

**TULP-WINNER 2012- Speech of the Chair of the Jury Mrs. Cisca Dresselhuys
on the 9th of January 2013**

Esteemed and beloved attendees, in particular Minister Timmermans,

"It is good that the world is watching," said a lady of the women's organization 'Women on Wings' recently on TV. She was referring to the horrific event in New Delhi, where the 23-year old student Yoyti Singh Pandey was gang-raped by six men in a city bus. The woman died due to the severe injuries she sustained during the rape.

Every 21 minutes a woman is raped in India, a horrible fact in itself.

Even more horrible is it to read that generally nothing is done so far. Often women are dumped, severely injured, by the side of the road, with little or no commotion about this crime, let alone that there will be a police investigation.

According to the legal news service Trust Law India is the worst country in the world for women, given the large number of child marriages, abductions, honour killings, torture cases, sexual violence, prostitution and trafficking in women.

After the death of Yoyti Singh Pandey there seems to be a sudden change in thinking about the position of women in India.

The population did protest massively and demands severe punishment, even the death penalty, for rapists. It also appears now that a fast track court can be introduced, with special responsibility for the treatment of crimes against women, which has started this week dealing with the criminal case against the rapists.

"India struggles with morality", yesterday's newspapers wrote. That's a good sign. It is hopefully the beginning of a greater awareness and thus improvement of the human rights in India.

So, it is the ideal time then to award the Dutch human rights award to a resident of this country. Not to someone specifically struggling for women's rights, but to a man who is engaged in the interests of a large part of the Indian population that is severely discriminated: the Dalits.

Hopefully the wake-up call on ethical matters will benefit the 260 million Dalits, the so-called untouchables, who are still being discriminated, despite laws prohibiting it.

Dalits are society's 'doormats', the people who unclog sewers, who clear away dead animals and dead people, who clean public toilettes, who wash clothes that are soiled with blood or excrements, who sweep the streets or who work in dangerous factories, and all of that for a pittance.

Very important in the context of the recent uproar and demonstrations is the fact that the world, through internet and television, is watching critically. Because of that abuses can no longer be ignored or suppressed, however much authorities would like to do that.

Watching and - one step further - supporting: that is also the the goal of the Human Rights Defenders Tulip, the award of the Dutch government for human rights defenders, which this year is awarded for the fifth time to a brave person.

This time our winner is a Dalit, who spends his whole adult life for the benefit of that part of the Indian population, which - on paper - might have rights, but often not in practice. The outcasts, the pariah's, the downtrodden or the untouchables. All horrible and shocking names, which apply to 20 percent of the Indian population.

Unanimously the jury chose the 51-year-old activist MARIMUTHU BHARATHAN as the winner of the Tulip 2012. Unfortunately he is not among us this afternoon to accept the award, which we so much would have liked to see happening.

But just as our Chinese winner of last year, the lawyer Ni Yulan, he is not allowed to leave his country to be honoured here. Marimuthu Bharathan is officially a free man, he's not in jail, but unfortunately not so free that he can come to The Hague.

In fact three years ago he was, along with 23 others, arrested by the police, accused of involvement in an assassination attempt. According to 24 local human rights organizations the accusation of murder was false, so that police and judiciary could make Bharathan's work impossible.

The UN Special Rapporteur for human rights defenders, Ms Sekaggya recently reported that Dalit human rights defenders are often victims of false accusations when they have raised a malpractice.

After a month Bharathan was released, ostensibly because no evidence was found against him. But as a consequence of suspecting him of a crime his passport has been suspended and he has to report himself every two weeks at the police station. Also his office was closed and he was prohibited from receiving money from abroad. Money which he highly needs for his work as well as to live. He was also prohibited from organizing meetings and demonstrations. Recently however his office was nevertheless re-opened and last summer he led a protest demonstration for the rights of Dalit children who are working in the fireworks and match industry.

Campaigning and organizing demonstrations is, as already said, part and parcel of the adult life of our winner. For all kind of groups of Dalits: from sweepers to people working in tanneries, to children who are making matches. In 2011 alone he submitted 118 official complaints to the police regarding discrimination.

He did not finish his studies in law and history because at the age of 17 he was already involved in campaigning. In 1999 he founded his organization *Human Rights Education and Protection Council*, through which he could wage his struggle even more professionally. It was this office that was closed in 2009.

Mr. Bharathan was nominated for the Tulip by three Indian human rights organizations. In his recommendation letter a fellow-campaigner wrote that "Bharathan deserves the award, but whether he does or does not get it, he is engraved in the hearts of the oppressed street sweepers in our district".

