

IDSN compilation - References to Caste-Based Discrimination in reports and statements presented at the regular sessions of the Human Rights Council, 2015

28th session of the Human Rights Council, March 2015	
<p>Statement of the European Union in the General debate on Agenda Item 8 Follow-up to and implementation of the Vienna Declaration and Programme of Action (VDPA)</p> <p>March 23 2015</p>	<p>The VDPA also affirmed the universality of human rights. Not disregarding the importance of history, culture and religion it nevertheless states very clearly, that it is – I quote – <i>the duty of States, regardless of their political, economic and cultural systems to promote and protect all human rights and fundamental freedoms</i>. Against this background, the European Union laments repeated efforts by some to undermine the principle of universality with cultural relativism. Values or cultural specificities, or any other concept, cannot relieve States from their obligation to protect all human rights of all persons in their jurisdiction. In this context, it is also important to highlight what should be self-evident; that human rights protection is not afforded to groups, beliefs or ideologies but to human beings – whatever their race, ethnicity, age, gender, sexual orientation, religion, caste or migration status. The European Union will continue its efforts to promote and protect the universality of human rights in the Human Rights Council and elsewhere.</p>
<p>Statement of the Special Rapporteur on Minority Issues, Ms. Rita Izsak, presenting the Recommendations from the Seventh Session of the Forum on Minority Issues</p> <p>March 18 2015</p>	<p>Improving the prevention of violence and atrocity crime</p> <p>Particular attention should be paid to urgently address the situation of persons belonging to minority groups who may face the most severe and entrenched forms of discrimination and exclusion, stigmatization and dehumanization on the basis of their ethnic or religious identity, work and descent or caste, resulting in wide-ranging exploitation, abuse and exposure to violence</p>
<p>Statement of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt</p> <p>March 10 2015</p>	<p>Non-religious factors, which deserve to be taken seriously, include difficult historic legacies of a country, a climate of political authoritarianism, social inequalities or caste hierarchies, ethnic fragmentation, rapid demographic changes, patriarchal values and the impact of a “macho” culture, migration processes, a widening gulf between urban and rural areas, the break-down of meaningful public discourse and lack of inter-group communication, endemic corruption and political cronyism, widespread disenchantment with politics, general loss of trust in public institutions, failing States and other issues. Any specific incident of violence committed in the name of religion warrants a careful, contextualized analysis of all relevant factors, including the</p>

	broader political environment in which such acts take place. It thereby will become clear that religion is nowhere an isolated root-cause of violent conflicts or attacks.
<p>Nepal Minister of Foreign Affairs Mahendra Bahadur Pandey statement in the High Level Segment</p> <p>March 3 2015</p>	<p>We have established various human rights institutions in the country. The National Human Rights Commission (NHRC), a constitutional body, enjoys full autonomy and independence in its actions in line with the Paris Principles. Similarly, the Government has also supported the evolution and institutionalization of other national human rights institutions, such as the National Foundation for the Development of Indigenous Nationalities, National Women’s Commission and National Dalit Commission. The Government is further committed to strengthening the capacity of all national human rights institutions.</p> <p>We have given top priority to human rights issues. Human rights principles are enshrined as the cornerstone of our Interim Constitution, with clear provisions of respecting, promoting and protecting the rights of all Nepali citizens equitably. Our legislations and policies prohibit all kinds of discrimination including those based on gender, ethnicity, class, caste and religion.</p> <p>Measures are adopted for protection of the rights and empowerment of disadvantaged and economically weaker segments of the population, including through the provisions of reservation and positive discrimination. In particular, our efforts in guaranteeing the rights of all people including women, <i>madhesis</i>, ethnic communities, dalits, people with disabilities and other minorities are progressive.</p>
<p>HC Statement – Presentation of report on OHCHR activities</p> <p>March 3 2015</p>	<p>Economic and social rights build strong societies. They are not an optional luxury for times of peace; they are rights in the full meaning of the word, and a tool for building peace and powering true development. Societies that are participatory can benefit from the skills of all - including girls, women, and minorities and castes that previously suffered discrimination. And when adequate services are provided, such as decent health, education and housing, there is massive economic benefit to all, and a dividend in stable peace.</p>
<p>Opening Statement of the UN High Commissioner for Human Rights Mr. Zeid Ra'ad Al Hussein</p> <p>March 2 2015</p>	<p>“Mr. President,</p> <p>The overwhelming majority of victims of human rights abuses around the world share two characteristics: Deprivation, and discrimination - whether it is based on race or ethnicity, gender, beliefs, sexual orientation, caste or class. From hunger to massacres, sexual violence and slavery, human rights violations are rooted in these hidden, and sometimes not so hidden, factors.</p> <p>They are not spontaneously generated. Most violations of human rights result from policy choices, which limit freedom and participation, and create obstacles to the fair sharing of resources and opportunities.”</p>

