

These Dalit girls in Pakistan are free to dance. Their parents were freed from bonded labour and live in a camp established for former bonded labourers. Had their parents not been freed, these girls would have grown up in slavery. In June, IDSN highlighted caste- and gender-based forced and bonded labour at a side-event at the UN Human Rights Council. Speakers included the UN Special Rapporteur on contemporary forms of slavery and Dalit leaders from India, Pakistan and Nepal. Photo by Jakob Carlsen



United Nations

UN high-level officials¹ made a number of significant statements on caste discrimination as well as caste references in reports in 2015.

In June, IDSN co-organised a side-event on Caste- and gender-based forced and bonded labour at the 29th session of the Human Rights Council. Keynote speakers included the UN Special Rapporteur on contemporary forms of slavery, and ILO Senior Specialist, Coen Compier.

Close cooperation with the Office of the High Commissioner for Human Rights and UN Special Rapporteurs continued with regular information sharing and dialogues, and thematic contributions by IDSN.

A technical consultation on a draft UN Guidance tool on discrimination based on work and descent organised by the OHCHR marked an important milestone in work to find new and effective ways to combat caste-based discrimination.

IDSN supported representation of Dalit Human rights defenders at Human Rights Council sessions, the Forum on Minority Issues and other UN events. Dalit leaders highlighted core issues in statements at the Forum and the 50th Anniversary of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

Along with its members, IDSN presented a number of joint submissions to the UN human rights bodies in 2015 and continued a close monitoring of UN referencing to caste issues. The Universal Periodic Review of Nepal provided a unique occasion for Dalit organisations to review the situation of Dalits in the country and with the support of IDSN to present the findings and recommendations to UN member states and the Government.

Information on UN developments related to caste discrimination was shared widely with decision makers, UN and EU agencies and affected groups. IDSN furthermore continued to promote the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent, and the idea of a cross cutting UN monitoring mechanism.

Human Rights Council

Several thematic mandates, intergovernmental working groups and UN High Commissioner for Human Rights made references to caste discrimination in their reports to the UN Human Rights Council sessions in 2015. IDSN produced documents containing [caste extracts](#)² from reports presented at the 28th, 29th and 30th sessions of the HRC, and disseminated the references and recommendations on caste-based discrimination to States for consideration in the

UN Highlights in 2015

- OHCHR backed IDSN side-event on Caste- and gender-based forced and bonded labour at 29th session of the Human Rights Council
- UN High level officials, High Commissioner for Human Rights and UN General Secretary make significant statements on caste
- UN Special Procedures discuss caste discrimination at Annual Meeting; Seven mandate holders mention caste in their reports
- OHCHR Technical Consultation on UN Guidance tool on discrimination based on work and descent
- Dalit human rights defenders speak at the UN Minority Forum and 50th Anniversary of ICERD
- IDSN application for ECOSOC Accreditation blocked by India for the 8th year: Joint letter to US Secretary of State, John Kerry, by 14 international organizations



UN Special Rapporteur on Slavery

In her key note presentation at the IDSN side-event on Caste- and gender-based forced and bonded labour at the 29th session of the Human Rights Council, Urmila Bhoola, UN Special Rapporteur on contemporary forms of slavery noted:

“Successful fight against stigmatisation and deeply entrenched discrimination necessitates the involvement of all, which is only possible by means of broad awareness raising, increased social consciousness and denouncing of continued discrimination based on caste, gender and other factors that undermine human dignity and violate human rights. Events such as this one are an important part of it.”⁵

interactive dialogues³. IDSN also continuously updated its Compilation on UN references to caste discrimination⁴.

On 18 June, IDSN co-organised a well-attended HRC side-event on Caste- and gender-based forced and bonded labour. The event, moderated by Laura Dolci-Kanaan, Secretary of the Humanitarian Funds for Victims of Torture and Victims of Slavery of the OHCHR, highlighted the strong links between caste and slavery and uncovered recommendations for ways forward both within the United Nations framework and beyond. Central to the debate was the need for multidimensional approaches to address the lack of implementation of legislation and policies in caste-affected countries.

