response to a media backlash. Shaadi.com, registered in Seattle, remains a most popular matrimonial site for Indians, South Asians, British Asians and those who live in other parts of the world. Its success is also a clear indication of the globalisation of caste.

A search for “Brahmins” and “Dalits” on Google and Getty images can show these caste groups' stereotypes on the Internet. The search engines show us god-loving, ritual-observing, prosperous and successful Brahmins and polluted, unclean, victimised, helpless and angry Dalits. Such filtering is possible because of the following combination: photographers' (data *producers*) social understanding of caste; the acknowledgement of such pictures by the Internet (data scientists producing *insights*); and the machines trained to create patterns that perpetually produce such biased results.

### The spectre of caste in Silicon Valley<sup>76</sup>

In late October 2020, a Facebook Inc. executive in India resigned from the company following a political storm over the company's policy on anti-Muslim hate speech. Prior to this incident, employees of Facebook's internal group had argued that the company “needed to make its policy enforcement process for high-profile users more transparent and less susceptible to political influence<sup>77</sup>”. The executive's resignation came two months after a *Wall Street Journal* report claimed that the executive had blocked Facebook from applying hate speech restrictions on several ruling pro-Hindutva Bharatiya Janata Party leaders.

In contrast, when Twitter CEO Jack Dorsey visited India in 2018 and held a poster that read “Smash Brahmanical Patriarchy” – a reference to annihilate the toxic mix of caste masculinity – he triggered a massive social media outrage from those who believed in the sanctity of caste order. While anti-caste activists welcomed Dorsey's stand, Hindutva groups and influential Twitter handles of Brahmin and privileged caste groups called ‘annihilating a caste order’ a hate speech. The legal head of Twitter policy apologised and said, “it is not reflective of our views”. Later a resident of Rajasthan state filed a case against Twitter CEO for “defaming Brahmins”. But the Rajasthan High Court rejected the charge.

### Dalit Lives Matter in digital spaces

The Black Lives Matter campaign inspired online Dalit activists to start a similar campaign of their own. Unlike Black Lives Matter, Dalit Lives Matter hardly received any support from various political party leaders, tech corporations, SMPs, progressives from dominant caste groups or a massive wave of supporters from all over the world. Dalit Lives Matter was indeed a powerful

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<sup>75</sup> Bilkhu, B. R. K. (2020, June 23). *Shaadi.com: Dating site removes skin tone filter after backlash*. BBC News. Available at <https://www.bbc.co.uk/news/newsbeat-53146969> [accessed 08 January 2021]

<sup>76</sup> Title borrowed from The New York Times opinion. Available at: <https://www.nytimes.com/2020/07/14/opinion/caste-cisco-indian-americans-discrimination.html> [accessed 13 August 2020]

<sup>77</sup> Horwitz, J., & Purnell. (2020). Facebook Staff Demand Policy Changes on India Hate Speech. Morningstar.com. Available at: <https://www.morningstar.com/news/dow-jones/202008213342/facebook-staff-demand-policy-changes-on-india-hate-speech> [accessed 13 August 2020]

campaign in certain bubbles, but activists felt that the lack of support showed underlying reluctance to stand up for caste-related social justice.

All the Information Technology (and development), the internet rights-based organisations and a tech start-up interviewed for the report agreed that caste-hate speech is an important area – only to confess they had not addressed it thus far. According to a former employee of an Internet and development NGO, the management made no conscious effort to recognise the relationship between caste, internet technology and social justice despite employee requests. The former employee said their professional choice was in line with their privileged caste locations. IT and development agendas in caste-affected societies largely reflect international development priorities that are yet to recognise caste.

### **Measuring and detecting caste-hate speech**

Online platforms rely heavily on their community to identify hate content. Both Twitter and Facebook, for example, have mechanisms for its users to report hate content. Content moderators review this content and decide which action to take – ranging from force-delete to removing the handle permanently. Both Facebook and Twitter, in principle, have explicitly included “caste” as a protected characteristic in their hate speech policy. However, without sensitisation, understanding, and proper implementation, the policy is ineffectual.

