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Committee on the Elimination of Racial Discrimination

Concluding observations on the combined twentieth and twenty-first periodic reports of India*

1. The Committee considered the twentieth and twenty-first periodic reports of India,¹ submitted in one document, at its 3229th and 3230th meetings,² held on 11 and 12 August 2026. At its 3241st meeting, held on 19 August 2026, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the combined twentieth and twenty-first periodic reports of the State Party. The Committee also welcomes the constructive dialogue with the high-level delegation, after its previous review in 2007, and wishes to thank the delegation for the information that it provided during the Committee's consideration of the reports and after the dialogue.

B. Positive aspects

3. The Committee also welcomes the ratification by the State Party of the Convention on the Rights of Persons with Disabilities, in October 2007.
4. The Committee further welcomes the following legislative and institutional measures taken by the State Party:
 - (a) The enactment, in September 2013, of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (Manual Scavengers Act), to prohibit the practice of manual scavenging and provide rehabilitation of persons working as manual scavengers;
 - (b) The enactments of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Acts of 2015 and 2018 to include new offenses as atrocities, to establish Special Courts for speedy trials, and to streamline the registration of complaints by removing procedural barriers;
 - (c) The establishment, in 2019, of the Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities to formulate and implement welfare and development programmes for these communities.

* Adopted by the Committee at its 118th session (10 – 25 August 2026).

¹ [CERD/C/IND/20-21](#).

² See [CERD/C/SR.3229](#) and [CERD/C/SR.3230](#).

C. Concerns and recommendations

Statistics

5. The Committee notes the statistics provided by the State Party on scheduled castes, scheduled tribes and refugees, based on the results of the population census conducted in 2011. It also notes the information that the delegation provided about the launch of the census in April 2026, after a five-year delay, collecting data on caste and incorporating the principle of self-identification. However, the Committee is concerned about the lack of disaggregated data on Indigenous / Tribal Peoples, ethnic and ethno-religious groups and non-citizens, such as migrants, refugees, asylum-seekers and stateless persons. The Committee is concerned about the lack of information on the socioeconomic situation of ethnic and ethno-religious groups, Indigenous/Tribal Peoples, including scheduled tribes, scheduled castes and non-citizens. This lack of disaggregated data limits the Committee's ability to properly assess the situation of such groups, including their socioeconomic status and any progress achieved through the implementation of special measures, targeted policies and programmes to ensure the rights to equality before the law and non-discrimination (arts. 1, 2 and 5).

6. Recalling its general recommendation No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention, and its guidelines for reporting under the Convention,³ the Committee urges the State Party to collect and provide to the Committee comprehensive and disaggregated statistics on the demographic composition of the population, while respecting the principle of self-identification and anonymity, in the 2027 census, particularly ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes and non-citizens. It also recommends that the State Party produce disaggregated statistics on the socioeconomic situation of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes and non-citizens, and on their access to education, employment, health care and housing, with a view to creating an empirical basis for assessing the equal enjoyment of the rights enshrined in the Convention.

Convention in the domestic legal order

7. The Committee notes that the State Party has a dualist legal system, pursuant to Article 253 of the Constitution, and the information on the Supreme Court jurisprudence establishing that international norms consistent with fundamental rights and constitutional principles may be applied by courts even without specific legislative incorporation. However, the Committee is concerned about the lack of measures taken to incorporate the Convention into the domestic legislative framework (art. 2).

8. The Committee recommends that the State Party incorporate all the substantive principles and provisions of the Convention into its domestic legislative framework to ensure comprehensive protection against racial discrimination. It also recommends that the State Party conduct training programmes and awareness-raising campaigns, in particular for judges, prosecutors, lawyers and law enforcement officials, to ensure that the provisions of the Convention are invoked, when relevant, before courts and enforced by judges. It requests the State Party to include in its next periodic report specific examples of the application of the Convention by the courts.

National Human Rights Institution

9. The Committee notes the enactment, in July 2019, of Protection of Human Rights (Amendment) Act, which, increases the number of members of the National Human Rights Commission of India. It also notes that the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions recommended the downgrading of the National Human Rights Commission of India to B status in March 2025, due to, among other issues, the lack of institutional independence, involvement of law enforcement officials in investigations into allegations of human rights initiated by the National Human Rights

³ CERD/C/2007/1.

Commission of India, lack of pluralistic balance in its composition and staff, and its inability to address all human rights issues and make their positions public. The Committee notes that, pursuant to Article 18 of the Statute of the Global Alliance of National Human Rights Institutions, the National Human Rights Commission of India has the opportunity to provide written evidence to establish its continued compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (art. 2).

10. Recalling its general recommendation No. 17 (1993) on the establishment of national institutions to facilitate the implementation of the Convention, the Committee recommends that the State Party adopt legislative measures, including by amending the Protection of Human Rights Act, to strengthen the independence of the National Human Rights Commission of India and enable it to carry out its mandate fully, effectively and independently, in accordance with the Paris Principles. To that end, it recommends that the State Party review its legislative framework to implement the recommendations of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions, including to ensure its institutional independence and pluralistic balance in its composition and staff, in accordance with the diversity of India's population.

Comprehensive anti-discrimination legislation and institutional framework

11. The Committee notes the information on the fundamental rights framework in the Constitution, namely equality before the law, pursuant to Article 14, and the prohibition of discrimination against citizens on the grounds of religion, race, caste, sex, place of birth, pursuant to Article 15 of the Constitution. It also notes the information on other legislative framework on non-discrimination and the jurisprudence of the Supreme Court, particularly on indirect discrimination. The Committee further notes the information on mandates and activities of the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes, established pursuant to Articles 338 and 338A of the Constitution, as well as the information on the mandate and work of other committees related to issues concerning groups protected under the Convention. Nevertheless, the Committee is concerned:

- (a) That the prohibition of racial discrimination in the legislative framework remains fragmented and does not contain an explicit definition of racial discrimination on all the grounds enumerated in article 1 of the Convention, and that it does not expressly prohibit intersecting forms of discrimination or structural, direct and indirect racial discrimination in the public and private spheres;
- (b) That the introduction in 2016 of an anti-discrimination and equality bill as a private member bill in the Lok Sabha, which lapsed without debate;
- (c) About the absence of colour, descent, national origin and ethnic origin as prohibited grounds for discrimination in Article 15 of the Constitution on the prohibition of discrimination and the limited protection to "citizens" only;
- (d) About the inconsistent use of grounds for the prohibition of discrimination in articles of the Constitution and other legislations;
- (e) Lack of information on measures taken to establish an Equal Opportunities Commission as an entity mandated to address discrimination in various sectors, including education, health care and employment, based on the recommendations made by various initiatives and commissions, including the Prime Minister's High Level Committee on Social, Economic and Educational Status of the Muslim Community of India (Sachar Committee) and the Expert Group to Propose 'Diversity Index' and to Work out the Modalities for Implementation;
- (f) Lack of enforcement power granted to the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes, which are mandated to investigate complaints, monitor relevant legislation, and make recommendations;
- (g) Reports of inadequate resources allocated to the National Commission for Scheduled Tribes, in particular that approximately fewer than half of its 124 posts were filled

as of February 2023 and all five of its leadership positions were simultaneously vacant from June 2023 to mid-2024;

(h) Reports of challenges faced by the National Commission for Scheduled Castes in addressing and combating racial discrimination effectively due to limited jurisdiction, executive influence, and reliance on government cooperation (arts. 1, 2, and 5).