<p>Report of the United Nations High Commissioner for Human Rights on the Rights of persons belonging to national or ethnic, religious and linguistic minorities</p> <p>A/HRC/28/27</p> <p>December 2014</p>	<p>II. Work of the Office of the United Nations High Commissioner for Human Rights at its headquarters and in the field</p> <p>OHCHR strives to ensure that the principles of the Declaration and other relevant human rights standards are used more effectively to support the participation of minorities in decision-making and to strengthen human rights protection at the national level. OHCHR is determined to combat exclusion, marginalization and abuse of people on the basis of their perceived race, their indigenous, ethnic or religious background, their colour, gender, caste status, disability, age, health status, or sexual orientation. As such, throughout the year, the High Commissioners have stressed in public statements the importance of advancing non-discrimination and protection of minorities.</p> <p>IV. Human rights treaty bodies</p> <p>Human rights treaty bodies have addressed minority issues throughout the reporting period, as illustrated by the following examples.</p> <p>B. General comments and general recommendations</p> <p>The Committee on the Elimination of Discrimination against Women adopted, in November 2013, its general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, some provisions of which requested that States address the needs of women belonging to minorities. It was noted in the general recommendation that during and after conflict, specific groups of women and girls were at particular risk of violence, especially sexual violence, for example women of diverse caste, ethnic, national or religious identities, or of other minorities, who were often attacked as symbolic representatives of their community.</p>
<p>Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Maud de Boer-Buquicchio</p> <p>A/HRC/28/56</p> <p>December 2014</p>	<p>II. Activities</p> <p>B. Other activities</p> <p>Since her appointment, the Special Rapporteur has conducted four working visits to Geneva and two working visits to New York, where she held initial consultations with many stakeholders relevant to her mandate, including...and various non-governmental organizations (International Catholic Child Bureau, Caritas Internationalis, Casa Alianza Suisse, Child Rights Connect, Child Rights Information Network, Defence for Children International, ECPAT, International Dalit Solidarity Network, Oak Foundation, Plan International, Save the Children, Terre des Hommes Federation Internationale, Under the Same Sun Fund and World Vision International)</p>
<p>Report of the Special Rapporteur on minority issues, Rita Izsák</p>	<p>II. Activities of the Special Rapporteur</p> <p>C. Additional activities</p>

<p>A/HRC/28/64</p> <p>January 2015</p>	<p>Events, conferences and outreach</p> <p>On 17 June 2014, she participated in the side event on “Caste-based violence against women and girls”, organized by the International Dalit Solidarity Network, in Geneva. She discussed the role of special procedures in combating caste-based discrimination and violence.</p>
<p>Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt</p> <p>A/HRC/28/66</p> <p>December 2014</p>	<p>II.Preventing violence committed in the name of religion</p> <p>B.Overcoming simplistic interpretations</p> <p>Inadequacy of isolating “religion” as a factor in conflict descriptions</p> <p>Non-religious factors that deserve to be taken seriously may include intricate historic legacies of a country, a climate of political authoritarianism, military interventions, extreme poverty, social, cultural, economic and political discrimination, exclusion and marginalization, inequalities, caste hierarchies, ethnic fragmentation, rapid demographic changes, patriarchal values and a “macho” culture, migration processes, a widening gulf between urban and rural areas, the breakdown of meaningful public discourse, lack of intergroup communication, endemic corruption and political cronyism, widespread disenchantment with politics, general loss of trust in weak or inexistent public institutions, and a culture of impunity and denial for past serious violations of international human rights and humanitarian law. Any specific incident of violence in the name of religion warrants a careful, contextualized analysis of all relevant factors, including the broader political environment. It will thereby become clear that religion is almost never an isolated root cause of violent conflicts or attacks.</p>
<p>Recommendations of the Forum on Minority Issues at its seventh session: Preventing and addressing violence and atrocity crimes targeted against minorities (25 and 26 November 2014)</p> <p>A/HRC/28/77</p> <p>January 2015</p>	<p>III.Recommendations</p> <p>A. Recommendations to prevent violence and atrocity crimes</p> <p>1. Recommendations to States</p> <p>17. States should pay particular attention to and urgently address the situation of persons belonging to minority groups who may face the most severe and entrenched forms of discrimination and exclusion. Such discrimination and exclusion may include stigmatization and dehumanization on the basis of their work and descent or caste, notions of pollution and other forms of stigmatization resulting in wide-ranging exploitation, abuse and exposure to violence.</p> <p>24. States should collect data disaggregated by, inter alia, gender, age, ethnicity, caste, religion, mother tongue and geographical location, including in national census processes. Such data, analysed in combination with socioeconomic indicators, provide a better understanding of the size and status of minorities and a factual basis for developing a common understanding of the causes of inequalities and exposure to violence, as well as targeted objectives in the context of inclusive initiatives intended to prevent violence. Such data should</p>

