

Submission of the International Dalit Solidarity Network (IDSN) for the UN General Assembly Report of the UN Secretary-General “Elimination of Racism” April 2015

GA70 2015 Report on the implementation of General Assembly resolution A/RES/69/162 of 18 December 2014 “A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”

Updates on measures undertaken to combat racism, racial discrimination, xenophobia and related intolerance

Please see Annex II for the summary of the IDSN input, also submitted.

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The *International Dalit Solidarity Network* is an international network that works on a global level for the elimination of caste discrimination and similar forms of discrimination based on work and descent. Members include national Dalit platforms in caste-affected countries; Dalit Solidarity Networks in seven European countries; and international associates, among others (www.idsn.org). Please see Annex I for examples of specific measures promoting the elimination of caste-based discrimination, undertaken by IDSN involving UN human rights mechanisms, in the period 2012-2014.

Caste-based Discrimination

Caste-based discrimination is a form of discrimination prohibited by international human rights law, which subjects an estimated 260 million people globally to discrimination on the grounds of work and descent. Caste discrimination involves massive violations of civil, political, economic, social and cultural rights. Caste-affected communities are denied a life in dignity and equality. This form of discrimination is an entrenched human rights violation, which is mainly found in South Asian countries but also occurs in communities in Japan, Yemen, some African countries and Diaspora communities. Victims suffer a hidden apartheid of segregation, modern-day slavery and other forms of discrimination as a result of having been born into a marginalized group or caste. Impunity for the perpetrators of crimes against caste-affected groups and non-implementation of legislation permeates the justice and law enforcement systems. Dalit cases are often not reported, investigated or prosecuted properly and very few cases of crimes against Dalits lead to conviction.

IDSN considers caste (and related discrimination and exclusion) to be a unique phenomenon – though widely spread in different geographical regions and cultural contexts. Among other unique aspects of caste systems are the association with (traditional) occupation, beliefs concerning purity and pollution, and 'untouchability' practices. Although caste is distinct from the concept of race, both types of discrimination produce comparable forms of political, economic, and social exclusion.

The UN Convention on the Elimination of All Forms of Racial Discrimination (ICERD) defines 'racial discrimination' as: any distinction, exclusion, restriction or preference based on race, colour, *descent*, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Numerous UN bodies and experts have repeatedly affirmed that the 'descent' limb of this definition encompasses caste. This was explicitly formulated by the UN Committee on the Elimination of Racial Discrimination (CERD) in [General Recommendation XXIX](#) (2002) on descent-based discrimination. The Committee:

- confirms "the consistent view of the Committee that the term „descent“ in Article 1, paragraph 1 of the Convention does not solely refer to „race“ and has a meaning and application which complements the other prohibited grounds of discrimination"; and
- reaffirms that "discrimination based on „descent“ includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights".

Despite longstanding constitutional guarantees, legislation and affirmative action programmes in caste-affected countries, caste-based discrimination remains deplorably widespread, deeply rooted and constitutes one of the most serious and widespread global human rights challenges today. This can be attributed to among others, gaps in implementation, a lack of political will and inadequate legislation and policy measures.

World Conference against Racism and the Durban Review Conference

Despite heavy civil society pressure at the World Conference against Racism (WCAR) in 2001 and the Durban Review Conference in 2009, the Durban Declaration and Programme of Action (DDPA) and the Durban Review Conference failed to explicitly address this type of discrimination, thereby effectively silencing the much needed debate on caste discrimination under the framework of the DDPA.

Although, the DDPA confirms that states have an obligation to promote and protect the human rights of victims suffering from discrimination on the grounds of descent (para. 2, 79, 123, 171) and multiple forms of discrimination (para. 2, 69). IDSN would argue that caste-based discrimination, due to its nature, severity and magnitude should have been fully recognised in the DDPA, at the Durban Review Conference and in its follow-up mechanisms and should be addressed by all relevant UN mechanisms, as it has been recognised by a number of human rights bodies, UN agencies and top UN officials.