12. The Committee recommends that the State Party:

(a) Review its legal framework, particularly provisions of the Constitution, with a view to bringing them in line with the Convention;

(b) Develop and adopt comprehensive anti-discrimination legislation, within a clear timeframe, that contains a clear definition of racial discrimination and encompasses direct, indirect and intersecting forms of discrimination in both the public and private spheres, in accordance with article 1 of the Convention, with the effective and meaningful participation and consultation of civil society organizations working on the promotion of the groups protected under the Convention;

(c) Establish an independent, comprehensive equality body at both union and state level, pursuant to the recommendations of previous initiatives and commissions, to ensure enforcement of the right to equality and non-discrimination in all spheres, and allocate adequate human, technical and financial resources to fulfil its mandate effectively and independently;

(d) Adopt effective measures to strengthen the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes, including by amending the legislative framework to expand their mandates and powers and grant them enforcement powers in the field of combating racial discrimination, and by allocating sufficient human and financial resources to ensure that each institution can carry out its mandate effectively;

(e) Develop the legal framework and enforcement body with the effective and meaningful participation and consultation of civil society organizations working on the promotion of the groups protected under the Convention.

Hate crimes and hate speech

13. The Committee notes the information provided by the delegation on the legislative framework to combat hate speech and hate crimes, particularly under Sections 196 (promoting enmity between different groups on grounds of religion, race, place of birth, residence and other grounds), 197 (imputation and assertions prejudicial to national integration), 299 (acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs), and 353 (statements conducing to public mischief) of the Bharatiya Nyaya Sanhita. Nevertheless, the Committee is concerned that:

(a) The legislative framework does not contain provisions that expressly criminalize or effectively address all acts of racist hate speech and hate crimes in accordance with article 4 of the Convention and on all the grounds recognized in article 1 thereof;

(b) The Bharatiya Nyaya Sanhita does not recognize racist motivation as an aggravating circumstance (arts. 1, 2 and 4).

14. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee recommends that the State Party review its legislative framework, particularly the Bharatiya Nyaya Sanhita and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, to explicitly criminalize all acts of racist hate speech and hate crimes, in line with article 4 of the Convention, to include all grounds of discrimination recognized in article 1 of the Convention, and to recognize racist motivation as an aggravating circumstance.

Complaints of racial discrimination, including hate crimes and hate speech

15. The Committee notes the information on the enactments of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Acts of 2015 and 2018 to include new offenses as atrocities, the establishment of Exclusive Special Courts, the appointment of Special Public Prosecutors, the provision for a two-month trial completion target from the date of filing charges and streamline the registration of complaints by removing procedural barriers, such as the requirement of a preliminary inquiry before registering a first information report. It also notes the information provided by the delegation on the jurisprudence of the Supreme Court that confirm that there are guidelines adequate on curbing hate speech. However, the Committee is concerned about:

- (a) Reports of the widespread racial discrimination, including hate crimes and hate speech against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens;
- (b) The lack of up-to-date, detailed and disaggregated information and statistics on complaints of racial discrimination, hate crimes and hate speech filed under the Bharatiya Nyaya Sंहita, investigations, prosecutions and convictions, and sanctions imposed by courts in such cases;
- (c) Reports of systematic failure and ineffective implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and its safeguards, establishment of an inadequate number of Exclusive Special Courts – only 217 Exclusive Special Courts in 15 states and union territories, the high number of pending claims before courts, inadequate investigations due to a reported lack of will on the part of the law enforcement officials to investigate, and low prosecution rate;
- (d) Reported low level of reporting and registration of complaints related to untouchability involving Dalits under the Protection of Civil Rights Act, with only 18 cases in 2024;
- (e) Reports of the prevalence of racist hate speech and the dissemination of negative stereotypes against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens in the media, on the Internet and on social media, and the lack of information on measures to address promptly hate speech in the media, on the Internet and in social media;
- (f) The use of racist hate speech by politicians against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens, and the failure to adequately recognize, investigate, and prosecute hate speech by politicians (arts. 2, 4 and 6).

16. **The Committee draws the State Party's attention to its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, and recalls that an absence or low level of complaints and legal action relating to racial discrimination may reveal a lack of suitable legislation, poor awareness of the legal remedies available, a lack of trust in the judicial system, a fear of reprisals or a lack of will on the part of the authorities to prosecute the perpetrators of such acts. Reiterating its previous recommendations⁴ and recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee urges the State Party to:**

- (a) Take effective measures to ensure remedies and redress mechanisms for victims of racial discrimination, including hate speech and hate crimes under the Bharatiya Nyaya Sंहita, to ensure the availability and accessibility of reporting channels to victims, including by conducting an assessment of the systems for reporting and registering complaints of racial discrimination, hate speech and hate crimes, and to identify and effectively address all barriers to justice faced by the victims;

⁴ [CERD/C/IND/CO/19](#), para. 26.

- (b) Adopt measures to ensure the effective implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, including by establishing Exclusive Special Courts and appointing Special Public Prosecutors in all states and union territories and allocating sufficient financial and human resources;
- (c) Undertake public education campaigns on the rights enshrined in the Convention and on how to file complaints of racial discrimination, particularly among ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens;
- (d) Conduct training programmes for police officers, prosecutors and other law enforcement officials on the identification, registration, investigation and prosecution of incidents of racial discrimination, hate crimes and hate speech;
- (e) Collect information on quantitative and qualitative trends in complaints filed of racial discrimination, including hate speech and hate crimes, on investigations conducted, prosecutions brought, convictions handed down and sanctions imposed, disaggregated by the age, gender and ethnic or national origin, descent, including caste, of the victims, and include such data in its next report.

