



**IDSN recommendations on agenda items of relevance to be considered  
at the 27th session of the Human Rights Council (HRC) (8-26 September 2014)**

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**ITEM 3 - PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS**

**Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola (22 July 2014)**

In the HRC report, [A/HRC/27/53](#), for the 27th session, the newly appointed Special Rapporteur, Ms. Urmila Bhoola highlights caste-based forms of slavery noting that such contemporary forms of slavery deserve specific attention and affect the lives of many and further is not confined to developing and poor countries. Ms. Bhoola also notes that she will continue to work on the remaining challenges to the eradication of contemporary forms of slavery as highlighted by her predecessor in her 2013 report to the HRC. In this report, [A/HRC/24/43](#), Ms. Gulnara Shahinian underlined that discrimination based on caste plays a role in increasing vulnerability to contemporary forms of slavery and that bonded labour in Asia disproportionately affects people with disadvantaged social statuses such as low caste.

**Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences Addendum report – follow up mission to Mauritania (26 August 2014)**

In the HRC report, [A/HRC/27/53/Add.1](#), from her follow-up mission to Mauritania in February 2014, former Special Rapporteur Ms. Gulnara Shahinian reiterates the need to introduce a law against discrimination practices based on caste or ethnic slavery.

**IDSN recommendations and questions related to the reports of the Special Rapporteur**

- IDSN calls on states to raise the issue of caste-based slavery in the Clustered Interactive Dialogue with the Special Rapporteur, scheduled for 8 September (15.00-18.00)
  - IDSN recommends States take note of the attention paid by the former and present Special Rapporteur mandate-holders on the fact that bonded labour disproportionately affect people of lower castes
  - IDSN calls on states to take note of the recommendation to introduce a law against discrimination practices based on caste slavery in Mauritania
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**ITEM 3 - PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS**

**Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Ms. Catarina de Albuquerque "Common violations of the human rights to water and sanitation" (30 June 2014)**

In the HRC report, [A/HRC/27/55](#), for the 27<sup>th</sup> session, Special Rapporteur Ms. Catarina de Albuquerque focuses on violations related to the failure to prevent and combat stigmatization as well as measures to be taken against this discrimination. Ms. Albuquerque highlights that people may be deliberately excluded

from the use of existing facilities, using the example of societal rules preventing Dalits from using water fountains. She further stresses that sanitation workers frequently face serious health risks, stigmatization, violence and exploitation, noting the Supreme Court of India decision that the continuation of manual scavenging (a caste-based occupation) violates human rights and order that the State fully implement the new Manual Scavenging act and take appropriate action in response to any violations.

The Special Rapporteur also addresses the unacceptable risks of violence, including sexual violence, faced by women and girls, in accessing water and sanitation facilities. And, underlined that many groups such as Dalits face violence in accessing water and sanitation, often linked to deeply entrenched stigmatization.

#### **IDSN recommendations and questions related to the report of the Special Rapporteur**

- IDSN calls on states to raise the issue of caste-based discrimination and the situation of Dalits In access to water and sanitation in the Clustered Interactive Dialogue with the Special Rapporteur, scheduled for 9 September (15.00-18.00).
- IDSN recommends states take note of the Special Rapporteur's focus on caste-based exclusion from use of water facilities, the continuation of the caste-based and hereditary illegal occupation of manual scavenging that is predominantly linked with forced labour, and the violence faced by Dalits in accessing water and sanitation.
- Moreover, IDSN recommends states call for and support the inclusion of references to caste in the [resolution on the human right to safe drinking water and sanitation](#) (for adoption at the HRC27 in September 2014). This given the comprehensive and continued focus of the Special Rapporteur on this form of discrimination in the present [2014 report to the HRC27](#) as well as her [2013 report to the HRC24](#), her [2012 report to the HRC21](#) and her [2012 report to the GA67](#). The inclusion of references to caste, caste status or caste discrimination – as a particular inhibiting factor for achievement of the rights to safe drinking water and sanitation would reflect the language applied in recent, official UN General-Secretary reports and statements by high level UN officials. See extracts [here](#).

#### **August 2014 Human Rights Watch report "Cleaning Human Waste"**

The Special Rapporteur on Water and Sanitation has continued to highlight the practice of manual scavenging<sup>1</sup> and the human rights violations and stigma attached to it. Furthermore, the Special Rapporteur on Racism, Slavery, Violence against Women as well as the Committee on Racial Discrimination, Discrimination against Women and on the Rights of the Child have all raised concerns on this illgal practice. This illegal caste-based occupation grossly violates the right to water and sanitation and health as well as other rights. In a newly released report, [Cleaning Human Waste: "Manual Scavenging," Caste, and Discrimination in India](#), Human Rights Watch (HRW) documents the coervice nature of manual scavenging and describes the barriers low caste people face in leaving manual scavenging, including threats of violence and eviction from local residents but also threats, harassment, and unlawful withholding of wages by local officials. Although, the Indian government has highlighted the importance of modernizing sanitation, sanitation approaches are far from sufficient to end the social and economic exclusion faced by these communities. HRW finds that the current attention to sanitation presents an opportunity for the Indian government to focus on waste management systems in addition to toilets, and call for a solution to India's sanitation crisis that is dedicated to ending manual scavenging.

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<sup>1</sup> It is a term used to describe the job of removing human excrement from dry toilets and sewers using basic tools such as thin boards, buckets and baskets, lined with sacking, carried on the head and is estimated to concern 1.3 million people, predominantly women, in India.

**HRW recommends** that the government comply with current law, properly identify people currently and previously engaged in manual scavenging so they can benefit from the entitlements provided in the law, including financial, scholarship, housing, legal and livelihood support, end all local government hiring of people to engage in manual scavenging and end all discrimination against these communities.

IDSN Compilation of references to caste-based discrimination by the Special Rapporteur on Water and Sanitation, Ms. Catarina de Albuquerque

- [IDSN Compilation of SR references to caste discrimination](#)

The joint submission of Rashtriya Garima Abhiyan (RGA), the National Campaign on Dalit Human Rights (NCDHR) and IDSN to the Special Rapporteur, Catarina de Albuquerque for her annual thematic report to HRC27 (September 2014):

- [Joint submission - SR on Water and Sanitation \(RGA, NCDHR, IDSN\) \(February 2014\)](#)

The report of the Independent Expert on Minority Issues, Ms. Rita Izsák to HRC25 in March 2014 where she highlights numerous issues of caste based discrimination in the context of amongst others Health, Hunger, food security and nutrition, Environmental Sustainability and Water, in particular emphasizing Catarina de Albuquerque's 2012 HRC report:

- [Report of the Independent Expert on Minority Issues, Ms. Rita Izsák \(January 2014\).](#)
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## ITEM 5 – HUMAN RIGHTS BODIES AND MECHANISMS

### **Joint communications report of Special Procedures (20 August 2014)**

The joint communications report of Special Procedures, [A/HRC/27/72](#), for the 27<sup>th</sup> session, 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.

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Please see other relevant references and resources below:

- See extracts on caste in HRC27 reports [here](#)

The IDSN Compilation of references to caste based discrimination in UN human rights bodies (August 2014):

- [IDSN compilation of UN reference to caste discrimination](#) (Ninth edition)