



# International Congress on Discrimination based on Work and Descent, Casteism, Antigypsyism, Traditional and Contemporary Forms of Slavery and Other Analogous Forms of Discrimination

## *NEW YORK DECLARATION 24 September 2019*

### *GLOBAL CALL TO ERADICATE DISCRIMINATION AND UPHOLD HUMAN DIGNITY AND EQUALITY*

We, the representatives of the 260 million discriminated people from 24 countries including parliamentarians, academia, human rights organizations across the world gathered together in New York, United States of America from 21<sup>st</sup> to 23<sup>rd</sup> September 2019 to participate in the “International Congress on Discrimination based on Work and Descent<sup>1</sup>, Casteism, Antigypsyism, Traditional and Contemporary Forms of Slavery and Other Analogous Forms of Discrimination”, deem it necessary and urgent to make this declaration.

We call upon the United Nations and States Parties to adopt effective measures toward ending all forms of discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination (hence forth referred as DWD).

<sup>1</sup>A/HRC/11/CRP.3 18 May 2009 HUMAN RIGHTS COUNCIL Eleventh session 2 – 19 June 2009 Agenda item 5 HUMAN RIGHTS BODIES AND MECHANISMS, Final report of Mr. Yozo Yokota and Ms. Chin-Sung Chung, Special Rapporteurs on the topic of discrimination based on work and descent page 8

Discrimination based on work and descent is any distinction, exclusion, restriction, or preference based on inherited status such as caste, including present or ancestral occupation, family, community or social origin, name, birth place, place of residence, dialect and accent that has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life. This type of discrimination is typically associated with the notion of purity and pollution and practices of untouchability and is deeply rooted in societies and cultures where this discrimination is practiced.

- **Recalling** the preamble of the Universal Declaration of Human Rights (UDHR) that ‘Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world’ and that ‘everyone are entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status’ while at the same time stop the heinous crimes committed against DWD communities thereby infringing the fundamental principles of UDHR;
- **Taking note** of several attempts been made under international human rights law to eliminate discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination while at the same time feeling appalled at the impunity manifested by state and non-state actors vis-à-vis the law;
- **Recognising** the differential negative impact of discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination on women and children while at the same time being aware of the duty to raise our collective voice against such rights violations;
- **Acknowledging** the efforts undertaken by some Governments through the adoption of constitutional safeguards, legislations and policies to address discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination while at the same time questioning the apathy of other Governments;
- **Recognising** the “*Draft Principles and Guidelines for Effective Elimination of Discrimination based on Work & Descent*” and the comprehensive recommendations by UN human rights Treaty Bodies and Special Procedures Mechanisms, to address and eliminate these forms of discrimination and violence while at the same time being concerned why the States Parties reluctant to implement them;
- **Reaffirming** the demands and appeals made by several civil society organizations to the Human Rights Council and other UN mechanism on the persistence of widespread violations in countries affected by work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination while at the same time being unable to understand why civil society voices are not responded to;
- **Emphasizing** the usefulness of the “*Guidance Tool on Descent Based Discrimination: Key Challenges and Strategic Approaches to Combat Caste Based and other Analogous Forms of Discrimination*” issued by the United Nations Network on Racial Discrimination and Protection of Minorities while at the same time calling on State Parties to use this tool with the requisite political will and determination as duty bearers.

We gathered here as representatives of affected communities and solidarity body, are determined in declaring unanimously that we are committed to work toward the total elimination of discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination while engaging with the United Nations Sustainable Development Goals, 2030.

While inviting all women and men of good will to commit and collaborate in our journey to implement this challenging mission:

**A. We call on the United Nations and its Member States:**

1. To adopt the “*Draft Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent*”;
2. To declare a Decade of DWD communities that will focus on combating discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination;
3. To establish a Special United Nations Fund to support the effective participation of DWD communities in all national, regional and international processes geared towards eliminating discrimination and violence based on work

and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination;

4. To adopt a Declaration recognizing DWD as a global issue and address it adequately so that DWD communities enjoy all rights and entitlements.

**B. We call on the State Parties where the practice of discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination exist:**

1. To officially recognize the people, culture and the rich heritage of DWD communities;
2. To establish and implement various legal and policy frameworks, administrative and judicial instruments in order to accelerate equality and justice for all;
3. To ensure that there is no direct or indirect discrimination against women in all its forms;
4. To enact and strengthen national laws and policies that promote gender equality and prevent gender-based discrimination and violence;
5. To ensure accountability of all crimes against women and to end the culture of impunity;
6. To promote rights and entitlements of children and youth of DWD communities in order to develop their potential to grow as full-fledged citizens;
7. To ensure equitable and proportional representation in governance to members of DWD communities especially the women;
8. To evolve and implement plans, policies and programs in public and private sectors aimed towards sustainable economic empowerment of DWD communities;
9. To end all forms of state sponsored violence and repression against DWD communities to ensure they live a secured life of equality and dignity;
10. To establish an independent body of members of DWD communities in order to monitor and review the implementation process of Sustainable Development Goals, 2030.

**C. We call on the NGOs, INGOs and other Civil Society Organizations working on human rights issues:**

1. To support and strengthen the creation of a global network of organizations to address the issue of discrimination and violence based on work and descent, casteism, antigypsyism, traditional and contemporary forms of slavery and other analogous forms of discrimination in Asia, Europe and the Americas;
2. To organise a country level expert group and a civil society caucus to advocate for the rights of DWD communities;
3. To engage with stakeholders including academia and think tanks to collect disaggregated data to produce evidence-based research;
4. To develop a comprehensive strategy for engaging with the UN and international bodies to call for adoption of a Declaration recognizing DWD as a global issue;
5. To establish a consortium of agencies in order to finance the DWD advocacy work locally, regionally and globally.