IDSN was accredited for the Durban Review Conference at the 2nd PrepCom session in October 2008, despite objections by the Government of India. The official position of the Indian Government was that organisations like IDSN working for the elimination of caste discrimination should not be allowed to participate in the Durban Review Conference. The European Union and other UN member states argued against this objection, thereby ensuring the participation of IDSN in the Conference and sending a clear signal about the support for broad NGO participation at the Review Conference.

Members and associates of IDSN have since the WCAR in Durban in 2001 worked to promote international support and recognition of the problem.

- [Download IDSN position paper on caste, race and descent](#)
- [Read DRC statements made by IDSN](#)
- [Read the joint position paper on the Durban Review Conference and caste-based discrimination](#): In a joint position paper, IDSN, Human Rights Watch, the National Campaign on Dalit Human Rights and other supporting organisations call upon all UN member states to address the issue of caste-based discrimination at the Review Conference. In the paper the organisations propose key recommendations on how to express global recognition of this massive human rights problem in the context of the conference and beyond.
- [Read the position paper](#) by Human Rights Watch from January 2009: HRW highlighted the need for tackling the causes and consequences of this kind of discrimination by, among other things, encouraging delegations to welcome the work carried out by CERD on discrimination based on descent, to review CERD's General Comment No. 29 on Descent, and to include reference to it as a guiding opinion in defining and combating descent-based discrimination.
- [Read the news article about IDSN's accreditation](#)

On a similar note, IDSN has since 2007 sought to be accredited as an NGO with the United Nations in order to be better able to monitor and influence the work in the UN on caste discrimination. The application was first considered in January 2008 and since then, the application has been deferred at all following regular and resumed sessions of the Committee on NGOs. The now 8-year deferral of IDSN's application continues due to questions in the NGO Committee posed by one member only, India. [IDSN has received 65 written questions, to which IDSN has always provided full, transparent and timely responses](#). As pointed out by the UN Special Rapporteur on freedom of assembly and association in the General Assembly in October 2014, the continued questioning and deferral are "[clearly unacceptable, wrong and unfair](#)". IDSN's application is the longest pending with the Committee. Please see the [IDSN factsheet on the application](#).

The draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent (UN PnG)

Precisely because of its unique nature – as well as the vast numbers of people affected globally and the severity of associated human rights violations – IDSN believes that caste discrimination warrants separate and distinctive treatment in the UN human rights system. In an important step in this direction, UN experts proposed a comprehensive set of UN Principles and Guidelines. The [draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent](#) (A/HRC/11/CRP.3), published by the Human Rights Council in 2009, is a comprehensive legal framework developed to eliminate discrimination based on work and descent, the UN terminology for caste discrimination.

Based on existing international human rights principles and obligations, the framework proposes general and special measures to be taken by multiple stakeholders. Although still a draft, the UN Principles and Guidelines constitute a strong tool to encourage specific anti-discrimination legislation and relevant policy measures for governments and their agencies, UN and other international agencies, educational institutions, non-governmental organizations and the private sector.

The framework is the result of a [UN study on discrimination based on work and descent](#) undertaken by the former UN Sub-Commission on the Promotion and Protection of Human Rights. IDSN has supported this mandate, which was formally endorsed by the Commission on Human Rights in 2005, by submitting joint civil society inputs and facilitating consultations between the Special Rapporteurs and affected communities, UN agencies and experts in the study phase.

In 2014, to identify the gaps nationally against the draft UN PnG and to formulate future agendas, benchmarking studies were carried out for India, Nepal and Bangladesh.