“Caste-based discrimination is globally the most neglected form of discrimination, which seems to be accepted by countries and the UN through a lenient approach of cultural relativism instead of a firm stand against a most devious way of discrimination.”

Coen Kompier, Senior Specialist, ILO - speaking at the event.

Speakers from South Asia highlighted the intersection of caste and gender in forced prostitution, manual scavenging, work in construction and textile industries, and agricultural work. Dolci-Kanaan pointed out that, if the underlying stigmatization and discrimination is not addressed, Dalits will continue to be forced into these inhumane labour

conditions.

The event was co-sponsored by Human Rights Watch, the International Movement Against All Forms of Discrimination and Racism (IMADR), Minority Rights Group (MRG), Anti-Slavery International, and Franciscans International (FI). IDSN produced a [report from the side-event](#) ⁵

UPR Nepal

Seventeen United Nations member states raised their concerns and recommendations on caste discrimination⁶ at the United Nation’s Periodic Review of Nepal, urging the Government, in particular, to ensure effective implementation of the Caste-Based Discrimination and Untouchability Act of 2011⁷. States also recommended engaging and addressing the needs of vulnerable communities, including Dalits, in earthquake relief and securing equal opportunities in education for the communities.

In advance of the review, held on 5 November, the Dalit Civil Society Organizations’ Coalition for UPR, Nepal and IDSN submitted a parallel report entitled “[Human Rights Situation of the Dalit Community in Nepal](#)”⁸. A [summary note with recommendations](#) was shared widely with UN member states, and the core content discussed with diplomatic missions⁹.

Nine recommendations made it into the [final report](#)¹⁰.

Nepal UPR - Deputy Foreign Minister

Deputy Prime Minister and Minister of Foreign Affairs, Kamal Thapa pointed to the “zero tolerance against discrimination” guaranteed with the newly adopted Constitution (adopted on 20 September 2015). He underlined that all forms of discrimination based on caste, religion and gender are punishable by law. He recognized that these social practices continue, but emphasized that with strong legislation and infrastructure in place he believed “the social evil will come to an end”.

Though the Government accepted the recommendations related to caste, all of the 9 recommendations were categorized by the government as “already implemented or in the process of implementation”. This raises a critical question on future accountability and progress monitoring on state obligations to eliminate caste discrimination, and underlines the need for a national action plan.

Speaking on behalf of the Dalit delegation in Geneva, Bhakta Bishwakarma, President of Nepal National Dalit Social Welfare Organization (NNDSSWO), acknowledged the Government’s strides over the past years to ensure Dalit rights through legislative measures, and called for a national action plan to eliminate caste discrimination and effective coordinating mechanism to oversee its implementation¹¹. State led public campaigns and institutional reform to secure inclusion were also strongly recommended.

Highlighting the status of Dalit women in Nepal, Feminist Dalit Organisation (FEDO) with IDSN input prepared a briefing for the 59th session of the Commission on the Status of Women. The organizations also supported Dalit women participation in the session. FEDO (Nepal) report for CSW59 on Dalit Women, March 2015, reveals an appalling literacy rate for Dalit women at 34.8%; that 80% of Dalit women in Nepal live below the poverty line, and that access to higher education for Dalit women is 11.8% as compared to 54.5% of the total population of women in Nepal¹².

IDSN continued to enjoy invaluable support from and cooperation with international associates, including for UN side-events and accreditation to UN events. IDSN co-sponsored a Joint Statement with Franciscans International in the HRC28 Interactive Dialogue with the Special Rapporteur on religion and belief and an Anti-Slavery and SR slavery side-event on the subject of the Special Rapporteur on slavery’s HRC30 report on contemporary forms of slavery in supply chains at HRC30 on 16 June. IDSN also co-sponsored Franciscans International’s handbook “Making Human Rights Work for People Living in Extreme Poverty”¹³.