	<p>be based primarily on self-identification, and civil society and minority groups should be involved throughout the process from design to collection and analysis, in order to improve accuracy and consistency of data collection and evaluation processes.</p>
<p>Special Procedures Communications Report A/HRC/28/85 February 2015</p>	<p>Joint Allegation Letter (01/07/2014) to India from WG on Discrimination against women; SR on Minority issues; SR on Summary executions; SR on Torture; SR on Violence against women; SR on Water and Sanitation:</p> <p>Alleged abduction, gang-rape, and murder of two teenage girls and failure of the authorities to effectively respond after their abductions were reported. According to the information received, on the night of 27 May 2014, Ms. X and Ms. Y, both minors, were abducted as they walked to a field to relieve themselves because they had no access to sanitation at home. After being made aware of this incident, the girls' fathers reportedly went to the police station in the village to report their daughters as missing. However, the local police officers insulted them and refused to help, reportedly because the two young women belonged to a lower caste. The girls were later found dead, hanging from a tree in a mango orchard. It is reported that they had been gang-raped before they were killed.</p>
<p>Report on the twenty-first annual meeting of special rapporteurs/representatives, independent experts and working groups of the special procedures of the Human Rights Council, including updated information on the special procedures A/HRC/28/41 January 2015</p>	<p>Civil society and non-governmental organizations</p> <p>92. The civil society representatives expressed gratitude for the commitment of mandate holders to cases of reprisal and the protection of human rights defenders. They requested mandate holders to examine discrimination on the basis of sex, gender, caste and descent; the right to privacy; the impact of extractive industries on the rights of indigenous peoples; and the sustainable development goals. They also expressed the view that the Coordination Committee should play a role in the selection and appointment of new mandate holders.</p>
<p>Report of the United Nations High Commissioner for Human Rights - Technical assistance to support inclusive and participatory development and poverty reduction at the national level A/HRC/28/42 January 2015</p>	<p>III. National experiences of support for inclusive and participatory development and poverty eradication.</p> <p>B. Empowerment for free, informed and meaningful participation in public decision-making</p> <p>Nepal: addressing the equality imperative</p> <p>52. In order to gain a deeper understanding of the issue, the country analysis looked at specific groups of people, whose vulnerability was described on the basis of the experience and expertise of United Nations development actors. As a result, the following 19 groups were incorporated in the UNDAF design: Dalits; The emphasis of the profiles was an analysis of the underlying causes of each group's vulnerability.</p>

	An aggregate analysis was developed aimed at identifying, thematizing and categorizing the groups' characteristics and, perhaps most importantly, finding commonalities in the underlying causes of their vulnerabilities.
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29th session of the Human Rights Council, June 2015