- [India Report - Benchmarking the Draft UN Principles and Guidelines on the Elimination of \(Caste\) Discrimination based on Work and Descent](#), Swadhikar – National Campaign on Dalit Human Rights (NCDHR) 2014
- [Nepal Report - Benchmarking the Draft UN Principles and Guidelines on the Elimination of \(Caste\) Discrimination based on Work and Descent](#), Samata Foundation 2014
- [Bangladesh Report - Benchmarking the Draft UN Principles and Guidelines on the Elimination of \(Caste\) Discrimination based on Work and Descent](#), Bangladesh Dalit and Excluded Rights Movement (BDERM) 2014

UN developments on caste-based discrimination

The UN human rights system, including UN Treaty Bodies, Special Procedures and UPR Working Groups, has extensively addressed situations of caste discrimination, including through mandates and processes concerning 'racial discrimination'. The overall number of UN observations and recommendations on caste discrimination has steadily increased and 21 countries have presently been addressed. Please find a [compilation](#) of these caste-specific references in UN documents.

Noteworthy is also the increasing number of [statements by UN top officials](#) on caste-based discrimination. High-level inclusion of caste, as a ground and on par with other forms of discrimination has gained increased political salience and an increased willingness to address caste-based discrimination in reports and statements can be observed. The commitment of the Office of the High Commissioner for Human Rights was reaffirmed in the OHCHR Strategic Management Plan 2014-17 that includes many references to caste discrimination and a key headline in the anti-discrimination section of the action plan. Other UN special initiatives are also being developed.

UN Treaty Bodies

The Committee on the Elimination of Racial Discrimination and other UN treaty body committees, such as the CDESCR, CCPR, CEDAW, CAT and the CRC have all addressed caste-based discrimination when reviewing relevant state reports, thus confirming that caste-based discrimination falls within the purview of these instruments as well. By 2014, 72 treaty body reviews had addressed caste-based discrimination.

Treaty Body Committees have also issued a number of General Comments and Recommendations addressing caste-based discrimination including CERD GR No. 29 on descent-based discrimination (2002), CERD GR No. 31 (2005), CERD GR No. 31 on special measures (2009), CERD GR No. 35 on combating racist hate speech (2013), CDESCR GC No. 20 on non-discrimination (2009), CEDAW GR No. 30 on women in conflict (2013), CEDAW GR No. 28 (2010), CEDAW GR No. 25 (2004), CRC GR No. 7 (2005), CRC GR No. 17 (2013)

Special Procedures

UN Special Procedures have on several occasions expressed concern about caste-based discrimination in reports and communications with governments. By April 2015, 19 Special Procedures mandates had addressed caste-based discrimination

The **Special Rapporteur on contemporary forms of racism** has extensively addressed discrimination on grounds of caste and other systems of inherited status as implicit in his mandate. In a [resolution on caste discrimination adopted on 10 October 2013](#), the European Parliament specifically referred to a report from June 2011 by the former mandate-holder, Mr Muigai, in which he stressed that "it is essential to avoid establishing any hierarchy among the different manifestations of discrimination, even though they may vary in nature and degree depending on the historical, geographical and cultural context. This would include "victims of caste systems in Africa, Asia and the Middle East". Most notably, in the Interim report of the Special Rapporteur on Contemporary forms of Racism on combating racism and the implementation of the follow-up to the Durban Declaration and Programme of Action to the 66th General Assembly in 2011 A/66/313, the Special Rapporteur addressed discrimination based on work and descent, including discrimination based on caste and analogous systems of inherited status. The Special Rapporteur reaffirmed that States have to recognise that discrimination on the grounds of descent constitutes a form of racial discrimination prohibited by ICERD and that "discrimination based on 'descent' includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights". Despite Government efforts to eradicate this type of discrimination through constitutional guarantees, legislation and affirmative action programmes, the Special Rapporteur notes that caste-based discrimination remains deplorably widespread and deeply rooted. Using the argument that caste discrimination does not fall under the scope of the international conventions such as ICERD, certain governments have failed to implement legal obligations to protect against discrimination based on work and descent. The Special Rapporteur again recommended that the general measures contained in general recommendation No. 29 of CERD be implemented and recommended the continued use of the draft Principles and Guidelines for the Elimination of Discrimination Based on Work and Descent as a guiding framework for the elaboration of effective measures to be taken by States to fulfil international legal obligations