Because of his work, whole family of Bharathan's is under pressure. His wife and two studying sons have sometimes asked him if he could be less active. This was in vain.

India is already for a long time a country of castes, a form of a very strict social hierarchy based on a person's descent or occupation. The highest caste, those of the Brahmins, has thousands of years ago determined what the rights and duties of all castes are, down to the smallest detail, in which Dalits turned out to have hardly any rights.

For them there was – and is – the dirty, heavy, badly paid and often even unpaid work. They had no access to education and many occupations. Because of their impurity they, for example, had to live outside the village and were not allowed to draw water from public water sources.

The way of life of all castes was, as said, determined in the most bizarre details. A Dalit was for example guilty if his shadow on the street would touch someone of a higher caste. Therefore he had to carry bells to announce he was approaching.

Recently we saw another example of such denigrating treatment of Dalits in the TV programme of Jelle Brandt Corstius. He drank a cup of tea together with a sweeper (so a Dalit) in one of the many tea shops along the roads in India. Usually the sweeper would have to drink his tea from a plastic disposable cup, but because there was a camera he was served his tea in a glass cup. But, Jelle told us, after we had left this cup was thrown away because once touched by a Dalit nobody would want to drink from it anymore.

This sounds like small suffering in a country where every 18 minutes a crime against a Dalit is committed, where in a week thirteen Dalits are being murdered and where every day many Dalit women are being raped.

Since the introduction of the Constitution in 1950, discrimination against Dalits is officially banned, but the everyday practice shows that this is mainly a rule on paper.

Both the United Nations and the European Union, as well as our own Parliament, have for years now made an increasingly urgent appeal to India to finally put an end to this ongoing discrimination, which conflicts with its own legislation.

When it became known that Bharathan won an award, somewhere far away in a small country called The Netherlands, the Indian government was not really happy with the message. On the contrary, they were quite irritated, as was told to our winner by the Dutch ambassador, who came to visit him. There was a warning that the good relations between The Netherlands and India could be significantly harmed if the award went to Mr. Bharathan. India did not facilitate a trip to The Hague, which was easy to do: Bharathan did not get a new passport! End of story. But not for us, the jury of the Human Rights Tulip. If we make a choice after extensive deliberation and comparison of all nominees - this year there were about 70 - then that is really our well-considered choice. And we don't step down from this choice!

In the meantime we are used to the fact that that governments are never happy with the Human Rights Tulip. Human rights defenders automatically have a bad relation with the government of their country. They are resisting malpractices in that country and no regime appreciates that.

During the last five years – because that is how long the Human Rights Tulip exists – the jury has been increasingly confronted with such problems.

The combination of a state award with an independent jury is not the easiest one.

We are not being asked to take into account political, diplomatic and business interests.

We are not a covert trade mission; we are there to award a brave, threatened human being, somewhere in the world, for his or her many years of brave struggle.

In short: we are not responsible for the export of the Dutch tulip, but for the export of one specific tulip: The Human Rights Tulip.

When the former Minister of Foreign Affairs Maxime Verhagen installed this award in 2008, we have pointed out to him this possible conflict of interests.

He dismissed this cheerfully, perhaps naïve.

The Human Rights Tulip was his love baby.

According to his successors the baby has grown up to be an annoying teenager, that once in a while creates big problems. A teenager that is maybe loved but which one would still like to see leaving the parental home.

After five years of loyal service the present jury steps down as was agreed upon.
I thank my jury colleagues Antony Burgmans, Jaap Doek, Awraham Soetendorp and Victor Scheffers very much for the excellent co-operation.
We were always unanimous in the choice of the award winners.
And the fact they put up with me all this time deserves kudos!

We have tried to do our work as well and honest as possible.
We feel supported in this by a statement of Eleanor Roosevelt: "Do what you feel in your heart to be right - for you'll be criticized anyway. You'll be damned if you do, and damned if you don't."

Regarding this year's Tulip, we should appreciate that Bharathan will receive the award - a statuette and a sum of 100,000 Euros for a project – fairly soon in his hometown, presented by the Dutch ambassador. Or even better, by Minister Timmermans himself. Or does this come under the category: cheerful but naive ideas?

In addition we very much hope that the Human Rights tulip will also be awarded next year.
And then of course with the winner in the room.
And of course again by the Minister of Foreign Affairs

Because human rights must not be forgotten and never be subordinated to political and commercial interests.

The Netherlands is still one of the most prosperous and well-governed countries in the world.
We should be ashamed if we would ignore abuses elsewhere, if we would voluntarily put up blinkers in a time where people in other places are shedding their blinkers more and more.

So let us keep on doing what our heart tells us to do.

We will be criticized anyway!

Thank you.

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