<p>Report of the Working Group on the issue of discrimination against women in law and in practice</p> <p>A/HRC/29/40</p> <p>April 2015</p>	<p>III. Thematic analysis: eliminating discrimination against women in cultural and family life, with a focus on the family as a cultural space</p> <p>B. The family: conceptual and sociological aspects</p> <p>1. Redefining the family by incorporating a gender perspective</p> <p>23. The family exists in various forms. The expression “diverse families” encompasses, for example, single-parent families; families headed by women; intergenerational families including, among others, grandparents; families headed by children, such as orphans or street children; families comprising lesbian, gay, bisexual, transgender and intersex (LGBTI) persons; extended families; self-created and self-defined families; families without children; families of divorced persons; polygamous families; and non-traditional families resulting from interreligious, intercommunity or inter-caste marriages. Self-created and self-defined families include, in particular, families formed in marginalized communities. In all these different forms of family, women tend to be subject to legal sanctions and to experience difficult social and economic situations. Indigenous and minority women and women living in strict patriarchal, religious, traditional or caste systems are more likely to be found in these forms of family and are especially vulnerable to early and/or forced marriage, while men may have multiple households or second families with their de facto spouses or partners.</p> <p>24. The different forms of family and their recognition by the State are influenced by a multitude of normative factors, such as culture, religion and caste, and behavioural factors, such as livelihoods, sexuality and social status. Although several international forums recognize family diversity, including “in different cultural, political and social systems”,¹ many of the aforementioned non-traditional forms of family are not recognized by all States. The family is often defined by legal systems as a unit founded on marriage between a man and a woman, affecting rights relating to, for example,</p>
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¹ See *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (A/CONF.177/20/Rev.1), Beijing Platform for Action, para. 29; Panel on the protection of the family, 15 September 2014, twenty-seventh session of the Human Rights Council.

	<p>inheritance, property, child custody, pensions, tax relief and social service provision. Laws and public institutions in some States require a male family member or male guardian to initiate or conclude official transactions, thus placing families headed by women or consisting solely of women at a disadvantage. Families headed by women, like those headed by children, are more seriously affected by poverty because of the discrimination they suffer. Given that State recognition is often a condition for families to receive services and benefits, such as accommodation and protection provided by the State and/or non-State actors, lack of recognition leads to the marginalization of these families.</p>
<p>Follow up report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns on his mission to India in 2012</p> <p>A/HRC/29/37/Add.3</p> <p>May 2015</p>	<p><i>In the present report, the Special Rapporteur on extrajudicial, summary or arbitrary executions analyses the steps taken by India to implement the recommendations contained in the report made following his visit to the country from 19 to 30 March 2012. During that visit, the Special Rapporteur documented extrajudicial killings by security officers, the State Police, Armed Forces and armed groups. He also reported killings related to communal violence and practices affecting women's right to life as a serious problem in some areas of the country. In addition, he noted a number of challenges at various stages of the accountability process leading to impunity in many instances.</i></p> <p><i>Since the visit, the Government has taken some steps to address human rights violations committed against women and in support of victims of terrorist-related activities. However, vulnerable groups remain at risk of violent and often lethal attacks. Impunity remains a serious challenge, as does the implementation of existing guidelines and directives issued by the courts and national human rights institution. The Special Rapporteur urges the Government to implement the recommendations contained in the visit report insofar as this has not been done.</i></p> <p><u>Killings of vulnerable persons</u></p> <p>1. Scheduled castes and tribes and other marginalized communities</p> <p>47. In his country visit report, the Special Rapporteur noted that, according to the National Crime Records Bureau, 35 murders had been committed in 2011 for caste-related reasons (ibid., para. 77). In 2013, according to the Bureau, the figure had decreased to 32 murders.²¹ The figures quoted by the Bureau differ substantially from those provided by non-governmental organizations. The Special Rapporteur recommended that existing criminal legislation be reviewed to ensure that perpetrators of killings against members of lower castes or tribes receive higher sentences, perhaps life imprisonment (see A/HRC/23/47/Add.1, para. 105).</p>

48. The Special Rapporteur also noted with concern that the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 did not incorporate Dalit Muslims and Christians into the definition of scheduled castes and tribes. A recommendation was made that the legislation should be reviewed to extend the definition (see A/HRC/23/47/Add.1, para. 104). The Committee on the Elimination of Discrimination against Women noted in 2014 that Dalit women were particularly vulnerable as they faced multiple forms of discrimination presenting barriers to justice and that poor implementation of the Act was of concern (see CEDAW/C/IND/CO/4-5, para. 10 (d)). The Special Rapporteur is aware of the recent passing of the Constitution (Scheduled Castes) Orders (Amendment) Bill, 2014, and welcomes the inclusion of additional communities to the list of scheduled castes, but reiterates the importance of ensuring the protection of all marginalized communities in practice through effective implementation of the related legislation, as well as the conduct of relevant education and awareness-raising campaigns reaching out to all communities.