In May 2013, **seven Special Procedures mandate holders** issued a significant media statement on caste discrimination and 'untouchability'. They noted that, "caste-based discrimination remains widespread and deeply rooted, its victims face structural discrimination, marginalization and systematic exclusion, and the level of impunity is very high." The experts urged world governments to strengthen protection of the hundreds of millions of people who suffer from this type of discrimination, and to endorse the draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent.

- ['Continued plight of the untouchables'](#) (UN media statement)

UN engagement and consultations on caste-based discrimination

In December 2011, OHCHR organized a regional roundtable bringing together representatives from UNCTs in South Asia. The event focused on sharing of good practices in law, policy and programmes among the countries concerned and paved the way for the consolidation of regional networks. The consultation built on the work on caste-based discrimination conducted by OHCHR-Nepal, which provided an example of what can be achieved at the national level by building strong partnerships with the Government, national institutions, the UN and civil society and provided further stimulus to efforts at the regional and international level.

UN Regional Consultation on Caste-based Discrimination: As a follow-up to the 1st regional consultation on caste-based discrimination in 2011, the UN Resident Coordinator's office in Nepal and the Office of the High Commissioner for Human Rights hosted a two day regional consultation on 16-17 December 2013 for UN Country Teams, government representatives, national human rights institutions (NHRIs) and civil society organizations (CSOs) of Bangladesh, India, Nepal, Pakistan, and Sri Lanka. The regional consultation aimed at taking stock of lessons learned and good practices in these past two years and identifying key areas of synergy and cooperation in the region among UNCTs, NHRIs and CSOs.

- [Report of the 2nd Regional Consultation on caste-based discrimination](#)

In late 2012, a special consultation sponsored by OHCHR was held on the issue of stigma and caste at the Bangkok regional office in collaboration with the Special Rapporteur on the Right to Safe Drinking Water and Sanitation. This consultation gathered together key focal points from the various UN agencies in Bangkok.

In March 2013, **the Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities** recommended that UN action and policies should reflect the fact that persons targeted for discrimination based on descent, in particular caste-based discrimination and related practices, are in a number of contexts in a particularly marginalized position and in need of focused attention.

UN Parallel events on caste-based discrimination

IDSN and its members and associates in cooperation with the UN and UN Member States have held a number of UN Parallel Events on caste-based discrimination. Please find a compilation of these, in the period 2012-2014, below.

- 2014 – Side event on "Caste-based Violence against Women: The role of the UN in combatting caste-based violence and discrimination" was held on June 17th from 13.00-15.00, at the 26th session of the Human Rights Council. Download the [Invitation flyer](#) and the [leaflet Dalit women fight!](#). Read the [IDSN's joint press release](#) and [report from the side-event](#). Download the [IDSN recommendations to the UN on caste-based discrimination and violence against women](#)

- 2013 – Side event on “Dalit women: Working together towards the elimination of multiple and intersecting forms of discrimination and violence based on gender and caste” was held on June 4th from 14:30 – 16:30, at the 23rd session of the Human Rights Council. Download [the programme](#), read [IDSN’s joint press release](#), and download [the report from the side event](#)
- 2013 – Side event on “Ensuring access to justice for Dalits: Good practices and key challenges” held on 25 February at the 22nd session of the Human Rights Council. Download [the flyer](#) and read [IDSN’s news story](#) about this event.
- 2012 – UPR Debate on recommendations received by Pakistan held on 31 October at the 14th UPR session. Download [the flyer](#) and read more about outcome of the [UPR of Pakistan here](#)
- 2012 – Side event on “Stigma, untouchability and caste discrimination” held on 12 September at the 21st session of the Human Rights Council. [Read IDSN press release](#)
- 2012 – Information Meeting on the outcomes of the Universal Periodic Reviews of India and the UK held on 25 May at the 13th UPR session. [Read the programme](#)
- 2012 – Side event on “Dalit human rights defenders in South Asia” held on 8 March 2012 at the 19th session of the Human Rights Council. [Read IDSN press statement](#)

