

Equity Watch 2015

ACCESS TO WATER, SANITATION AND HYGIENE (WASH) FOR DALITS IN BANGLADESH: CHALLENGES AND WAYS FORWARD



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and

Bangladesh Dalit and Excluded Rights Movement (BDERM)

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Access to Water, Sanitation and Hygiene (WASH) for Dalits in Bangladesh: Challenges and Ways Forward



Nagorik Uddyog &
Bangladesh Dalit and Excluded Rights Movement (BDERM), 2015

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Published by

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FOREWORD

Bangladesh has made commendable progress in ensuring access to adequate and safe water, sanitation and hygiene in line with the MDG targets by 2015. More rural and urban citizens enjoy decent sanitation and water facilities and a significant reduction has been seen in open defecation. The government's policy and strategy have been put into place and proved effective in attaining an improved WASH status. However, such an achievement of the state might come into question when seen from the perspective of millions of Dalit people excluded from both policy and practice with regard to WASH services. Dalits both in rural and urban areas have limited or no access to decent water and sanitation. In most cases they use shared toilets and water sources which are not only inadequate, but also quite contrary to state policy.

The Dalit community in Bangladesh today remains excluded from basic services and entitlements deserved by all citizens. However, the emergence of many Dalit led CSOs and their active movement has brought such issues to light. Bangladesh Dalit and Excluded Rights Movement (BDERM) has successfully linked the issue of Dalits with the state policy level, which has resulted in many positive changes like specific budget allocations, quotas in employment and educational institutions, inclusion in the country strategic papers on development, etc. However, still many changes are required in government policies and practices for protecting and fulfilling the rights of Dalits as guaranteed by the constitution. In this context, Nagorik Uddyog and BDERM continue their active engagement to evidence issues of caste based discrimination against Dalits in access to rights and entitlements, which also includes identifying and advocating remedies to legislative as well as development policy gaps. We introduce the WASH situation of Dalits in Bangladesh through this report, which we believe will draw attention of a wide set of stakeholders and policy makers with consequent action to improve the situation.

In this report we collate evidence of the WASH situation of Dalits across the country, identify gaps in policy measures and suggest possible ways forward to deal with the challenges of ensuring the right to a decent standard of living for Dalits. A brief discussion of the UPR recommendations in regards to Dalits in Bangladesh and their level of implementation is also discussed.

We would like to thank Dalit Human Rights Defenders (DHRDs) as well as community leaders and Dalit led CSOs for their efforts to collect information for this report. We would also like to give special thanks to Ms. Shikha Bhattacharjee for her analytical review of UPR recommendations for Bangladesh on Dalits.

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EXECUTIVE SUMMARY

It is significant that in the last decade the issue of caste based discrimination (CBD) against Dalits in Bangladesh has drawn the attention of international human rights mechanisms, namely the Universal Periodic Review (UPR) of 2013. Bangladesh is a signatory to several United Nations human rights conventions which are binding in nature; viz the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Statutory developments in response to international obligations, in terms of major laws and policy frameworks have been adopted by the GoB, namely, the National Policy for Safe Water Supply and Sanitation (1998), the National Strategy for Accelerated Poverty Reduction (2005); the National Water Policy (1999); the Pro-Poor Strategy for Water and Sanitation, (2005); the National Housing Policy (2008); the Sector Development Plan (2011-25); the National Hygiene Promotion Strategy for Water Supply and Sanitation Sector in Bangladesh, (2012); and the Water Act, 2013.

Several innovative approaches to sanitation also have been adopted by the Government of Bangladesh

(GoB), which include Community-Led Total Sanitation (CLTS); Sanitation Marketing and Business Development; Community Managed WASH (CMWS); Ecological Sanitation; Local Government Institutions (LGI) led sanitation; Youth and Child Led WASH, Empowering women through WASH; Value Based Sanitation and Hygiene Promotion; and Urban Slum Based Water and Sanitation, etc. Awareness building on WASH, behavioral changes to generate demand for WASH from the communities, and social marketing on sanitation were key facets of the programmes. At local level, the local government institutions (LGIs) are responsible for ensuring quality sanitation services for all. Water Supply and Sewerage Authorities (WASAs) established in selected City Corporations are responsible for the development and delivery of water supply, sewerage and drainage. After the first South Asian Conference on Sanitation (SACOSAN-I) held in Dhaka, Bangladesh, in 2003, the GoB accelerated the initiatives towards WASH, and the National Sanitation Campaign was launched in 2005, aiming at total sanitation coverage.

However, a section of population is still unreached in an even manner when it comes to water and sanitation services,

namely the Dalits. There is no census or other official data available on the demographic or social aspects of people discriminated based on their work and descent (caste). However, reliable estimates reveal that around 5.5 to 6.5 million Dalits in the country face caste-based discrimination. The Special Rapporteur on the Right to Water and Sanitation found that Dalits in Bangladesh suffer discrimination in access to water and sanitation. However, caste induced vulnerabilities and discrimination currently do not find recognition in any of the nine policies/strategies on WASH adopted by the Government of Bangladesh in last 15 years.

Instead, Dalit colonies are usually found to be situated around unclean locations, on the periphery of main society, with overflowing or choked drains; open sewers; lack of latrines and bathrooms; near the garbage dumping sites. Along with cramped living spaces, the lack of water and electricity make their lives yet more miserable. In urban areas, where the Dalit settlements came up independent of authorities' intervention, Dalit families are forced to make do with unauthorised electricity and water connections, for which too they pay the concerned authorities. The commercial requirement of employing agencies and authorities has also resulted in ghettoisation of Dalits in urban and rural areas based on their occupation as sweepers.

Dalits largely depend on reservoirs for preservation of water, which are not cleaned regularly, thereby making water

unsafe for direct consumption, resulting in vector borne diseases among them. Moreover, the tube wells allotted are more often situated in a non-Dalit locality than in a Dalit settlement. While the quality and standard of facility available in non-Dalit Muslim households is below the national standards yet they stand better off than that in the Dalit colony. The slums of non-Dalit Muslim sweepers have piped water connection and maintenance services are provided by the authority regularly.

Moreover, because Dalits do not hold land titles for their housing land in many cases, due to this they are considered ineligible for allotment of sanitary latrines by the government. The lack of developmental assets is coupled with the consistent threat of eviction from government or unauthorised dwellings. Therefore, the Dalits don't consider it a viable option to invest in on sanitary latrines.

Main Findings of Survey conducted in 126 rural and urban Dalit settlements:

- LGIs (Municipality, Union Parishad, City Corporation) and other government agencies pay highly inadequate attention to the issues of poor water and sanitation situation among Dalits. The culture of deprivation due to the caste and occupation increases the distance between service providing agencies like local government institutions and the Dalit population, which continues to impact the quality and

extent of basic amenities like water and sanitation.

- 89% of rural Dalits use shared (common) latrines and 43% of their toilets are hanging latrines. 90% of the respondents shared that the latrines that they used had either no roof or broken roof, which restricted their use in rainy seasons. The absence of electricity in the latrines set up in both the urban and rural areas raised safety concerns for Dalit women in using the latrines in the night. The latrines constructed of tin shed and plastic besides being a serious threat to privacy of girls and women, are also unhygienic and pose various health hazards. The perceived notions of caste hierarchy have resulted in inability of Dalits to rent off or sell their land to other communities to construct sanitary latrines. Exacerbating the peril of living in the wretched condition of poor sanitation is the absolute lack of waste management facilities. Choking drains and overflowing ditches fail to attract the attention of the authorities concerned.
- 32% of latrines in the rural Dalit settlements are of ring slab, 25% are pit latrines while 43% are hanging¹ or open latrine; with 89% that uses shared latrine in rural areas.
- On average, 16 households or 84 people use one water point in Dalit

¹ Hanging latrines are a wood platform suspended over water flowing into water bodies like lakes. These are quite common in communities surrounded by water.

colonies in Dhaka city. With regard to latrines, on average 8 households or 40 people have only one latrine for their use.

- 21% of Dalit households in the rural areas have their own tube wells, while 65% shared common tube wells. The remaining 14% use surface water for drinking and other purposes.
- Both in rural and urban areas, many Dalit colonies did not have legal water points and in such cases they are forced to secure unauthorized connections.

Despite the number of government measures in place, the survey data show that the GoB has a long way to go to ensure dignified life and access to adequate and suitable water and sanitation services to the Dalit community. Moreover, the lack of measures towards gathering caste disaggregated data on the availability and access to water and sanitation continues to ensure this issue evades the attention of civil society, academics and experts, in addition to the government administration at various levels.

The findings establish the urgent need for targeted interventions with Dalit communities by engaging them in the planning processes. Available models of good practices, including from civil society actors, need to be scaled up, beside the need for the government and CSOs to be innovative in reaching out to Dalit communities on this issue.

Key Recommendations

To the Government:

- Enact the draft Anti-Discrimination law which can ensure the purchase of lands and renting of houses by Dalits in non-Dalit colonies without discrimination.
- Assess the severity of the issues and deprivations vis-à-vis WASH and other basic services in Dalit colonies across the country in a disaggregated fashion and, accordingly, develop a time-bound plan of action to ensure coverage of Dalit households to adequate and discrimination-free access to water and sanitation facilities. Encourage representation and participation of Dalit women and men in planning and managing the areas where they can easily access water.
- Ensure priority access to water and sanitation services for the most marginalized groups of people, specifying Dalits as one of these groups, in relevant policies, strategies and guidelines for promoting water and sanitation.
- City Corporation, Municipalities and other Government bodies and private agencies aided by government should target Dalit colonies to improve WASH facilities; viz. adequate water points and latrines, and improve the existing facilities including provision of effective drainage system.
- Address the various physical, cultural, economic and social barriers Dalits

may face in accessing WASH services in an equitable manner.