UN Special Procedures

IDSN continued its close dialogue with UN Special Procedures mandate holders in 2015. Furthermore, input was given to mandate holders in 2015 for 2016 reports.

Caste discrimination was discussed at the Annual Meeting of the UN Special Procedures mandate holders in June. Mandates on slavery, minorities, older persons, water and sanitation, arbitrary executions, the Working Group on people of African descent, and the Working Group on the issue of discrimination against women in law and in practice, made references to caste in their reports to the Human Rights Council in 2015.

Navsarjan Trust and IDSN submitted a joint alternative NGO report in August, as input to the HRC32 Report on health and safety of the UN Working Group on discrimination against women in law and practice¹⁴. The report focused on caste- and gender-based discrimination with regards to the right to health and safety, noting the many references on the topic made already by the Working Group, Special Rapporteurs, Treaty Bodies, UN agencies, and major NGOs. The barriers and human rights violations highlighted in the report, revolve around lack of access to health service, persistent practice of manual scavenging and violence committed against Dalit women with impunity.

“Minority women may face multiple stigmas in relation to their ethnic or religious background, their sex, and the nature of the crime of which they were the victim. In India, for instance, Dalit women subjected to violence reportedly face unnecessary delays and pressure to drop charges, which are linked to a combination of their gender and minority status”. Special Rapporteur on minority issues - Ms. Rita Izsák-Ndiaye - report A/HRC/30/35

In her country report on Mauritius, the Special Rapporteur on older people notes that protected grounds of discrimination under the law include caste, ethnic origin and impairment¹⁵. She refers to concerns previously raised by CERD (2013) including “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.”

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Christof Heyns presented a follow up report on his mission to India (A/HRC/29/37/Add.3)¹⁶. In his report, the Special Rapporteur analyzes 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.

The Special Rapporteur reiterated his recommendation to review existing criminal legislation to ensure that perpetrators of killings against members of lower castes or tribes receive higher sentences (see A/HRC/23/47/Add.1, para. 105)¹⁷. 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 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.

The Special Rapporteur noted a 2014 observation by the Committee on the Elimination of Discrimination against Women, 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 concern¹⁸. Heyns restated 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, the Special Rapporteur welcomed the introduction of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill of 2014, and noted that effective implementation of this legislation remains essential.

UN Forum on Minority Issues

This year’s Forum on Minority Issues, held on 24 and 25 November, focused on “Minorities in the Criminal Justice System”¹⁹. UN Forum on Minority Issues - webpage on page 38. Three Dalit human rights defenders presented their experiences at the Forum. Panellist Durga Sob from Nepal noted “a lack of accountability for law enforcement when it comes to Dalits” and called for Dalit representation in all justice sector institutions²⁰.

Manjula Pradeep and Ramesh Nathan from India delivered statements on the dismal state of access to justice for Dalits and the maltreatment of Dalits in the criminal justice system. Dalits in India are not only impaired from accessing mechanisms of justice but also often the main victims of police torture and custodial death, due to deeply ingrained caste discrimination. IDSN made a submission with input for the draft recommendations from the forum.

The IDSN team in Geneva for the Forum and the ICERD 50th Anniversary met with representatives of diplomatic missions and the OHCHR - as part of continuous efforts to engage the international community in the struggle to end caste discrimination.

UN Human Rights bodies & caste

List of countries where caste discrimination has been noted as a concern by UN Human Rights bodies

 India	 Senegal
 Nepal	 Chad
 Pakistan	 Mali
 Bangladesh	 Ethiopia
 Japan	 Ghana
 United Kingdom	 Burkina Faso
 Yemen	 Mauritius
 Sri Lanka	 Micronesia
 Nigeria	 Suriname
 Mauritania	 Niger
 Madagascar	

Treaty Bodies

The total number of caste-affected countries examined by UN human rights bodies reached 21 in 2015. The total number of treaty body reviews, noting caste discrimination as a concern, according to regions are composed as follows: Africa (17); Middle East (9); Europe (2); The Americas (1); and Asia (45).

