

UN High Commissioner for Human Rights  
Office of the High Commissioner for Human Rights  
Geneva, Switzerland

Civil Society Space Report - Input

E-mail submission: [civilsociety@ohchr.org](mailto:civilsociety@ohchr.org)

Copenhagen, 29 June 2015

### **IDSN input to the HRC32 Report of the High Commissioner for Human Rights on Civil Society Space**

Re: Reprisals against and hindered access of Dalit human rights defenders to UN organisations and mechanisms - Continued deferral of IDSN's application for ECOSOC status in the Committee on NGOs

With reference to [Human Rights Council resolution 27/31](#) on civil society space requesting the High Commissioner to prepare a compilation of practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned, I am writing to bring before you a letter concerning limitations in and hindered access to and communication with the United Nations, its representatives and mechanisms by Dalit human rights defenders, as well as the difficult environment faced by Dalit human rights defenders in some caste-addicted countries, and especially Dalit women's rights activists.

IDSN is trying to formalize its association with the UN and obtain ECOSOC Status, but is being blocked by one member of the Committee on NGOs, namely India. IDSN is therefore hindered access to the United Nations, its representatives and mechanisms and specifically international human rights mechanisms. The case we are submitting to you illuminates the misuse of the rules of procedures of the ECOSOC Committee on NGOs and resolution 1996/31 on consultative relationship between the UN and non-governmental organizations as well as a disregard for Human Rights Council resolution 27/31.

Human Rights Council resolution 27/31

- *Reminds States of their obligation to respect and fully protect the civil, political, economic, social and cultural rights of all individuals, inter alia, the rights to freedom of expression and opinion and to assemble peacefully and associate freely, online as well as offline, including for persons espousing minority or dissenting views or beliefs, and that respect for all such rights, in relation to civil society, contributes to addressing and resolving challenges and issues that are important to society...such as empowering persons belonging to minorities and vulnerable groups*
- *Recognizes the important role of civil society at the local, national, regional and international levels, and that civil society facilitates the achievement of the purposes and principles of the United Nations,*
- *Emphasizes the importance of civil society space for empowering persons belonging to minorities and vulnerable groups, as well as persons espousing minority or dissenting views or beliefs, and in that regard calls upon States to ensure that legislation, policies and practices do not undermine the enjoyment of their human rights or the activities of civil society in defending their rights;*

- *Emphasizes the essential role of civil society in sub-regional, regional and international organizations, including in support of the organizations' work, and in sharing experience and expertise through effective participation in meetings in accordance with relevant rules and modalities, and in this regard reaffirms the right of everyone, individually and in association with others, to unhindered access to and communication with sub-regional, regional and international bodies, in particular the United Nations, its representatives and mechanisms;*

The continued, deliberate and discriminatory denial or delay of IDSN's application for ECOSOC consultative status on no legitimate grounds whatsoever, impairing the right to communicate freely with international human rights mechanisms and seeking to minimize the extent to which the organization can cooperate with the UN, amounts to exclusion and reprisal against a civil society organization hindering its legitimate work with the UN. And it is a case of discrimination.

IDSN's application for ECOSOC status was first considered by the Committee on NGOs at the Regular Session in January 2008. IDSN has altogether received 69 written questions; all posed by India as a member of the Committee. The application has now been deferred by the Committee for 8 years. During the process, no objections have been made to IDSN's application on technical or procedural grounds, and IDSN has always provided full, transparent and timely information in response to all questions received. The application was most recently considered at the 2015 Resumed Session (May/June) and was once again deferred due to four questions from India. IDSN's application is the longest pending and one out of only two NGOs left with an application dating back to 2008. (While the IDSN application was submitted in 2007, it was first considered by the Committee on NGOs at its regular session in January 2008). The application will be reviewed again at the 2016 Regular Session. The experience over the last eight years reveals that one member of the NGO Committee (India) can effectively hinder consideration of an application (IDSN's) through continued presentation of questions, many of which are repeated or duplicated. This in spite of the fact, that IDSN has followed the prescribed rules with due diligence.