To civil society organisations, NGOs and INGOs:

- Civil society groups should increase interaction with the Dalit population and work with Dalit led and Dalit focused organisations to ensure their concerns are incorporated into their CSO programme strategies towards WASH interventions.
- Ensure the participation of Dalit members in teams to work on the ground with necessary orientation and perspective building exercises prior to WASH interventions.
- Empower and build capacity of Dalits and their organisations at varied levels in advocating for their rights and entitlements with regard to water and sanitation; and facilitating their interface with service providing agencies and local government institutions, etc. from time to time.
- Form WASH clusters (or task forces) at rural and urban centres to conduct sanitary vulnerability assessments and hold meetings of the WASH Cluster at a feasible frequency with needs and gaps reviewed and action points taken. These clusters should comprise good number of women from the communities itself (community level task forces should be used for this assessment).
- Carry out needs assessments with WASH clusters to identify WASH needs and monitor availability

and access in Dalit habitations. Accordingly, advocate and provide for provision of tube well, sanitary latrine and drainage system.

- Undertake awareness campaign about hygiene issues with special focus on women's health and hygiene among Dalit communities.
- Integrate programmes for advocacy and sensitisation of the local governance representatives (depending upon the local context) at the local, provincial and national levels on the issues of exclusion and thereby, also educate the excluded communities on government schemes and packages through innovative communication means, such as, village meetings, posters, information centres, etc.

1. INTRODUCTION

Government Measures for the promotion of WASH

As a lead government agency in the sanitation sector, the Department of Public Health Engineering (DPHE) piloted demonstrations of hygienic and low cost sanitary latrines in 1962, with the assistance of World Health Organisation (WHO). Since then, country wide sanitation movements have been pioneered by the DPHE through the promotion of affordable technologies in consultation with the private sector and NGOs. In 1990, Water, Sanitation and Hygiene (WASH) promotion became an important area of concern for the Government of Bangladesh (GoB). After the discovery of arsenic in ground water in 1993, awareness about health and hygiene was spread, which shifted people from dependence on ground water as the most important source of water supply in Bangladesh.² The GoB also adopted a ten-year national strategy on sanitation and launched a collaborative social mobilization programme, known as SOCMOB, through the DPHE and UNICEF.

² Water Supply Situation Analysis, see http://users.physics.harvard.edu/~wilson/arsenic/conferences/Feroze_Ahmed/Sec_2.htm

Since 2000, several innovative approaches to sanitation have been adopted by the GoB, which include Community-Led Total Sanitation (CLTS); Sanitation Marketing and Business Development; Community Managed WASH (CMWS); Ecological Sanitation; Local Government Institutions (LGI) led sanitation; Youth and Child Led WASH; Empowering women through WASH; Value Based Sanitation and Hygiene Promotion; and Urban Slum Based Water and Sanitation, etc. Awareness building on WASH, behavioral changes to generate demand for WASH from communities, and social marketing on sanitation have been key facets of the programmes. At the local level, the LGIs are responsible for ensuring the quality of sanitation services for all³. Water Supply and Sewerage Authorities (WASAs) established in selected City Corporations are responsible for the development and delivery of water supply, sewerage and drainage. The DPHE remains responsible for public water supply and sanitation development activities in rural and urban areas not covered by the WASAs.

After the first South Asian Conference on Sanitation (SACOSAN-I) held in Dhaka, Bangladesh, in 2003, the GoB

³ http://www.sacosanv.gov.np/file_download/92/Bangladesh_Country_Paper

accelerated its initiatives on WASH. A survey was conducted by the government to determine the status of WASH in the country, after which the National Sanitation Campaign was launched in 2005, aiming at 100% sanitation coverage by the year 2010.

WASH and Dalits

There is no census or other official data available on the demographic or social aspects of people discriminated on the basis of their work and descent (caste). During the last census in Bangladesh, an advocacy campaign was taken up to ensure the collection of disaggregated data on the Dalit population, but without any success. However, reliable estimates reveal that around 5.5 to 6.5 million people in the country are Dalits who face caste-based discrimination.⁴ It is this population which has been largely left out of the coverage of quality and adequate WASH services in the country primarily due to several handicaps that accompany their caste status.

Three broad categories of Dalits reside in Bangladesh, which are (i) Bengali Dalits who live in villages all over Bangladesh; (ii) Muslim Dalits who again can be found across the country; and, (iii) Dalits who migrated (or were forced to migrate) from India to then East Bengal, now mainly living in urban areas and tea plantations.⁵

Discrimination against Dalits often manifests in difficulties in accessing equal water and sanitation services. In spite of all measures adopted by the GoB towards covering the entire population

⁴ Ibid 3

⁵ Ibid 3

with water and sanitation services, Dalits have been largely excluded and continue to live in abysmal conditions. This is to a large extent because recognition of Dalit issues is yet to evolve fully. For instance, the Special Rapporteur on the Right to Water and Sanitation found that Dalits in Bangladesh suffer discrimination in accessing water and sanitation, while a Joint Monitoring Report (JMP) has documented improvements for the poorest quintiles. This progress, however, has not reached some specific social groups, including the Dalits, who remain invisible and disadvantaged in terms of access to WASH.⁶ Dalit colonies are usually found to be situated around unclean locations, on the periphery of mainstream society, with overflowing or choked drains, open sewers, lack of latrines and bathrooms, and near garbage dumping sites. Along with cramped living spaces, the lack of water facilities makes their lives yet more miserable.

In urban areas, Dalit settlements are established by the railways, municipality, City Corporation, autonomous industries and government hospitals, etc. mainly to accommodate Dalit sweepers and cleaners. The employing agencies have constructed staff quarters with water sources, latrines and other facilities. But, in instances where the Dalit workers themselves have settled on government or company owned land, they have not received any such facilities from these employers. This process resulted in the ghettoisation of the Dalit population as an offshoot of the commercial

⁶ UNICEF-WHO, 2012. JMP Working Group on Equity and Non-Discrimination Final Report, p. 7. Available at http://www.wssinfo.org/fileadmin/user_upload/resources/JMP-END-WG-Final-Report-20120821.pdf

requirement of employing agencies. For instance, the National Housing Authority (NHA) provided land to Dalit employees in the Town Hall of Mohammadpur area (mostly known as Madrazi colony) in Dhaka post-Independence. Later, the City Corporation also rehabilitated some of its Dalit employees in this colony with very limited WASH facilities.

The caste occupations of Dalits mainly involve menial works and are considered as descent based, with notions of impurity and pollutions attached to them. In rural areas, based on their occupations, Dalits are identified as Jele, Muchi, Kaora, Jola, Tati, Kolu, Bede, Rishi, Bagdi, Bormon, etc. People who work as cleaners or sweepers are among the most discriminated and they identify themselves as Harijans. They often live in crowded, segregated settlements with little or no basic amenities.⁷ The caste system takes a complex shape in practice, where class, citizenship and religion become intertwined with caste. Add to this the intersection of these identities with gender and the situation is even more complex.⁸

Development workers have also been contributing significantly toward the improvement of sanitation in Bangladesh. Yet, for Dalits, the location of their habitations, owing to their caste position, has alienated them from claiming their right to adequate and quality water

⁷ Ibid 3

⁸ Uddin, NasirM. 2014. *Benchmarking the Draft UN Principles and Guidelines on the Elimination of (caste) Discrimination based on Work and Descent, Bangladesh Report*. Bangladesh Dalit and Excluded Rights Movement (BDERM), Nagorik Uddyog.

and sanitation from government and non-government actors. Consequently, in both urban and rural areas, Dalits live in ghettos with minimal water and sanitation facilities.

Objectives of the report

It is in this caste context that this report tries to understand the actual situation of WASH among Dalit communities across the country. The absence of disaggregated data on the theme not only conceals and denies the serious issue of caste discrimination in access to these basic services, but also prevents targeted strategies and actions to address the same. So far, there has not been any specific study conducted to determine the extent of access to WASH services by Dalits. Therefore, this exploratory study aims to study the situation, identify strategies and make recommendations to concerned stakeholders to improve access to WASH services by Dalits. The study would be a tool for policy advocacy towards fulfillment of international commitments as the country finds itself on the threshold of new commitments under the Post-2015 Sustainable Development Goals (SDGs).

Hence, the report aims to:

- Elucidate how caste based discrimination (CBD) hinders Dalits' access to water and sanitation, and identify gaps and areas for policy interventions.
- Understand the international commitments and national policy framework for WASH.

- Identify good practices in the field of providing water and sanitation services to Dalits.
- Make recommendations to policy makers and development organisations to improve the status of WASH among Dalit communities.

Scope of the study and methodology

In the absence of official data on the status of WASH among the Dalit population, the study extrapolates the findings and analysis of a field study and existing literature to the overall scenario in the country. A survey of 126 Dalit settlements across 29 districts (comprising 64 urban, 46 rural and 16 railway colonies) was conducted between April and May 2015. A total of 274 persons, including both Dalits and non-Dalits, were interviewed for the study. Additionally, household-level survey was carried out to study on the patterns of access to WASH services among Dalits. The hesitation, particularly of women interviewees, to share about their sanitation practices was a limitation to understand the issues comprehensively.