Recommendations in relation to the implementation of General Assembly resolution A/RES/69/162 of 18 December 2014

- UN Member States should welcome the work carried out by CERD on caste-based discrimination, review and implement the general measures contained in CERD's General Comment No. 29 on Descent, and include reference to it as a guiding opinion in defining and combating caste-based discrimination.
- UN member states, in particular members of the Human Rights Council, and relevant non-state actors are urged to support and endorse the draft UN Principles and Guidelines, to ensure effective follow-up to the study, and to implement the measures and recommendations contained in the Principles and Guidelines.
- UN Member States should uphold their own constitutional principles and international treaty obligations and work toward the full enjoyment of rights by all citizens, regardless of caste or descent.
- The UN General Assembly should promote and endorse specific measures to address this kind of discrimination and include caste in any review, framework and action plans on racial discrimination as well as in its follow-up to the Durban Declaration and Programme of Action and upon commemorating the fifteenth anniversary of the Durban Declaration and Programme of Action.

Annex I: Examples of specific measures promoting the elimination of caste-based discrimination, undertaken by IDSN involving UN human rights mechanisms, in the period 2012-2014.

IDSN works on a global level for the elimination of caste discrimination and similar forms of discrimination based on work and descent. IDSN links grassroots priorities with international mechanisms and institutions in order to change policies and practices that lead to caste discrimination. IDSN specifically engages with the UN, EU and other multilateral institutions and produces crucial input in the form of documentation, strategic interventions and lobby action and also supports lobby activities on a national level.

IDSN has a long standing and well-established cooperation with UN human rights mechanisms. IDSN systematically facilitates inputs to UN human rights mechanisms, comprehensively monitors outcomes and developments and shares regular information with decision-makers and affected groups. Please find below examples of IDSN's cooperation with the OHCHR, the High Commissioner, the Human Rights Council, Special Procedures, Treaty Bodies and the UPR over the last three years.

2012 – Please see the [IDSN Annual Report 2012](#)

Human Rights Council - IDSN facilitated representation of 15 Dalit activists at human rights sessions and supported the submission of a large number of inputs on relevant thematic concerns and country situations to the UN. IDSN specifically facilitated two written and three oral statements to the HRC and co-organised four parallel events at regular HRC sessions and UPR sessions. Among others, IDSN co-organised a side event with the participation of the Special Rapporteur on water and sanitation and the Special Rapporteur on contemporary forms of slavery. The event, which was chaired by a senior representative of the Office of the High Commissioner for Human Rights, highlighted the stigma affecting Dalits in the areas of access to basic services, bonded labour and manual scavenging, and forced conversions of scheduled caste women in Pakistan. Another parallel event on the topic of Dalit human rights defenders included participation from the Special Rapporteur on Human Rights Defenders.

Universal Periodic Review - IDSN engaged in systematic lobbying for the inclusion of caste discrimination in the three major UPR reviews of India, the UK and Pakistan.

Treaty Bodies - For the CCPR review of Yemen, IDSN helped prepare an alternative report on civil and political rights of the Al-Akhdam in association with All Youth Network for Social Development. For the CERD review of Senegal, IDSN prepared a parallel report on 'The Situation of Castes in Senegal' in association with RADDHO. For the CEDAW review of Pakistan, IDSN, in association with PDSN, submitted a parallel report on the situation of Dalit women in Pakistan. This was the first time that the situation of Dalit women in Pakistan was the distinct subject of a parallel report to the UN.

