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International Convention on the Elimination of All Forms of Racial Discrimination

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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 combined 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, the previous review having taken place 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 welcomes the ratification by the State Party of the Convention on the Rights of Persons with Disabilities, in October 2007.

4. The Committee also welcomes the following legislative and institutional measures taken by the State Party:

(a) The adoption 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 for the rehabilitation of persons working as manual scavengers;

(b) The adoption of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Acts of 2015 and 2018 to include new offences as atrocities, establish special courts for speedy trials and streamline the registration of complaints by removing procedural barriers;

(c) The establishment, in 2019, of the Development and Welfare Board for Denotified, 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.

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C. Concerns and recommendations

Statistics

5. The Committee notes the statistics provided by the State Party on scheduled castes, scheduled tribes and refugees, which are based on the results of the population census conducted in 2011. It also notes the information provided by the delegation on the launch of the census in April 2026, after a five-year delay, which will collect data on castes and incorporate the principle of self-identification. However, the Committee is concerned about the lack of information and disaggregated data on Indigenous and tribal peoples, ethnic and ethno-religious groups and non-citizens, such as migrants, refugees, asylum-seekers and stateless persons. The 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 compile, while respecting the principle of self-identification and anonymity, comprehensive disaggregated statistics on the demographic composition of the population, particularly ethnic and ethno-religious groups, scheduled castes, Indigenous and tribal peoples, including scheduled tribes, and non-citizens, through the 2027 census, and provide the Committee with those statistics. In addition, it recommends that the State Party produce disaggregated statistics on the socioeconomic situation of those groups and on their access to education, employment, healthcare 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 that, in its jurisprudence, the Supreme Court has established that international norms consistent with fundamental rights and constitutional principles may be applied by the courts even where they have not been incorporated into the legal order through specific legislation. However, the Committee is concerned about the lack of measures taken to incorporate the Convention into the national 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, where relevant, the provisions of the Convention are invoked before the 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 adoption of the Protection of Human Rights (Amendment) Act, 2019, which increases the number of members of the National Human Rights Commission. It also notes that the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions recommended that the Commission be downgraded to B status in March 2025 owing to, among other issues, a lack of institutional independence, the involvement of law enforcement officials in investigations into allegations of human rights violations initiated by the Commission, a lack of pluralistic balance in its composition and staff and its inability to address all human rights issues and make its positions public. The Committee notes that, pursuant to article 18 of the statute of the Global Alliance, the

[3] CERD/C/2007/1.

Commission 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 amendments to the Protection of Human Rights Act, to strengthen the independence of the National Human Rights Commission 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 with the aim of implementing the recommendations of the Subcommittee on Accreditation, including to ensure the Commission's institutional independence and a pluralistic balance in its composition and staff, in accordance with the diversity of the State Party's population.**

Comprehensive anti-discrimination legislative 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 and place of birth, pursuant to article 15. It also notes the information on other laws on non-discrimination and the jurisprudence of the Supreme Court, particularly with regard to indirect discrimination. The Committee further notes the information on the 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, and on the mandate and activities of other committees working on issues concerning groups protected under the Convention. Nevertheless, the Committee is concerned that:

(a) The legislative framework on the prohibition of racial discrimination remains fragmented and does not contain an explicit definition of racial discrimination on all the grounds enumerated in article 1 of the Convention or expressly prohibit intersecting forms of discrimination or structural, direct and indirect racial discrimination in the public and private spheres;

(b) The anti-discrimination and equality bill introduced as a private member's bill in the parliament (Lok Sabha) in 2016 lapsed without debate;

(c) Colour, descent, national origin and ethnic origin are not among the prohibited grounds for discrimination in article 15 of the Constitution on the prohibition of discrimination, and protection is limited to citizens only;

(d) Prohibited grounds for discrimination are used inconsistently in the Constitution and other legislation;

(e) There is no information on the measures taken to establish an equal opportunities commission as an entity mandated to address discrimination in various sectors, including education, healthcare and employment, pursuant to the recommendations made by various entities and commissions, including the Prime Minister's high-level committee on the social, economic and educational status of the Muslim community of India (Sachar Committee) and the expert group on the development and implementation of a diversity index;

(f) 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, have not been granted enforcement power;