The IDSN works on a global level for the elimination of caste discrimination. The network consists of member organisations in caste-affected countries, Dalit solidarity networks in Europe and international and regional associates. IDSN produces documentation, prepares joint submissions and undertakes strategic interventions and lobbying at the international level. IDSN furthermore supports Dalit rights interventions at the UN, and cooperates with UN human rights mechanisms, including treaty bodies, Special Procedures, and the UPR mechanism, and the OHCHR on caste-based discrimination. Caste-based discrimination, which is estimated to affect 260 million persons worldwide, is a violation of international human rights law as recognised by UN human rights bodies and independent experts<sup>i</sup>, and a human rights priority for the OHCHR.<sup>ii</sup> Caste-based discrimination is also increasingly being addressed by the UN Secretary-General and UN High Commissioner for Human Rights in statements and reports. Please see [a compilation of these references](#).

IDSN has addressed its specific case with relevant mandate holders. In October 2014, the [Report of the UN Special Rapporteur on the exercise of the rights to freedom of peaceful assembly and of association in the context of multilateral institutions](#) considered by the UN General Assembly, highlighted IDSN's application for accreditation as an NGO with the UN (ECOSOC) stating.

“The case of the International Dalit Solidarity Network, an international NGO focusing on caste-based discrimination and other forms of discrimination based on work and descent, is particularly troubling: since 2008, the Network has received 64 written questions from the Committee, all raised by India. It is now the longest pending application before the Committee.”

On October 28 2014, in his presentation to the General Assembly, the Special Rapporteur criticised India for arbitrarily blocking IDSN from obtaining UN consultative status calling it “clearly unacceptable, wrong and unfair”. Many States speaking at the General Assembly noted concern that the NGO committee, meant to ensure inclusion of civil society at the UN, is acting in a manner contrary to its purpose. Norway specifically highlighted, “The continued deferral for seven years of the International Dalit Solidarity Network’s application for accreditation as an NGO with the UN ... is in our view unacceptable and the situation should be rectified.” Please read the [IDSN news piece](#).

IDSN submitted the IDSN’s ECOSOC case to the Urgent Appeal Mechanism as an individual case for due consideration by the SR on Peaceful Assembly and Association and the SR on Human Rights Defenders in 2010, October 2014 and in June 2015. Furthermore, IDSN brought forward letters concerning the same case of reprisals for the UN Secretary-General’s HRC report on Reprisals in 2012, 2014 and 2015.

On 23 March 2015, IDSN and fourteen other international and regional NGOs sent a joint [open letter](#) to US Secretary of State, Mr. John Kerry, urging the US to take leadership in supporting IDSN’s application for UN consultative status. Please read the [IDSN news piece](#).

The continued exclusion of IDSN was also [featured several places](#) and as a case study in chapter 5 in the International Service for Human Rights [Handbook](#) on NGO access to the UN and UN Committee on NGOs. The handbook highlights the statements of the UN Special Rapporteur on the exercise of the rights to freedom of peaceful assembly and of association both in his report to the General Assembly and in his statement at the GA. At the launch of the Handbook, hosted by the Permanent Mission of Australia, IDSN Executive Director, Rikke Nöhrind was invited to [present](#) the case of unjust deferral of IDSN’s application for ECOSOC status. The Handbook provides specific and very concrete recommendations to NGOs applying for ECOSOC status.

The continued deferral of IDSN’s application for accreditation has given rise to a number of questions and concerns on targeted reprisal against IDSN for its work with UN mechanisms, which is a primary focus of the organisation’s work, undertaken in cooperation with members and associates from caste-affected countries including India, home to at least 200 million Dalits.

