

IDSN recommendations for states to address discrimination based on caste under relevant agenda items during the 32nd HRC session

The 32nd session of the Human Rights Council (HRC) offers excellent opportunities to take up and comment on one of the missing items on the HRC's agenda, i.e. caste-based discrimination. Several reports presented to HRC note this gap and the need to do more.

States and interstate groupings are called upon to take up caste discrimination in their interventions at the High Level Segments, including the High Level Panel on the 10th anniversary of the Human Rights Council and the Panel on the 30th Anniversary of the Declaration on the right to development.

UN high-level officials have, on several occasions, stated their concerns on caste discrimination. In his [foreword](#) to the Annual Report of the Office of the UN High Commissioner on Human Rights 2015, the High Commissioner mentioned caste-based discrimination as one of the key human rights gaps, which needs further human rights monitoring through reporting and in depth investigations by the OHCHR.

At the 31st Council session the Special Rapporteur on minority issues, Ms. Rita Izsák-Ndiaye, presented her comprehensive thematic report on 'Minorities and discrimination based on caste and analogous systems of inherited status' ([A/HRC/31/56](#)). The report affirmed caste discrimination as a global and a cross-cutting human rights issue, intersecting with various other types of human rights abuses including contemporary forms of slavery and violence against women and girls. The Special Rapporteur warned "that discrimination leads to extreme exclusion and dehumanisation of caste-affected communities, who are often among the most disadvantaged populations, experience the worst socioeconomic conditions and are deprived of or severely restricted in the enjoyment of their civil, political, economic, social and cultural rights".

We urge states to support the call by the Special Rapporteur on Minority Issues to the Human Rights Council to endorse the draft UN Principles and Guidelines on Discrimination based on Work and Descent.

In her report, the Special Rapporteur emphasized that discrimination on the basis of caste and analogous systems is a major cause of poverty, inequality and social exclusion of affected communities and recommended 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.

We urge states to promote the use of caste specific indicators and disaggregated data in relation to the implementation and monitoring of the 2030 Sustainable Development Goals, and reflect on the cross cutting nature of caste-based human rights violations and poverty implications.

States are called upon to bring to the fore that the 2030 Agenda and implementations of the Sustainable Development Goals cannot be achieved without addressing the exclusionary mechanisms and poverty drivers that caste systems enforce.

Please see the all extracts on caste in the IDSN [overview of caste-references in reports and statements for HRC32](#) (please note that some reports have yet to be published, an updated version will be posted on the IDSN webpage in the coming week).

IDSN specifically encourages states to consider addressing caste under the relevant panel discussions and agenda items listed below.

PANEL DISCUSSIONS

High level panel on the 10th anniversary of the Human Rights Council (Monday, 13 June, 03.00pm- 06.00pm)

Concerning the work to eliminate caste-based discrimination, the Human Rights Council has provided an arena for civil society organizations to raise the issue of caste-based discrimination since its creation in 2006. Especially the Council's subsidiary bodies such as the Universal Periodic Review and the Forum on Minority Issues, have enabled civil society actors to alert UN member states to the global nature of discrimination based on caste and give recommendations to caste-affected countries on how best to address caste-based discrimination in their national context. Meanwhile, the Council has been unsuccessful in creating an international legal framework to address discrimination based on caste and analogous systems of inherited status. The 'Draft UN Principles and Guidelines for the Elimination of Discrimination based of Work and Descent' were first published by the Human Rights Council in 2009 ([A/HRC/11/CRP.3](#)), but remain a draft to this day.

Panel on the 30th Anniversary of the Declaration on the right to Development (Wednesday, June 15, 10am -3 pm)

In her Annual Thematic report, the Special Rapporteur on Minorities recommended states to consider caste-based discrimination in the implementation of the 2030 Agenda and underline the necessity to include consideration for the 260 million people affected by caste-based discrimination globally, in order to achieve inclusive, equitable and sustainable development for all. In May 2016, the recommendation was referenced a [paper](#) on "Follow up and review of the 2030 HRC Agenda for Sustainable Development" published by the Danish Institute on Human Rights.