Racial profiling and racially motivated violence

17. The Committee takes note of the information provided by the delegation on the provision of human rights training for law enforcement officials. However, the Committee is concerned about:
- (a) The lack of information on the prohibition of racial profiling and racially motivated violence in the legislative framework on law enforcement;
 - (b) Reports of racial profiling targeting members of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, People of African descent, and non-citizens;
 - (c) The lack of detailed information on investigations, prosecutions, convictions and sanctions for acts of racial profiling and racially motivated violence by law enforcement officials against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens (arts. 4, 5 and 6).
18. Recalling its general recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, the Committee recommends that the State Party:
- (a) Adopt legislation that explicitly prohibits and proportionately punishes racial profiling and racially motivated violence during police and other law enforcement operations;
 - (b) Establish an independent monitoring body with the competence to receive and examine complaints of racial profiling and racially motivated violence by law enforcement agencies, with safe and accessible reporting channels for victims;
 - (c) Conduct prompt, thorough, and impartial investigations into all allegations of racial profiling and racially motivated violence by law enforcement officials against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens, and ensure that the alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that the victims or their families are provided with adequate forms of reparation.

Accountability for human rights violations and abuses by law enforcement officials

19. The Committee notes the information provided by the delegation that the Armed Forces (Special Powers) Act was withdrawn from the states of Tripura and Meghalaya in 2015 and 2018, respectively, and that its application has since been substantially reduced in four other states. Nevertheless, the Committee remains concerned that the Act is an obstacle to accountability for human rights violations and abuses committed by law enforcement

officials against members of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens due to its requirement of prior sanctioning by the central government to prosecute law enforcement officials acting under this Act. It is also concerned that the Act grants wide powers to arbitrary search, arrest and detain suspects without a warrant or to use force. The Committee also regrets the lack of measures taken to review the Act (arts. 2, 4, 5 and 6).

20. Reiterating its previous recommendations,⁵ the Committee urges the State Party to review the Armed Forces (Special Powers) Act to align it with international human rights law and the objectives and purposes of the Convention, in particular to:

- (a) **Prevent impunity for human rights violations and abuses by law enforcement officials against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens;**
- (b) **Ensure that the use of force by law enforcement officials is in accordance with international law and international standards, including the United Nations Code of Conduct for Law Enforcement Officials, the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.**

21. The Committee takes note of the information provided on the establishment of Police Complaints Authorities in 25 states and seven union territories to examine complaints on violations and abuses perpetrated by police officers. It also notes the information provided by the delegation during the dialogue that approximately 100 cases are pending before the judiciary against law enforcement officials for human rights abuses perpetrated during law enforcement operations. Nevertheless, the Committee is gravely concerned about reports of largescale violations and abuses against ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens perpetrated by law enforcement officials, including racially motivated violence and excessive use of force and extrajudicial killings during law enforcement operations, arbitrary arrest and detention for prolonged duration and without due process, torture and ill-treatment, rape and other forms of sexual violence. It also notes with concern the lack of up-to-date and detailed information on investigations, prosecutions, convictions and sanctions for those alleged abuses and violations. The Committee is also concerned about reports of systematically labelling the extrajudicial killings of Indigenous / Tribal Peoples, including scheduled tribes, with members of armed groups as “fake encounters”, without providing any evidence on such claims. (arts. 2, 5 and 6).

22. The Committee recommends that the State Party take measures to ensure accountability and end impunity, including by:

- (a) **Establishing Police Complaints Authorities in all states and union territories and allocating sufficient financial and human resources to carry out their mandate effectively;**
- (b) **Conducting prompt, thorough, and impartial investigations into all allegations of human rights abuses and violations perpetrated against members of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens by law enforcement officials, particularly racially motivated violence and excessive use of force, extrajudicial killing, arbitrary arrest and detention for prolonged duration and without due process, racial profiling, torture and ill-treatment, rape and other forms of sexual violence, and ensure that the alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that the victims or their families are provided with adequate forms of reparation;**
- (c) **Taking measures to ensure the availability and accessibility of safe reporting channels.**

⁵ [CERD/C/IND/CO/19](#), para. 12.

23. It also recommends that the State Party collect data on complaints of human rights abuses and violations perpetrated against ethnic and ethno-religious groups, Indigenous/Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens and on prosecutions, convictions and penalties imposed for such acts, and provide the relevant statistics in its next periodic report.

Civic space

24. The Committee notes the information on the enactment in 2014 of the Whistle Blowers Protection Act and the appointment of human-rights-defender complaint focal points at the National Human Rights Commission of India. However, the Committee is concerned about the reported utilization of the legal framework, namely the Foreign Contribution (Regulation) Act, the Unlawful Activities (Prevention) Act, Armed Forces (Special Powers) Act and the Prevention of Money Laundering Act, to restrict rights to freedom of expression and of association, to silence human rights defenders and civil society organizations working to protect and promote the rights of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens, and to arbitrarily suspend the operations and activities of civil society organizations, including by restricting their access to funding. It is also concerned about reports that, between 2019 and 2021, more than 1,800 licences under the Foreign Contribution (Regulation) Act of civil society organizations were cancelled, with those working to protect and promote the rights of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens disproportionality impacted. The Committee is concerned about reports that human rights defenders, members of civil society organizations, activists, lawyers and journalists are increasingly subjected to intimidation, harassment, reprisals, arbitrary arrest and detention for prolonged duration, extrajudicial killings, torture and ill-treatment, and violations of their fair trial safeguards, in connection with their human rights work (arts. 2, 5 and 6).

25. The Committee recommends that the State Party:

- (a) Review its legislative framework, particularly the Foreign Contribution (Regulation) Act and the Unlawful Activities (Prevention) Act, Armed Forces (Special Powers) Act and the Prevention of Money Laundering Act, to ensure an enabling and safe environment for the work of human rights defenders and civil society organisations working to promote and protect the rights of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes, scheduled castes, particularly Dalits, and non-citizens, and to align it with international human rights law and the objectives and purposes of the Convention;
- (b) Ensure that the legislative framework is not used to impose disproportionate restrictions on the rights to freedom of expression and of peaceful assembly and association, and that it is not applied to intimidate, harass, arbitrary arrest and detain or prosecute journalists, human rights defenders, academics or civil society representatives or to cease the operations and activities of civil society organizations and restrict their access to funding;
- (c) Conduct prompt, effective, thorough and impartial investigations into all allegations of cases of intimidation, harassment, reprisals, arbitrary arrest and detention for prolonged duration, extrajudicial killings, torture and ill-treatment, and violations of their fair trial safeguards against human rights defenders, journalists, lawyers, activists, and representatives of civil society organizations, and ensure accountability for those responsible.

