



WORKING GLOBALLY AGAINST CASTE-BASED DISCRIMINATION

Recommendations for the 40th Regular Session of the Human Rights Council (2019)

In connection with their participation in the 40th 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 40th 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.

ITEM 3. PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS

Interactive Dialogue with the Special Rapporteur on human rights defenders (Thursday, 28 February, between 12:00-15:00)

The Special Rapporteur on Human Rights Defenders, Michel Forst, will present his thematic report dedicated to the additional gendered risks and obstacles women human rights defenders. ([A/HRC/40/60](#)). Touching upon obstacles related to intersectionality, his report highlights the particular risks faced by women rights defenders who belong to any ethnic or racial minority. (para. 30):

“In some societies, the risks that women human rights defenders face are also shaped by their position in castes, tribes, clans, ethnicities or races and nations. Fundamentalist ideologies simplify and homogenize identities; those who do not conform are excluded, or even punished for their “deviance”. Aggressors also stoke nationalist fears of women defenders, accusing them of being anti-national or foreign agents who are spreading foreign ideas and practices.”

Dalit women are uniting against one of the world's most gruesome and effective systems of oppression – the intersection of caste and gender discrimination. Dalit women's movements across the world are growing stronger and are connecting to each other and reaching out to decision-makers and people of the world. They are asking the international community and people of the world to come together and stand beside them, and to speak up to end the global silence that is allowing this form of discrimination to persist.

As Manisha, a Dalit Women Defender has said:

“Let them not rape us every day and murder us. Make the police give us our rights. I will fight for all those who are abused and dead and I hope if my turn comes someone will be there to fight for me.”

IDSN recommends states to:

- **Support the Special Rapporteur on Human Rights Defenders, participate in the interactive dialogue with the Special Rapporteur by engaging in practical and concrete measures to overcome the barriers faced by Dalit Women Defenders, including (a) recognise their fundamental role of Dalit Women Defenders in advocating for human rights worldwide and on the ground, in particular the eradication of caste-based discrimination; (b) address stereotyping and prejudices that impact Dalit Women Defenders to conduct their activities in promoting human rights, gender equality and elimination of caste-based discrimination; (c) put in place programmes and specific actions in order to recognise, protect and promote the work of Dalit Women Defenders, taking into consideration the specific recommendations of the report at stake, and in close consultation with Dalit Women Defenders.**

ITEM 5. HUMAN RIGHTS BODIES AND MECHANISMS

General Debate (Wednesday, 13 March 15:00 – 18:00)

Obstacles in Obtaining the Consultative Status with the ECOSOC

The UN Family, as a whole, including the Human Rights Council, has discussed the many obstacles for civil society, in particular those working in the field of human rights, to obtain their consultative status before the Economic and Social Committee. During the 38th session, the High Commissioner highlighted in his [report](#) the several obstacles, including several unjustified deferrals facing NGOs in obtaining consultative status, citing IDSN’s case (para. 20). See also IDSN’s press release on the HC’s report [here](#).

IDSN submitted its application for general consultative status with ECOSOC to the Committee on NGOs in May 2007. The application was first considered at the Regular Session of the Committee on NGOs in January 2008. Since then, the application has been deferred at the following regular and resumed sessions of the Committee, i.e. for ten years. During this period IDSN has received 90 written questions, to which IDSN has always responded in due time and in a transparent manner. See [here](#) a detailed note on IDSN’s accreditation process. The Assistant Secretary-General for Human Rights, Andrew Gilmour, whilst addressing the issue at the Human Rights Council, held that “the repeated deferrals and apparent lack of transparency in decisions on consultative status by the NGO Committee has in some cases amounted to *de facto* rejections for human rights organisations, such as in the case of the International Dalit Solidarity Network (IDSN).”

IDSN recommends states to:

- **Participate in the General Debate and urge the ECOSOC members 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 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

General Debate - (Tuesday, 19 of March, 09:00 – 11:00)

Caste discrimination involves massive violations of civil, political, economic, social and cultural rights. Caste systems divide people into unequal and hierarchical social groups. Those at the bottom are considered ‘lesser human beings’, ‘impure’ and ‘polluting’ to other caste groups.

They are known to be ‘untouchable’ and subjected to so-called ‘untouchability practices’ in both public and private spheres. ‘Untouchables’ – known in South Asia as Dalits – are often forcibly assigned the most dirty, menial and hazardous jobs, and many are subjected to forced and bonded labour. Due to exclusion practiced by both state and non-state actors, they have limited access to resources, services and development, keeping most Dalits in severe poverty.

They are often de facto excluded from decision-making and meaningful participation in public and civil life. Lack of special legislation banning caste discrimination or lack of implementation of legislation, due to dysfunctional systems of justice and caste-bias, have largely left Dalits without protection. Despite policy development and new legislation in some countries, fundamental challenges still remain in all caste-affected countries.

The progress that has been made is, to a large extent, a consequence of the tireless work of Dalit civil society groups in South Asia. They have also – through IDSN and by other means – managed to place caste discrimination firmly on the international human rights agenda. UN bodies and EU institutions are paying increasing attention to this issue.

The division of a society into castes is a global phenomenon not exclusively practised within any particular religion or belief system. In South Asia, caste discrimination is traditionally rooted in the Hindu caste system, according to which Dalits are considered ‘outcasts. However, caste systems and the ensuing discrimination have spread into Christian, Buddhist, Muslim and Sikh communities. They are also found in Africa, other parts of Asia, the Middle East, the Pacific and in Diaspora communities across the globe.

IDSN recommends states to:

- **Participate in the General Debate under Item 9 and speak about the ongoing caste discrimination worldwide, including civil and political and economic, social and cultural rights, in detriment of the very dignity of persons attributed to lower castes.**
- **Plead that the relevant mechanism of follow-up and implementation of the Durban Declaration and Programme of Action pays attention to caste-based discrimination as one manifestation of racism, racial discrimination, xenophobia and related form of intolerance.**

**SIDE EVENT: “Women human rights defenders: local realities and shared global challenges.”
(Wednesday 6 March 2019 – 11h00)**

IDSN is proudly supporting the side event “Women human rights defenders: local realities and shared global challenges”.

According to the latest report of the Special Rapporteur on the situation of human rights defenders, Mr Michel Forst, “women defenders often face additional and different risks and obstacles that are gendered, intersectional and shaped by entrenched gender stereotypes and deeply held ideas and norms about who women are and how women should be.” Feminist organisations have been subjected to drastic reductions in funding, which has considerably affected the sustainability of their work. In different parts of the world receiving funds from foreign partners is now considered illegal and can result in lengthy prison sentences. In numerous countries, women’s organisations and WHRDs face increasing harassment, both on and offline. A growing number of activists face prosecution for claiming equal rights and opportunities and travel bans are put in place to prevent women from sharing their experiences and struggles beyond national borders. Detention is used as a tool to silence the voices of WHRDs and as a means to prevent them from participating in political activities. IDSN joins this cause, as the Dalit movement strives mainly on Dalit Women who organize themselves and raise their voice against caste-based discrimination worldwide.

Among the speakers of the event is Dr. Ruth Manorama, a Dalit women's rights activist who was awarded the Right Livelihood Award in 2006 for her commitment over decades to achieving equality, building effective and committed women's organisations and working for their rights at national and international levels. Dr Manorama, is a leading figure in advocating on behalf of Dalit women, and she is engaged in a number of organisations, including the National Federation of Dalit Women (NFDW), a member of IDSN.

Please note that some HRC40 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.