2. THE WIDER CONTEXT: SITUATION OF DALITS IN BANGLADESH VIS-À-VIS PROGRESS ON UPR REVIEW RECOMMENDATIONS

This chapter describes the wider context of Dalit rights in Bangladesh today, in which caste based discrimination against Dalits in relation to WASH must be located. Bangladesh has completed two cycles of the UPR, in 2009 and 2013. During Bangladesh's 2009 review, of the 45 recommendations made, none were specific to caste discrimination or protection of Dalit rights. General recommendations on minority protection, poverty eradication and access to justice and public services, however, did have bearing on the status of Dalit communities.

Dalit rights issues remained completely absent from the 2009 UPR recommendations despite reporting by civil society organizations Bangladesh Dalit and Excluded Right Movement (BDERM), Nagorik Uddyog and International Dalit Solidarity Network (IDSN) that highlighted fundamental rights violations related to persistence of untouchability practices; lack of access to education, health services and housing; poverty and unequal access to work; discrimination against women; and bonded and child labour.

During Bangladesh's 2013 review, 2 of 196 recommendations addressed Dalit rights and/or caste-based rights violations. These recommendations, made by the Holy See and Slovenia, were received by Bangladesh for further examination. Another 9 recommendations, referring more generally to the human rights of vulnerable groups were made by Austria, Cambodia, Ecuador, Japan, Nicaragua, Sudan, Switzerland, Thailand and Vietnam.

Leading up to the 2013 review, BDERM, Nagorik Uddyog, IDSN and Bangladesh Dalit Women's Federation (BWDF) jointly submitted a report to the UPR process.⁹ Their submission urged compliance with international human rights standards with regard to periodic reporting and data collection; and protection of political, economic and social rights protected by the constitution and international human rights obligations—including access to education, justice and housing and protection from multiple forms of discrimination.

⁹ See http://lib.ohchr.org/HRBodies/UPR/Documents/Session16/BD/JS7_UPR_BGDS16_2013_JointSubmission7_E.pdf

Thematic discussion of recommendations from Bangladesh's 2013 UPR Process

Plan of action for Dalits, enjoyment of equal rights and social and economic inclusion

UPR recommendations

During Bangladesh's 2013 UPR, the Holy See and Slovenia made recommendations pertaining to adopting a plan of action to address the situation of Dalits and improving their living situations. Nicaragua and Thailand also made more general recommendations concerning equal rights and social integration for marginalized groups.

- 130.15. Adopt an action plan to address the situation of Dalits and eliminate discrimination against them, including by ensuring access to safe drinking water and sanitation (Slovenia).
- 130.23. Continue improving the conditions of children, women, Dalits, indigenous people, refugees and migrants taking into account the special situation and difficulties that those groups have to overcome (Holy See).
- 129.144. Promote more intercultural education and ensure that marginalized groups enjoy equal rights before the law (Thailand).
- 129.117. Provide more resources for the enjoyment of social and economic rights of vulnerable

groups like women, children, persons with disabilities and minorities (Vietnam).

- 129.152. Continue working to provide State care to vulnerable and minority groups in the country, to ensure they are fully integrated into society (Nicaragua).

Status of government action

Recommendations of the Holy See and Slovenia, particular to a plan of action for Dalits, enjoyment of equal rights and social inclusion, were accepted in part by the Government of Bangladesh. Engaging this recommendation, the Government of Bangladesh placed emphasis on existing government efforts:

These recommendations enjoy the support of Bangladesh in part where they are in consonance with national policies and laws. The Constitution of Bangladesh guarantees equal rights and freedoms for all citizens, and gives accent on ameliorating the conditions of the vulnerable groups. The Government has made sustained efforts to ensure protection of religious, ethnic and linguistic minorities and other marginalized groups in the country. The Government has taken initiatives to protect various disadvantaged groups from discrimination and stigmatization. These groups have been included in the social safety net programmes and free housing schemes for vulnerable groups. Some of them have been provided

with reserved quotas for their employment in the public sector and in educational institutions. An Anti-Discrimination Law is in the offing, which will criminalize any legal or social discrimination against these vulnerable groups and provide them with higher protection. As per the Constitution of Bangladesh, there are no 'indigenous minorities' or 'group' in Bangladesh. All citizens of the country are indigenous to the land.¹⁰

Consistent with the above statement by the Government of Bangladesh, the 2014 Bangladesh National Social Protection Strategy (NSPS) commits to ending social and economic discrimination through legislative and other measures. In particular, the NSPS identifies access to basic services, including education, health, nutrition, family planning and water supply and sanitation as fundamental objectives.

In 2012, the Prime Minister issued a Directive calling for special measures to include Bede, Dalit and Harijan communities in the Social Safety Net Programme, enhance food security and allocate funds for housing. The Prime Minister's directive is implemented under the supervision of the Ministries of Social Welfare and Finance, assisted by a national steering committee and activated through sub-district and town level government administrations. In

the 2012-13 fiscal year, the government of Bangladesh allocated over 6 million BDT for scholarships, income generation training and social security—including old age allowance and maternity allowance for Dalit people. In the 2013-14 fiscal year, the area of outreach for this directive increased to 21 districts from 7 districts and around 80 million BDT was allocated. In the 2014-15 fiscal year around 90 million BDT is allocated for this program, aiming to benefit 14,427 Dalit people. Budget allocations, while not yet sufficient to meet the high levels of need in the Bede, Dalit and Harijan communities, demonstrate significant recognition by the State of the needs of these communities.

While there is no official data regarding implementation status of the recommendation on access to safe drinking water and sanitation, the Government of Bangladesh has enacted a National Strategy for Water and Sanitation on Hard to Reach Areas and Hygiene Promotion Strategy aimed at delivering context-specific equitable and inclusive sanitation and hygiene.

Situation of Dalits with regard to enjoyment of equal rights and social and economic inclusion

Bangladesh has social safety net programmes in place to alleviate poverty and facilitate access to basic rights and has taken steps in recent years to improve access to these schemes for Dalit communities. To be successful, however, these initiatives must take action to address long standing functional exclusion of Dalit communities from

¹⁰ Excerpts from the report of Working Group – Bangladesh 2013 A/HRC/24/12, BANGLADESH – 4th UPR session (February 2009) and 16th session (April 2013), <http://idsn.org/wp-content/uploads/2015/03/UNcompilation.pdf>

these protections. Since enrollment in government programmes requires engagement with service providers, Dalits have long been unable to access these programmes due to lack of knowledge about their rights and stigma that prevented them from seeking and gaining enrollment.

While general schemes to promote enjoyment of equal rights and social and economic inclusion indirectly address the needs of Dalit communities, general schemes must be accompanied by strategies and corresponding budgetary allocations to meet the specific needs of Dalit communities. For instance, although 20% of Annual Development Programme Funds have been allocated to local government institutions (LGIs) to improve sanitation,¹¹ no specific strategy or budgetary allocation has been made for ensuring discrimination free access to safe drinking water and sanitation of Dalits.

Recommendations

- Include Dalit communities and mention of the principle of non-discrimination in the National Sanitation Strategy and National Strategy for Water Supply and Sanitation.
- Ensure inclusion of Dalit communities in the National Strategy on Water and Sanitation for Hard to Reach Communities by undertaking needs assessments,

¹¹ Bangladesh Country Paper, Fifth South Asian Conference on Sanitation, <http://www.sacosanv.gov.np/sacosan>, Access date 23 March 2015.

including through comprehensive surveys of urban Dalit colonies.

- Ensure special and adequate budget allocations for Dalit colonies with the aim towards closing the gap between them and other communities in terms of access to basic services and facilities for their development.

Empowerment of Dalit communities, particularly women and children

UPR Recommendations

During Bangladesh's 2013 UPR, while not explicitly mentioning Dalit communities, Cambodia and Sudan both made recommendations concerning empowerment of vulnerable groups—and particularly women and children:

- 129.41. Continue to give particular attention to empowerment of women, children, and other vulnerable groups of the populations in the on-going and future agenda of the government (Cambodia).
- 129.61. Continue with the necessary attention to the empowerment of women and children care and other vulnerable groups of the population (Sudan);

Status of government action

The Constitution of Bangladesh prohibits discrimination on the basis of caste or sex and establishes equal rights for women in all spheres of state and

public life.¹² Aimed at activating these constitutional protections, the National Women's Development Policy, 2011 calls for the government to pursue the rights of special programmes aimed at advancing the rights of women from marginalized communities, including on the basis of caste.¹³

Facilitating empowerment through access to education, on May 29, 2012, the Prime Minister of Bangladesh issued a directive memo to the Deputy Commissioner's Office, Meherpur District, to take action to promote the status of Dalit and Harijan communities in Bangladesh, through introducing quotas for Dalits and Harijans in schools and higher educational institutions and other measures. As a result of the combined efforts of universities, government officials and Dalit Human Rights defenders, within the first two years of its institution, the newly active quota system confirmed access to higher education for twenty-seven Dalit students from a range of departments.