Special measures

26. The Committee notes the information provided by the State Party on the implementation of special measures to address the inequalities against scheduled tribes and scheduled castes, in education, health and poverty reduction. It also notes the information provided by the delegation on the increase in the Monthly Per Capita Consumption Expenditure for members of scheduled castes and scheduled tribes. However, the Committee

regrets the lack of information on segregation reduction indicators and the involvement of affected communities in designing and assessing the special measures (arts. 1 and 2).

27. Recalling its general recommendation No. 32 (2009) on the meaning and scope of special measures in the Convention, the Committee recommends that the State Party:

- (a) Establish monitoring and evaluation mechanisms to conduct regular impact assessments of the special measures implemented to address inequalities, while ensuring the participation and consultation of affected groups, and to obtain information on the effectiveness of special measures;
- (b) Collect detailed qualitative and quantitative data on the impact of the special measures implemented, including in education, employment and health, while applying segregation reduction indicators and include those in its next periodic report;
- (c) Include indicators on the persistence of discriminatory practices that undermine the effectiveness of special measures, such as harassment, social exclusion or denial of benefits to eligible beneficiaries at the implementation level;
- (d) Develop these indicators in consultation with representative civil society organisations, including Dalit and Adivasi, and independent national human rights institutions, to ensure their relevance and credibility;
- (e) Report periodically and make the resulting data publicly available, to strengthen transparency and enable civil society monitoring of the effectiveness of special measures.

Situation of Dalits

28. The Committee notes the information provided by the delegation during the dialogue on the implementation of the legislative framework, namely the abolition of untouchability, pursuant to Article 17 of the Constitution, and the Protection of Civil Rights Acts. It also notes the enactment, in September 2013, of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act (Manual Scavengers Act) that prohibit the practice of manual scavenging and provide rehabilitation of persons working as manual scavengers. Nevertheless, the Committee is concerned about reports of:

- (a) The persistence of segregation and exclusion of Dalits from accessing shared public resources and spaces, including religious and cultural places;
- (b) The widespread caste-based spatial segregation and the consideration of a bill in the state of Rajasthan and to monitor and restrict property transactions in designated “disturbed areas” on the vaguely worded term, such as “demographic imbalance”;
- (c) The substandard living conditions in neighbourhoods inhabited mainly by Dalits and the lack of proper infrastructure and limited access to basic services, such as access to health care facilities, schools, safe drinking water, sanitation, and electricity;
- (d) Cases of violence against inter-caste couples and killings in the name of so-called caste “honour”, and the lack of measures taken to criminalize it;
- (e) The prevalence of gender-based violence, including femicide, against Dalit women and girls, notwithstanding the information provided by the delegation on the establishment of helpdesks in police stations to facilitate the reporting, provision of sexual assault evidence collection kits, measures to otherwise strengthen and facilitate the investigation and prosecution;
- (f) The prevalence of associating cleaning of sewers and septic tanks with Dalits and of ineffective implementation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, with low level of complaints registered;
- (g) Dalits remaining victims of bonded labour and of challenges faced by victims to access rehabilitation;
- (h) Ineffective implementation of special measures to ensure equal access of Dalit to education, discrimination faced by Dalit students at all levels of education, the low representation of Dalit professors among professors in central universities (arts, 2, 5 and 6).

29. The Committee takes note of the State Party's position that discrimination based on caste falls outside the scope of article 1 of the Convention. It maintains its position expressed in general recommendation No. 29 "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." Therefore, the Committee reaffirms that discrimination based on the ground of caste is fully covered by article 1 of the Convention. Reiterating its previous recommendations⁶ and recalling its general recommendation, No. 29 (2002) on Article 1, Paragraph 1, of the Convention (Descent), the Committee urges the State Party to strengthen its efforts to combat caste-based discrimination and segregation faced by Dalits to ensure the protection and enjoyment of their rights under the Convention, including by ensuring the effective implementation of its legislative framework, namely the Protection of Civil Rights Act, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, and special measures. In particular, the Committee recommends that the State Party:

- (a) Take effective measures to ensure the access of Dalits to shared public resources and spaces, including religious and cultural places, and condemn, investigate and prosecute the practice;
- (b) Adopt effective measures to eliminate spatial segregation, including by reviewing its legislative and policy frameworks, including at the state level, with aim to repeal discriminatory effects of legislation against Dalits, and to ensure availability and access to basic services, such as health care facilities, schools, access to safe drinking water, sanitation and electricity, in neighbourhoods inhabited mainly by Dalits;
- (c) Develop and implement an appropriate model protocol for responding to gender-based violence against Dalit women, integrating caste- and gender-sensitive procedures at the point of first contact, investigation, prosecution and victim support and to provide protection and medical and social support for victims, including temporary shelter, in line with the Committee's general recommendation No. 25 (2000) on gender-related dimensions of racial discrimination;
- (d) Adopt effective measures to address violence against inter-caste couples and killings in the name of so-called caste "honour", including by criminalizing it and ensure the provision of reparation to the victims or their families;
- (e) Assess and include information in the next periodic report on the implementation of the legislation combatting bonded labour, including by enhancing labour inspection, and the overrepresentation of Dalits in cleaning of sewers and septic tanks;
- (f) Strengthen its efforts to ensure the access of Dalits to quality and inclusive education at all levels, and increase their enrolment rates, including by providing scholarships and conducting awareness-raising campaigns on inclusive education;
- (g) Include, in its next periodic report, information and structural, process and outcome indicators about the Dalits, particularly concerning their economic, social and cultural situation.

Indigenous/Tribal Peoples

30. The Committee notes the information on the legislative framework on Indigenous / Tribal Peoples, including scheduled tribes. It welcomes the information provided by the delegation regarding the consideration of the State Party to ratify International Labour Organization (ILO) Indigenous and Tribal Peoples Convention 1989 (No. 169). The Committee notes the information on the process of granting the scheduled tribe status to Indigenous / Tribal Peoples by the President following consultations with states, pursuant to

⁶ [CERD/C/IND/CO/19](#), paras. 13, 15, 18, 20, 22, 23 and 25.

Article 342 of the Constitution and the provisions of the Constitution (Scheduled Tribes) Order 1950. The Committee is concerned that:

- (a) Indigenous / Tribal Peoples, particularly those displaced to work in plantation in Assam state, remain unrecognized and face discrimination due to gaps and inconsistency in the legislative framework, particularly at the state level, and the methodology applied to recognize schedule tribes;
- (b) The criteria applied to recognize Indigenous / Tribal Peoples as scheduled tribes under the Constitution (Scheduled Tribes) Order 1950 is based on outdated, derogatory and discriminatory terminologies, such as “primitive traits” and “backwardness” that perpetuates stigmatization and negative stereotypes against Indigenous / Tribal Peoples (arts. 1, 2 and 5).