49. The Special Rapporteur welcomes the introduction of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill of 2014, which includes new categories of offences; specifies the duties of a public servant, including to register a complaint or First Information Report; provides that the Exclusive Special Courts must be established at the district level to try offences; and adds a chapter on the rights of victims and witnesses, including taking immediate action in respect of any complaint relating to the harassment of a victim, informant or witness. Effective implementation of this legislation remains essential.

3. Protection of victims and witnesses

53. The Special Rapporteur notes the recommendation by the Justice Verma Committee that the State immediately implement measures of special care to ensure the safety of female complainants and witnesses in cases of sexual assault by armed personnel. The inclusion of a chapter on the rights of victims and witnesses in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill of 2014 is a welcome step.

Summary of follow-up to each recommendation

B. Violations of the right to life by non-State actors

11. The protection of civilians in all instances of violence should constitute the ultimate priority. All sides involved in armed activities should immediately cease attacking civilians, including members of tribes and castes, human rights defenders and journalists. While having the duty to protect its people from the attacks perpetrated by various non-State actors, the Indian authorities should ensure its acts do not target civilians by any

	<p>means, and are directed in a very precise manner at neutralizing violent non-State actors.</p> <p>Sufficient information has not been provided to enable assessment of progress.</p> <p>D. Killings of vulnerable persons</p> <p>20. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act should be reviewed with the aim of extending its scope to Dalit Muslims and Dalit Christians.</p> <p>This recommendation has been partially implemented.</p> <p>21. The criminal legislation should be reviewed to ensure that all gender-based killings, as well as killings of any member of a tribe or lower caste receive high sentences, possibly under the form of life imprisonment.</p> <p>This recommendation has been partially implemented.</p> <p>23. Information and awareness-raising campaigns should be launched to raise the level of knowledge of human rights and access to justice of the public at large, with a particular focus on vulnerable persons such as women and members of tribes and lower castes. Legal aid mechanisms for these vulnerable persons should be devised to enable them to seek protection, justice and redress in cases of violation of their rights.</p> <p>Sufficient information has not been provided to enable assessment of progress</p>
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30th session of the Human Rights Council, September 2015

<h3>30th session of the Human Rights Council, September 2015</h3>	
<p>Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola</p> <p>A/HRC/30/35</p> <p>July 2015</p>	<p>II. Activities of the mandate</p> <p>10. On 18 June 2015, the Special Rapporteur provided an introductory statement via video message at a Council side event on the role of the United Nations in combating the intersection of caste and gender in the area of forced and bonded labour, sponsored by Human Rights Watch, the International Movement Against All Forms of Discrimination and Racism, the Minority Rights Group, Anti-Slavery International and Franciscans International and organized in association with the International Dalit Solidarity Network.</p>

	<p>III. Enforcing State and business accountability for ending contemporary forms of slavery in supply chains</p> <p>B. Causes and prevalence of contemporary forms of slavery in supply chains and examples of sectors at risk</p> <p>Globalization has created unprecedented opportunities for corporations to extend their operations across national borders, including to developing countries, in order to source the cheapest products and maximize profit. The demand for cheap labour meets a ready supply of workers from vulnerable groups: indigenous people, minorities, those considered to be from the “lowest castes” and migrants, especially those in an irregular situation. Women workers are particularly vulnerable to exploitation in certain sectors given the nexus of gender discrimination and inequality.</p>
<p>Report of the UN Secretary-General on Capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty - Yearly supplement of the Secretary-General to his quinquennial report on capital punishment</p> <p>A/HRC/30/18</p> <p>July 2015</p>	<p>II. Consequences of the imposition and application of the death penalty on the enjoyment of the human rights of those facing the death penalty</p> <p>E. Right to equality and non-discrimination</p> <p>4. Poor or economically less privileged individuals</p> <p>39. Poor or less privileged individuals who do not have access to effective legal representation are frequently disproportionately subjected to the death penalty. In many States, the most important factor in determining whether a defendant will be sentenced to death is the quality of the legal representation of an accused person. Around the world, a large number of defendants in capital cases cannot afford to pay their own lawyers. In many cases, Government-appointed defence lawyers are overworked, underpaid and lack the experience required for death penalty cases. The Special Rapporteur on extrajudicial, summary or arbitrary executions pointed out that failure to provide adequately funded state-wide public defenders had the predictable result of inadequate legal representation for defendants in capital cases (see A/HRC/11/2/Add.5). In a recent judgement, the Supreme Court of India referred to poverty as a new mitigating factor to commute a convict’s death penalty to life imprisonment. It stated that socioeconomic compulsions such as poverty were factors that should be considered by Courts while awarding a death sentence.² Research into death row prisoners in India has found that the overwhelming majority of the convicted individuals are poor and from lower castes.³</p>

