

Caste discrimination and the second UPR of India

“IDSN analysis on outcomes and observations on follow-up to the UPR of India – October 2012”

Final Outcome on the basis of India’s response

India was reviewed for the second time by the UPR Working Group at the 13th UPR session on 24 May 2012. During this review, ten recommendations with specific reference to caste and Dalits were made by a cross-regional group of states. Out of these, the **Government of India only accepted the following two caste-specific recommendations.**

“Continue to promote the rights of women in their choice of marriage and their equality of treatment independent of caste and tribe or other considerations”. (Holy See)

“Put in place appropriate monitoring mechanisms to ensure that the intended objectives of the progressive policy initiatives and measures for the promotion and protection of the welfare and the rights of the vulnerable, including women, girls and children, as well as the Scheduled Castes and Schedules Tribes and Minorities are well achieved.” (Ghana)

In its responses to the recommendations ([A/HRC/21/10/Add.1](#)), the GoI unfortunately does not provide information on how it intends to follow up on the accepted recommendations, and which recommendations it does *not* accept - thereby deviating from the agreed modalities.¹ Furthermore, the GoI has modified the wording of some of the accepted recommendations; thus leaving the responses to 28 recommendations unclear.¹ None of these however concern the issue of caste-based discrimination.

An in-depth display of the final outcome can be accessed here: [Outcome of UPR India](#)

Executive summary

The report of the UPR working group, which was adopted on 30 May ([A/HRC/WG.6/13/L.8/India](#)), includes a total of 169 recommendations to the Government of India (GOI), out of which ten recommendations are specifically related to caste discrimination and the situation of Dalits. In total, 80 States participated in the discussion: 31 members and 49 observers of the Human Rights Council. The troika consisted of Kuwait, Mauritius and Mexico.

The caste-related *recommendations* were made by a cross-regional group of states: Thailand, Japan, Ghana, USA, Czech Republic, Germany, Norway, and the Holy See. In addition, Chile, Canada, Luxembourg, Italy, Hungary, Denmark, and Slovenia asked *questions* or made *observations* related to caste and manual scavenging in advance of the review or during the interactive dialogue. Thus, a total of 14 states made interventions with explicit recognition of the challenges faced by the Dalit community in India’s second UPR. The interventions focused on the need for effective monitoring and implementation of laws to

¹ The HRC has decided that the State under review should clearly communicate to the Council, in a written format preferably prior to the Council plenary, its positions on all received recommendations (A/HRC/16/21, para. 16)

protect Scheduled Castes and Scheduled Tribes, access to justice and impunity, disaggregated data on caste, human rights education, discrimination and violence against religious minorities including Dalits, child labour and drop-out rates, the National Commission for Scheduled Castes, discrimination against Scheduled Caste women, human rights defenders, and manual scavenging. >> [Download a compilation of caste-related observations and recommendations by states in India's UPR](#)

In addition to these, many other recommendations were made on related and more general issues, including law enforcement, police reform, national commissions, freedom of religion and communal violence, women's rights (violence, harassment and abuse), protection of children and child labour, human trafficking, poverty and access to basic services (health, water and sanitation), and right to education, to mention some. Below is a cluster of themes according to the different recommendations of particular relevance.

An overwhelming number of states furthermore recommended the GOI to ratify a number of human rights instruments, including the International Convention Against Torture and its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearances, the Optional Protocol to the Convention on the Elimination of Discrimination against Women, ILO Conventions No. 169 and no. 189, and the Rome Statute of the International Criminal Court.

Caste-related statements in India's UPR - 2012 and 2008:

In India's first review in 2008, a total of 13 states made observations and recommendations related to caste. However, only two of recommendations were made on this issue (No. 5 on disaggregated data and No. 13 on human rights education, specifically to address gender-based and caste-based discrimination). In its response to the recommendations, the Government of India did not accept any of these two recommendations. Nine of the states that made caste-specific interventions in the first review in 2008, chose not to do so in the second review.