31. Reiterating its previous recommendations⁷ and recalling the United Nations Declaration on the Rights of Indigenous Peoples and its General Recommendation No. 23 (1997) on the rights of Indigenous Peoples, the Committee urges that the State Party:

- (a) Review its legislative framework, namely Article 342 of the Constitution and the provisions of the Constitution (Scheduled Tribes) Order 1950, to align it with international standards, the principle of self-identification and the Convention, and to recognize all Indigenous / Tribal Peoples to ensure the enjoyment of their rights protected under the Convention;
- (b) Review its legislative and policy frameworks, particularly the Constitution (Scheduled Tribes) Order 1950, at the union and state levels, to remove any derogatory and discriminatory terminology that perpetuates stigmatization and negative stereotypes against Indigenous / Tribal Peoples;
- (c) Ratify the ILO Indigenous and Tribal Peoples Convention 1989 (No. 169).

32. The Committee notes the information on the legislative framework on the rights Indigenous / Tribal Peoples, particularly the Constitution, the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, recognizing individual and collective forest rights of scheduled tribes and other traditional forest dwellers, the Provision of the Panchayats (Extension to Scheduled Areas) Act 1996, providing a consultative framework with scheduled tribes. The Committee remains concerned that the legislative framework does not recognize and protect the rights of Indigenous / Tribal Peoples to own, use, develop and control the lands, territories and resources traditionally owned, occupied or otherwise used or acquired by them in accordance with international standards. It is specifically concerned about:

- (a) The high number of reports on acquisitions, grabbing, alienation, dispossession of lands traditionally owned or occupied by Indigenous / Tribal Peoples without meaningful consultation and without obtaining their free and prior informed consent, particularly in the cases of Naga, Kuki and Chakma and Hajong;
- (b) Reports of due process violations during the consideration of submitted claims to recognize individual and collective forest rights, and reports of granting decision-making powers to executive bodies appointed by states instead of the village assemblies (Gram Sabhas) and the elected local committees at the state level;
- (c) Enactment, in August 2024, of the Forest (Conservation) Amendment Act that provides for exemptions from the requirement of consultation process for defence installation, paramilitary camps and public utility projects in districts designated as “left-wing extremism affected”;
- (d) Limited scope of the requirement to consult with the Gram Sabhas under the Provision of the Panchayats (Extension to Scheduled Areas) Act concerning land “acquisition” to minor minerals mining projects only and excluding large-scale extraction projects;

⁷ [CERD/C/IND/CO/19](#), para. 10.

- (e) Reports of widespread inadequate consultations on development projects without obtaining the free, prior and informed consent of concerned Indigenous / Tribal Peoples, including through false and fabricated documents;
- (f) Irreparable damage caused by conservation, development, extractive industries and energy projects on the rights of Indigenous / Tribal Peoples to own, develop, control and use their traditionally owned lands, territories and resources, to health, housing, food and water and to a clean, healthy and sustainable environment or to access sacred sites, burial grounds and traditional medicines, to health, to a clean, healthy and sustainable environment;
- (g) Adverse impacts of the development projects on Great Nicobar and Andaman Islands, which threaten the survival of various vulnerable Indigenous / Tribal Peoples, particularly those living in voluntary isolation, and the lack of measures taken to address these concerns.
- (h) Reports of obstacles faced by Indigenous / Tribal Peoples in accessing justice or remedy to address lands rights related violations and abuses (arts. 2, 5 and 6).

33. Recalling the United Nations Declaration on the Rights of Indigenous Peoples, the Guidance on the right of Indigenous Peoples to free, prior and informed consent in the context of business activities elaborated by the United Nations Working Group on the issue of human rights and transnational corporations and other business enterprise⁸ and its general recommendation No. 23 (1997) on the rights of Indigenous Peoples, the Committee recommends that the State Party:

- (a) Review its legislative framework, particularly the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act and the Provision of the Panchayats (Extension to Scheduled Areas) Act, at the union and state levels, to align it with the Convention and ensure it recognizes and protects the rights of Indigenous / Tribal Peoples to own, use, develop and control the lands, territories and resources traditionally owned, occupied or otherwise used or acquired by them, to guarantee meaningful consultation and to obtain their free, prior and informed consent;
- (b) Take effective measures to conduct effective and meaningful consultations with the Indigenous / Tribal Peoples concerned, through their representative institutions, such as Gram Sabhas, in a timely, systematic and transparent manner to obtain their free, prior and informed consent before the adoption of any legal and administrative measures, including decisions, affecting their rights, lands, territories or resources, particularly before granting licences for extractive industries, logging, conservation or any development projects, and to establish independent and impartial bodies to carry out systematic human rights impact studies covering the potential environmental, economic, social, cultural and spiritual impacts of such measures or projects;
- (c) Adopt effective measures, in consultation with Indigenous / Tribal Peoples, to prevent, mitigate and redress the impact of economic, industrial and natural resource development projects on their lands, territories and resources, with a view to protecting their customs and traditional ways of life and the rights to health and to a clean, healthy and sustainable environment;
- (d) Suspend the implementation of the projects on the Great Nicobar and Andaman Islands until a full and independent environmental, economic, social, cultural and spiritual impact study has been completed.

Forced evictions of Indigenous / Tribal Peoples

34. The Committee notes the information on the safeguards under the legislative framework against displacement and forced evictions and the enactment, in September 2013, of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act. Nevertheless, the Committee regrets the lack of information on the

⁸ See [A/HRC/62/36/Add.2](#), paras. 56-62.

enforcement and implementation of the Act and on displacement. It remains concerned about reports of forced evictions of Indigenous / Tribal Peoples in particular in the context of conservation, including tiger reserve, extractive industries and other development projects. The Committee is also concerned about reports of obstacles faced by Indigenous / Tribal Peoples in accessing effective remedy to channel their claims and reports of the high rejection rates of claims under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. The Committee reiterates its concerns expressed in its letters adopted under its early warning and urgent action procedures in relation to reports of displacement and forced evictions of approximately 89,000 families belonging to Indigenous / Tribal Peoples in 18 states following the order of the National Tiger Conservation Authority (NTCA) on 19 June 2024. It also regrets the lack of information on measures implement to conduct impact assessment studies regarding the implementation of the NTCA order issued on 19 June 2024 on the rights of the tribal and forest-dwelling indigenous peoples (arts. 2, 5 and 6).

