

CERD 2026 review of India

Extracts relevant to caste discrimination and Dalits

[CERD/C/IND/CO/20-21](#) | *Advance unedited version* | 25 August 2026

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Statistics and caste-disaggregated data

Paragraph 5 | PDF page 2

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).

Paragraph 6 | PDF page 2

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, 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.

Comprehensive anti-discrimination legislation and institutions

Paragraph 11 | PDF page 3-4

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).

Paragraph 12 | PDF page 4

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 speech and hate crimes

Paragraph 13 | PDF page 4

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).

Paragraph 14 | PDF page 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, access to justice and the Prevention of Atrocities Act

Paragraph 15 | PDF page 5

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 Sanhita, 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).

Paragraph 16 | PDF page 5-6

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 recommendations 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 Sanhita, 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;

(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

Paragraph 17 | PDF page 6

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).

Paragraph 18 | PDF page 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 abuses by law enforcement officials

Paragraph 19 | PDF page 6-7

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).

Paragraph 20 | PDF page 7

20. Reiterating its previous recommendations, 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.

Paragraph 21 | PDF page 7

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).

Paragraph 22 | PDF page 7

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.

Paragraph 23 | PDF page 8

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 and human rights defenders

Paragraph 24 | PDF page 8

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).

Paragraph 25 | PDF page 8

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

Paragraph 26 | PDF page 8-9

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).

Paragraph 27 | PDF page 9

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

Paragraph 28 | PDF page 9

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).

Paragraph 29 | PDF page 10

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 recommendations 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.

Scheduled Castes in political and public affairs

Paragraph 38 | PDF page 13-14

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 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).

Paragraph 39 | PDF page 14

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.

Freedom of thought, conscience and religion: Christian and Muslim Dalits

Paragraph 40 | PDF page 14

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).

Paragraph 41 | PDF page 14-15

41. Reiterating its previous recommendation, 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 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

Paragraph 42 | PDF page 15

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).

Paragraph 43 | PDF page 15

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

Paragraph 44 | PDF page 15

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).

Paragraph 45 | PDF page 15

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.

Education, textbooks and measures to combat prejudice

Paragraph 54 | PDF page 18

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.

Paragraph 55 | PDF page 18

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.

Recommendations identified by CERD as being of particular importance

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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.

Labour terminology: bonded labour, forced labour and child labour

Concluding Observations. The Concluding Observations do not contain the exact expressions “forced labour” or “child labour”. Their caste-related labour findings are framed in terms of “bonded labour”, labour

inspection, manual scavenging and Dalit overrepresentation in cleaning sewers and septic tanks, particularly in paragraphs 28(g) and 29(e).

MRG-IDSN alternative report. The joint alternative report submitted by Minority Rights Group International (MRG) and the International Dalit Solidarity Network (IDSN) expressly addresses forced and bonded labour. It also describes a June 2026 case in Muzaffarnagar, Uttar Pradesh involving twelve rescued workers, some of them minors, in which charges were registered under the Bonded Labour System (Abolition) Act 1976 and the Child Labour (Prohibition and Regulation) Act. This paragraph is a cross-reference to the alternative report and is not an extract from CERD's Concluding Observations.

Further information

- [CERD Concluding Observations on India \(CERD/C/IND/CO/20-21\)](#)
- [MRG-IDSN Alternative Report: Caste-Based Discrimination](#)
- [Civil society coalition Alternative Report on India](#)
- [UN Geneva meeting summary](#), 12 August 2026