In its review of Suriname the Committee on the Elimination of Racial Discrimination notes, that although the caste system is not institutionalised in Suriname, the Committee is concerned about reports on the persistence of such a system in certain communities of Indian origin living in the State party²¹. The Committee, recalling its General Recommendation No. 29 (2002) on discrimination based on descent, recommends the State party to take steps to identify the specific communities and persons who may suffer from such practices and if applicable, to adopt specific measures to combat and eradicate such discriminatory practices²².

IDSN and the Pakistan Dalit Solidarity Network (PDSN) submitted a joint alternative report on Scheduled Caste Children in Pakistan for the Committee on the Rights of the Child (CRC) PSWG review of Pakistan and the CRC review of Pakistan in 2016²³. Key issues include lack of education and economic exploitation, and child labour.

IDSN also prepared a brief submission to the CRC review of Bangladesh²⁴. In its concluding observations, the Committee reiterates its previous concern on discrimination against certain groups of children, particularly girls, and Dalit and indigenous children, who face discrimination and violence, and lack access to quality education²⁵.

UN General-Secretary**Millions of Dalits still face discrimination - we must continue battle for equality**

“He [Gandhi] confronted many forms of injustice, including against people who were then called “untouchables”. His struggle led to the historic resolution banning discrimination based on caste. Today India has laws that not only enshrine equality, but also take positive steps to address past discrimination. But millions of Dalits, Tribals and others still face discrimination, especially the women and girls. In too many communities, religious minorities also suffer. We must continue Gandhi’s battle for equality.” Ban Ki-moon - keynote speech at the Indian Council of World Affairs. Photo: UN Photo/Eskinder Debebe

50th Anniversary of ICERD

Statements by the International Movement Against all forms of Discrimination and Racism (IMADR) and IDS^N brought caste discrimination to the fore as the Committee on the Elimination of Racial Discrimination celebrated the ICERD convention’s 50th anniversary on 26 November²⁶.

Caste discrimination was given solid attention during the day, as the issue was highlighted by panel speakers and raised by states and civil society from the floor during the interactive discussions. The two written NGO contributions available on the OHCHR [web page](#) for the event, both related to caste-based discrimination²⁷.

IDS^N urged the Committee to pursue the idea of regular joint review process on status and follow up on concluding observations and recommendations on caste discrimination by UN Treaty Bodies, Special Procedures and UPRs. IDS^N board member, Manjula Pradeep, presented the IDS^N statement ‘50 years of ICERD – from paper tigers to global action at the anniversary event’²⁸.

UN High Level Officials and OHCHR

In October, the OHCHR organised a two-day technical consultation on a draft UN Guidance tool on discrimination based on work and descent. Participants included UN experts, UN agencies (including members of UN country teams), academics, representatives from affected communities and international NGOs. The preparation of guidance for the UN system on key challenges, priorities and strategic approaches to combat discrimination based on work and descent was envisaged in the Action Plan 2014 of the UN Network on racial discrimination and protection of minorities for the implementation of the [Secretary General’s Guidance Note](#)²⁹. IDS^N and members engaged in this landmark consultation and commend the OHCHR for its work and priority on caste discrimination. On several occasions during the year, OHCHR officials met with Dalit representatives and IDS^N staff.

UN high-level officials³⁰ made a number of significant statements on caste discrimination as well as references in reports. In his [opening Statement](#) to the 28th session of the Human Rights Council, the High Commissioner Mr. Zeid Ra’ad Al Hussein highlighted that the majority of victims of human rights abuses around the world share two characteristics: Deprivation, and discrimination – based on, among others, caste.

The UN Secretary-General has spoken out on caste and Dalits on several occasions, including in his keynote speech at the Indian Council of World Affairs on 14 January.

ECOSOC

The now 8-year deferral of IDS^N’s application continued due to questions in the NGO Committee posed by India. By 2015 IDS^N has received 69 written questions. As pointed out by the UN Special Rapporteur on freedom of assembly and association in the General Assembly already in October 2014, the [continued questioning and deferral](#) are “clearly unacceptable, wrong and unfair”. IDS^N’s application is now the longest pending with the Committee.