35. The Committee recommends that the State Party:

- (a) Take effective measures to ensure the effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, including by establishing independent oversight and monitoring mechanisms, providing capacity-building of officials, improving accessibility while taking into consideration the customs, traditions and rules of the effected Indigenous / Tribal Peoples, providing interpretation and translation of relevant document, undertaking an independent review process of all claims rejected under the Act while ensuring a transparent and suspensive appeal procedure;
- (b) Adopt effective measures to ensure that evictions are carried out in accordance with international human rights standards, in particular by suspending forced evictions of Indigenous / Tribal Peoples until appeal processes are completed and ensure that no eviction takes place without obtaining the free, prior and informed consent of impacted communities and without a prior agreement on just and fair compensation or without the provision of a culturally appropriate alternative location and, where possible, the option of return;
- (c) Take measures to ensure a human rights-based approach to conservation that recognises Indigenous / Tribal Peoples as custodians of biodiversity.

De-notified, nomadic, and semi-nomadic tribes

36. The Committee notes the information provided by the delegation on the establishment, in 2019, of the Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities to formulate and implement welfare and development programmes for these communities. It also notes the information on the recommendation adopted by National Commission for De-notified, Nomadic and Semi-Nomadic Tribes to repeal Habitual Offenders Acts and that two states repealed the legislation. Nevertheless, the Committee remains concerned that the legislations are in force in at least 14 states. It is also concerned about the lack of detailed information on measures to provide rehabilitation to de-notified and nomadic tribes concerned (arts. 2, 5 and 6).

37. Reiterating its previous recommendations,⁹ the Committee urges the State Party to repeal the Habitual Offenders Acts and provide rehabilitation to de-notified and nomadic tribes concerned.

Scheduled castes and scheduled tribes in political and public affairs

38. The Committee notes the information on the allocation of 84 seats for scheduled castes and 47 seats for scheduled tribes in the Lok Sabha, pursuant to Article 330 of the Constitution and on the employment-reservation for the scheduled castes and scheduled tribes in the public sector. Nevertheless, the Committee is concerned about the reported underrepresentation of scheduled castes in decision-making and high-ranking positions and the judiciary, with only

⁹ [CERD/C/IND/CO/19](#), para. 11.

33 out of the 849 judges appointed since 2018 are members of scheduled castes and only two Chief Justices in the last 70 years are from the scheduled castes. It is also concerned about the lack of information on the level of representation of scheduled tribes in the judiciary, decision-making and high-ranking positions and law enforcement agencies (arts. 2 and 5).

39. The Committee recommends that the State Party review its legislative framework, including provisions of the Constitution and its recruitment and promotion policies to ensure fair and equitable representation of ethnic and ethno-religious groups, Indigenous / Tribal Peoples, including scheduled tribes and scheduled castes, particularly women, at the union and state levels in the public sector, the judiciary, law enforcement agencies and elected bodies and in decision-making and high-ranking positions.

Right to freedom of thought, conscience and religion

40. The Committee notes the information provided by the delegation that the legislative framework guarantees the right to freedom of thought, conscience and religion for members, pursuant to Article 25 of the Constitution. Nevertheless, the Committee is concerned about:

(a) Discrimination against Christian or Muslim members of scheduled castes and scheduled tribes for exercising their right to freedom of thought, conscience and religion and the lack of measures taken to address their exclusion from protection safeguards available for members of scheduled castes and scheduled tribes under the legislative framework and special measures;

(b) Enactment of legislation in various states to prohibit conversion of members of scheduled tribes;

(c) Reports of hate speech and hate crimes, including forced reconversion campaigns and practices, perpetrated by civilian and organized vigilante groups, targeting Christian or Muslim members of scheduled tribes and scheduled castes;

(d) Reports of restrictions imposed on the scheduled caste status of those practicing Hinduism, Sikhism or Buddhism, pursuant to the provisions of the Constitution (Scheduled Castes) Order 1950;

(e) Delay in publishing the report of the commission of inquiry, established in 2022, to examine the socioeconomic conditions of Christian or Muslim Dalits and the implication of extending reservations (arts. 2 and 5).

41. Reiterating its previous recommendation,¹⁰ the Committee urges the State Party to:

(a) Review its legislative framework, including the Constitution (Scheduled Castes) Order 1950 and legislations at the state level, to repeal discriminatory provisions and to guarantee the effective exercise by Christian or Muslim members of scheduled castes and scheduled tribes of their right to freedom of thought, conscience and religion, without any discrimination and without being penalized, subjected to reprisals or excluded from protection safeguards for members of scheduled castes and scheduled tribes under the legislative framework and the special measures;

(b) Take effective measures to combat, investigate and bring to justice those responsible for hate speech, hate crimes and attacks, including forced conversion, perpetrated by civilians and organized vigilante groups against Christian or Muslim members of scheduled castes and scheduled tribes;

(c) Take effective measures to prevent and combat the formation of organized racist vigilante groups, operating against Christian or Muslim scheduled castes and scheduled tribes, bring them to justice and disband them;

(d) Conduct prompt, thorough, and impartial investigations into all allegations of hate speech and hate crimes targeting Christian or Muslim members of scheduled castes and scheduled tribes, and ensure that the alleged perpetrators are

¹⁰ [CERD/C/IND/CO/19](#), para. 21.

prosecuted and, if convicted, punished with appropriate sanctions, and that the victims or their families are provided with adequate forms of reparation;

- (e) Take effective measures to support the commission of inquiry, established in 2022, to examine the socioeconomic conditions of Christian or Muslim Dalits and the implication of extending reservations, including by allocating sufficient financial and human resources, and publish its report.

Right to health

42. The Committee notes the information provided by the delegation during the dialogue on the legislative framework on the right to the enjoyment of the highest attainable standard of physical and mental health and on measures taken to ensure access by scheduled caste and scheduled tribes to health care services and rise of life expectancy. However, the Committee is concerned about reports that Dalits and Indigenous / Tribal Peoples, including scheduled tribes, continue to face barriers in their enjoyment of the right to health, in particular with regard to access to health-care services, owing to the inadequate and limited infrastructure in areas inhabited mainly by them. It is also concerned about reports of high rates of infant mortality among Dalits and Indigenous / Tribal Peoples, including scheduled tribes (arts. 2 and 5).

43. Recalling its general recommendation No. 37 (2024) on equality and freedom from racial discrimination in the enjoyment of the right to health, the Committee recommends that the State Party adopt a national health action plan in consultation with Dalits and Indigenous / Tribal Peoples, including scheduled tribes and ensure that they have adequate, gender-responsive, culturally acceptable access to health-care services in practice, including by increasing the availability of health-care facilities in areas inhabited mainly by them, and take measures to improve health determinants and reduce infant mortality.