(g) The resources allocated to the National Commission for Scheduled Tribes are reportedly inadequate and, in particular, that 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) The National Commission for Scheduled Castes reportedly faces challenges 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 it into line with the Convention;**

(b) **Develop and adopt, within a clear timeframe, comprehensive anti-discrimination legislation 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 the union and state levels, pursuant to the previous recommendations of entities 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 enable this body 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, including 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 crime and hate speech

13. The Committee notes the information provided by the delegation on the legislative framework to combat hate speech and hate crime, particularly under sections 196 (promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc.), 197 (imputations, 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 (Criminal Code). 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 crime in accordance with article 4 of the Convention or on all the grounds recognized in article 1 thereof;

(b) The Bharatiya Nyaya Sanhita does not recognize racist motivation as an aggravating circumstance of offences (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 crime, 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 for offences**.

Complaints of racial discrimination, including hate crime and hate speech

15. The Committee notes the establishment, under the Amendment Acts of 2015 and 2018, of exclusive special courts, the appointment of special public prosecutors, the establishment of a two-month target for the completion of trials from the date of the filing of charges, and the removal of procedural barriers, such as the requirement that a preliminary inquiry be conducted before a first information report can be registered. It also notes the information

provided by the delegation on the jurisprudence of the Supreme Court confirming the adequacy of the guidelines for curbing hate speech. However, the Committee is concerned about:

(a) Reports of widespread racial discrimination, including hate crime and hate speech against ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens;

(b) The lack of up-to-date, detailed and disaggregated information and statistics on complaints of racial discrimination, hate crime and hate speech filed under the Bharatiya Nyaya Sanhita and on investigations, prosecutions, convictions and penalties imposed by the courts in such cases;

(c) Reports of the systematic failure to effectively implement the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and safeguards therein, the failure to establish an adequate number of exclusive special courts (only 217 such courts have been set up in 15 states and union territories), the high number of pending claims before the courts, the inadequacy of investigations due to a reported lack of will on the part of the law enforcement officials, and low prosecution rates;

(d) Reports of low levels of reporting and complaint registration in untouchability cases 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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens in the media, on the Internet and on social media, and the lack of information on measures to promptly address hate speech in those forums;

(f) The use of racist hate speech by politicians against ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens, and the failure to adequately recognize, investigate and prosecute hate speech by politicians (arts. 2, 4 and 6).

16. **Drawing 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, the Committee recalls that an absence or low number 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 recommendations,[4] 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 crime under the Bharatiya Nyaya Sanhita, to ensure the availability and accessibility of reporting channels for victims, including by conducting an assessment of the systems for reporting and registering complaints of racial discrimination, hate speech and hate crime, and to identify and effectively address all barriers to justice faced by the victims;**

(b) **Take measures to ensure the effective implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, including by establishing dedicated special courts and appointing special public prosecutors in all states and union territories and allocating sufficient financial and human resources;**

(c) **Conduct public education campaigns on the rights enshrined in the Convention and on mechanisms for filing complaints of racial discrimination, particularly among ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens;**

[4] CERD/C/IND/CO/19, para. 26.

(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 crime and hate speech;**

(e) **Collect quantitative and qualitative information on trends in complaints of racial discrimination, including hate speech and hate crime, and on investigations conducted, prosecutions initiated, convictions handed down and penalties imposed, disaggregated by the victim's age, gender and ethnic or national origin, descent, including caste, and include these data in its next periodic report.**

Racial profiling and racially motivated violence

17. The Committee notes 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 that members of ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, people of African descent and non-citizens are being targeted by racial profiling;