A quick search on these platforms, however, reveals that caste-hate speech content is familiar, if not necessarily much viewed. Facebook adopts a "prevalence metric" method: a machine learning process that randomly selects and checks the most viewed (occurrence) content. By the company's admission, this method is very likely to leave out less viewed content, yet the consequence can be severe.

Secondly, a status as most viewed depends on various factors such as breaking news, geography, demography and influencers. This could mean that content by a Dalit user may not be qualified to be highly prevalent by the global standard. For instance, targeted caste-hate abuse is a common tactic, and it does not require hundreds of views or re-posts to dehumanise an individual or a group.

Twitter India has organised a series of consultations with Dalit groups and activists across the country to build a direct connection with over 80 representatives and activists from marginalised communities to understand their perspectives and learn from their experiences. Activists welcome these, but they remain cautious of the effective execution of such learning.

## VIII. Recommendations on caste-hate speech

Recognising caste into existing hate speech covenants is important. Still, it can also be a strenuous political process as some caste groups or caste-affected states might object to the global recognition of caste as a protected characteristic. Nevertheless, the struggle for such recognition must continue.

This report proposes specific action plans to mitigate and monitor caste-hate speech under two broad categories. At the global level, caste-hate speech should be recognised in all international covenants related to hate speech. And in the media and tech industry, much more serious efforts should be made to address caste discrimination, including caste-hate speech.

### General Policies

#### *At the global level*

- Acknowledge and recognise that caste is a protected characteristic in all international covenants related to hate-speech and human rights.
- Recognise caste-hate speech as a distinctive form of hate speech that needs to be addressed by international platforms such as the UN, EU and INGOs in all their relevant policies and programs.
- As caste-hate speech sees no borders online, all countries, where South Asian communities have a presence, should recognise caste as a protected characteristic in Hate Crime laws and Equal Employment Opportunities Act.
- States affected by caste should also work closely with Dalit and anti-caste activists to build support for the law enforcement, judiciary, and other relevant stakeholders on caste-hate speech.

### International Media, Technology-related Development agencies

- Recognise caste as a barrier to all aspects of social development.
- Support independent monitoring agencies, academic researchers, policymakers and NGOs to come together to produce research and engage in advocacy efforts to monitor and mitigate caste-hate speech.
- Collaborate with Dalits and other oppressed caste media professionals when developing training manuals, media, and development-related research frameworks to ensure caste-sensitivity.

### Digital Spaces and Tech Corporations

Digital tech corporations should be sensitive to growing online caste-hate speech and ensure that measures to address this are incorporated into corporate human rights due diligence processes and requirements.

#### *Fact-checking and content moderation*

- Localise content moderation assignments.

- Work with Dalits and other minorities and, where relevant, seek their advice on policies and moderation practices related to caste-related contents.
- Train fact-checkers and content moderators about caste-hate speech.
- Develop training modules, with guidance from Dalit and anti-caste activists, on caste-hate speech.
- Recruit sensitive and local human moderators to resolve caste-hate speech-related matters.

#### ***Anti-caste diversity, representation and inclusion by tech corporations***

- Commit to caste diversity of the workforce – especially Dalits and other minorities, at the managerial, policy, moderation and tech levels.
- Recruit anti-caste activists, anti-caste communication experts as coders, data scientists and AI experts on caste-related issues.
- Commit to translate content policies such as user conduct policies into local languages in South Asia.

#### ***Data and transparency***

- Strive actively to disaggregate data on the incidences of and actions taken against caste-hate speech and caste-supremacist related data along with profiles of triggering agencies, groups and individuals.
- Acknowledge that these disaggregated data are of public interest value and establish a framework to share the data with researchers and policymakers for a further and independent analysis.
- Commit to an ethical stand not to monetise data that promotes caste-practices, casteism, and actively removing such data.

#### ***Anti-caste machine learning practices***

- Create caste-sensitive algorithmic fairness towards building a caste-sensitive internet by working with Dalits and anti-caste activists.
- Improve the process of transparency when handling, deciding case-hate speech and when users appeal against companies' decisions.
- Ensure Dalits and other oppressed minorities are involved in analysing caste-hate speech's context and content.