In March, in a [joint open letter to the US Secretary of State](#), Mr. John Kerry, fifteen leading civil society organisations urged the US to take leadership in supporting IDS^N’s application for UN consultative status³¹. The organisations called on the United States to “use its position as a member of the United Nations Committee on NGOs to support IDS^N to obtain special consultative status with the UN and thus protect its right to express its views regarding the elimination of caste-based discrimination.”

In April, the International Service on Human Rights (ISHR) released a new handbook on NGO access to the UN and the UN Committee on NGOs: [A Practical Guide to the UN Committee on NGOs](#)³². The case of IDS^N is featured [several places](#) in the handbook and as a case study in chapter 5.

The IDS^N Executive Director spoke on panels at launches of the ISHR handbook hosted by the Permanent Mission of Australia to the UN in Geneva, and New York³³.

“After seven years of waiting, IDS^N deserves to receive a definitive response to its request for UN consultative status ... We call on the United States to take a leadership role in the ECOSOC Committee on NGOs to ensure this happens,”³⁴ Michelle Evans of the International Service for Human Rights said at the event.

IDS^N Executive Director attended the two sessions of the NGO Committee held in 2015. At the June session, the Chair of the NGO committee urged members to reach a conclusion on the application³⁵.

UN Secretary-General’s report

IDS^N prepared a submission to the UN Secretary-General [General Assembly 2015 Report on “Elimination of Racism”](#) Recommendations in relation to the implementation of General Assembly resolution A/RES/69/162 of 18 December 2014³⁶. The submission includes recommendations to the UN General Assembly to promote and endorse specific measures to address caste discrimination and to 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”. The IDS^N contribution was featured in the summary of stakeholders information for [the report](#)³⁷.

SDGs – No mention of 260 million affected by caste discrimination

The Sustainable Development Goals (SDG) were adopted at the 70th session of the United Nations General Assembly in October 2015. The final document calls for a reduction of inequality under the slogan of “Leave No One Behind”. However, it fails to give any recognition to caste discrimination as a major structural factor underlying poverty, and as a root cause of inequalities. This despite continuous contributions to the SDG processes by Asia Dalit Rights Forum (ADRF) and other rights groups on the topic.

IDS^N endorsed and promoted the ADRF [appeal](#) for the inclusion of caste-affected communities and recognition of caste-based exclusion in the post-2015 SDGs, which also contains suggestions for inclusion of caste in the indicators³⁸.

Accordingly, IDS^N called for indicators to include disaggregated data on caste and targeted budgeting to end poverty, based on the Multiple Dimension Index (MDI) inclusive of age, sex, disability, race, caste, ethnicity, origin, religion, economic or other status and rural-urban divide.

UN Guidelines**Benchmarking the draft UN Principles and Guidelines**⁴⁰

Three comprehensive country studies were conducted under the Asia Dalit Rights Forum for Bangladesh⁴¹, Nepal⁴² and India⁴³ in 2014. In the reports published online in 2015, Dalit NGOs set out country level status of implementation of measures outlined in the UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent.

IDS^N provided inputs through rights institutions for the inclusion of caste in the Reference Paper on SDG Data, Indicators and Mechanisms linked to the open consultation of the Inter Agency Expert Group providing recommendations on selected indicators for implementation and monitoring of the Sustainable Development Goals.

IDS^N will further assist its members in lobbying for the inclusion of caste in the country reports produced for the national reviews and focus on the indicators for implementation of the adopted agenda.

World Bank

IDS^N provided input to the 1st and 2nd draft of World Bank Safeguard Policies (World Bank Environmental and Social Framework) issued in March and July. IDS^N recommended that the World Bank supports the development and implementation of inclusive and appropriate policies, that enable the effective targeting of marginalised and excluded groups in World Bank projects, especially caste-affected groups. Among other recommendations the World Bank is encouraged to adhere to a common approach to addressing caste-based discrimination in projects and operations³⁹.