(c) The lack of detailed information on investigations, prosecutions, convictions and penalties for acts of racial profiling and racially motivated violence by law enforcement officials against ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, people of African descent 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 establishes proportionate penalties for 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 officials, 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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, people of African descent and non-citizens, and ensure that the alleged perpetrators are prosecuted and, if convicted, given appropriate penalties 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 repealed in 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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens, due to the provision that the Central Government has to approve any prosecution of law enforcement officials acting under the Act. It is also concerned that the Act grants wide powers to arbitrarily search, arrest and detain suspects without a warrant and to use force. The Committee 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 standards 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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, 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 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 notes the information provided on the establishment of Police Complaints Authorities in 25 states and seven union territories to examine complaints of violations and abuses perpetrated by police officers. It also notes the information provided by the delegation during the dialogue that approximately 100 cases against law enforcement officials for human rights abuses perpetrated during law enforcement operations are pending before the courts. Nevertheless, the Committee is gravely concerned about reports of large-scale violations and abuses against ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, 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 periods and without due process, torture and ill-treatment, rape and other forms of sexual violence. It notes with concern the lack of up-to-date, detailed information on investigations, prosecutions, convictions and penalties in relation to those alleged abuses and violations. The Committee is also concerned about reports that extrajudicial killings of Indigenous and tribal peoples, including scheduled tribes, by members of armed groups are systematically labelled as “fake encounters”, with no supporting evidence (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 enable them 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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens by law enforcement officials, particularly racially motivated violence and excessive use of force, extrajudicial killing, arbitrary arrest and detention for prolonged periods and without due process, racial profiling, torture and ill-treatment, rape and other forms of sexual violence, and ensuring that the alleged perpetrators are prosecuted and, if convicted, punished with appropriate penalties 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.**

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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens and on prosecutions, convictions and penalties in such cases, and include these data in its next periodic report.**

[5] Ibid., para. 12.

Civic space

24. The Committee notes the information on the adoption of the Whistle-Blowers Protection Act in 2014 and the appointment by the National Human Rights Commission of focal point for complaints of violations against human rights defenders. However, the Committee is concerned about the reported use of the legal framework, namely, the Foreign Contribution (Regulation) Act, the Unlawful Activities (Prevention) Act, the Armed Forces (Special Powers) Act and the Prevention of Money-Laundering Act, to restrict the rights to freedom of expression, of peaceful assembly 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, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, 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 civil society organization licences were cancelled under the Foreign Contribution (Regulation) Act, with a disproportionate impact on those working to protect and promote the rights of ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens. The Committee is further 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 prolonged detention, extrajudicial killing, torture and ill-treatment, and violations of fair trial guarantees, 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, the Unlawful Activities (Prevention) Act, the Armed Forces (Special Powers) Act and the Prevention of Money-Laundering Act, to ensure an enabling and safe environment for human rights defenders and civil society organizations working to promote and protect the rights of ethnic and ethno-religious groups, scheduled castes, particularly Dalits, Indigenous and tribal peoples, including scheduled tribes, and non-citizens, and to align the legislative framework 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, of peaceful assembly and of association and that it is not applied to intimidate, harass, arbitrarily arrest or detain or prosecute journalists, human rights defenders, academics or civil society representatives or to put an end to 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 intimidation, harassment, reprisals, arbitrary arrest and prolonged detention, extrajudicial killing, torture and ill-treatment and violations of fair trial guarantees committed 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 faced by 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 assessments of the impact and effectiveness of the special measures implemented to address inequalities, while ensuring the participation and consultation of affected groups;**

(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 these data in its next periodic report;**

(c) **Include indicators on the persistence, at the implementation level, of discriminatory practices that undermine the effectiveness of special measures, such as harassment, social exclusion or denial of benefits to eligible beneficiaries;**

(d) **Develop these indicators in consultation with civil society organizations, including those representing Dalits 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 the 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, article 17 of the Constitution, on the abolition of untouchability, and the Protection of Civil Rights Act. It also notes the adoption, in September 2013, of the Manual Scavengers Act, which prohibits the practice of manual scavenging and provides for the rehabilitation of persons working as manual scavengers. Nevertheless, the Committee is concerned about reports of:

(a) The persistence of the segregation of Dalits and their exclusion from access to shared public resources and spaces, including religious and cultural places;

(b) Widespread caste-based spatial segregation and the consideration of a bill in the State of Rajasthan to monitor and restrict property transactions in designated “disturbed areas” on the basis of the vaguely worded term “demographic imbalance”;

(c) The substandard living conditions in neighbourhoods inhabited mainly by Dalits, including the lack of proper infrastructure and limited access to basic services, such as healthcare 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 such acts;

(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 reporting, the provision of sexual assault evidence-collection kits and other measures to strengthen and facilitate investigations and prosecutions;

(f) The prevalent association of Dalits with the cleaning of sewers and septic tanks, and of ineffective implementation of the Manual Scavengers Act, with few complaints registered;

(g) Dalits remaining victims of bonded labour, and challenges faced by victims in accessing rehabilitation;

(h) Ineffective implementation of special measures to ensure equal access to education for Dalits, discrimination faced by Dalit students at all levels of education, and the lack of representation of Dalit professors among the faculty of central universities (arts. 2, 5 and 6).