## IX. Conclusion

Caste discrimination remains one of the world's most serious human rights issues. It is intrinsically linked with hate speech, but as this report has demonstrated, insufficient attention has been paid to the caste-based aspects of hate speech. All too often, caste-hate speech is allowed to continue unchecked, not least on social media platforms.

Campaigners against caste discrimination rightly argue that unless caste is specifically mentioned in the human rights discourse instead of being “hidden” under other headlines, there is a huge risk that the issue will be ignored.

This warning also applies to caste-hate speech. Consequently, it is essential that caste-hate speech is recognised as a protected characteristic in international covenants – and as a distinctive form of hate speech – and that Dalits are included in actions to mitigate caste-hate speech online and offline, at every level. Anything less will enable abusers to continue practising this form of hate speech – and condemn Dalits and other groups to even more abuse and violence.

# Appendix 1: Non-exhaustive list of key UN and EU sources that elaborate on international human rights law standards on hate speech

## Universal Declaration of Human Rights 1948

Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration<sup>78</sup> was proclaimed by the United Nations General Assembly in Paris as a common standard of achievements for all peoples and all nations.

## International Convention on the Elimination of All Forms of Racial Discrimination, 1969

This international treaty<sup>79</sup> is dedicated to tackling all forms of racial discrimination, outlining the rights of racial and/or ethnic groups or individuals that need to be guaranteed if everyone is to have equal enjoyment of their human rights and fundamental freedoms. The convention makes four important points:

*Any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous and has no justification in theory or practice.*

*Racial discrimination -- and more so, government policies based on racial superiority or hatred -- violate fundamental human rights, endanger friendly relations among peoples, co-operation among nations, and international peace and security.*

*Racial discrimination harms not only those who are its objects but also those who practise it.*

*A world society free of racial segregation and discrimination, factors which create hatred and division, is a fundamental aim of the United Nations.*

## International Covenant on Civil and Political Rights adopted by the UN December 1966 and in force from March 1976

The ICCPR<sup>80</sup> provides the legal framework to protect and preserve the most basic civil and political rights. Countries that have ratified the **Covenant** are obligated “to protect and preserve basic human rights including right to life and equality and freedom of slavery subject to certain circumstances such as “any propaganda for war” (Article 20 [1]) and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law (Article 20 [2])

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<sup>78</sup> *Universal Declaration of Human Rights*. (2020, June 1). United Nations. Available at <https://www.un.org/en/universal-declaration-human-rights/> [accessed 12 February 2021]

<sup>79</sup> *International Convention on the Elimination of All Forms of Racial Discrimination*. (n.d.). Council of Europe. Available at <https://www.coe.int/en/web/compass/148> [accessed 12 February 2021]

<sup>80</sup> UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171. Available at: <https://www.refworld.org/docid/3ae6b3aa0.html> [accessed 12 February 2021]



### **The Media Development Indicators, UNESCO, 2008**

These indicators<sup>81</sup> define media development in line with the priority areas of the International Programme for the Development of Communication (IPDC): promotion of freedom of expression and media pluralism; development of community media; and human resource development (capacity building of media professionals and institutional capacity building).

### **The Camden Principles of Freedom of Expression and Equality, Article 19, 2009**

These Principles<sup>82</sup> aim to promote greater consensus globally about the proper relationship between respect for freedom of expression and the promotion of equality. These Principles are founded on the understanding that freedom of expression and equality are foundational rights, whose realisation is essential for the enjoyment and protection of all human rights.

### **Rabat Plan of Action, 2012**

The Rabat Plan of Action<sup>83</sup> suggests a high threshold for defining restrictions on freedom of expression, incitement to hatred, and for the application of article 20 of the ICCPR. It outlines a six-part threshold test taking into account (1) the social and political context, (2) status of the speaker, (3) intent to incite the audience against a target group, (4) content and form of the speech, (5) extent of its dissemination and (6) likelihood of harm, including imminence.