Domestic workers

44. The Committee notes the information provided by the delegation on the legislative framework on employment, namely the Occupational Safety, Health and Working Conditions Code (2020), the Code on Wages (2019), the Code on Social Security (2020) and the Industrial Relations Code (2020). However, the Committee is concerned about reported gaps in the legislative framework that lead to the exclusion of domestic workers, disproportionately prevent Dalits, indigenous and tribal people and migrant workers from enjoying the protection safeguards, including underpayment of wages and exclusion for social services (arts. 2 and 5).

45. The Committee recommends that the State Party adopt effective measures to ensure that the work of domestic workers is regulated by a legislative framework, namely the Occupational Safety, Health and Working Conditions Code, the Code on Wages, and the Industrial Relations Code, and to guarantee and protect the rights of domestic workers to equal pay for equal work and to just and favourable remuneration without discrimination.

Legislative framework on migration

46. The Committee notes the information provided by the delegation on the legislative framework on migration, namely the Immigration and Foreigners Act, enacted in April 2025. The Committee is concerned about:

- (a) The Immigration and Foreigners Act grants the immigration agencies the power to arbitrarily arrest and detain migrants and asylum seekers without documentation with limited judicial oversight for an indefinite duration, and requires reporting by personnel working in health care and educational facilities of migrants and asylum-seekers without documentation, which prevents them from accessing essential and basic services;
- (b) The Immigration and Foreigners Act grants immigration agencies the mandates to expel non-citizens without the requirements to ensure due process safeguards, to conduct an individualized assessment or to respect the principle of non-refoulement;

(c) The lack of an asylum procedure in line with the Convention and relevant international human rights law and international refugee law and standards (arts. 2, 5 and 6).

47. Reiterating its previous recommendations, and recalling its general recommendations No. 30 (2004) on discrimination against non-citizens, No. 37 (2024) on equality and freedom from racial discrimination in the enjoyment of the right to health, No. 38 (2025) on general guidelines for eradicating xenophobia towards migrants and others perceived as such and No. 39 (2025) on thematic guidelines for eradicating xenophobia towards migrants and others perceived as such, the Committee urges the State Party to:

(a) Review its legislative framework, namely the Immigration and Foreigners Act, to align it with the Convention and ensure that migrants, asylum-seekers and refugees exercise their human rights without racial discrimination;

(b) Decriminalize irregular entry and ensure that immigration detention is applied only as a measure of last resort and for the shortest possible period, after an assessment of its legality, necessity and proportionality on a case-by-case basis;

(c) Establish an asylum procedure in accordance with internationally recognized standards and ensure that all removal procedures are conducted in full compliance with international law obligations, including the principle of non-refoulement, due process guarantees and comprehensive individualized assessments of protection needs under international human rights law and international refugee law, in all cases of deportation, removal and expulsion;

(d) Ratify the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto.

Situation of migrants and asylum seekers

48. 48. The Committee notes the information provided by the delegation on the adoption in 2019 of the Model Detention Centre Manual by the Ministry of Home Affairs. However, the Committee is concerned about reports of:

(a) Increase in law enforcement operations, since the issuance of the Ministry of Home Affairs order on 8 August 2017 to consider Rohingya as “illegal immigrants” and the Pahalgam attack in Kashmir in April 2025, including police stops and identity checks, targeting Rohingya and Bengali-speaking Muslims, migrants and asylum-seekers and involving the systematic use of racial profiling, and reports that these operations have resulted in arbitrary arrest and detention without due process and torture and ill-treatment;

(b) Deportation and forcible return of migrants and asylum-seekers in need of international protection, in violation of the principle of non-refoulement, particularly against Rohingya, Bengali-speaking Muslims, migrants and asylum-seekers;

(c) Reports of substandard and inhuman conditions at detention facilities for migrants, particularly in Matia Transit Camp in the state of Assam, including overcrowded cells, inadequate access to food, drinking water, sanitation, and medical care;

(d) Widespread use of racist hate speech targeting Rohingya and Bengali-speaking Muslims, migrants and asylum-seekers by politicians and influential public figures, which fosters intolerance and incites racial discrimination and hate crimes and the spread of racist hate speech and the dissemination of negative stereotypes targeting them, particularly online, especially on social media;

(e) The lack of investigations, prosecutions, convictions and sanctions against law enforcement officials, in relation to alleged human rights violations and abuses particularly against Bengali-speaking Muslims and Rohingya and migrants, including for racial discrimination, hate speech, dissemination of negative stereotypes, use of racial profiling and racially motivated excessive use of force during law enforcement operations, arbitrary detention, collective expulsion, unlawful killings and torture and ill-treatment (arts. 2, 5 and 6).

49. Recalling its statement 1 (2024) of 29 June 2024, under its early warning and urgent action procedure, the Committee recommends that the State Party, as a matter of urgency, acknowledge the discriminatory nature and seriousness of the problem of racial discrimination, hate speech and hate crimes targeting Rohingya and Bengali-speaking Muslims, migrants and asylum-seekers, and take effective measures to address the root causes thereof and to protect their rights. It also recommends that the State Party:

- (a) Refrain from collective expulsion and provide access to its territory for migrants and asylum-seekers in need of international protection, in respect of the principle of non-refoulement;
- (b) Adopt measures to improve the living conditions in detention facilities for migrants and asylum-seekers in accordance with international standards, and ensure that all persons detained in those facilities have access to medical care, interpreters and adequate food and drinking water;
- (c) Take effective measures, in close cooperation with media outlets, Internet service providers and social media platforms, to monitor the spread of racist hate speech and the dissemination of negative stereotypes targeting migrants and asylum-seekers, on the Internet and social media;
- (d) Ensure the public condemnation of racist hate speech targeting migrants and asylum-seekers, and condemn racist hate speech by politicians and influential public figures;
- (e) Take measures to ensure accountability and end impunity by conducting effective, thorough and impartial investigations into all reports of human rights abuses and violations perpetrated against migrants and asylum-seekers, particularly Rohingya and Bengali-speaking Muslims, migrants and asylum-seekers, including racial discrimination, hate speech, dissemination of negative stereotypes, systematic use of racial profiling and racially motivated excessive use of force during law enforcement operations, arbitrary detention, unlawful killings and torture and ill-treatment.