Status of implementation

Despite these advances and protections, Bangladeshi women are still impacted by gender-based discrimination rooted in patriarchal attitudes and biases. At the intersection of gender, caste and class-based discrimination, Dalit women are particularly vulnerable to untouchability practices, and violence. To date, however, the government of Bangladesh has no official government data on the status of

Dalit women. While the government of Bangladesh has initiated programs for the improvement of Dalit living conditions, there are few legal, policy, budgetary or programmatic interventions designed to meet the particular needs of Dalit women.

Literacy and access to quality education remains a significant concern in Bangladesh. Though primary education is compulsory, school enrollment has not yet reached a satisfactory level, especially among Dalit children. School dropout rates are also very high among Dalit children with few Dalit boys and girls continuing their education beyond primary school. Caste discrimination in admission to schools is a significant cause for the low admission and retention among Dalit children.¹⁴

Recommendations

- Collect official government data on the status of Dalit women in terms of their access/enjoyment of education, employment, reproductive health, land, etc.
- Initiate programmes designed to meet the particular needs of Dalit women along the lines of trainings on Income Generating Activities (IGA) provided under the Social Safety Net Programme as well as business initiative trainings with capital fund as provided by the Ministry of Women and Children Affairs.

¹² Article 28.

¹³ Paragraph 38.1

¹⁴ Parvez, Altaf and Mazharul Islam (2013), *Bangladesher Dalit Somaj: Boishommyo, Bonchona o Osprishhota (Dalit Communities in Bangladesh: Situation of Discrimination, Exclusion and Untouchability)*.

- Take immediate action to end discrimination and untouchability in schools. These actions should include a directive from the Ministry of Education prohibiting discrimination based on any social identity including caste, in educational institutions; trainings for teachers about caste based discrimination; and including information on Dalits in the school textbooks.

Protection against discrimination and violence

UPR Recommendations

- 129.24. Consider the possibility of enacting laws for the protection of the most vulnerable groups from social discrimination (Ecuador).
- 129.93. Ensure the effective investigation and sanctioning of all cases of violence against religious minorities (Austria).
- 129.100. Employ further measures to ensure the security of religious minorities, including Buddhists and Hindus (Japan).
- 131.22. Ensure protection of minorities, including indigenous minorities, in conformity with its international obligations (Switzerland).

Status of government action

The Constitution of Bangladesh declares equal rights for all citizens and prohibits discrimination by the State on the grounds of religion,

race, caste, sex or place of birth.¹⁵ Despite this constitutional guarantee, Bangladesh has no laws in place to address untouchability and caste-based discrimination. Responding to persistent and widespread discrimination against Dalits in Bangladesh, in 2013 the National Human Rights and Law Commissions engaged with Dalit Human Rights Defenders to introduce draft Anti-discrimination legislation.

In some cases, local government officials have also collaborated with civil society organizations to activate existing state mechanisms to end discrimination and untouchability. For instance, in Jessore District, Bangladesh, local officials, police and civil society organizations took action to end discrimination and untouchability in Dhalgram Bazar faced by the Dalit Rishi community.

Status of implementation

Despite these emerging initiatives, without sufficient protection, 6.5 million Dalits in Bangladesh continue to suffer from multiple forms of discrimination and untouchability practices. They face discrimination in housing, exclusion from community religious and cultural functions, denial of access to restaurants and communal water sources, untouchability in schools, difficulties in accessing legal protections and limitation to some of the most menial, low wage and dangerous jobs in Bangladesh.¹⁶

¹⁵ Article 28(1)

¹⁶ Parvez, Altar, Mazharul Islam, *Bangladesher Dalit Somaj: Boishommyo, Bonchona O Osprishhota (Dalits in Bangladesh: Discrimination, Exclusion and Untouchability)*, Nagorik Uddyog and BDERM, October, 2014.

The Government of Bangladesh also currently lacks a specific strategy for effective investigation and prosecution of violence against religious minorities. Following the January 2014 election, there was a spike of violence against Hindu religious minorities. More than 30 cases of violence were reported in the media, more than 500 houses were destroyed through arson and other means, and looting and intimidation forced many to flee their homes and communities. While the Government of Bangladesh did investigate and took action in response to attacks on the Dalit Community in Malopara, Chapatala Village, Ayoyanagar Upazila, Jessore District, the Government did not respond in other cases. For instance, no action was taken in response to a gang rape triggered by post-election violence in Monirampur Upazila, Jessore District; or the attack on 35 Dalit families in Palpara Village, Bogra District which had devastating effects on the livelihoods of these families.

Recommendations

- Take immediate action to pass and ensure effective implementation of the draft Anti-discrimination Act.
- Take immediate action to establish a National Dalit Rights Commission, which would be tasked with the role of monitoring the situation of Dalits in all areas, including employment and access to any government measures intended to protect and promote their rights.
- Establish clear and effective strategies for preventing, investigating and prosecuting violence against religious minorities.

3. INTERNATIONAL AND NATIONAL STANDARDS AND MECHANISMS ON WASH

International Standards and Mechanisms

Bangladesh is a signatory to several human rights conventions of the United Nations (UN), which are binding in nature. This means that the progress of the country on measures adopted in line with these global commitments is subject to periodic review by the established UN mechanisms. The specific international covenants ratified by the GoB vis-à-vis right to WASH, in addition to recommendations made by the UN Special Rapporteurs with particular references to the Dalits in the country, are below:

- **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, Article 11(1) states that, “Everyone has the right to an adequate standard of living for her/himself and her/his family, including adequate food, clothing and housing and to the continuous improvement of living conditions.” The Committee on Economic, Social and Cultural Rights in its General Comment number 15 (2002)¹⁷, further explained that the right to water and sanitation was essential for securing an adequate

standard of living, particularly since it is one of the most fundamental conditions for survival.

- **Article 12(1) and (2) of ICESCR** holds that, “Everyone has the right to enjoy the highest attainable standard of physical and mental health. The steps to be taken by the State Parties to achieve the full realization of this right shall include those necessary for: (b) the improvement of all aspects of environmental and industrial hygiene; (c) the prevention, treatment and control of epidemic, endemic, occupational and other diseases.
- **The Convention on Elimination of All Forms of Discrimination against Women (CEDAW)**, Article 14(2) (b) and (h) hold that State Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure to access to adequate to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply.¹⁸

¹⁷ http://www2.ohchr.org/english/issues/water/docs/CESCR_GC_15.pdf

¹⁸ <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article14>

- **The UN General Assembly at its 66th session, adopted a Resolution (A/RES/64/29, 2010)**¹⁹ which held that, “Everyone has the right to water and sanitation. Clean drinking water and sanitation are essential to the realisation of all human rights. States and international organisations to provide financial resources, help capacity-building and technology transfer to help countries, in particular developing countries, to provide safe, clean, accessible and affordable drinking water and sanitation for all.”
- The UN Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation has recognised the social (caste) stigmatization attached with water and sanitation, and resulting restricted access to common resources and water and sanitation. The Rapporteur accordingly recommended that States must tackle the practice of stigmatization in their strategies for fully realizing the rights to water and sanitation, in the elaboration and implementation of national plans of action for water and sanitation and in financing water and sanitation sectors. (*UN Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation. Stigma and the realization of the human rights to water and sanitation. UN Doc. A/HRC/21/42, para. 82(a)*).

Recommendations by International Mechanisms

- The UN Secretary General noted with respect to the integration of non-discrimination and equality into the post-2015 development agenda for water, sanitation and hygiene, “Future goals, targets and indicators on water, sanitation and hygiene must address group-related inequalities that vary across countries, such as those based on ethnicity, race (caste), nationality, language and religion.... Data can assist in elucidating these differences, helping to catalyse action in relation to the specific problems present in a given context.” (*UN Secretary General. (2012). Integrating non-discrimination and equality into the post-2015 development agenda for water, sanitation and hygiene. UN Doc. A/67/270, paragraphs 63-65, 76(b)(iii)(d)*)
- The Bangladesh government should adopt an explicit policy to address the situation of Dalits and to eliminate discrimination against them; and take special measures to improve the situation of sweepers, including by ensuring the protection of their health while at work and that they have access to safe drinking water and sanitation in their homes. (*UN Independent Expert on the question of human rights and extreme poverty and the UN Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation. (2009). Joint report on Mission to Bangladesh December 2009. UN Doc. A/HRC/15/55, para. 125(d)*).

¹⁹ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/64/292

National Mechanisms on WASH

The developments in response to international obligations, in terms of major laws and policy frameworks adopted by the GoB for WASH, are as follows:

- Article 28(1) of the Constitution of Bangladesh upholds equal rights for all citizens and prohibits discrimination by the State on the grounds of religion, race, caste, sex or place of birth.
- Article 18(1) of the Constitution of Bangladesh holds that the State shall regard the raising of the level of nutrition and the improvement of public health as among its primary duties.
- The National Policy for Safe Water Supply and Sanitation (NPSWSS), 1998 set the national goal to ensure that all people have access to safe water and sanitation services at an affordable cost; called for promoting the role of women, decentralization of services and emphasizes the community participation; and recognized the important roles of the NGOs and private sectors in sanitation.
- The National Strategy for Accelerated Poverty Reduction (NSAPR), 2005 and the Medium Term Budgetary Framework, 2008 aim to accelerate poverty reduction through private sector development, concerted and supportive government efforts, and effective participation of NGOs and the civil society in a corruption free

democratic society. The commitment of Bangladesh to the MDGs, the South Asian Development Goals (SADGs) and other international agreements relevant to economic and social development (including goals on water and sanitation) were duly considered in formulating the strategies.

