

**IDSN recommendations on agenda items of relevance to be considered
at the 31st session of the Human Rights Council (HRC)
(29th February -24th March 2016)**

February 2016

ITEM 3 – PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS

Report of the Special Rapporteur on minority issues

On the 15th of March, the Special Rapporteur on minority issues Rita Izsák-Ndiaye will present her annual report ([A/HRC/31/56](#)) on the topic: "**Minorities and discrimination based on caste and analogous systems of inherited status**" to the Human Rights Council.

The Special Rapporteur highlights discrimination based on caste and analogous systems as a global phenomenon and a serious human rights violation infringing upon the basic principles of universal human dignity and equality. Extreme exclusion and dehumanization of caste-affected communities translates into "individuals and communities often being deprived of or severely restricted from enjoying their most basic civil, political, economic, social and cultural rights". The Special Rapporteur further considers that caste and analogous forms of discrimination are a major cause of poverty and perpetuate poverty in affected communities. In chapter VII of the report, the Special Rapporteur presents her conclusions and a series of urgent recommendations to caste-affected states.

Human Rights Watch and IDSN have submitted a joint written statement under agenda item 3. The organizations welcome the report of the Special Rapporteur on minority issues and call on the Human Rights Council, its member and observer states and United Nations Organizations to end discrimination based on caste and descent.

- Please find herewith a link to the [HRW-IDSN joint written statement](#)

States are encouraged to participate in the Interactive Dialogue with the Special Rapporteur on Minority Issues scheduled for March 15 (18:00-21:00), and to attend the side-event on "Minorities and caste-based discrimination" on March 16 from 12:00-14:00.

Recommendations related to the report of the Special Rapporteur

Human Rights Watch and IDSN urge the Human Rights Council, its member states and United Nations Organizations to call on states affected by caste to:

- Act on the recommendations of the Special Rapporteur on Minority Issues presented in her report and to enact and enforce anti-caste discrimination legislation; addressing as a priority the existing

patterns of impunity for human rights violations against Dalits and other similar affected communities committed by states and non-state actors;

- Endorse the draft [United Nations Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent](#) (UNP&G) and ensure their implementation through national action plans to combat caste-based discrimination; develop and implement national action plans with sufficient funding and clear objectives and measures for poverty reduction strategies, employment, health, education and access to basic services including water and sanitation; pay specific attention to the issues of caste-affected women, and conduct public awareness campaigns in coordination with affected groups;
- Take action on caste-based discrimination as a serious impediment to ensuring equality in disaster relief and rehabilitation, and develop appropriate disaster management laws, policies, institutions and programming in cooperation with humanitarian stakeholders and affected communities;
- Develop specific indicators on caste and use disaggregated data for the implementation and monitoring of the 2030 Sustainable Development Goals.
- Take note of and act on the concluding observations and recommendations on caste discrimination by UN Treaty Bodies, Special Procedures Mandate Holders and in Universal Periodic Review in the framework of National Action Plans.

HRW and IDSN call on the United Nations, including UN specialized agencies and UN Country teams to:

- Address discrimination based on caste and analogous forms of discrimination at all levels and promote the endorsement of the draft UN P&G and their implementation;
- Take due note of the development of a UN Guidance Tool on Discrimination Based on Work and Descent (to be published in 2016);
- Promote use of specific indicators and disaggregated data in relation to the implementation and monitoring of 2013 Sustainable Development Goals;
- Recognize and act on caste-based discrimination as a serious impediment to ensuring equality in disaster response in any future work on humanitarian standards, disaster relief and rehabilitation;
- Recognize discrimination based on caste and analogous forms of discrimination as a gross human rights violation which should be addressed in the context of the Durban Review Conference and in its follow-up mechanisms;
- Conduct country level studies on the situation of communities discriminated on the basis of caste and analogous systems of inherited status in under-researched regions; and initiate a thematic, regional level study in South Asia on violence against Dalit women and research on the nexus of caste discrimination and forced and bonded labour.

Human Rights Watch and IDSN urge the Human Rights Council to adopt a resolution on the UN P&G and institutionalize regular reporting on the elimination of discrimination based on caste and analogous forms of inherited status.

HRC31 side event: Minorities and caste-based discrimination

16th of March from 12 to 2 pm in Room XXI at Palais des Nations

Co-organized by the Office of the High Commissioner for Human Rights and the mandate of the Special Rapporteur on minority issues.

AGENDA ITEM 6 – UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review – Nepal

The report of the Working Group, [A/HRC/31/9](#), contains nine recommendations related to caste discrimination. Seven of which urge the government of Nepal to ensure implementation of existing laws to combat caste discrimination, especially the 2011 Caste-based Discrimination and Untouchability Act. Though the Government accepted the recommendations related to caste-discrimination all of the nine recommendations were categorized by the government as “already implemented or in the process of implementation”, which complicates progress monitoring of Nepal’s obligations to eliminate caste discrimination.

Recommendations related to the report of the Working Group:

- IDSN urges states to attend the UPR outcome for Nepal scheduled on the 16th of March (15:00-18:00) and to call on the Government of Nepal to guarantee the full implementation of all of the nine recommendations related to caste-based discrimination.

Report of the Working Group on the Universal Periodic Review – Mauritania

The report of Working Group, [A/HRC/31/6](#), contains two recommendations on caste discrimination, both addressing the link between caste-based discrimination and slavery. It was recommended that Mauritania abolish the caste system, which promotes de facto slavery through domestic servitude and bondage or forced labour and for Mauritania to put an end to discrimination, in particular discrimination based on caste or ethnicity. None of the recommendations were accepted by the Mauritanian government.

Recommendations related to the report of the Working Group:

- IDSN encourages states to attend the UPR outcome for Mauritania on the 16th of March (12:00-15:00) and recommend the government of Mauritania to put an end to the caste system and ensure effective implementation of the existing laws and policies aimed at combating caste-based slavery practices.

For more references to caste please see: [References to caste-based discrimination presented in reports and statements at the 31st session of the Human Rights Council](#).

Please note that some HRC31 reports have yet to be published, but could prove relevant. For an overview all reports for the HRC31 please find the list of HRC31 reports [here](#).

For a full compilation of references to caste-based discrimination in UN human rights bodies see: [IDSN compilation of UN reference to caste discrimination](#) (Ninth edition - February 2016).