Special Rapporteurs - IDSN facilitated various inputs to the studies and country visits of Special Rapporteurs. IDSN, among others, submitted information for thematic studies to the Working Group on discrimination against women in law and practice, the Working Group on human rights and transnational corporations, and the Special Rapporteur on violence against women.

OHCHR and the High Commissioner – IDSN held various meetings with OHCHR officials. IDSN specifically lobbied for the inclusion of caste discrimination in the UN guidance note with the OHCHR, the High Commissioner for Human Rights and the UN Secretary-General. A key message was to include caste discrimination on par with other prohibited forms of discrimination in all UN policies and studies. In connection with Human Rights Day 2012, the OHCHR invited IDSN to participate in an online panel discussion on the issue of minority protection alongside the then Independent Expert on minority issues.

2013 – Please see the [IDSN Annual Report 2013](#)

In 2013, IDSN continued its strong engagement with UN human rights bodies. It facilitated representation of Dalit activists at sessions of the HRC; communicated closely with Special Procedures mandate holders, treaty bodies and the Office of the High Commissioner for Human Rights (OHCHR); and urged states to address the issue of caste discrimination in the Universal Periodic Review process and at HRC sessions. Prior to the three HRC sessions in 2013, IDSN provided UN member states with specific recommendations on caste related issues and called on them to raise the issue in the HRC.

Human Rights Council - In June, IDSN co-organised a side-event, co-sponsored by five States, on “Dalit women: Working together towards the elimination of multiple and intersecting forms of discrimination and violence based on gender and caste.” It was the first time that a UN event focused on the intersectionality between caste- and gender-based discrimination. A group of nine Dalit women activists from South Asia were present, and three of them addressed the event. So did High Commissioner Pillay and the Special Rapporteur on violence against women, Rashida Manjoo – both in written statements. The group of Dalit women activists from India, Nepal, Pakistan and Bangladesh held numerous meetings with UN officials and diplomats during their stay in Geneva, including the Special Rapporteur on Minority Issues, Ms. Rita Izcak. Ms. Izcak also gave a video message at a side event on caste discrimination at the HRC session in February and spoke of the ‘implementation gap’ between laws prohibiting caste discrimination and the reality faced by caste-affected communities.

UPR - In June, the All Youth Network for Society Development and IDSN submitted an alternative NGO report for the UPR of Yemen in January 2014. The report focused on the human rights situation of the Al-Akhdam people, suffering from caste-based discrimination.

Special Procedures - In May, a group of seven Special Procedures mandate holders issued a significant media statement on the issue of caste discrimination and ‘untouchability’. IDSN made submissions on the situation of Dalit women in India and Bangladesh in advance of the country visits of the Special Rapporteur on violence against women, Rashida Manjoo. IDSN facilitated the participation of Savio Mahimaidass, a Dalit human rights defender from India in the UN Forum on Minority Issues. Mr. Mahimaidass spoke of the lack of rights of Dalit Muslims and Christians in his country, as well as the situation of Dalits in Pakistan

Treaty Bodies - For the CEDAW ‘Access to Justice’ discussion in February, IDSN and Minority Rights Group International provided input that included information about the lack of access to justice for Dalit women and IDSN contributed a written submission on the situation of Dalit rural women to the October discussion. Moreover, a number of IDSN’s partner organisations produced caste relevant submissions to UN treaty bodies in 2013.

OHCHR and High Commissioner – IDSN held various meetings with OHCHR officials. In December, the OHCHR hosted a South Asian regional consultation on caste discrimination. The event took place in Kathmandu, Nepal, and its purpose was to identify opportunities and constraints for UN Country Teams, National Human Rights Institutions and civil society to work on caste discrimination in the region. Participants included UN officials from the region and Geneva, and representatives from National Human Rights Institutions and civil society in South Asia. IDSN provided input and numerous IDSN members and associates were present and IDSN sponsored some participants from India, Pakistan and Sri Lanka.

