



Caste- and descent-based discrimination

Throughout the world, over 250 million people suffer descent-based discrimination, defined as “segregation, exploitation, and physical and psychological abuse because of their caste or other inherited status into which they are born” (United Nations Network on Racial Discrimination and Protection of Minorities, 2017, p. 1). The majority of the communities affected by this form of discrimination are in South Asian countries, particularly India and Nepal, where they are known as “Dalits” and constitute the largest affected group.³⁵ Similarly affected groups include the Burakumin of Japan and the Muhamasheen of Yemen; the issue is also common in, among other places, West Africa, the Horn of Africa and the South Asian diaspora communities in Africa, Europe, the Americas, Malaysia, Australia and the Pacific.³⁶

In its *Guidance Tool on Descent-Based Discrimination: Key Challenges and Strategic Approaches to Combat Caste-Based and Analogous Forms of Discrimination* (2017), the United Nations Network on Racial Discrimination and Protection of Minorities notes that

[d]escent-based discrimination undermines, fundamentally, the dignity of the persons concerned, affecting a full spectrum of civil, political, economic, social and cultural rights. Descent-based discrimination fuels violations of the right to education and employment, undermines access to justice and, all too often, catalyses sexual violence and other crimes targeted at women and girls. It is a large-scale human rights problem that requires decisive attention and action (p. 11).

The Special Rapporteur on Minority Issues points out that “the term ‘caste’ refers to a strict hierarchical social system that is often based on the notions of purity and pollution, in which individuals placed at the bottom of the system may face exclusion and discrimination in a wide range of areas”.³⁷

Although there is no explicit reference to caste-based or analogous forms of discrimination in the United Nations human rights instruments, that Organization’s human rights mechanisms have made it clear that the standards established therein also cover descent-based, caste-based and analogous forms of discrimination. They have also recalled that States have an obligation under international law to address such forms of discrimination.³⁸ In its general recommendation No. 29 on article 1, paragraph 1, of the Convention (Descent) (HRI/GEN/1/Rev.8), the Committee on the Elimination of Racial Discrimination confirms that the term “descent” in Article 1, paragraph 1 of the Convention on the Elimination of All Forms of Racial Discrimination refers not solely to race but has “a meaning and application which complement the other prohibited grounds of discrimination” and states unequivocally that “discrimination based on “descent” includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights” (p. 267).

The Committee identifies several factors that indicate the existence of “communities who suffer from discrimination, especially on the basis of caste and analogous systems of inherited status”, including “inability or restricted ability to alter inherited status; socially enforced restrictions on marriage outside the community; private and public segregation, including in housing and education, access to public spaces, places of worship and public sources of food and water; subjection to dehumanizing discourses referring to pollution or untouchability; limitation of freedom to renounce inherited occupations or degrading or hazardous work; subjection to debt bondage; and generalized lack of respect for their human dignity and equality” (Ibid., p. 268).

Descent-based discrimination particularly affects women and girls from these communities, who are often targets of violence and are denied the exercise of their rights in all aspects of life.³⁹ Moreover, the intergenerational nature of such discrimination often condemns women to a lifetime of exclusion, marginalization and disadvantage. In its general recommendation, the Committee mentions specific forms of discrimination facing women members of descent-based communities in the areas of personal security, employment and education, sexual exploitation and forced prostitution (p. 269). For instance, under the Devadasi and Jogini systems practiced in India, “the Devadasi dedication of girls to temples has turned into a systematic abuse of young Dalit girls being forced to prostitute themselves for dominant caste community members. Girls who become Devadasi and Jogini are prohibited from marrying and are stigmatised by the community. Their children suffer from discrimination because they do not have a recognized father” (International Dalit Solidarity Network, 2017).

For more information about caste- and descent-based discrimination, see:

- United Nations Network on Racial Discrimination and Protection of Minorities (2017). *Guidance Tool on Descent-based Discrimination: Key Challenges and Strategic Approaches to Combat Caste-Based and Analogous Forms of Discrimination* (with 19 recommendations for the United Nations system on ways of addressing caste-based and analogous forms of discrimination);
- 2016 report of the Special Rapporteur on minority issues, Rita Izsák ([A/HRC/31/56](#)); and
- International Dalit Solidarity Network (2017). *IDSN Roadmap to the UNOHCHR Guidance Tool on Descent-based Discrimination: Key challenges and strategic approaches to combat caste-based discrimination and analogous forms of discrimination*.