29. **The Committee notes the State Party's position that discrimination based on caste falls outside the scope of article 1 of the Convention. The Committee maintains its position, expressed in general recommendation No. 29 (2022) on descent in the context of article 1 (1) of the Convention, "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." It reaffirms that discrimination on the grounds of caste is fully covered under article 1 of the Convention. Reiterating its previous recommendations,[6] the Committee urges the State Party to strengthen its efforts to combat caste-based discrimination and segregation faced by Dalits in order to ensure the protection and enjoyment of their rights under the Convention, including by ensuring the effective implementation of the legislative framework, namely, the Protection of Civil Rights Act, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the Manual Scavengers 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 denial of access to such places;**

(b) **Take effective measures to eliminate spatial segregation, including by reviewing its legislative and policy frameworks, including at the state level, with the aim of removing the discriminatory effects of legislation on Dalits, and to ensure availability and access to basic services, such as healthcare facilities, schools, 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 that integrates caste- and gender-sensitive procedures at the point of first contact and addresses the investigation and prosecution of such cases and the provision of support to victims, including protection, temporary shelter, medical assistance and social support, 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 such acts, and ensure the provision of reparation to the victims or their families;**

(e) **Assess the implementation of legislation combating bonded labour, including through enhanced labour inspection, and the overrepresentation of Dalits in the cleaning of sewers and septic tanks, and include information thereon in the next periodic report;**

(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 on structural, process and outcome indicators about Dalits, particularly concerning their economic, social and cultural situation.**

Indigenous and tribal peoples

30. The Committee notes the information on the State Party's legislative framework on Indigenous and tribal peoples, including scheduled tribes. It welcomes the information provided by the delegation that the State Party is considering ratifying Indigenous and Tribal Peoples Convention 1989 (No. 169) of the International Labour Organization. The Committee also notes the information on the process for the President to grant scheduled tribe status to Indigenous and tribal peoples following consultations with states, pursuant to article 342 of the Constitution and provisions of the Constitution (Scheduled Tribes) Order, 1950. The Committee is concerned that:

[6] Ibid., paras. 13, 15, 18, 20, 22, 23 and 25.

(a) Indigenous and tribal peoples, particularly those displaced to work on plantations in Assam State, remain unrecognized and face discrimination due to gaps and inconsistency in the legislative framework, particularly at the state level, and to the methodology applied to recognize schedule tribes;

(b) The criteria applied to recognize Indigenous and tribal peoples as scheduled tribes under the Constitution (Scheduled Tribes) Order, 1950, are based on outdated, derogatory and discriminatory terms, such as "primitive traits" and "backwardness", that perpetuate stigmatization and negative stereotypes against Indigenous and tribal peoples (arts. 1, 2 and 5).

31. **Reiterating its previous recommendations,**[7] **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 the State Party to:**

(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 and tribal peoples so as to ensure the enjoyment of their rights protected under the Convention;**

(b) **Review its legislative and policy frameworks at the union and state levels, particularly the Constitution (Scheduled Tribes) Order, 1950, to remove any derogatory and discriminatory terminology that perpetuates stigmatization and negative stereotypes against Indigenous and 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 of Indigenous and tribal peoples, particularly the Constitution, the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, recognizing the individual and collective forest rights of scheduled tribes and other traditional forest dwellers, and the Provision of the Panchayats (Extension to Scheduled Areas) Act, 1996, providing a framework for consultations with scheduled tribes. The Committee remains concerned that the legislative framework does not recognize and protect the rights of Indigenous and 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 of acquisition, grabbing, alienation and dispossession of lands traditionally owned or occupied by Indigenous and tribal peoples without meaningful consultation and without obtaining their free, prior and informed consent, particularly in the cases of the Naga, Kuki, Chakma and Hajong peoples;