² See <http://judis.nic.in/supremecourt/imgs1.aspx?filename=40836>.

³ See www.outlookindia.com/article/most-death-row-convicts-are-poor/292798.

<p>Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola</p> <p>Addendum Mission to Niger</p> <p>A/HRC/30/35/Add.1</p>	<p>Summary</p> <p>In the present report, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola, presents her main findings from her country visit to the Niger, conducted from 11 to 21 November 2014. After an analysis of the country's legal, institutional and policy framework, the Special Rapporteur highlights the major issues of concern for her mandate, including descent-based slavery, the practice known as <i>wahaya</i>, child marriage, the worst forms of child labour and domestic servitude. While commending the criminalization of slavery in 2003 and acknowledging the Government's commitment to eradicating slavery and slavery-like practices, the Special Rapporteur points to a number of challenges the Government faces to address effectively the root causes of slavery, including poverty, inequality and customary norms that cause widespread discrimination against former slaves and their descendants and undermine efforts to create alternative livelihoods. She concludes with some key recommendations to assist the Government in intensifying its efforts, with the support of national and international partners, to improve the coordination and streamlining of anti-slavery efforts, ensure effective law enforcement, increase access to justice and enhance victim protection and empowerment.</p> <p>IV. Descent-based slavery</p> <p>36. Determining the prevalence of slavery in the Niger would require comprehensive research. However, the Special Rapporteur learned from her extensive consultations with various stakeholders that, despite being legally abolished, descent-based slavery continues to exist in Tuareg, Fulani (Peul), Toubou and Arab communities. Those societies are very hierarchical and dominated by powerful traditional chiefs, and the number of slaves still appears to determine the social status and the power of the masters.⁴ The Tuareg community is considered the most highly socially stratified of the communities, its structure resembling that of the caste system, with the slaves at the bottom.</p> <p>39. The Special Rapporteur's attention was drawn to the predominant situation in the Niger today: that of former slaves and descendants of former slaves who do not live with their masters but remain tied to them and face social exclusion and violations of their human rights, including widespread descent-based discrimination.⁵ That is referred</p>
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⁴ Sékou and Abdoukarimou, "The legacy of slavery", pp. 78–79.

⁵ A similar situation affects those belonging to castes linked to certain professions, for example, blacksmiths, butchers and traditional musicians, who are also at the bottom of the highly stratified

	<p>to as “passive slavery” in the Niger and exists especially among sedentary groups, such as Djerma-Songhai.</p> <p>47. The Special Rapporteur heard of cases where people of slave descent had achieved economic and political success in urban areas. They were, however, still regarded as a part of the slave caste by the communities they originated from, which points to the inability to alter the inherited status. The Special Rapporteur was also informed of a case of a businessperson of slave descent who wanted to buy a piece of land in the region of Tillabéry, but the deal fell through when the land owner discovered the person’s ancestry.</p>
<p>Report of the Independent Expert on the enjoyment of all human rights by older persons, Rosa Kornfeld-Matte</p> <p>Addendum Mission to Mauritius</p> <p>A/HRC/30/43/Add.3</p>	<p>IV. Independent Expert’s main findings</p> <p>A. Discrimination</p> <p>29. Article 16 of the Constitution of Mauritius provides that no law shall make any provision that is discriminatory either of itself or in its effects. While it does not refer to discrimination on the ground of age or older age, specific enactments, such as the Equal Opportunities Act of 2012, explicitly prohibit discrimination based on age in various spheres of activity, namely employment, education, the provision of goods, services or facilities, accommodation, access to premises and sports, disposal of immovable property, and societies, registered associations and clubs. Among other protected grounds of discrimination under the law include are caste, ethnic origin and impairment, including physical and mental disabilities</p> <p>35. Other concerns that were also raised by the Committee on the Elimination of Racial Discrimination in 2013 are the persistence of hierarchical structures in society, particularly relating to the caste system, which are a source of exclusion. Although law does not recognize the caste system, it is deeply rooted in Mauritian tradition.</p> <p>V. Conclusions and recommendations</p> <p>B. Recommendations to the Government</p> <p>3. Discrimination</p> <p>100. While the caste system is not recognized by law, hierarchical structures along caste and racial lines still persist. The Independent Expert stresses the importance of raising awareness of equality and changing people’s attitudes and beliefs to eliminate negative prejudices regarding certain groups. The Independent Expert</p>