- a. 2012 advance questions (of direct relevance): Denmark (manual scavenging), Slovenia (manual scavenging), Germany (discrimination of minorities because of religion, race, caste or sex – impunity of infringements, enforcement of rule of law)
- b. 2012 oral statements in interactive dialogue (12 with explicit references to caste and Dalits, in the order they were delivered): Thailand, USA, Canada, Chile, Czech Republic, Germany, Holy See, Hungary, Japan, Ghana, Luxembourg, Norway
- c. 2008 statements addressing caste and Dalits: Belgium, Netherlands, Republic of Korea, UK, Slovakia, France, Malaysia, Azerbaijan, Singapore, Canada, Italy, Denmark, USA

Government of India's responses at the interactive dialogue

The 19-member delegation from India was headed by Mr. Goolam VAHANVATI, Attorney General of India. In the interactive dialogue, the Indian delegation highlighted the significant developments that had taken place in the last four years, including the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), the Right to Education Act of 2009, and the National Food Security Bill (para. 8).

In relation to concerns expressed on the issue of caste discrimination, the delegation's response was overtly superficial in its replies stating that "several recent steps have been taken to impact positively on the lives of the Scheduled Castes as well as the tribal population", and that India has seen "tremendous strides in focusing on groups needing special attention including children, women, disabled, elderly, minorities, Scheduled Castes and Scheduled Tribes". It also stated that "India's efforts in the sphere of social and economic advancement had been significant" (paras. 24, 14 and 15). The delegation did not,

however, respond to the immediate challenges, critical observations, and strong recommendations on caste discrimination [made by states during the interactive dialogue](#), by UN human rights bodies as reflected in the [compilation of UN information](#), and by civil society as compiled in the [summary of stakeholders' information - India](#) for the review of India.

With regard to concerns about the judiciary in India, the delegation “rejected totally” the intervention, which stated that the judiciary lacked transparency (para. 136). While acknowledging “aspects of delay”, the delegation emphasized that “efforts were being made to address this issue.”

In response to questions about communal violence, which is often affecting the scheduled castes and scheduled tribes communities the most, the Indian delegation said that “sporadic acts of violence were dealt with swiftly and effectively” (para. 131). This stands in sharp contrast to the [documentation](#) from civil society and concerns raised by the SR on freedom of religion after her visit in 2009.

Critical gaps in India’s cooperation with UN human rights mechanisms:

The [compilation of UN information](#) prepared for the UPR documents clearly document the concerns expressed by several UN human rights bodies and UN agencies about the continued acts of discrimination and violence against members of disadvantaged groups, including women, scheduled castes and tribes. Since India’s first UPR, such concerns have been expressed by the CESCR in 2008, SR on HRDs in 2011, UNICEF in 2011, ILO Committee of Experts in 2010, and SR on freedom of religion in 2009. Furthermore, the SR on extrajudicial and summary executions made remarks following his visit in March 2012. While some of these concerns were raised by states, the critical gaps in the GOI’s failure to comply with its treaty body reporting obligations and non-response to requests for follow-up information was only addressed by a few states.

- **Ratification of human rights instruments:** Several states recommended GOI to ratify international human rights instruments as reflected in many recommendations of the UPR Working Group, as also recommended by a number of UN human rights bodies previously (paras. 1-4 in [compilation of UN information](#)).
- **Cooperation with Special Procedures:** The GOI should be commended for extending a standing invitation to UN Special Procedures, and for inviting and cooperating constructively with a number of rapporteurs over the last few years. These country visits constitute an effective mechanism for monitoring the human rights situation, and for engaging civil society in such work. Follow-up to the visits and communications sent by the UN Special Procedures by governments is, however, equally important to make this work effective. Since the first UPR, four visits have been undertaken (freedom of religion in 2008; toxic waste in 2010; human rights defenders in 2011; and summary executions in 2012), and one confirmed visit has been postponed (sale of children). The GOI has still not responded to the request for follow-up information by the SR on freedom of religion. According to the [compilation of UN information](#), two other visits by the mandate holders on adequate housing and arbitrary detentions have been agreed in principle. Still, seven mandate holders have requested visits to India, including the SR on torture, racism, water and sanitation, trafficking, and violence against women.
- **Cooperation with treaty bodies:** The GOI is overdue in its reporting several to treaty bodies, including CERD (since 2010), CESCR (since 2011), HR Committee (since 2001), CEDAW (since 2011), and CRPD (since 2010) as reflected in the [compilation of UN information](#). Most alarming is the serious reporting delay to the Human Rights Committee, especially given the many concerns expressed about the impairment of civil and political rights in India. Furthermore, the GOI has not responded to the specific follow-up requests by CERD, which were due in 2008, which included two subject matters related to caste discrimination: a) Acts of sexual violence and exploitation against Dalit and tribal women, and the right of ownership by members of tribal communities over