### **EU Human Rights Guidelines on Freedom of Expression Online and Offline FOREIGN AFFAIRS Council meeting Brussels, 2014**

The Guidelines<sup>84</sup> recall the international human rights standards on freedom of opinion and expression and provide both political and operational guidance to EU officials and staff, as well as to EU Member States. More specifically, they aim to offer practical guidance on the prevention of potential violations of freedom of opinion and expression, the analysis of such cases, and the possible responses. Ultimately, they set out that circumstances such as hate speech under freedom of opinion and expression can be legitimately limited.

### **The EU Code of Conduct, 2016**

The European Commission launched the Code of Conduct<sup>85</sup> together with four major IT companies (Facebook, Microsoft, Twitter and YouTube) in an effort to respond to the proliferation of racist and xenophobic hate speech online. The aim of the Code is to make sure that requests to remove

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<sup>81</sup> UNESCO. (2008). *Media Development Indicators: A Framework For Assessing Media Development*. Paris.

<sup>82</sup> Article 19, *The Camden Principles on Freedom of Expression and Equality*, April 2009. Available at: <https://www.refworld.org/docid/4b5826fd2.html> [accessed 12 February 2021]

<sup>83</sup> United Nations Human Rights Council. (2013, January). *Annual report of the United Nations High Commissioner for Human Rights* (A/HRC/22/17/Add.4). United Nations. Available at [https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat\\_draft\\_outcome.pdf](https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf) [accessed 12 February 2021]

<sup>84</sup> Council of The European Union. (2014, May). *EU Human Rights Guidelines on Freedom of Expression Online and Offline*. Available at: <https://www.consilium.europa.eu/media/28348/142549.pdf> [accessed 12 February 2021]

<sup>85</sup> The European Union. (2016, May). *The EU Code of conduct on countering illegal hate speech online*. European Commission - European Commission. Available at: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online_en) [accessed 12 February 2021]

content are dealt quickly with. When companies receive a request to remove from their online platform content deemed to be illegal, they assess this request against their rules and community guidelines and, where necessary, national laws transposing EU law on combatting racism and xenophobia. The companies commit to reviewing the majority of these requests in less than 24 hours and to removing the content if necessary, while respecting the fundamental principle of freedom of speech.

#### **The EU Human Rights Guidelines on Non-discrimination in External Action, 2019**

These guidelines<sup>86</sup> adopted by the Council at its 3681st meeting held on 18 March 2019 include caste under the term 'descent'.

#### **The United Nations Plan of Action to Safeguard Religious Sites: In Unity and Solidarity for Safe and Peaceful Worship, 2019**

This plan of action<sup>87</sup> provides concrete recommendations to support Member States in their efforts to ensure that religious sites are safe, that worshipers can observe their rituals in peace, and that the values of compassion and tolerance are fostered globally.

#### **Report of the Special Rapporteur on freedom of opinion and expression (on the regulation of online hate speech), 2019**

This report<sup>88</sup> begins with an introduction to the international legal framework, focusing on United Nations treaties and the leading interpretations of provisions related to what is colloquially called "hate speech". He then highlights key State obligations and addresses how content moderation by companies may ensure respect for the human rights of users and the public. He concludes with recommendations for States and companies.

#### **Report of the Special Rapporteur on freedom of religion (on combating Anti-Semitism to eliminate discrimination and intolerance based on religion or belief), 2019**

This report<sup>89</sup> identifies violence, discrimination and expressions of hostility motivated by antisemitism as a serious obstacle to the enjoyment of the right to freedom of religion or belief. The report stresses that antisemitism, if left unchecked by Governments, poses risks not only to Jews, but also to members of other minority communities. It further directs recommendations to the media, civil society and the United Nations on efforts that all stakeholders can make to combat antisemitism and promote religious freedom and pluralism.