IDSN is concerned that the current working methods of the NGO Committee and in our case, the continued questioning by India, exclude IDSN from freely associating with UN organisations in contrast to the principles of non-discrimination, equality, participation, transparency and accountability, laid out in resolution 1996/31<sup>iii</sup> and work against the criteria for NGO participation stipulated therein. The continued questioning of IDSN is unreasonable; it is furthermore very time and resource demanding for an NGO wishing to make an effective contribution to the work of the UN.

IDSN has cooperated extensively with the UN over the last 13 years and would like to enhance cooperation with the UN human rights and development mechanisms in the future. This would be much facilitated by ECOSOC status. IDSN wants to be better able to monitor and influence the work in the UN on caste discrimination. Consultative status would provide for easy and direct access to various UN bodies, including the human rights mechanisms. Particularly, the ability to attain accreditation as an organisation and observe proceedings of the Human Rights Council and to submit written statements and make oral interventions to the Human Rights Council would greatly enable IDSN’s engagement with the UN.

Based on these observations, IDSN is sending this information, hoping that our case and this exclusion of civil society working on caste-based discrimination from freely associating with UN organisations will be included in the High Commissioners report and inform the practical recommendations to be compiled.

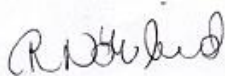
In line with the presentation of UN Special Rapporteur on the exercise of the rights to freedom of peaceful assembly and of association to the GA in October 2014, IDSN also notes the difficult environment for civil society, grave concern for reprisals against human rights defenders participating in UN events and processes and the increasingly shrinking space of civil society nationally and internationally. Dalit human rights defenders in caste-affected countries, and especially Dalit women right activists face many reprisals and clear obstructions in their work.

As was noted at the June 18. 2015 Human Rights Council “Side-event on Caste- and Gender- based Forced and Bonded Labour” in Geneva, caste-based discrimination is globally the most neglected form of discrimination, including in defence of human rights defenders working on Dalit rights issues and the elimination of caste-based discrimination. Download the [report from the side-event](#).

The blocking of IDSN reflects a frightening trend in India for obstructing the work of civil society organisations and human rights defenders, particularly when it comes to Dalit and minority rights. Dalit rights activists across India have been feeling the pressure from both official and unofficial levels, especially when it comes to speaking about caste discrimination to an international audience. The silencing of human rights defenders raising legitimate human rights concerns in international fora is extremely worrying and runs counter to the founding principles of democracy.

It is our sincere hope that the exclusion of Dalit human rights defenders in international human rights mechanisms will be dealt with in the report and that the recommendations to be compiled will address these very concrete constraints on civil society space and freedom of association of Dalit human rights defenders. This to ensure effective NGO participation and that voice is given to Dalit human rights defenders working in conformity with the spirit, purposes and principles of the Charter of the United Nations, and for IDSN to effectively contribute to the work of the UN.

Yours sincerely,



**Ms. Rikke Nöhlind**  
**Executive Director**

Rosenørns Allé 12  
DK-1634 Copenhagen V  
Denmark  
Tel: +45 60433432  
[rn@idsn.org](mailto:rn@idsn.org)  
[www.idsn.org](http://www.idsn.org)

Attached:

- [IDSN ECOSOC Application Fact Sheet](#) June 2015
- [Detailed note on IDSN's ECOSOC application process](#) June 2015
- Overview of Committee on NGO questions June 2015

---

<sup>i</sup> [Compilation of UN references to caste-based discrimination](#)

<sup>ii</sup> Caste-based discrimination is a priority in the OHCHR Strategic Management Plan 2014-2017. Furthermore, the UN High Commissioner for Human Rights has highlighted the issue on numerous occasions, specifically in

---

2009; “Caste is the very negation of the human rights principles of equality and non-discrimination. It condemns individuals from birth and their communities to a life of exploitation, violence, social exclusion and segregation” in an opinion piece, 19 Oct 2009: <http://idsn.org/international-advocacy/un/navi-pillay-on-caste-discrimination/>

<sup>iii</sup> ECOSOC Resolution 1996/31 on Consultative relationship between the United Nations and non-governmental organizations