- The National Water Policy (NWP), 1999 sets out to address the use and development of ground water and surface water in an efficient and equitable way; ensure the availability of water to all parts of the society; accelerate the development of public and private water systems through legal and financial measures and incentives, including appropriate water rights and water pricing rules; and formulate institutional changes, encouraging decentralization and enhancing the role of women in water management, etc. The National Water Management Plan, 2004, aims at implementing the NWP within 25 years.
- The National Sanitation Strategy, 2005 emphasises on decision making and implementation of sanitation programs at the local level by the local government institutions, and obligates the central government to provide funding, guidance, monitoring and coordination support for sanitation programs throughout the country following a coherent consultative process.
- The Pro-Poor Strategy for Water and Sanitation, 2005 recognizes the

need for overcoming poverty so that the benefits of development are distributed equitably. It calls for community contribution of 10% of the capital cost to Water Systems and Solution projects as the beneficiary's share.

- The National Housing Policy, 2008 obliges the government to ensure essential, emergency and limited rehabilitation/housing among 'ultra poor' and 'uprooted' people; and pure drinking water and sanitation to slum dwellers and the 'ultra poor'.
- The Sixth Five Year Plan (SFYP), 2011-2015²⁰: This Five Year Plan aims to develop strategies, policies and institutions that allow Bangladesh to accelerate growth and reduce poverty. In regard to WASH the SFYP set its target such as: safe drinking water to be made available for all urban population; proportion of rural population with access to safe drinking water to be increased to 96.5 percent; proportion of urban population with access to sanitary latrines to be increased to 100 percent; proportion of rural population with access to sanitary latrines to be raised to 90 percent.
- The Sector Development Plan (SDP), 2011-2025 provides a comprehensive development plan for Water Supply and Sanitation Sector over a period of 15 years in phases. It takes an extensive,

²⁰ Sixth five year Plan FY-2011-FY2015, page 21, <http://www.plancomm.gov.bd/wp-content/uploads/2013/09/SFYP-Final-Part-1.pdf>

participatory and analytical approach at the national and local levels to provide a framework for planning, implementing, coordinating and monitoring all activities in the Water Supply and Sanitation Sector.

- The National Strategy for Water and Sanitation in Hard to Reach (HtR) Areas of Bangladesh²¹, 2012 aims to improve safe drinking water and sanitation coverage in hydro-geologically and socio-economically difficult areas where people have services much less than the national standard.
- The National Hygiene Promotion Strategy for Water Supply and Sanitation Sector in Bangladesh, 2012 aims to promote sustainable use of improved water supply and sanitation infrastructures and to create an enabling environment ensuring comprehensive hygiene promotion and practices to reduce water and sanitation related diseases.
- The National Cost Sharing Strategy for Water Supply and Sanitation in Bangladesh, 2012 addresses the need for sustainable improvement of the water and sanitation service

²¹ "Areas having poor water and sanitation coverage due to adverse hydro-geological condition, having poor and inadequate communication network, and frequent occurrence of natural calamities which in turn results in higher rate of child mortality and accelerates the vicious cycle of poverty, are referred as hard-to-reach areas and the people of those areas as well as people who do not have any fixed place for living, e.g., gypsies, sex workers, are called hard-to-reach people due to their social exclusion from adequate WatSan services". See- <http://www.psu-wss.org/assets/book/htreng.pdf>

delivery system and delineating the ways and means of balanced cost recovery of services.

- The Water Act, 2013 is designed for the integrated development, management, extraction, distribution, usage, protection and conservation of water resources in Bangladesh. In general, the law has provided the framework for better management of water resources in the country. However, it does not make any commitment for ensuring equality for all people in access to adequate and safe water for drinking and other purpose.

Despite all these policy developments, improvement plans and law for delivering commitments to WASH, and thereby the Millennium Development Goals (MDGs), none of the legislative frameworks recognized caste based discrimination (CBD) in access to WASH services. The drafting of the National Strategy for Water and Sanitation: Hard to Reach Areas of Bangladesh (2011) was an opportunity for the GoB to recognize Dalits *ashard-to-reach people*, but was not utilised for the same. This demonstrated the lack of political will to recognize the inequalities and discrimination within the communities in accessing WASH services, leading to the violation of the right to life of millions of Dalits.

In sum, while social groups of women, children, differently abled people, indigenous communities, disadvantaged and extremely poor populations are mainstreamed into the policies, strategies

and guidelines for water and sanitation, which are very broad in nature, CBD as a cause for lesser access to WASH services is denied national recognition. The health and hygiene-related problems of Dalits have never been the focus of the national commissions or any government body, and as a result, there have not been any recommendations in this regard. Moreover, the lack of measures towards gathering caste disaggregated data on the availability and access to water and sanitation continues to ensure a lack of attention of the wider civil society, academics, experts and the administration at various levels to the rights of Dalits. Since no national measure has ever been taken to target Dalits, instead focus has to lie on establishing beyond doubt the plight of Dalits vis-à-vis WASH services, and the need for studying and understanding these issues from the lens of socially excluded communities.

4. EXISTING MECHANISMS TO ENSURE ACCESS TO WASH SERVICES: COMPATIBILITY AND GAPS

The overall data from different sources project significant improvement in the WASH sector in Bangladesh. The JMP²² progress report 2014 shows that 57% of households used improved sanitary latrines, while 28% used shared or common latrines, and 12% resorted to other improved types of latrines. In 2012, a drastic reduction in open defecation was recorded to 3% from 34% in 1990²³, thereby indicating improved access to sanitation facilities. Likewise, 85% of the

country's population uses improved water sources; 10% households have piped water connections; 75% households have other improved (deep or shallow tube well) water sources; and 15% use other unimproved water sources. In rural areas, 84% uses improved drinking water sources but only 1% had piped water connection in their households, as opposed to 32% urban population (of the overall 10% urban population) having piped water supply in their households.

Existing Evidence of Discrimination and Deprivation of Dalits vis-à-vis WASH services

One study summarizes the hygiene and water situation of Dalits (particularly the sweepers and cleaners) living in Dhaka and Narayanganj urban areas as follows: "The places where Dalits live are unclean and unhygienic. The number of toilets available is insufficient in relation to number of inmates. Almost all the time toilets remain unclean... Along with shortages in living space, the lack of water supply and electricity make their lives yet more difficult. Sometimes they have to wait for water until 11 o'clock in the morning – they are unable to take their breakfast before this. Women and children use water from limited sources and they have to invest significant time for collecting water. This again reduces their work time. Collecting and sharing water is not only time consuming, it also

²² Joint Monitoring Report, Update 2014, Progress on Drinking Water and Sanitation, by UNICEF and World Health Organization.

²³ Ibid 22.

works as a major cause of chaos and conflict among the households. Women suffer seriously in the process.”¹

Another study explored how the Dalits access drinking water in both urban and rural contexts. Among Hindu Dalits 44% got water from tube wells, 22% got water and sanitation services that were provided by government, and around 17% collected drinking water from ponds in the villages. In the case of Muslim Dalits, 51% had access to tube wells as a source of drinking water. This means that most Dalit households do not have access to water and sanitation services provided by the government or local authorities. They have to depend mostly on private tube wells, ponds, rainwater, rivers and other common sources. Hindu Dalits are seriously discriminated in the villages particularly with regard to the use of private ponds or other water resources. Sometimes they are treated badly by the non-Dalit villagers and are forced to stand waiting for hours before having the opportunity to fetch water. Especially Dalits from both Hindu and Muslim religious communities suffer a lot with respect to collecting water from ponds, open lakes and rivers for irrigation and cultivation purposes.²

¹ Islam, Farzana and Mohammad NasirUddin, 2008. Intricate Tale of Social Exclusion: Dalit Women Experience of Caste, Class, Citizenship and Gender in Dhaka City, TheJahangirnagarReview, Part II, Social Science, Voll. XXXII, pp. 15-32.

² Chowdhury, IftekharUddin, 2008. DokkhinAsiayJati-BornoBoishommyo: Poriprekhit Bangladesh (Caste-Based Discrimination in South Asia: Perspective Bangladesh). Chittagong: Centre for Social Research.

Survey Findings 2015 on Dalits’ Access to WASH Services

The situation of Dalits vis-à-vis WASH services contrasts with the national WASH situation (for both rural and urban areas). This was the major finding of a survey conducted in 2015 covering a total sample of 126 Dalit settlements, 64 in urban areas, 16 railway colonies and 46 in rural areas. The survey found quite a dismal situation for Dalits in terms of access to water and sanitation services of not only sub-standard quality but also amounting to a violation of fundamental human rights. In both rural and urban areas, over 80% of the Dalits used shared water sources and common latrines.

Many of the Dalit colonies used open or hanging²⁴ latrines, and open defecation was prevalent in the rural and tea garden areas.

I. Dalits’ access to Water in urban areas

The household survey covered 80 Dalit settlements in urban areas, including 14 railway colonies, which pointed to similar situations both in urban and railway colonies. The colonies have absolutely no water connections/sources or highly inadequate water connection. No steps have been taken by the concerned

²⁴ Hanging latrines are a wood platform suspended over water flowing into water bodies like lakes. These are quite common in communities surrounded by water.

government authorities to assess the water needs of these habitations, nor to provide these settlements with adequate water connections. The situation of 16 Dalit colonies in Dhaka city is analyzed below.