- **IDSN recommends states to comment on the recommendations of the Special Rapporteur on Minorities relating to the Sustainable Development Goals and further recommends states affected by caste discrimination to develop specific indicators on caste and use disaggregated data for the implementation and monitoring of the 2030 Sustainable Development Goals and to ensure that the SDGs and their targets address the situation for groups affected by caste.**
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ITEM 2 ANNUAL REPORT OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS AND REPORTS OF THE OFFICE OF THE HIGH COMMISSIONER AND THE SECRETARY GENERAL

In his 'practical recommendations for the creation and maintenance of a safe and enabling environment for civil society' ([A/HRC/32/20](#)), the High Commissioner brought up the IDSN case in relation the arbitrary and protracted process faced by numerous NGOs when applying for ECOSOC status.

- **IDSN recommends states to note the practical recommendations and to mention the IDSN ECOSOC case in the General Debate following the presentation of the thematic reports by the Secretary General and UN High Commissioner on Human Rights, to be considered under Item 2 on June 20 (01.00pm – 06.00pm).**

ITEM 3. PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS

Interactive Dialogue with the Special Rapporteur on the rights to freedom of peaceful assembly and association (Friday, 17 June, between 09 am – 15 pm)

In his report [A/HRC/32/36](#) on 'Fundamentalism and its impact on the rights to freedom of assembly and association', the Rapporteur addresses the issue of caste-based discrimination in relation to cultural and nationalist fundamentalism. The report highlights caste-based discrimination in the Middle East, Africa and the Asia Pacific as illustrative of cultural fundamentalism that violates the rights of those considered to be of inferior status. The Rapporteur also mentions the IDSN- ECOSOC case and the impairments, which the organization has faced at the multilateral level, leading to the continued deferral of IDSN's application.

The SR recently released a [commentary](#) in which he criticized members of the UN Committee on NGO's for undermining the ability of the United Nations to constructively engage with civil society.

- **IDSN recommends states to participate in the Interactive Dialogue with the SR on the 17th and address the link between caste and cultural fundamentalism.**
- **IDSN recommends states take note of the SR's commentary which encourages the Committee to fulfill its mandate and stop pandering to considerations that undermine the ability of the UN to fulfill its mission and to comment on the case of the IDSN ECOSOC application, which is the longest pending application before the Committee of NGO's**

Interactive Dialogue with the Working Group on the issue of discrimination against women in law and in practice (Friday, June 17, 3-6 pm)

Referring to the recent report by the Special Rapporteur on minority issues, the report of the Working Group: Eliminating discrimination against women with regard to health and safety ([A/HRC/32/44](#)), highlights that "Women members of "lower caste" groups present the worst health outcomes, especially in terms of life expectancy, access to maternal care, nutrition and incidence of infections".

- **IDSN recommends states to take note of the report of the working group and to raise the issue of caste during the Interactive Dialogue with the Working Group, June 17, and encourage further recognition**

of the vulnerable position of women, who are affected by discrimination based on caste and analogous systems of inherited status.

Interactive Dialogue with the Special Rapporteur on violence against women (Friday, June 17, between 3-6pm)

- **IDSN recommends states to encourage the new mandate holder to consider how caste-based discrimination constitutes a fundamental cause for violence against women in many parts of the world, and how the issue of caste-based violence intersects with different types of violence against women and girls.**

Interactive Dialogue with the Special Rapporteur on extreme poverty and human rights (Tuesday, 14 June, between 10 am – 3 pm)

The entrenched stigmatization and discrimination faced by caste-affected groups ensures the linkage between caste and extreme poverty. Throughout the years, several UN experts have stressed the importance of recognizing caste as an underlying cause of poverty. Most recently the [Special Rapporteur on minority issues](#), stressed that the relationship between inequality, discrimination and poverty and their impact on disadvantaged minority groups which cannot be ignored or underestimated.

- **IDSN recommends states to attend the Interactive Dialogue with the Special Rapporteur on extreme poverty and to raise the issue of caste-based discrimination as an underlying cause of poverty. IDSN recommends states to stress the link between caste-based discrimination and extreme poverty, as well as the need to address caste-based discrimination in order to reach the primary Goal of the 2030 Agenda – to end poverty in all its forms everywhere.**

Interactive Dialogue with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (Monday, June 27, 3-6 pm)

For the work to eliminate caste-based discrimination, which affects the human rights of more than 260 million people, the inclusion of descent within the scope of the ICERD came with an explicit affirmation in [CERD General Recommendation 29](#), which states that descent includes caste and analogous systems of inherited status.

- **IDSN recommends states to attend the Interactive Dialogue with the Special Rapporteur on contemporary forms of racism on June 27, and to raise the issue of caste-based discrimination.**
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