



International Dalit Solidarity Network

WORKING GLOBALLY AGAINST DISCRIMINATION BASED ON WORK AND DESCENT

**IDSN recommendations on agenda items of relevance to be considered
at the 25th session of the Human Rights Council (3-28 March 2014)**

ITEMS 2 AND 3 – ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS AND REPORTS OF THE OFFICE OF THE HIGH COMMISSIONER AND THE SECRETARY GENERAL

Report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights

In the HRC report [A/HRC/25/31](#) for the 25th session, the Secretary-General addresses the scope of and applicable standards relative to the right to access to justice and to an effective remedy for violations of economic, social and cultural rights. It is stressed that access to justice for violations of economic, social and cultural rights must be provided for all on the basis of equality without discrimination. Specifically, the Secretary-General calls for particular attention to be paid to direct or indirect discrimination on the basis of poverty, social marginalization, age, **caste**, race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status

IDSN recommends States to take note of the Secretary-General's inclusion of discrimination on the basis of caste and call for particular attention. In addition, we recommend States to ask questions on special measures to ensure the right to access to justice and to an effective remedy for violations of economic, social and cultural rights for caste based groups.

Furthermore, we recommend States to ask what measures States, and specifically judicial, legislative and law enforcement bodies, can take to act upon this discrimination.

ITEM 3 – PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS
C. RIGHTS OF PEOPLES, AND SPECIFIC GROUPS AND INDIVIDUALS

Report of the Independent Expert on Minority Issues, Ms. Rita Izsák

In the HRC report, [A/HRC/25/56](#), for the 25th session, the Independent Expert presents her continued awareness-raising activities about discrimination on the basis of work and descent and highlights numerous issues of caste based discrimination in the context of Education, Health, Hunger, food security and nutrition, Environmental Sustainability and Water. See: [extracts on caste in HRC25 reports](#)

The Independent Expert considers the issues of minorities to be poorly reflected in discussions on the post-2015 development agenda and urges attention be given to disadvantaged minorities, specifically caste based groups and namely Dalit populations.

The Independent Expert recommends for the post 2015-framework of new goals to be based on human rights, including minority rights as established in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and the principles of equality, non-discrimination and participation. Herein, It is noted that, *a focus on disadvantaged minorities and specific minority groups, including Roma, people of African Descent, Dalits, and disadvantaged religious and linguistic minorities worldwide would potentially bring much needed development attention to millions of the most excluded and impoverished peoples globally (para. 85)*

IDSN recommendations and questions related to the report of the Independent Expert

- IDSN recommends States take note of the IEs recommendation, for the post 2015 development agenda, to include a focus on caste-based groups, namely Dalit populations, given the potential of reaching the most excluded and impoverished peoples globally. IDSN specifically recommends that caste discrimination is explicitly addressed as a major structural factor underlying poverty, and as a root cause of structural inequalities in the post-2015 framework.
- Given the IEs findings on discrimination against caste based groups in the areas of education, health, water and food security, we encourage states to ask questions on special measures to address these forms of discrimination and generally to work towards mainstreaming fundamental human rights principles of non-discrimination, equality and inclusion in the post-2015 framework.
- Using the findings from the report of the UN system Task Team on the post-2015 agenda and the report of IDSN on [Equality in Aid](#), specifically that the likelihood of the impact of a disaster and the likelihood of exclusion from response and recovery efforts are higher for the most vulnerable and marginalised, in particular persons affected by caste discrimination. We urge states to ask questions on special measures to address this discrimination related to environmental sustainability and take note in the post 2015 process.
- Dalit women and women affected by discrimination based on work and descent are exposed to multiple and intersecting forms of discrimination and violence, we therefore urge states to ask questions on how the intersection between caste, gender and poverty can be addressed.