(b) Reports of due process violations during the consideration of claims for recognition of individual and collective forest rights, and of decision-making powers being granted to state-appointed executive bodies instead of to the village assemblies (Gram Sabhas) and the elected local committees at the state level;

(c) The enactment, in August 2024, of the Forest (Conservation) Amendment Act, which provides for exemptions from the consultation requirement for defence installations, paramilitary camps and public utility projects in districts designated as being affected by left-wing extremism;

(d) The fact that the requirement to consult with the Gram Sabhas under the Provision of the Panchayats (Extension to Scheduled Areas) Act concerning land acquisition is limited to minor minerals mining projects and excludes large-scale extraction projects;

(e) Reports that consultations on development projects are often inadequate and that such projects proceed without the free, prior and informed consent of concerned Indigenous and tribal peoples or through false and fabricated documents;

[7] Ibid., para. 10.

(f) Irreparable harm caused by conservation, development, extractive and energy projects to the rights of Indigenous and tribal peoples to own, develop, control and use their traditionally owned lands, territories and resources, to health, housing, food, water and a clean, healthy and sustainable environment, and to access to sacred sites, burial grounds and traditional medicines;

(g) Adverse impacts of the development projects on Great Nicobar and Andaman Islands, which threaten the survival of various vulnerable Indigenous and 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 and tribal peoples in accessing justice or remedy to address violations and abuses of their land rights (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 Working Group on the issue of human rights and transnational corporations and other business enterprises,[8] 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 that it recognizes and protects the rights of Indigenous and tribal peoples to own, use, develop and control the lands, territories and resources traditionally owned, occupied or otherwise used or acquired by them, and to guarantee meaningful consultation with them and the obtention of their free, prior and informed consent;**

(b) **Take effective measures to conduct effective and meaningful consultations with the Indigenous and tribal peoples concerned, through their representative institutions, such as the Gram Sabhas, in a timely, systematic and transparent manner, with a view to obtaining 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, logging, conservation or 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 and 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 their 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 and tribal peoples

34. The Committee notes the information on the safeguards in the legislative framework against displacement and forced evictions and the adoption, 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 displacement and the enforcement and implementation of the Act. It remains concerned about reports of forced evictions of Indigenous and tribal peoples, in particular in the context of conservation, including tiger reserves, extractive industries and other development projects. The Committee is also concerned about reports of obstacles faced by Indigenous and tribal

[8] A/HRC/62/36/Add.2, paras. 56–62.

peoples in accessing effective remedies and 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 letters adopted under its early warning and urgent action procedures in relation to reports of the displacement and forced eviction of approximately 89,000 families belonging to Indigenous and tribal peoples in 18 states following the order of the National Tiger Conservation Authority of 19 June 2024. It also regrets the lack of information on measures taken to conduct assessments regarding the impact of the implementation of the Authority's order on the rights of 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 implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act in practice, including by establishing independent oversight and monitoring mechanisms, providing capacity-building for officials, improving accessibility while taking into consideration the customs, traditions and rules of the affected Indigenous and tribal peoples, providing interpretation services and translations of relevant documents, and undertaking an independent review of all claims rejected under the Act while ensuring a transparent appeal procedure with a suspensive effect;**

(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 and 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, 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 recognizes Indigenous and tribal peoples as custodians of biodiversity.**

Denotified, 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 Denotified, Nomadic and Semi-Nomadic Communities. It also notes the information on the recommendation issued by the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes to repeal habitual offender laws and on the fact that two states have done so. Nevertheless, the Committee remains concerned that such laws are in force in at least 14 states. It is also concerned about the lack of detailed information on measures to provide rehabilitation to the denotified and nomadic tribes concerned (arts. 2, 5 and 6).

37. **Reiterating its previous recommendations,[9] the Committee urges the State Party to repeal habitual offenders laws and provide rehabilitation to the denotified 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 reservation of jobs in the public sector for the scheduled castes and scheduled tribes. Nevertheless, the Committee is concerned about the reported underrepresentation of scheduled castes in decision-making and high-ranking positions and in the judiciary, with only 33 out of the 849 judges appointed since 2018 being members of scheduled castes and only two Chief Justices in the last 70 years being 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).

[9] CERD/C/IND/CO/19, para. 11.

