

Points for consideration at the Special Procedures 23rd Annual Meeting (2016)

The International Dalit Solidarity Network commends the Special Procedures mandate holders for bringing attention to the issue of caste-based discrimination. This is a global issue affecting hundreds of millions of people around the world. Over the years, it has been addressed by a total of 20 mandates, confirming the intersectionality between caste and a number of the thematic issues covered by the Special Procedures division of the OHCHR.

Caste discrimination is a global phenomenon and can be found in varying degrees and forms in India, Nepal, Pakistan, Bangladesh, Sri Lanka, Japan, Micronesia, Yemen, Senegal, Burkina Faso, Mali, Chad, Ghana, Niger, Mauritius, Mauritania, Madagascar, Nigeria, Kenya, Ethiopia and Somalia, Suriname and possibly more countries. It also occurs in Diaspora communities in Europe, North America, and Asia.

In March 2016, the Special Rapporteur on minority issues released a comprehensive thematic report on caste, bringing attention to the global nature of caste discrimination and analogous systems of inherited status. The report ([A/HRC/31/56](#)) titled “minorities and discrimination based on caste and analogous systems of inherited status” contained a number of recommendations for caste-affected states to:

- Disaggregate data collection by, inter alia, caste, sex, ethnicity, religion and language to adequately map caste-affected groups in caste-affected countries (rec. 125).
- Adopt specific legislation prohibiting discrimination on the grounds of caste and to adequately and fully implement the existing legal framework to combat caste (rec. 128).
- Conduct awareness raising campaigns at the national and local level (rec. 129).
- Urgently develop comprehensive national action plans and budgets to combat discrimination based on caste and analogous systems of inherited status (re. 130).
- Put into place and enforce special measures, including reservations, quota systems and /or schemes in specific areas, including, employment, education and public and political institutions (rec. 131).
- Urgently take robust action to eradicate violations against women and girls through, inter alia, the enactment and effective implementation of specific legislation and adoption of special measures, policies and programmes to address the marginalization and exclusion experienced by women and girls owing to their caste status (rec. 132).
- Train law enforcement officers to identify and adequately respond to cases of caste-based discrimination (rec. 134).
- Make human rights education mandatory and revise textbooks to eliminate stereotypical portrayals of caste-affected communities and contest the social construction of caste (rec. 135).
- Extend invitations to special procedures mandate holders to assess the situation of caste-affected communities in their respective countries and request assistance for technical cooperation (rec. 137).

In her report, the Rapporteur also called on the Human Rights Council to endorse the draft [UN Principles and Guidelines](#) for the effective elimination of discrimination based on work and descent. Further, the Rapporteur recognizes caste as a major cause of poverty, inequality and social exclusion of affected communities, and recommends states to consider including caste-specific indicators in the implementation of the 2030 Agenda

for Sustainable Development to ensure that the SDGs and their targets address the situation of caste-affected groups.

This recommendation enjoyed the support of several states, which affirmed the necessity to include consideration for minorities in the implementation of the 2030 Development Agenda. A similar recommendation was included in a [paper](#) by the Danish Institute of Human Rights on “Follow up and review of the 2030 Agenda for Sustainable Development”, encouraging awareness of caste discrimination when “measuring discrimination” in relation to the 2030 Goals.

IDSN is happy to note the attention given by the Special Rapporteur on Freedom of Assembly and Association to the case of IDSN’s application for ECOSOC status, which will be considered by the Committee on NGO’s for the 8th time, May 31, 2016 (originally scheduled for May 27 but rescheduled due to procedural delays). IDSN has received a total of 75 questions from the committee since 2008, making it the longest pending application before the committee. The questions are repetitive in nature and the continued deferral put great restrictions on IDSN’s work and collaboration with the UN. On May 27th the Rapporteur released a [commentary](#) on the Committee on NGO’s, wherein he highlighted the IDSN case as “especially troubling”.

The UN High Commissioner for Human Rights continues to address the issue of caste-based discrimination and include caste on par with other types of discrimination in [reports and statements](#). Most recently, the High Commissioner included caste in the foreword of the OHCHR 2015 [report](#), affirming the value of identifying and prioritizing human rights gaps, placing caste discrimination as a priority alongside discrimination based on gender and ethnicity.

On the occasion of the 23rd annual meeting of the UN Special Rapporteurs, Representatives, Independent Experts and Chairpersons of Working Groups of the Human Rights Council (6-10 June 2016), IDSN calls on all relevant mandate holders to consider the following points:

- To take note of the recent UN initiatives and recommendations addressing caste discrimination and integrate them in the work of the Special Procedures Division. Of particular relevance are the recommendations made by the Special Rapporteur on minorities as well as the new UN Guidance Tool for UN country teams to address discrimination based on caste and analogous systems of inherited status (to be launched in the autumn of 2016).
- To issue a joint statement welcoming the report of the Special Rapporteur on as a milestone document, identifying caste-based discrimination as a cross cutting issue of concern to a number of mandates; and to commit to close cooperation and joint initiatives on the topic.
- To ensure that caste-based discrimination and affected communities are specifically mentioned, along with other forms of discrimination and discriminated groups, when gathering information, e.g. in the context of questionnaires to governments and civil society actors.
- Support the promotion of the draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent and urge that these Guidelines be promoted by states and endorsed by the Human Rights Council.

Recent reports and links:

United Nations

- [Report on caste discrimination by the Special Rapporteur on Minority Issues \(A/HRC/31/56\)](#)
- Video statement by the Special Rapporteur and OHCHR article "[Shadow of caste continue to violate all aspects of human rights](#)".
- [Joint Written Statement by Human Rights Watch and IDSN "Ending Discrimination Based on Caste" - \(A/HRC/31/NGO/140\)](#)
- [Report from OHCHR side-event on minorities and caste-based discrimination \(IDSN report\)](#)
- [Caste systems violate human rights of millions worldwide – new UN expert report](#)
- [UN expert calls on states to end caste discrimination \(IDSN\)](#)
- [High Level statements addressing caste-based discrimination](#)
- [Compilation of UN references to caste discrimination \(IDSN\)](#)
- [CERD General Recommendation 29](#)
- [OHCHR report 2015 -foreword by the UN High Commissioner](#)
- [IDSN ECOSOC Factsheet](#)

INGOs

- Press Release (IDSN & IWGIA, May 11, 2016): [Global conference urged to discuss rights of 300 million Dalit and indigenous women](#)
- The Sustainable Development Goals 2030 ([IDSN web page](#))
- [Stifling Dissent – The Criminalization of Peaceful Expression in India](#) (HRW report 2016) Human Rights Watch report examines how criminal law is used to limit peaceful expression in India, stifle political dissent and target religious minorities and marginalised communities, including Dalits. Read the IDSN news article about the report at: <http://idsn.org/hrw-urges-india-stop-treating-critics-criminals/>

NHRIs

- [Danish Institute of Human Rights: Follow up and review of the 2030 Agenda for Sustainable Development](#)

European Union

- [European Parliament "A human rights and poverty review: EU action in addressing caste-based discrimination" \(February 2013\)](#)
- [European Parliament Resolution on Caste-based Discrimination October 2013 \(P7 TA\(2013\)0420\)](#)
- [See all European Parliament Resolutions on caste discrimination](#)