As evident from table 1, there is a gross inadequacy in water sources in urban Dalit habitations, with as many as 150 households sharing a water source in Najirabazar colony comprising 450 persons and three water sources.

Table-1: Water sources in DalithabitationsinDhaka city

Name of the Habitation	No. of Households	Population	No. of water points	Households per water source	No. of users per water source
Bauniya Bad Colony Mirpur-11	115	700	36	3	19
Lalbag ShoshanGhat Colony	24	150	1	24	150
Bijoy lane Rishi Para	59	300	25	2	12
Najirabazar Colony	450	2250	3	150	750
Wari Robidas Para	240	1200	12	20	100
Dholpur Telegu Community Colony	275	1200	2	138	600
Gonoktuli City Colony	310	1500	5	62	300
Pangu PWD Telegu Colony	65	240	15	4	16
Gabtoli Beribad City Colony	35	125	5	7	25
Wiseghat Rabidas Para	12	85	2	6	42.5
Gendariya Colony	15	95	1	15	95
Sutrapur Colony	5	38	1	5	38
Lokkhibazar Rabidas Para	9	60	2	5	30
Jagannath Hall Colony	16	113	3	5	38
Rishipara Colony, Mirpur-01	110	650	3	37	217
T.T Para Telegu Colony	250	1450	5	50	290

Source- Household Survey 2015

“The [Municipality] thinks it did a lot by giving some land to the Dalits and that providing sanitation and water would be additional liabilities. On the other hand, Dalits also think they should be content with the land they have to live in and shouldn’t expect anything more from the [Municipality], even adequate or fresh water.”

Tutia Basfore, a Dalit Women from Syedpur, Nilphamary railway colony

CASE STUDY-1

Lack of land title or housing combined with poor water supply in Dalit colonies

Around 200 Dalits of 80 families live in the Pangu Public Works Department (PWD) colony. They were mostly sweepers at the Pangu Hospital who started settling on the land of PWD adjacent to the hospital. With time, many Dalits working in other government and non-government offices moved into Pangu colony. Neither the hospital nor the PWD provided any support to the residents as they had no role in setting up the colony. Unmet water needs propelled the Dalits to secure an unauthorised piped water connection from Dhaka Water Supply and Sewerage Authority (DWASA), for which they incur a monthly consumption bill but do not receive acknowledgement receipts for the payment. Despite paying the Government for this (unauthorized) water facility, the residents live in constant fear of eviction as they are technically identified as 'illegal residents'.

Likewise, water connections were not provided to the resettled Telegu (Dalit) community inhabitants of the sweeper colony at Dhalpur area in Dhaka city. The inhabitants collected water from other sources, which had its own challenges.

Similarly, Dholpur Telegu colony has only two water taps for 275 households or 1200 population. The striking inadequacy of water sources was also found in other colonies, particularly Gonoktuli City Colony and T.T Para Telegu Colony. Moreover, some other Dalit settlement in Dhaka like Pangu Sweeper Colony, Wari Rabidas Colony, Dinajpur Sodor Hospital Sweeper Colony in Dinajpur etc., did not have authorised water connections. Generally, urban Dalit colonies have one or two piped water connections, which are hugely inadequate for the sizeable population of residents. To meet their needs, Dalits then have to store water in big reservoirs. Though data in the table also represents a slightly better situation in some habitations, such as the Bauniya Bad colony and Pangu PWD Telegu colony, this is not because the City Corporation

has provided adequate water sources to them. From these water points, water is channelized to several households through sub-water connections. Besides water for drinking and cooking, significant quantity is required to ensure sanitation and hygiene, in the absence of which it is difficult to ensure sanitary and healthy living conditions.

Moreover, it was found that Dalits in Telegu Colony of Dhalpur do not have access to water sources installed in neighboring slums, inhabited by non-Dalit sweepers and cleaners. So, while both non-Dalit Muslim and Dalit communities are in the same occupation as sweepers, the stark difference in access to basic services available to Dalits, besides social acceptability enjoyed by the non-Dalit Muslims, was very evident. *"We all are sweepers but we have reservation*

towards Dalit sweepers because they are dirty and rear pigs, which is detestable and prohibited in Islam. Hence we do not allow them to collect water from our reservoir or tap”, admitted Mohammad Babul of Ainal slum of Dhalpur area of Dhaka city. On the other hand, Kanailal, a Dalit veteran of Telegu colony shared that because they have faced discrimination in accessing water sources in non-Dalit Muslim slums, they have discontinued going there or even to the Dhaka South City Corporation (DSCC) because it is known that the Municipality does not care about Dalits or Harijans.

II. Dalits’ access to sanitation in urban areas

The survey findings show that toilet facilities are extremely inadequate in the Dalit colonies as well as of poor standard (see table2). Around 85% of the Dalit population surveyed use shared latrines. In some cases it is found that over 100 people have to share one common latrine. For example, the availability of latrines in urban Dalit colonies was found to be around 100 users for per latrine in

five colonies: WariRabidas Para, Telegu Sweeper colony of Dhalpur, Gandaria colony, Rishi para colony of Mirpur, and TT paraTelegu colony, all in Dhaka city.

The GoB, through its *Pro- poor Strategy for Water and Sanitation*, has undertaken to ensure the construction of ‘hygiene latrines’ for each household as a basic minimum service for meeting sanitation needs. As per the Strategy, in cases where it is not possible to have one ‘hygienic latrine’ for each household due to the lack of space or other reasons, then such households can either use “others’ latrines”, subject to a maximum of two households (or 10 persons) for one latrine or “community latrines”, subject to a maximum of 10 persons per latrine. The situation of many Dalit habitations is in clear breach of this government strategy.

“In my colony, it is common to see tens of people waiting outside the latrine for their turn. Since childhood, I have been observing this trend. It is typical in Dalit colonies”, stated Peter Ilusuri, a Dalit leader of Dhalpur City colony in Dhaka

CASE STUDY-2

Advocacy by Dalit rights organisations secured water connection for Dalits

In 2007, more than 200 Dalit families were evicted by the City Corporation from the Madrazi Sweeper Colony in Dhaka city and resettled at Gabtoli colony on the outskirts of the city. Around 500 families of non-Dalit Muslim sweepers evicted from different places were also rehabilitated in the same locality. In 2009, the City Corporation installed electrically operated water pumps for the Muslim sweepers, but left out the Dalit residents. Later, only with consistent advocacy by Dalit rights organisations, Dalits were provided water connection by the Municipality.

city. According to the respondents, the City Corporation or Municipality has never taken stock of the existing sanitation facilities in Dalit colonies. The

situation of 16 Dalit colonies in Dhaka city as found during the survey is analyzed in table 2 below.

Table-2: Status of sanitation in Dalits colonies in Dhaka city

Name of Habitation	No. of Households	Population	No. of Latrines in the colony	No. of Households per latrine
Bauniya Bad Colony, Mirpur-11	115	700	36	3
Lalbag ShoshanGhat Colony	24	150	1	24
Bijoy lane Rishi Para	59	300	25	2
Najirabazar Colony	450	2250	24	19
Wari Robidas Para	240	1200	7	34
Dholpur Telegu Community Colony	275	1200	10	28
Gonoktuli City Colony	310	1500	100	3
Pangu PWD Telegu Colony	65	240	15	4
Gabtoli Beribad City Colony	35	125	6	6
Wiseghat Rabidas Para	12	85	2	6
Gendariya Colony	15	95	1	15
Sutrapur Colony	5	38	1	5
Lokkhibazar Rabidas Para	9	60	1	9
Jagannath Hall Colony	16	113	6	3
Rishipara Colony, Mirpur-01	110	650	4	28
T.T Para Telegu Colony	250	1450	15	17

Source- Household Survey 2015

As seen from table 2, in WariRobidas Para 1200 people have access to only seven latrines, implying that one latrine is shared by 171 people. A similar state is found in colonies like Mirpur Rishipara, Dholpur Telegu and Lalbag Shoshanghat, where each latrine in the colony is shared by over 120 people.

The survey found that in all Dalit settlements with some latrines, 24% are of sanitary standard or 'hygienic latrines' (though they now do not meet these hygiene norms), 51% are ring and slab latrines but in most cases the toilet pans are found broken, 6% are pit latrines and 21% are open latrines covered by plastic sheets or sack. About 6% of these latrines are temporary in nature, made of bamboo and wood. Some households in Dhaka and Comilla cities have personal sanitary latrines but with poor flushing facilities.

No mechanism is set up to monitor the condition of Dalits in urban areas vis-à-vis WASH services. On the contrary, the study found a Government Housing scheme for Dalit inhabitants – two six-floor buildings to be established in Dhalpur Colony, Dhaka, with no plan for water and sanitation. Tearing down colonies like the Madrazi Sweeper Colony in Mohammadpur, Dhaka city, for instance, with a day's notice is testimony to the insensitivity shown towards the community. The lack of engagement of the civil society players and human rights organizations in influencing policy makers to address the water and sanitation issues of Dalit communities at a national level also contributes to the

A 2014 study found that 29% of the rural Dalit population faced discrimination in access to water sources owned by non-Dalit communities.¹ The study indicated the manner in which the prejudice in terms of Dalits accessing common water resources has changed with depleting water surfaces and invention of low cost hand pumps: that is, whereas previously Dalits were more dependent on non-Dalits or dominant castes for access to common water resources like village ponds, etc., today many Dalits have their own water points in their settlements with low cost hand pumps. This has served to reduce the presence of overt caste discrimination in access to water sources.