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, scheduled castes, Indigenous and tribal peoples, including scheduled tribes, particularly women, in the public sector at the union and state levels, the judiciary, law enforcement agencies, elected bodies, and 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, pursuant to article 25 of the Constitution. Nevertheless, the Committee is concerned about:

(a) Discrimination against Christian and Muslim members of scheduled castes and scheduled tribes in exercising their right to freedom of thought, conscience and religion and the lack of measures taken to address their exclusion from 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 the conversion of members of scheduled tribes;

(c) Reports of hate speech and hate crime, including forced reconversion campaigns and practices, perpetrated by civilian and organized vigilante groups, targeting Christian and 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) Delays in publishing the report of the commission of inquiry, established in 2022 to examine the socioeconomic conditions of Christian and Muslim Dalits and the implication of extending the special measures known as reservations (arts. 2 and 5).

41. **Reiterating its previous recommendations,[10] the Committee urges the State Party to:**

(a) **Review its legislative framework, including the Constitution (Scheduled Castes) Order, 1950, and state laws, to repeal discriminatory provisions and to guarantee the effective exercise by Christian and 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 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 and 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 and Muslim scheduled castes and scheduled tribes, bring such groups to justice and disband them;**

(d) **Conduct prompt, thorough and impartial investigations into all allegations of hate speech and hate crime targeting Christian or Muslim members of scheduled castes and scheduled tribes and ensure that the alleged perpetrators are prosecuted and, if convicted, punished with appropriate penalties 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 and Muslim Dalits and**

[10] Ibid., para. 21.

the implication of extending the special measures known as 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 governing the right to the enjoyment of the highest attainable standard of physical and mental health and on measures taken to ensure access by scheduled castes and scheduled tribes to healthcare services and to increase their life expectancy. However, the Committee is concerned about reports that Dalits and Indigenous and tribal peoples, including scheduled tribes, continue to face barriers in their enjoyment of the right to health, in particular with regard to access to healthcare 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 and 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 action plan on health, in consultation with Dalits and Indigenous and tribal peoples, including scheduled tribes, and ensure that they have adequate, gender-responsive and culturally appropriate access to healthcare services in practice, including by increasing the availability of healthcare facilities in areas inhabited mainly by them, and take measures to improve health indicators 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, and disproportionally prevent Dalits, Indigenous and Tribal Peoples and migrant workers from enjoying the safeguards, including underpayment of wages and exclusion from social services (arts. 2 and 5).

45. **The Committee recommends that the State Party take effective measures to ensure that the work of domestic workers is regulated by the 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, adopted in April 2025. The Committee is concerned that:

(a) The Immigration and Foreigners Act grants immigration agencies the power to arbitrarily arrest undocumented migrants and asylum-seekers and detain them for indefinite periods, with limited judicial oversight, and requires staff working in healthcare and educational facilities to report undocumented migrants and asylum-seekers, which prevents them from accessing essential and basic services;

(b) The Immigration and Foreigners Act grants immigration agencies the power to expel non-citizens without fulfilling the requirements to ensure due process safeguards, to conduct an individualized assessment or to respect the principle of non-refoulement;

(c) The asylum procedure is not in line with the Convention and relevant standards under international human rights law and international refugee law (arts. 2, 5 and 6).

47. **Reiterating its previous recommendations,** [11] **and recalling its general recommendations No. 30 (2004) on discrimination against non-citizens and No. 37 (2024) on equality and freedom from racial discrimination in the enjoyment of the right to health, as well as joint general recommendation No. 38 (2025) of the Committee on the Elimination of Racial Discrimination and general comment No. 7 (2025) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on general guidelines for eradicating xenophobia towards migrants and others perceived as such and joint general recommendation No. 39 (2025) of the Committee on the Elimination of Racial Discrimination and general comment No. 8 (2025) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families 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 can 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 individualized assessment of its legality, necessity and proportionality;**

(c) **Establish an asylum procedure in accordance with internationally recognized standards and ensure that all deportations, removals and expulsions are conducted in full compliance with obligations under international law, including to respect the principle of non-refoulement and due process guarantees and to conduct comprehensive individualized assessments of protection needs under international human rights law and international refugee law;**

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

Situation of migrants and asylum-seekers

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) An increase in law enforcement operations since the issuance of the Ministry of Home Affairs order of 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 migrants and asylum-seekers, particularly Rohingya and Bengali-speaking Muslim 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 in torture and ill-treatment;

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

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

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

(e) The lack of investigations, prosecutions, convictions and penalties in relation to alleged human rights violations and abuses committed by law enforcement officials,

[11] Ibid., para. 16.

particularly against Rohingya and Bengali-speaking Muslim migrants, including 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 killing, and torture and ill-treatment (arts. 2, 5 and 6).