IDSN made suggested revisions for the inclusion of Dalits and groups suffering similar forms of discrimination to the Government of Denmark for the text of the GA Racism resolution in 2013 and 2015

2014 – Please see the [IDSN Annual Report 2014](#)

During the year, IDSN facilitated representation of Dalit human rights defenders at HRC sessions, communicated closely with and supported the submission of inputs to treaty bodies, special procedures and OHCHR and held a number of meetings with state and UN officials. Prior to the three HRC sessions in 2014, IDSN provided UN member states with specific recommendations on caste-related issues and called on them to raise the issue in the HRC.

In June, IDSN and a number of International associates held an HRC side-event on "Caste-based violence against women: The role of the UN in combatting caste-based violence and discrimination" bringing together Dalit women human rights defenders, high-level UN officials and a number of states, including India. The key-note speech was delivered by the former UN High Commissioner for Human Rights, Ms. Navi Pillay who [expressed](#) great concern for the issue of caste-based violence and discrimination. Moreover, UN Women Policy Director, Saraswathi Menon stressed that words and legislation is not enough and called for concrete action. UN Special Rapporteur on Minority Issues, Ms. Rita Izsák commended Dalit women in South Asia for mobilising collective efforts to fight for their rights. IDSN presented a [set of recommendations](#) to the OHCHR and UN Agencies to end caste discrimination and caste-based violence against women and girls.

UN Special Procedures - IDSN continued to lobby and provide input to UN special procedures, specifically for visits to caste-affected countries and addressing caste discrimination in reports and consultations. In October, a team from IDSN organised lobby interventions linked to the Special Procedures Annual Meeting. The team put forward an [appeal](#) to address caste discrimination and had meetings with a total of nine mandates. IDSN continued its close cooperation with relevant Special Rapporteurs and six mandate-holders gave specific consideration to the issue of caste discrimination in reports. In February, RGA, NCDHR and IDSN submitted a [joint report](#) to the Special Rapporteur on Water and Sanitation, Ms. Catarina de Albuquerque for her September report on common violations of the right to water and sanitation, drawing attention to violations against Dalits. [IDSN submitted suggestions for recommendations and language on preventing and addressing violence against Dalits](#) to be included in the outcome document of the UN Forum on Minority Issues. The Minority Forum Secretariat invited IDSN to identify and propose a speaker to elaborate on the situation of Dalits. As a result, Ms. Thilagam Ramalingam, Program Director of EVIDENCE; an organization advocating for the rights of marginalised in Tamil Nadu, [spoke as a panellist at the Forum on violence against Dalit women](#). Also, in the [IDSN team](#) was Pirbhu Lal from the PDSN who [spoke at the forum on violence against Dalits and religious minorities in Pakistan](#).

Treaty Bodies - In June, Navsarjan Trust, AIDMAM and IDSN prepared a [joint submission addressing multiple discrimination against Dalit women](#) for the CEDAW review of India. For the Committee on the Rights of the Child (CRC) review of India in June, IDSN member, NCDHR advocated for the Committee to address the plight of the 84 million Dalit Children in India, both in its contribution to the [India Alliance for Child Rights report](#) and through its participation in the review. IMADR, an associate of IDSN, raised concern of discrimination against Buraku women in the CERD review of Japan.

OHCHR and High Commissioner – IDSN is in close dialogue with the OHCHR. Before the end of her tenure, IDSN facilitated a meeting between a group of Dalit human rights defenders and the now former High Commissioner to express their gratitude for her unwavering commitment to support them in their struggle to end caste discrimination. IDSN has initiated a dialogue with the new chief, Mr Zeid Ra'ad Al Hussein, who has made a number of [references to caste discrimination](#) in his initial statements.