¹ Parvez, Altaf and Islam, Mazhar, 2014. *Bangladesher Dalit Samaj, Boisommo, Bonchona and Osprishhota* (Dalit Communities in Bangladesh: Situation of Discrimination, Exclusion and Untouchability). Dhaka: NagorikUddyog and BDERM.

poor condition of water and sanitation (WATSAN) for these communities.

III. Dalits' access to water in rural areas

With respect to water sources for daily purposes, 87% of the rural Dalit population surveyed is dependent on hand pumps. 8% use surface water and 5% use dug well and sources of rain water. The major issue for rural Dalits is the lack of infrastructure in terms of water points. Dalit women in rural areas

resort to unimproved water for drinking and cooking purposes.

The survey also showed that 21% of rural Dalit households had their own tube wells, while 65% used shared tube wells. The remaining 14% used surface water for drinking and other purposes. In the rural areas, especially arsenic prone areas, Dalits preserve and use rain water for washing and other purposes. 21% of the respondents shared that they depended on pond water when tube well water is not available during the dry season or when the number of persons accessing the tube well water was too many.

Moreover, the tube wells allotted are more often situated in a non-Dalit locality than in a Dalit locality. As a result, the level of trust on the Government authorities is also found to be weak. Over 80% of the respondents shared that they were reluctant to approach the Union Parishad, Upazilla Chair or members for grievances. In part this is because of the perception that these local government actors have too limited resources to meet the actual needs of the people, and also because of the feeling among Dalits of a lack of voice to discuss such issues with these officials. The authorities, on the other hand, take the position that without the community members approaching them, they could not intervene into the matter, in most cases.

Apparent discrimination was found between Dalit sweepers in Dhalpur Telegu city colony and colonies of non-Dalit Muslim sweepers of the same locality in

access to water and sanitation facilities. While 250 Dalit families have only 14 useable toilets and one water point in Pora Bosti among the 350 families, 250 Muslim families have attached toilets and bathroom as well as water points. In 14 No.Outfall Moddobosti where non-Dalits reside, one toilet and water point is used by 6 families. There are 40 toilets and 40 bathrooms for 185 families of non-Dalit Muslim sweepers in Adarsha Elaka, with six water points and four water reservoirs available to them. 50 families of non-Dalit Muslim sweepers of Nabu Bosti share six toilets while other 150 families have attached toilets to their houses.

While the quality and standard of facility available in the above non-Dalit Muslim localities is below the national standards, yet they are better off than that in the Dalit localities. All the 9 slums of non-Dalit Muslim sweepers surveyed have piped water connection and the Municipality provides maintenance services regularly. *“We enjoy influence over the authority of Dhaka South City Corporation and therefore they respond to our complaints immediately. But Telegu people are voiceless and do not have any influence over the authority”*, explained Akbar Sheikh, of Nabu Bosti in Dhalpur area.

IV. Dalits’ access to sanitation in rural areas

Dalits in rural areas have very poor sanitation facilities despite government and non-government initiatives to promote rural sanitation in order to meet the MDG sanitation target: “Halve,

Case Study-3

Discrimination in allotting water sources

For the approximately 50 households comprising 200 people belonging to the Rishi (Dalit) community in the Kharnia-Vodradia, Khulna district, there is only one tube well constructed 30 years ago. The tube well is their only source of water. In 2012, government officials visited the village and talked about constructing another tube well for the community. The premise was also demarcated to set up a latrine. Months later, it was found that the tube well that was installed was in the premise of a Union Parishad member, who did not belong to the Dalit community. Being the subjects of historical prejudice, the Dalit community did not resist or protest over this unjust move. This throws light on their psychological state of mind where they have internalised their position of subjugation.

by 2015, the proportion of people without sustainable access to safe drinking-water and basic sanitation". The survey found that 89% of rural Dalits use shared latrines and 43% of their toilets are hanging latrines. Among the 46 rural Dalit settlements covered in the survey, 32% had latrines of decent standard, made of ring slabs and properly roofed and fenced. The survey also found that since most rural Dalits, like urban Dalits, do not own title to their land, they are considered ineligible by the government and even NGOs for allotment of sanitary latrines. Living with the constant threat of eviction, Dalits also are not interested in investing on constructing sanitary latrines.

The Union Parishad and various NGOs helped to construct latrines for 14% of the respondents in the study. Most of the respondents were not aware of the availability of government assistance for building sanitation facilities. *"The history of deprivation and discrimination has*

been deep rooted. It has made the Dalits disempowered", said Sudhir Basfore, a Dalit inhabitant from Atrai, Naogaon district.

V. Rural and Urban areas- Common trends

Both in the urban and rural settings, the latrines constructed are found in the dirtiest locations in the area, near open drains and ditches. The concerned authorities have not taken any responsibility to maintain or renovate the latrines, hence the drains of the latrines are clogged, doors broken and latches are missing. 90% of the respondents shared that the latrines that they used had either no roof or broken roof, which restricted their use of the latrines in the rainy season. 60% of the respondents shared that, during the rainy season, they used the public latrines or defecated in open fields. There was no supply of electricity in the latrines set up in both the urban and rural areas.

This also raised safety concerns for Dalit women in using the latrines in the night. The latrines constructed of tin shed and plastic, besides being a serious threat to the privacy of girls and women, are also unhygienic and pose various health hazards.

Exacerbating the peril of living in the wretched condition of poor sanitation is the absolute lack of waste management facilities. Choking drains and overflowing ditches fail to attract the attention of the authorities concerned. *“Despite raising the issues of poor drainage system posing serious health risks multiple times, neither the municipality nor the railway authorities heed our pleas,”* said Rajesh Basfore from Bonarpar Rail Colony, Gaibandha. The irony is that while constituting a majority of the employed cleaners, the Dalits are deprived modern sewage and drainage facilities.

“They can neither abandon Dalit people nor provide them standard facilities,” says Rajendra Kumar Das from Tanbazar Dalit colony, Narayanganj city. According to another respondent from Gabtoli Dalit colony of Dhaka city, it took close to a year to secure water connection and latrines for the inhabitants of the colony who had witnessed eviction and resettlement. *“We live on the mercy of the City Corporation. Each time they evict us, we are shifted to a place with fewer facilities”*, says Sundar Lal of Ganaktuli City Colony in Dhaka, which has seen evictions twice in five decades. Thanks to the Muslim sweepers in Dalit settlements, settlements like Gabtoli colony in Dhaka have been provided with

water and sanitation facilities, even if inadequate and of low standard.

VI. WATSAN and Hygiene

Poor sanitation has dire health consequences. Diarrhea, typhoid and other diseases are spread by bacteria in faeces. Diarrhea and respiratory disease together cause childhood mortality globally, are common amongst rural children in Bangladesh. The survey found that both in rural and urban areas during the monsoon season Dalits mostly suffer from fever, diarrhea, boils and skin diseases, and cold cough while the children are vulnerable to pneumonia and jaundice. Since they can't afford treatment at hospitals, they choose to either endure the pain or seek the services of village medics or herbalists.

According to the respondents, vector borne diseases are very common among Dalits. In urban areas, especially in Dhaka city, people either use supplied water after boiling it or use purifiers (filter). Dalit households, however, stated their inability to bear the additional cost of cooking gas for boiling the water before consuming it, or to buy water purifiers. Moreover, they depend largely on reservoirs for the preservation of water, which are not cleaned regularly, thereby making water unsafe for direct consumption. *“We are lucky to have some source of water; hygienic or unhygienic, is not for us to think”*, says Sonu Rani Das from Ganaktuli colony, Dhaka.

The data revealed that both in rural and urban areas, 18% of respondents use soap to wash hands before having food

and 37% after defecation. However, as they mostly use open pits and common latrines which lack water facilities, and given the usual inadequacy of water supply, practicing hand wash assumed least priorities when it came to use of scarce water. Moreover, since much of the garbage is dumped near their habitations (houses mostly being near garbage dumping sites in both rural and urban areas), maintaining hygiene at household level seemed less meaningful to them. The lesser ability to afford soap was shared among others as another concern.

Government and NGO Health workers visit our colonies campaigning to create awareness about sanitation and hygiene, but we advise them to first and foremost, look into the provision of sufficient water supply and adequate number of latrines in our locality. Families for generations together have huddled under one roof; and over hundred people have only one latrine to use. Unless these basic issues are resolved, it's not possible for us to maintain the hygiene", says Narayan Chandra Das, a resident of TT Para Railway colony in Dhaka.

VII. WASH and Gender

It was found that Dalit women and girls spent a significant amount of time in fetching water for their families. Besides the household chores, the responsibility of ensuring water for the family traditionally falls on them. In some cases, for example, in Ganaktuli colony in Dhaka, women reported having to carry

the water containers several flights up the stairs, which posed a serious threat to their physical well-being. *"Every day we collect water for drinking and cooking from the reservoir to our rooms, in buckets and heavy pots climbing up and down the stairs, without any support from men for whom it is only a daily household chore we must perform",* shared Gita Rani Das, a resident of Ganaktuli Colony in Dhaka.