49. **Recalling its statement 1 (2024) of 29 June 2024, concerning the situation of Rohingya who fled Myanmar to India, made under its early warning and urgent action procedure, the Committee recommends that, as a matter of urgency, the State Party acknowledge the discriminatory nature and seriousness of the problem of racial discrimination, hate speech and hate crime targeting Rohingya and Bengali-speaking Muslim 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 carrying out collective expulsions and provide access to its territory for migrants and asylum-seekers in need of international protection, in compliance with 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 these facilities have access to medical care, interpretation services 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 that racist hate speech targeting migrants and asylum-seekers is publicly condemned 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 Muslim 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 killing, and torture and ill-treatment.**

National Register of Citizens

50. The Committee notes the information provided by the delegation on the implementation of the Citizenship (Amendment) Act, adopted in December 2019, including the Citizenship (Amendment) Rules notified by the Ministry of Home Affairs, and the National Register of Citizens, pursuant to which religious criteria are applied to expedite complex citizenship procedures for certain migrants, refugees and asylum-seekers. The Committee recalls its two letters issued under its early warning and urgent action procedures, in May 2025 and January 2026,[12] and remains concerned that Bengali-speaking Muslims in the State of Assam are subjected to systematic and structural racial discrimination in the development and update of the National Register of Citizens. The Committee is gravely concerned that the implementation of the legal framework is leading to mass arbitrary deprivation of citizenship. The Committee is particularly concerned about reports of complex procedures, 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 certificates, with disproportionate impact on women and children. In addition, the Committee is concerned that Bengali-speaking Muslims are categorized as “non-original inhabitants”, despite the absence of a clear definition of this category in the legislative framework, and are reportedly subjected to more rigorous standards than other categories in the verification

[12] See https://www.ohchr.org/en/treaty-bodies/cerd/decisions-statements-and-letters#c.

process of the National Register of Citizens. The Committee is also concerned about due process challenges, particularly the failure of the authorities to provide the required documents and decisions, which prevent appeals 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 the relevant legislative framework, namely, the Citizenship (Amendment) Act, to align it with the objectives and purposes of the Convention, and that it combat statelessness, address the complexity of the registration procedure and ensure oversight and access to 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 State between June and September 2025. It further notes that the purpose of the special intensive revision process is to ensure that the names of all eligible citizens are included in the electoral roll and that no ineligible voter is included in the electoral rolls. Since its roll-out, approximately 52 million names have allegedly been removed across 12 states and union territories, with West Bengal State particularly affected, where a total of 9.1 million names were reportedly deleted from the roll 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 State, where a similar process was conducted. The Committee is also concerned about statements made by high-level officials in Assam and West Bengal States that conflate lawful Indian Muslim citizens with foreign nationals, which would indicate official endorsement 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 the right of ethno-religious minorities to participate in the electoral process, and 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 the school level and the information on training on equality and non-discrimination for law enforcement officials. However, the Committee notes with concern the information on the revision of textbooks, conducted in 2023 by the National Council of Educational Research and Training to remove content related to the 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 textbooks to include, as an obligatory component of the curriculum, human rights education, including on combating racial discrimination and prejudice, particularly content on the 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 healthcare providers, and promote the integration of equality, diversity and tolerance into all levels of their training.**

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 International 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 communications.**

Follow-up to the Durban Declaration and Programme of Action

59. **In the 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 the 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.**[13] **In the 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 and tribal peoples), 41 (right to freedom of thought, conscience and religion), 49 (Situation of migrants and asylum-seekers) and 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 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 and 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 session**[14] **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.**

[13] HRI/GEN/2/Rev.6, chap. I.
[14] CERD/C/2007/1.