National Register of Citizens

50. The Committee notes the information by the delegation on the implementation of the Citizenship Amendment Act, enacted in December 2019, including the Citizenship (Amendment) Rules notified by the Ministry of Home Affairs, and the National Register of Citizens, which apply religious criteria to provide expedited citizenship for migrants, refugees and asylum-seekers through complex procedure. The Committee recalls its two letters adopted under its early warning and urgent action procedures, in May 2025 and January 2026, and remains concerned that Bengali-speaking Muslims in the state of Assam are subjected to systematic and structural racial discrimination in the preparation and update of the National Register of Citizens. The Committee is gravely concerned that the implementation of the framework is leading to mass arbitrary deprivation of citizenship. The Committee is particularly concerned about reported procedural irregularities in the application and registration processes, and challenges faced by applicants belonging to the Bengali-speaking Muslim population in obtaining the required documents for registration, particularly family records and birth registration, with disproportionate impact on women and children. The Committee is also concerned that Bengali-speaking Muslims are categorized as “non-original inhabitants”, while noting the absence of clear definition of this category in the legislative framework, and reportedly subjected to more rigorous standards compared to other categories in relation to the verification process of the National Register of Citizens. The Committee is also concerned about the due process challenges, particularly not providing the required documents and decisions, which prevent the appeal process before the Foreigners Tribunals (arts. 2, 5 and 6).

51. **The Committee recommends that the State Party:**

- (a) **Suspend the National Register of Citizens and review its legislative framework, namely the Citizenship (Amendment) Act, to align it with the objectives**

and purposes of the Convention; that it combats statelessness, address the complexity of the procedure and ensure oversight and access to available and effective remedies;

(b) Ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Special Intensive Revision

52. The Committee notes that, on 4 November 2025, the Election Commission of India announced a Special Intensive Revision process in nine states and three union territories, following a preliminary exercise conducted in Bihar between June and September 2025. It further notes that the Special Intensive Revision process is to ensure that “the names of all eligible citizens are included in the electoral roll”, that “no ineligible voter is included in the electoral rolls”. Since its roll-out, across the 12 states and union territories, approximately 52 million names have allegedly been removed, with West Bengal particularly affected, where a total of 9.1 million names were reportedly deleted from the register ahead of the State elections that took place in April 2026. The Committee is concerned that Bengali-speaking Muslim voters were reportedly disproportionately impacted by the Special Intensive Revision process in West Bengal and in Assam, where a similar process was conducted. The Committee is also concerned about statements made by high-level officials in the states of Assam and West Bengal that conflate lawful Indian Muslim citizens with foreign nationals, which would indicate official endorsements of discriminatory treatment on ethno-religious grounds (arts. 2, 5 and 6).

53. The Committee recommends that the State Party:

(a) Review the Special Intensive Revision process to ensure ethno-religious minorities’ right to participate in the electoral process and to independently investigate any reported irregularities in the conduct of the process;

(b) Ensure that public officials do not use the Special Intensive Revision process to spread racist rhetoric and take measures to curb incitement to hatred.

Training, education and other measures to combat prejudice and intolerance

54. The Committee notes the information on human rights education at the university level and civic education at school level and the information on training on equality and non-discrimination, targeting law enforcement officials. However, the Committee notes with concerns the information on the revision of school textbooks in 2023 by the National Council of Educational Research to remove content related to social conditions and historical struggle of scheduled tribes, caste hierarchy, untouchability and the historical exclusion of Dalits.

55. The Committee recommends that the State Party revise school textbooks to include as an obligatory component of the curriculum, human rights education, including on combating racial discrimination and prejudice, particularly on social conditions and historical struggle of scheduled tribes, caste hierarchy, untouchability and the historical exclusion of Dalits. It also recommends that the State Party strengthen public awareness efforts on the importance of combating racial discrimination, with particular focus on law enforcement officials, judicial authorities, civil servants and health providers and promote the integration of equality, diversity and tolerance into all levels of their education.

D. Other recommendations

Ratification of other treaties

56. Bearing in mind the indivisibility of all human rights, the Committee encourages the State Party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, the Convention for the Protection of All Persons from Enforced Disappearance, the

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.

Amendment to article 8 of the Convention

57. The Committee recommends that the State Party accept the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.

Declaration under article 14 of the Convention

58. The Committee encourages the State Party to make the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual complaints.

Follow-up to the Durban Declaration and Programme of Action

59. In light of its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State Party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State Party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

International Decade for People of African Descent

60. In its resolution 79/193, the General Assembly proclaimed 2025–2034 the Second International Decade for People of African Descent. Also in that resolution, the Assembly decided to extend the programme of activities for the implementation of the International Decade for People of African Descent adopted in its resolution 69/16, with a view to ensuring continuing efforts in promoting the respect, protection and fulfilment of all human rights and fundamental freedoms of people of African descent. In light of this development, the Committee recommends that the State Party implement the programme of activities in collaboration with people of African descent and include in its next periodic report information on the measures adopted in that framework, taking into account the Committee's general recommendation No. 34 (2011) on racial discrimination against people of African descent.

Consultations with civil society

61. The Committee recommends that the State Party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

Dissemination of information

62. The Committee recommends that the State Party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all union bodies entrusted with the implementation of the Convention, including states and union territories in the official and other commonly used languages, as appropriate.

Common core document

63. The Committee encourages the State Party to update its common core document, which dates to March 2022, in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted at the fifth inter-committee meeting of the human rights treaty bodies, held in June 2006.¹¹ In light of General Assembly resolution 68/268, the Committee urges the State Party to observe the limit of 42,400 words for such documents.

Paragraphs of particular importance

64. The Committee wishes to draw the attention of the State Party to the particular importance of the recommendations contained in paragraphs 29 (Situation of Dalits), 33 (Indigenous / Tribal Peoples) , 41 (Right to freedom of thought, conscience and religion), and 49 (Situation of migrants and asylum seekers) , 54 (Training, education and other measures to combat prejudice and intolerance) above and requests the State Party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

Follow-up to the present concluding observations

65. In accordance with article 9 (1) of the Convention and rule 74 of its rules of procedure, the Committee requests the State Party to provide, within two years of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 22 (c) (Accountability for human rights violations and abuses by law enforcement officials), 33 (d) (Indigenous / Tribal Peoples) and 47 (b) (Legislative framework on migration) above.

Preparation of the next periodic report

66. The Committee recommends that the State Party submit its combined twenty-second to thirty-first periodic reports, as a single document, by 4 January 2030, taking into account the reporting guidelines adopted by the Committee during its seventy-first session¹² and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State Party to observe the limit of 21,200 words for periodic reports and 42,400 words for the common core document.

¹¹ HRI/GEN/2/Rev.6, chap. I.

¹² CERD/C/2007/1.