Broken roofs and doors of the latrines pose serious security concerns for Dalit women and girls. Around 96% of women respondents in the study expressed concerns over privacy while using shared latrines. The study found that only 7% of the colonies had bathrooms, and where there were none, men and women bathed in the open. Only 5% of the colonies had separate latrines for women, in the absence of which, they are more vulnerable to harassment.

"Inadequate toilets and insufficient water, poses health risk during the days of menstruation, where no safe and private space is available to change clothes", says Pinky Rani Das, a girl from Ganaktuli city colony of Dhaka.

VIII. Reasons for poor WASH situation in Dalit settlements

In conclusion, the study throws light on the overall living conditions of Dalits, and their access to water and sanitation. Since many Dalits don't own the land on which they live, permanent water connections are not granted to them. Moreover, because their hamlets are usually situated near rivers, ponds, swamps, grazing lands, abandoned

fields, or on *khash lands* (government owned land), they are not given land titles and also face frequently evictions. The prospect of evictions also impedes installing adequate and permanent WASH facilities in their localities and households. Dalits instead end up being at the receiving end, because while their caste identity keeps them excluded from owning land and other assets, the same deprivation also causes exclusion from other basic amenities on the ground of impermanency of settlement.

Being situated in low lying areas in rural areas makes the Dalit settlements more vulnerable to heavy rains and monsoonal floods. Year on year, the condition of water and sanitation is worsened when the poorly constructed latrines are demolished by such disasters and the communities, in most cases, are not in a position to afford the repair of these facilities.

Another factor that puts a strain on the meager resources is the increasing population in the Dalit colonies. The perceived notions of caste hierarchy have resulted in an inability of Dalits to rent or sell their land to other communities.²⁵ As mentioned before, the lack of resources and space for new latrines, coupled with increasing residents and their inability to move out of their settlements have caused many Dalits to resort to more open latrines and hanging latrines.

There were also cases where the authorities, City Corporation, Municipality and Railways deducted at source the charges for electricity and water usage from the salaries of their Dalit employees, but never made known to them the quantum of units consumed by them. For example, in the Pakshi Railway Colony of Issawardi, Pabna city, 4% was deducted from the salary of sweepers towards water and electricity, and employees of DSCC in Ganaktuli, Dhaka city were not aware of the quantity of units consumed by them. Yet, the authorities didn't ensure standard maintenance of these facilities.

During the survey, the Councilors and Municipality representatives and Union Council admitted to political pressure in providing WATSAN facility to the people, whereby the general communities get prioritized over Dalits. *"We are aware of the fact that situation of water and sanitation in Dalit habitations is much below the required standard, but we can't do anything about it. In addition to limited budget allocation, we face the interference of MPs as well in the matters of allotments [of entitlements and services] and activities of the Municipality"*, said a Councilor of Kishorganj Municipality.

²⁵ Parvez, Altaf and Mazharul Islam, 2014, *Bangladesher Dalit Somaj: Boishommyo, Bonchona O Osprishhota* (Dalits in Bangladesh: Discrimination, Exclusion and Untouchability). Dhaka: NagorikUddyog and BDERM.

Threatened of dire consequences for using the pond

“On one rainy day, I went to bathe in the pond located inside the palace of Jamindar Pari Mohon Roy along with some children of my colony. We were spotted by the dominant caste old man who threatened us to dire consequences if we ever again went near the pond”, says Suman Bashfore, a resident of Morog Mohol Harijan Colony, Kishorganj. Around 300 Dalits of this colony of Kishoorganj Municipality have only two tube wells, of which one often remains dysfunctional. They are barred from using the pond at the palace since the establishment of the pond 100 years ago.

5. SOME GOOD INITIATIVES FOR PROMOTING WASH AMONG DALITS

While the struggle by Dalits for the protection of their rights, including the rights to decent and adequate water and sanitation, is ongoing, a good number of initiatives by NGOs and individuals are contributing to ensuring the right to WASH for Dalits. Some such noteworthy initiatives are as follows:

- Water Aid Bangladesh has implemented a project 'Beyond the Horizon' with the financial support of AusAid. This project has provided water and sanitation support to the Dalit colonies of Dhaka and Chittagong districts. In 2014, it helped repair one of the reservoirs of Ganaktuli Colony in Dhaka. The maintenance cost was contributed by the inhabitants of the colony to a bank account, with three Dalit signatories from the colony to operate the account. When needed, the money was used by them for repairing the reservoir. Water Aid also constructed a wall beside the reservoir so that women and girls could change their clothes after bathing. This initiative illustrates the good practice of entrusting the Dalit community members with the authority to use the resources as per their requirement, thereby instilling greater ownership and confidence in the community.
- BDERM, with financial support from Nagorik Uddyog, is executing programmes with a focus on drinking water and sanitation in Moulovibazar, Jessore, Khulna and Barisal districts. Since 2012, BDERM has constructed 37 sanitary latrines for Dalit households in Moulavibazar, Jessore, Dhaka and Narayanganj cities. Planning, implementation, beneficiary selection and monitoring of the programme are conducted with the assistance of local Dalits which gives them a greater say in decision affecting their community.
- The Bangladesh WASH Alliance (BWA) is a consortium of 14 Bangladeshi NGOs, instituted in 2011, to work with local NGOs and governments on sustainable WASH projects. Its mission is to empower people by building and strengthening an enabling environment for sustainable WASH solutions for marginalized people in Bangladesh. *Dalit*, a CSO led by Dalits, is a member of this alliance. The community led approaches in WASH programme by *Dalit* help the community to understand the

necessity of integrating safe water, sanitation and hygiene practices into daily life. Under BWA, Dalit is implementing a programme in 31 villages of six upazilas (Khulna Sadar, Dumuria, Keshobpur, Monirampur, Paikgacha and Tala) of Khulna, Jessore and Satkhira districts. The major activities included tubewell and toilets repair and maintenance in Dalit settlements, and awareness raising activities among Dalit community on WASH.

6. THE WAY FORWARD

For the Government:

- Enact the draft Anti-Discrimination law which can ensure the purchase of lands and renting of houses by Dalits in non-Dalit colonies without discrimination.
- Assess the severity of the issues and deprivations vis-à-vis WASH and other basic services in Dalit colonies across the country in a disaggregated fashion and, accordingly, develop a time-bound plan of action to ensure coverage of Dalit households to adequate and discrimination-free access to water and sanitation facilities. Encourage representation and participation of Dalit women and men in planning and managing the areas where they can easily access water.
- Ensure priority access to water and sanitation services for the most marginalized groups of people, specifying Dalits as one of these groups, in relevant policies, strategies and guidelines for promoting water and sanitation.
- City Corporation, Municipalities and other Government bodies and private agencies aided by government should

target Dalit colonies to improve WASH facilities; viz. adequate water points and latrines, and improve the existing facilities including provision of effective drainage system.

- Address the various physical, cultural, economic and social barriers Dalits may face in accessing WASH services in an equitable manner.

For civil society organisations, NGOs and INGOs:

- Civil society groups should increase interaction with the Dalit population and work with Dalit led and Dalit focused organisations to ensure their concerns are incorporated into their CSO programme strategies towards WASH interventions.
- Ensure the participation of Dalit members in teams to work on the ground with necessary orientation and perspective building exercises prior to WASH interventions.
- Empower and build capacity of Dalits and their organisations at varied levels in advocating for their rights and entitlements with regard to water and sanitation; and facilitating their interface with service providing

agencies and local government institutions, etc. from time to time.

- Form WASH clusters (or task forces) at rural and urban centres to conduct sanitary vulnerability assessments and hold meetings of the WASH Cluster at a feasible frequency with needs and gaps reviewed and action points taken. These clusters should comprise good number of women from the communities itself (community level task forces should be used for this assessment).
- Carry out needs assessments with WASH clusters to identify WASH needs and monitor availability and access in Dalit habitations. Accordingly, advocate and provide for provision of tube well, sanitary latrine and drainage system.
- Undertake awareness campaign about hygiene issues with special focus on women's health and hygiene among Dalit communities.
- Integrate programmes for advocacy and sensitisation of the local governance representatives (depending upon the local context) at the local, provincial and national levels on the issues of exclusion and thereby, also educate the excluded communities on government schemes and packages through innovative communication means, such as, village meetings, posters, information centres, etc.

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GLOSSARY

BDERM	Bangladesh Dalit and Excluded Rights Movement
BRAC	Bangladesh Rehabilitation Assistance Committee
BWA	Bangladesh Wash Alliance
CBD	Caste Based Discrimination
CEDAW	Convention for Elimination of Discrimination against Women
CLTS	Community Led Total Sanitation
UNCRC	United Nations Convention on the Rights of Children
CSO	Civil Society Organization
DHRD	Dalit Human Rights Defenders
DPHE	Department of Public Health and Engineering
DSCC	Dhaka South City Corporation
DWASA	Dhaka Water Supply and Sewerage Authority
FGD	Focus Group Discussion
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
LGI	Local Government Institution
MDG	Millennium Development Goal
NGO	Non-government Organisation
NU	Nagorik Uddyog
OHCHR	Office of the High Commissioner for Human Rights
PWD	Public Works Department
SACOSAN	South Asian Conference on Sanitation
UPR	Universal Periodic Review
WASA	Water Supply and Sewerage Authority
WASH	Water, Sanitation and Hygiene



BDERM Bangladesh Dalit and
Excluded Rights Movement

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