caste-based society. Discrimination on the grounds of descent, that is, against members of communities based on forms of social stratification such as caste and analogous systems of inherited status violates the International Convention on the Elimination of All Forms of Racial Discrimination. See general recommendation No. 29 (2002) on article 1 (1) of the Convention (Descent).

	<p>encourages the Government to take affirmative action in favour of all marginalized groups including on the basis of age to redress the existing imbalances.</p>
<p>Report of the open-ended intergovernmental working group on the draft United Nations declaration on the rights of peasants and other people working in rural areas</p> <p>A/HRC/30/55</p>	<p>V. First reading of the draft United Nations declaration on the rights of peasants and other people working in rural areas</p> <p>40. An NGO raised its concern that Dalits, tenants and sharecroppers were not included in the definition of “peasant”. It proposed that those groups be included in the definition of “peasants” within the framework of declaration.</p>
<p>Situation of human rights in Yemen –Report of United Nations High Commissioner for Human Rights</p> <p>A/HRC/30/31</p>	<p>III. Situation of Human Rights</p> <p>A. Conduct of hostilities</p> <p>2. Allegations of violations committed by coalition and joint government forces</p> <p>45. At least 20 civilians were killed and 59 others injured when a dairy factory was directly hit in four air strikes in Hudaydah city (Al Hudaydah Governorate), on 31 March 2015. The people killed inside the factory were personnel. On 12 May, at least 43 civilians, including eight women and 12 children, were killed, while an additional 135 were injured as a result of four air strikes that directly hit the Al-Wajeeh building located in a busy commercial hub in Zabeed (Al-Hudaydah Governorate). The majority of the casualties belonged to Al-Muhamasheen community. The information received by OHCHR did not clarify whether the building was deliberately targeted.</p> <p>G. Marginalized groups</p> <p>77. Yemen does not recognize in its legislation the marginalized status of some minority groups, who continue to suffer from discrimination, in particular the Muhamasheen (also known as Al-Akhdam), a social group whose exact number remains unknown (according to unofficial sources, there are between 500,000 and 3.5 million Muhamasheen in Yemen). The group has no political representation at the national level and suffers from extreme levels of social stigma and discrimination, which exacerbates their socioeconomic exclusion and poverty. For centuries, they have been excluded from mainstream society, and they continue to be subjected to severe forms of descent-based discrimination. The Muhamasheen mainly reside in underdeveloped neighbourhoods in the outskirts of Sana’a, Aden, Taizz, Lahij, Al-Abyan, Al-Hudaydah and Al-Mukalla. According to a national statistical and population monitoring survey conducted in 2012, the illiteracy rate among the Muhamasheen community is around 90 per cent. Women and children are forced to beg in rural areas, and to work as</p>

	<p>entertainers at weddings or community ceremonies. The Government has also failed to adopt legislation criminalizing abuses against them, which serves to reinforce discriminatory practices. The Muhamasheen community successfully advocated for its rights during the National Dialogue Conference, particularly with regard to participation in the public sphere.⁶ The Working Group on Rights and Freedoms of the Conference recommended a 10 per cent participation of persons from the Muhamasheen community in employment in public services, as well as equal access in leadership and decision-making positions. Despite the community's advocacy efforts, supported by OHCHR and other actors, this minimum participation quota was not included in the first draft Constitution.</p>
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⁶ See A/HRC/24/34, paras. 4-5.