#### **Report of the Special Rapporteur on freedom of religion (on freedom of religion or belief and freedom of expression), 2019**

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<sup>86</sup> EU Human Rights Guidelines on Non-discrimination in External Action <https://data.consilium.europa.eu/doc/document/ST-6337-2019-INIT/en/pdf>

<sup>87</sup> United Nations Alliance of Civilisations. (2019, September). *United Nations Plan of Action to Safeguard Religious Sites: In Unity and Solidarity for Safe and Peaceful Worship*. United Nations. Available at: <https://www.unaoc.org/wp-content/uploads/Plan-of-Action-to-Safeguard-Religious-Sites-191219.pdf> [accessed 12 February 2021]

<sup>88</sup> Special Rapporteur. (2020, July). *Report on academic freedom and the freedom of opinion and expression*. Office of The High Commissioner United Nations Human Rights. Available at: <https://www.undocs.org/A/75/261> [accessed 12 February 2021]

<sup>89</sup> Special Rapporteur. (2019, September). *Report on combating antisemitism to eliminate discrimination and intolerance based on religion or belief*. Office of The High Commissioner United Nations Human Rights. Available at: <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/ReportSRtotheGeneralAssembly.aspx> [accessed 12 February 2021]

This report<sup>90</sup> explores freedom of religion or belief and freedom of expression as two closely interrelated and mutually reinforcing rights. It further provides a brief overview of the rules that govern limitations on those freedoms under the international legal framework on human rights, explores some primary examples of restrictions imposed on the freedom of expression for reasons relating to religion or belief and examines the justifications frequently offered for imposing them.

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<sup>90</sup> Special Rapporteur. (2019, April). *Report of the Special Rapporteur on freedom of religion (on freedom of religion or belief and freedom of expression)*. United Nations Human Rights Council. Available at: <https://undocs.org/en/A/HRC/RES/40/10> [accessed 12 February 2021]

## Appendix 2: Full list of interviewees

Organisation / Affiliation	People interviewed	Country
Amnesty India (currently halted)	Mr. Avinash Kumar, Executive Director (Former) Ms. Raja Kumari, Education (Former) Ms. Reena Tete, Gender and Identity (Former)	India
Amnesty International	Ms. Monica Vincent, Head, Discrimination based on work and descent	Sri Lanka /Global
Bytes For All	Mr. Haroon Baloch, Programme Manager Mr. Shahzad Ahmad, Country Director Ms. Marvi Mumtaz, Programme Manager	Pakistan
Dalit Activist	Ms. Asha Kowtal	India
Dalit NGO Federation	Mr. Bhakta Bishwakarma, Chairperson	Nepal
Dalit Welfare Organisation	Mr. Ishwori Prasad Bishokarma, President	Nepal
Dalit Women Fight	Ms. Mohini Bala, Core Team Member Ms. Riya Singh, Core Team Member Ms. Savita Ali, Core Team Member Ms. Shobhna Smriti, Core Team Member Ms. Suman Saurav, Digital Advocacy Specialist	India
Dalit Women Forum and Bangladesh Dalit and Excluded Rights Movement (BDERM)	Ms. Tamanna Singh Baraik	Bangladesh
Facebook	Ms. Kim Malfacini, Product Policy	USA/Global
Feminist Dalit Organization	Ms. Ankita Paudel BK	Nepal
Formation, Awareness & Community Empowerment Society (FACES) Pakistan	Ms. Elaine Alam, Secretary General	Pakistan
Hasgeek.com	Mr. Kiran Jonnalagadda, Co-founder and CTO	India
Researcher	Dr. Dyotana Banerjee, Lecturer, Humanities and Social Sciences	India
Researcher	Dr. Ingole Prashant Ramprasad, Post Doctoral Researcher	India
Independent Human Rights Activists	Ms. D. Vibooshi Balakrishnan	Sri Lanka
Internet Freedom Foundation	Mr. Apar Gupta, Executive Director	India
Jagaran Media Centre	Ms. Anju Kandel, Media Officer Mr. Rem Bahadur BK, President	Nepal