Joint Statement of Special Procedures on the continued plight of the untouchables

- [UN SP Joint Statement on the 'Continued Plight of the Untouchables' \(May 2013\)](#)

Consultations on the post-2015 framework

- [Preliminary input by IDSN on inclusion of caste discrimination in the post-2015 framework \(Nov 2012\)](#)
- [IDSN input to the online discussion on "Gender-based violence" against Dalit women under the "Inequalities" theme \(14 Nov 2012\)](#)
- [IDSN input to the Online Discussion on Accountability in the Post-2015 Agenda \(16 December 2012\)](#)
- [IDSN inputs to Online Discussion on Inequalities and Minorities in the Post-2015 Framework \(17 January 2013\)](#)
- [IDSN comments on the Draft Report on the Global Thematic Consultation on Inequalities \(31 January 2013\)](#)

ITEM 6: UNIVERSAL PERIODIC REVIEW

2nd UPR of Mauritius (17th session)

In the working group report from the second UPR of Mauritius [A/HRC/25/8](#), the GoM noted that the Equal Opportunities Act had been enacted in 2012 to provide better protection against all forms of discrimination.

13. This Act aims at eliminating direct or indirect discrimination on the basis of age, caste, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation.

As a follow up to the review, the Government of Mauritius is recommended to implement the CERD 2013 recommendations [CERD/C/MUS/CO/15-19](#) to; Condemn and take action to eliminate ideas of racial or ethnic superiority by taking measures such as campaign programmes to raise awareness of equality of all and to eliminate negative prejudices regarding certain groups. The Committee also urges the State party to prioritize the implementation of the recommendations of the Truth and Justice Commission, especially those relating to creating a "less racist and elitist society," including through urgent allocation of resources for this purpose.

2nd UPR of Senegal (17th session)

In the working group report from the second UPR of Senegal [A/HRC/25/4](#), Romania made a recommendation,

specifically related to the caste system:

125.13 Eliminate the caste system, which leads to stigmatization and ostracism of certain groups of the Senegalese society (Romania)

As a follow up to the review, the Government of Senegal is recommended to accept and implement this recommendation and more specifically, the CERD 2012 recommendations [CERD/C/SEN/CO/16-18](#) to; Take specific steps to combat and eliminate all traces of the caste system by, inter alia, adopting special legislation to ban discrimination based on descent; Take steps to raise awareness and educate the public about the harmful effects of the caste system and the situation of victims and Provide the Committee with further detailed information on the phenomenon and its scale.

More information

- [IDSN and RADDHO report submitted to the CERD review of Senegal \(August 2012\)](#)

2nd UPR of Ethiopia (19th session, April-May 2014)

States are also encouraged to take note of the upcoming 2nd UPR of Ethiopia.

The second review of Ethiopia is planned for April-May 2014, in which the persistence of caste-like forms of racial discrimination, mainly affecting marginalized racial and ethnic minorities should be examined further with the support of the international community. Therefore we recommend States to address the issue of caste-groups in the upcoming review, considering the report of the IE on Minority Issues, Ms. Gay McDougall following her mission to Ethiopia in 2006 ([A/HRC/4/9/Add.3](#)) and the CERD Concluding Observations on Ethiopia in 2009 ([CERD/C/ETH/CO/7-16](#)). See: www.idsn.org/UNcompilation

Call for HRC action to end caste discrimination

IDSN calls on all Member States in the Human Rights Council (HRC) to:

Adopt a resolution on discrimination based on work and descent, which welcomes the draft UN principles and guidelines for the effective elimination of discrimination based on work and descent. The framework is the outcome of a thematic study by the former UN Sub-Commission on the Promotion and Protection of Human Rights and was published by the HRC in 2009 (A/HRC/11/CRP.3). See: www.idsn.org/UNPG

Systematically use the recommendations on caste discrimination by UN human rights bodies. For a comprehensive overview, see: www.idsn.org/UNcompilation

Read IDSN's Appeal to Member States, Special Procedures and UN agencies (full version): www.idsn.org/UNappeal

For easy access to relevant references relating to caste-based discrimination in the HRC25 reports:

- See extracts on caste in HRC25 reports: www.idsn.org/hrc25castereferences