Annex II: Summary - IDSN input to the UNGA70 SG Report - Elimination of Racism April 2015

Caste-based Discrimination is a form of discrimination prohibited by international human rights law, involving massive violations of civil, political, economic, social and cultural rights, which subjects an estimated 260 million people globally to discrimination on the grounds of work and descent. Although caste is distinct from the concept of race, both types of discrimination produce comparable forms of political, economic, and social exclusion. ICERD defines 'racial discrimination' as: any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. Numerous UN bodies and experts have repeatedly affirmed that the 'descent' limb of this definition encompasses caste. This was explicitly formulated by the UN Committee on the Elimination of Racial Discrimination (CERD) in [General Recommendation XXIX](#) (2002) on descent-based discrimination. Despite longstanding constitutional guarantees, legislation and affirmative action programmes in caste-affected countries, caste-based discrimination remains deplorably widespread, deeply rooted and constitutes one of the most serious and widespread global human rights challenges today. This can be attributed to among others, gaps in implementation, a lack of political will and inadequate legislative and policy measures.

World Conference against Racism (WCAR) and the Durban Review Conference (DRC)

Despite heavy civil society pressure at the WCAR in 2001 and the DRC in 2009, the Durban Declaration and Programme of Action (DDPA) and the DRC failed to explicitly address this type of discrimination, thereby effectively silencing the much needed debate on caste discrimination under the framework of the DDPA. Members and associates of IDSN have since the WCAR in 2001 worked to promote international support and recognition of the problem. [IDSN position paper on caste, race and descent, IDSN webpage on the DRC.](#)

The [draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent](#) (UN PnG) published by the HRC in 2009, is a comprehensive legal framework developed to eliminate discrimination based on work and descent. Based on existing international human rights principles and obligations, the framework proposes general and special measures to be taken by multiple stakeholders. Although still a draft, the UN Principles and Guidelines constitute a strong tool to encourage specific anti-discrimination legislation and relevant policy measures for governments and their agencies, UN and other international agencies, educational institutions, non-governmental organizations and the private sector. In 2014, to identify the gaps nationally against the draft UN PnG and to formulate future agendas, benchmarking studies were carried out for [India](#), [Nepal](#) and [Bangladesh](#).

UN developments on caste-based discrimination: The UN human rights system, including UN Treaty Bodies, Special Procedures and UPR Working Groups, has extensively addressed situations of caste discrimination, including through mandates and processes concerning 'racial discrimination'. The overall number of UN observations and recommendations on caste discrimination has steadily increased and 21 countries have presently been addressed. Please find a [compilation](#) of these caste-specific references in UN documents. Noteworthy is also the increasing number of [statements by UN top officials](#) on caste-based discrimination. Further, UN consultations and engagements on caste-based discrimination:

- December 2011 OHCHR regional roundtable of UNCT representatives in South Asia.
- December 2013 UN RC Office in Nepal and OHCHR Consultation: [Report of the 2nd Regional Consultation on CBD](#)
- March 2013, **the Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities** recommended that UN action and policies should reflect the fact that persons targeted for discrimination based on descent, in particular caste-based discrimination and related practices, are in a number of contexts in a particularly marginalized position and in need of focused attention.

Recommendations in relation to the implementation of General Assembly resolution A/RES/69/162 of 18 December 2014

- UN Member States should welcome the work carried out by CERD on caste-based discrimination, review and implement the general measures contained in CERD's General Comment No. 29 on Descent, and include reference to it as a guiding opinion in defining and combating caste-based discrimination.
- UN member states, in particular members of the Human Rights Council, and relevant non-state actors are urged to support and endorse the draft UN Principles and Guidelines, to ensure effective follow-up to the study, and to implement the measures and recommendations contained in the Principles and Guidelines.
- UN Member States should uphold their own constitutional principles and international treaty obligations and work toward the full enjoyment of rights by all citizens, regardless of caste or descent.
- The UN General Assembly should promote and endorse specific measures to address this kind of discrimination and include caste in any review, framework and action plans on racial discrimination as well as in its follow-up to the Durban Declaration and Programme of Action and upon commemorating the fifteenth anniversary of the Durban Declaration and Programme of Act