Maryada Foundation	Mr. Chet Narayan Rasaili, Founder	Nepal
Minority Rights Group - Interationl	Ms. Naumana Suleman, Pakistan Lead and South Asia Coordination, Minority Rights Group	Pakistan / South Asia
Nagorik Uddyog (NU) and Bangladesh Dalit and Excluded Rights Movement (BDREM)	Mr. Zakir Hossain, Chief Executive of NU and Advisor to BDERM	Bangladesh
National Campaign on Dalit Human Rights	Ms. Beena Pallical, General Secretary	India
Oxfam India	Mr. Pankaj Anand, Programme Director	India
Pakistan Dalit Solidarity Network	Mr. Pirbhu Lal Satyani, Member, International Dalit Solidarity Network	Pakistan
	Ms. Himanshi Matta, South Asia Development Communication Professional	South Asia
Twitter India /South Asia	Ms. Mahima Kaul, South Asia. Former Public Policy Head Ms. Payal Kamat, Public Policy Manager	India /South Asia
A few others have chosen to remain anonymous		



## International Dalit Solidarity Network

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Phone +45 31 49 31 04  
[info@idsn.org](mailto:info@idsn.org)  
[www.idsn.org](http://www.idsn.org)

### IDSN members

#### India

- The National Campaign on Dalit Human Rights
- The National Federation of Dalit Women
- People's Watch
- Navsarjan Trust

#### Nepal

- Dalit NGO Federation
- The Feminist Dalit Organization
- Nepal Dalit National Social Welfare Organisation
- Jagaran Media Center

#### Bangladesh

- Bangladesh Dalit and Excluded Rights Movement
- Network of Non-Mainstreamed Marginalized Communities

#### Pakistan

- Pakistan Dalit Solidarity Network

#### Dalit Solidarity Networks in Europe

- Dalit Solidarity Network – UK
- Dalit Solidarity Network – Norway
- Dalit Solidarity Network – Finland
- Dalit Solidarität Deutschland (Germany)


### International Associates

- Human Rights Watch
- International Movement Against all forms of Discrimination (IMADR)
- Asian Human Rights Commission
- Asian Centre for Human Rights
- Minority Rights Group International
- Anti-Slavery International
- The Rafto Foundation
- Lutheran World Federation
- Robert Kennedy Memorial Foundation, USA
- ICMICA/Pax Romana
- World Council of Churches
- Asian Forum for Human Rights and Development (FORUM-ASIA)
- Commonwealth Human Rights Initiative
- Franciscans International
- Advocating Rights In South Asia (Arisa)

### Affiliates

- NYU School of Law's Center for Human Rights and Global Justice
- International Centre for Ethnic Studies – Sri Lanka
- Social Awareness Society for Youths - India
- National Dalit Christian Watch - India
- Dalit Welfare Organisation - Nepal
- WAYVE Foundation

### Connect with IDSN

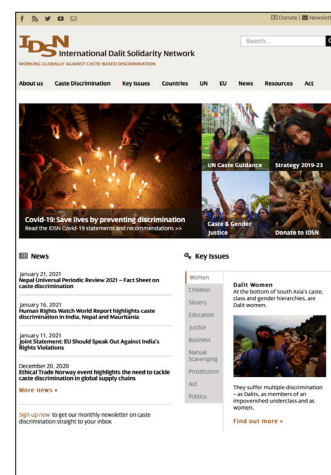
 Sign up for updates on: [www.idsn.org/newsletter](http://www.idsn.org/newsletter)

 [facebook.com/dalitnetwork](https://facebook.com/dalitnetwork)

 [twitter.com/idsnupdates](https://twitter.com/idsnupdates)

 [youtube.com/idsnvideo](https://youtube.com/idsnvideo)

### [www.idsn.org](http://www.idsn.org)



The IDSN website [www.idsn.org](http://www.idsn.org)



was founded in March 2000 to advocate for Dalit human rights and to raise awareness of Dalit issues nationally and internationally. IDSN is a network of international human rights groups, development agencies, national Dalit solidarity networks from Europe, and organisations in caste-affected countries. IDSN engages with the United Nations, the European Union and other multilateral institutions, working for action-oriented approaches to address 'untouchability' and other human rights abuses against Dalits and similar communities that suffer discrimination based on work and descent. IDSN bases its work on contributions from members, associates and affiliates. The network produces crucial input in the form of documentation, strategic interventions and lobby action and also supports national level lobbying.