



# International Dalit Solidarity Network

## WORKING GLOBALLY AGAINST CASTE-BASED DISCRIMINATION

### UN HRC38 RECOMMENDATIONS:

In connection with their participation in the 38<sup>th</sup> Human Rights Council session, states are encouraged to consider the ongoing and systemic practice of discrimination based on work and descent, also known as caste-based discrimination, affecting more than 260 million people globally.

Caste discrimination is found in various regions of the world including the Americas, Africa, Asia and Europe and continues to be addressed by the UN High Commissioner for Human Rights and the Special Procedures' mandate holders. Nonetheless, more needs to be done to ensure that caste-based discrimination is recognised by the Council and mainstreamed into UN resolutions.

**In the context of the reports presented at the 38th Council session, IDSN urges states to pay particular attention to caste-based discrimination being included on a par with other forms of discrimination in thematic HRC resolutions.**

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### ITEM 2 – ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

#### Report by the United Nations High Commissioner for Human Rights on the engagement of civil society with international and regional organizations

The High Commissioner's report ([A/HRC/38/18](#)) highlights the obstacles a number of civil society organizations face in obtaining the ECOSOC accreditation, in order to fully engage with the several UN human rights mechanisms and organs. The report mentions that many deferrals on the accreditation applications amount to de facto rejections and reprisals, affecting disproportionately human rights organizations. Out of 48 organizations, which had their accreditations repeatedly deferred, 46 work on human rights issues. The High Commissioner makes reference to the case of IDSN's accreditation procedure, which has been repeatedly deferred since 2008 (para. 20). The report points out at lack of transparency and accountability in this accreditation process, including lack of written reasons or justifications for deferrals or rejections, which could give the opportunity for civil society to present its response to the NGO Committee (para. 22).

See IDSN's press release on the High Commissioner's report [here](#)

#### IDSN recommends states to:

- **Participate in the General Debate and urge the High Commissioner and his Office to continue to address the unjustified obstacles for NGOs to obtain their ECOSOC accreditation, in particular those who have had their applications consistently deferred.**
  - **Support the efforts by the Secretary General and the High Commissioner to enhance transparency and accountability in the ECOSOC accreditation procedure, including by mentioning in oral statements during the General Debate.**
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### **ITEM 3. PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS**

#### **Interactive Dialogue with the Special Rapporteur on Violence against Women (Wednesday, 20 June, between 09:00-12:00)**

The Special Rapporteur on Violence against Women will present her report dedicated to consequences on online violence against women and girls from a human rights perspective ([A/HRC/38/47](#)). The Rapporteur highlights that that women's "to technology is also affected by intersectional forms of discrimination based on a number of other factors, such as race, ethnicity, caste, sexual orientation, gender identity and expression, abilities, age, class, income, culture, religion, and urban or rural setting", as a result of an interplay between these factors, "which can result in more severe consequences" (para. 28). The report also shows its concerns on women human rights defenders who are directly targeted for their work (para. 29).

**IDSN recommends states to:**

- **Support the Special Rapporteur on Violence against Women's mandate, participate in the interactive dialogue with the Special Rapporteur by engaging in practical and concrete measures to tackle intersectional forms of violence against women and girls through ITC, including (a) elaboration of disaggregated data into gender, caste, ethnicity, age and other grounds, (b) prior consultation with the affected communities on policies affecting their rights, (c) access to information to the affected communities on the pertinent harms and forms of protection from violence via ITC, (d) engagement with private sector, (e) creation of an enabling environment by which women and girls belonging to minorities can freely interact and impart their ideas through the Internet. It is also advisable to make inquiries on how best to address the root causes of discrimination based on caste and analogous systems of inherited status in this context.**
- **Take stock of the High Commissioner's report [A/HRC/37/28](#), which provides a summary of a three-hour panel discussion held on 25 September 2017, on the impact of multiple and intersecting forms of discrimination and violence in the context of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of all human rights by women and girls.**

#### **Interactive Dialogue with the Special Rapporteur on The Rights of Migrants (Wednesday, 20 June, between 09:00-12:00)**

The Special Rapporteur on The Rights of Migrants will present his report to his mission to Nepal ([A/HRC/38/41/Add.1](#)). The Rapporteur highlights that in average 1,500 Nepalese migrant workers are compelled leave the country to work abroad, by reasons of low caste, family illness, less favorable socioeconomic status for women and other minorities and other reasons (para. 4).

**IDSN recommends states to:**

- **Support the Special Rapporteur on Migrant's mandate, participate in his Interactive Dialogue, by endorsing his recommendations to Nepal, particularly by encouraging that country to conduction a study on the root causes of migration, often related to discrimination, violence and poverty. The research should identify the impact of migration on gender, caste and ethnicity, including the types of abuses migrants suffer in destination countries (para. 101). IDSN also recommends States to endorse the Rapporteur's recommendation to Nepal to ratify several ILO Conventions, the ICMW and put in place important international instruments to protect the rights of migrant works (para. 105).**

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## **SIDE EVENT – Dalit Women Fight against Caste-Based Violence**

IDSN is co-organizing the side-event “Dalit Women Fight against Caste-Based Violence”, to be held at the Palais des Nations on the 21 June, from 12.00 to 13.30, room XXVII.

The flyer of the event is available [here](#)

The side event will count on the participation as panelists of the Special Rapporteur on Violence against Women, Ms. [Dubravka Šimonović](#); CERD Member Ms. [Rita Isazk-Ndiaye](#) and Senior Advocate Supreme Court of India Ms. [Vrinda Grover](#) (via skype). The event will focus on 2 different practical cases, aiming at drawing specific recommendations on the issue violence against Dalit women.

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Please note that some HRC38 reports have yet to be published but could prove relevant. An overview of all reports for this session can be found [here](#).

For more recommendations on caste discrimination within the UN framework see the [draft United Nations Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent](#) (2009)

For a full compilation of references to caste-based discrimination in UN human rights bodies see: [IDSN compilation of UN reference to caste discrimination](#).

Launched in March 2017, by the OHCHR, [Guidance tool on descent-based discrimination: key challenges and strategic approaches to combat caste-based and analogous forms of discrimination](#) offers concrete suggestions for actions to address caste-based discrimination in caste affected countries.

Published in November 2017, [IDSN Roadmap](#) to the OHCHR Guidance tool on Descent-based discrimination offers a simplified overview of the above Guidance tool.