

IDSN note on the observations and recommendations on caste-based discrimination presented at the 27th session of the Human Rights Council

This note provides a summary of the proceedings at the 27th session of the Human Rights Council covering observations and recommendations on caste-based discrimination presented. The reports and statements of the High Commissioner, Special Rapporteur on Slavery and Special Rapporteur on Water and Sanitation and ensuing interactive dialogues of the session offered general, thematic as well as state specific observations and recommendations on caste-based discrimination. The country-specific observations address India, Yemen, Mauritania and Pakistan. Please find a [collation of the full references to caste-based discrimination in reports and statements presented at the HRC27](#).

General observations and recommendations on caste-based discrimination	
UN High Commissioner for Human Rights	In the opening statement of the 27th session of the Human Rights Council, on 8 September 2014, the new UN High Commissioner for Human Rights Mr. Zeid Ra'ad Al Hussein underlined that “there is no justification ever, for the degrading, the debasing or the exploitation of other human beings – on whatever basis: nationality, race, ethnicity, religion, gender, sexual orientation, disability, age or caste.” The High Commissioner will prioritize the implementation of UPR, TB and SP recommendations and their integration into country programmes. He also called on the Council to strengthen its constructive engagement with CS actors and to ensure that their voices can be raised safely and without reprisals
Thematic observations and recommendations on caste-based discrimination	
<ul style="list-style-type: none"> • Slavery 	
Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, Ms. Urmila Bhoola	<p>In her report, A/HRC/27/53, the new Special Rapporteur, Ms. Urmila Bhoola underlined that caste-based forms of slavery, which affect the lives of many and are not confined to developing and poor countries, deserve specific attention. Ms. Urmila Bhoola will continue to address the issue.</p> <p>The Clustered Interactive Dialogue 8-9 September 2014. Please see the IDSN note</p> <p>The delegate from Costa Rica stressed that caste-based slavery needs specific attention and the delegate from the Holy See highlighted the Special Rapporteur’s stated intention to address caste-based forms of slavery that deserve specific attention.</p> <p>Liberation noted that the most vulnerable people in the trafficking industry belonged to low castes like Dalits. The International Catholic Child Bureau highlighted caste-based forms of slavery</p>
<ul style="list-style-type: none"> • Water and Sanitation 	
Special Rapporteur on the human right to safe drinking water and sanitation, Ms. Catarina de Albuquerque	In her report, A/HRC/27/55 , the outgoing Special Rapporteur, Ms. Catarina de Albuquerque, highlighted that Dalits are excluded from using water fountains due to societal rules and often face violence in accessing water and sanitation, often linked to deeply entrenched stigmatization. Please see the joint submission of Rashtriya Garima Abhiyan (RGA), the National Campaign on Dalit Human Rights (NCDHR) and IDSN (February 2014) to the Special Rapporteur for her HRC27 report.
<ul style="list-style-type: none"> • Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance 	

<p>Item 9 General Debate on Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance.</p>	<p>The General Debate September 23 2014. Please see the IDSN note and the OHCHR Meeting Summary September 23 2014</p> <p>The International Buddhist Relief Organization, the Mbororo Social and Cultural Development Association and the World Barua Organization raised the issue of caste-based discrimination</p>
<p>Country-specific observations and recommendations on caste-based discrimination</p>	
<p>• India</p>	
<p>Special Rapporteur on the human right to safe drinking water and sanitation, Ms. Catarina de Albuquerque</p>	<p>In her report of the outgoing Special Rapporteur on the human rights to safe drinking water and sanitation, A/HRC/27/55, Ms. Catarina de Albuquerque emphasises that sanitation workers frequently face serious health risks, stigmatization, violence and exploitation. Ms. Albuquerque notes the 2013 anti-manual scavenging act, adopted by the Indian Parliament, requiring that sanitation systems be overhauled so as to eliminate the need for manual scavengers and seeking to eradicate stigma, inter alia by arranging for alternative jobs. She highlights the Supreme Court of India observation that “manual scavengers are considered as untouchables by other mainstream castes and are thrown into a vortex of severe social and economic exploitation.” And, echoes the Supreme Court of India observation that the continuation of manual scavenging violates human rights and order of the State to fully implement the new act and take appropriate action in response to any violations.</p> <p>The Clustered Interactive Dialogue 9-10 September 2014. Please see the IDSN note</p> <p>World Barua Organization made a strong statement on the situation of safe drinking water and sanitation for Dalits in India underlining that the issue of sanitation, and ‘open defecation’, is a major problem in India especially in areas where majority of Dalits are living. The NGO called on the Council to ask the Indian government for an early solution of problems and provision of clean drinking water and provision of sanitation facilities to poor people like Dalits.</p>
<p>Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, Ms. Urmila Bhoola.</p>	<p>Interactive Dialogue</p> <p>World Barua Organization underlined that some of the reasons for the high numbers caught in slavery in India are practices of land grabbing and asset domination by high caste groups.</p>
<p>• Yemen</p>	
<p>UN High Commissioner for Human Rights</p>	<p>In the report of the UN High Commissioner on the situation of human rights in Yemen, A/HRC/27/44, the High Commissioner highlights the successful advocacy of the Muhamasheen community in the National Dialogue Conference. However, also underlines that, despite this progress, Yemen’s marginalized communities continue to be victims of attacks or neglect by the authorities. The High Commissioner recommends ensuring that the National Dialogue Conference outcomes regarding Muhamasheen and other minorities are incorporated into the new Constitution and implemented into practice.</p>

	<p>The introduction to the country reports of the Secretary-General and the High Commissioner under items 2 and 10, September 25 2014. See OHCHR news article</p> <p><u>United Nations Deputy High Commissioner for Human Rights</u>, Ms. Flavia Pansieri noted that the OHCHR remains concerned about the continued marginalization of and violations against the Muhamasheen and other minorities and hope that the positive outcomes of the National Dialogue Conference regarding these communities will be incorporated into the new Constitution.</p>
<p>• Mauritania</p>	
<p>Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, Ms. Urmila Bhoola.</p>	<p>In the report of the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences on her follow up mission to Mauritania, A/HRC/27/53/Add.1, Ms. Gulnara Shahinian (now former Special Rapporteur) reiterates the need to introduce a law against discrimination practices based on caste or ethnic slavery and that this criminal law approach should be accompanied by effective measures to compensate for discrimination and to assist the integration of victims of slavery into an independent life.</p>
<p>• Pakistan</p>	
<p>Special Procedures</p>	<p>The joint communications report of Special Procedures, A/HRC/27/72, includes a summary of the allegation letter sent to the government of Pakistan from the Special Rapporteurs on the right to food; right of everyone to the enjoyment of the highest attainable standard of physical and mental health; minority Issues and the human right to safe drinking water and sanitation. The allegation transmitted concerns the death of at least 132 children in the Thar desert in the Sindh province as a result of malnutrition with the majority of victims reportedly belonging to the minority Dalit community. Undue delays on the part of the authorities to react to the crisis have reportedly resulted in the Sindh provincial Government being accused by the Supreme Court of failing to fully report the facts, highlighting its failure to distribute sixty thousand bags of wheat flour allocated to the region in December 2013.</p>