lands traditionally occupied by them; and b) Complaints about acts against members of scheduled castes (SC) and scheduled tribes (ST).

Follow up to UPR recommendations

As a demonstration of its declared commitment to human rights, the Government of India should accept the recommendations contained in the Working Group's report *including* those on caste (in contrast to the outcome in 2008); provide full and adequate responses to all 169 recommendations (which are expected no later than the 21st Human Rights Council session); and involve civil society meaningfully in follow up and mid-term assessment of this review.

The UPR recommendations provide a solid basis on which monitoring and reporting can be done in the next four years, including the recommended mid-term assessment by the State under Review after two years. It is crucial that the GOI gives due consideration to the recommendations by accepting them as a basis for monitoring and implementation of measures to promote and protect human rights in the next four year cycle.

The GOI is recommended to ensure full and meaningful participation of civil society in this process, including in the preparation for its third UPR after the current cycle ends in 2016. India will prepare its responses to all 169 recommendations before the 21st Human Rights Council session in September. At this session, NGOs will also be allowed to make statements in follow up to the UPR.

Reference documents:

- [Government of India's responses to UPR recommendations](#)
- [Report of the UPR Working Group \(A/HRC/WG.6/13/L.8/India\) – highlighted with caste references](#)
- [National report – India \(A/HRC/WG.6/13/IND/1\)](#)
- [Compilation of UN information - India \(A/HRC/WG.6/13/IND/2\)](#)
- [Summary of stakeholders' information - India \(A/HRC/WG.6/13/IND/3\)](#)
- [Advance questions - India](#)
- [IDSN compilation of caste-related observations and recommendations by states in India's UPR](#)

Other links:

- [Press release by NCDHR in response to the India review \(24 May\)](#)
- [IDSN article on the outcome of the UPR of India \(30 May\)](#)
- [UPR India 2012: Briefing note with key recommendations and question - Caste discrimination in India >>](#)
- [UPR India submission - Coalition report by National Campaign on Dalit Human Rights >>](#)

Key issues in the UPR recommendations (Report of the Working Group on the Universal Periodic Review – India, A/HRC/WG.6/13/L.8)

(Recommendations with explicit reference to caste or Dalits are highlighted in yellow)

1. Access to justice (enhancing monitoring and implementation of legislation incl. the PoA Act, addressing impunity, strengthening judiciary)

138.47. Take adequate measures to guarantee and monitor the effective implementation of the Prevention of Atrocities Act, providing legal means for an increased protection of vulnerable groups like the Dalit, including the access to legal remedies for affected persons (Germany);

138.71. Continue its efforts to eliminate discrimination against and empower marginalized and vulnerable groups particularly by ensuring effective implementation of relevant laws and measures through proper and active coordination among line ministries, national and state governments; by extending disaggregated data to caste, gender, religion, status and region; and by increasing sensitization and reducing discriminatory attitudes among law enforcement officers through human rights education and training (Thailand);

138.72. Ensure that laws are fully and consistently enforced to provide adequate protections for members of religious minorities, scheduled castes, and adivasi groups, as well as, women, trafficking victims, and LGBT citizens (United States of America);

138.73. Monitor and verify the effectiveness of, and steadily implement, measures such as quota programmes in the areas of education and employment, special police and special courts for effective implementation of the Protection of Civil Rights Act and the Scheduled Caste and Scheduled Tribes Act, and the work of the National Commission for Scheduled Castes (Japan);

138.75. Put in place appropriate monitoring mechanisms to ensure that the intended objectives of the progressive policy initiatives and measures for the promotion and protection of the welfare and the rights of the vulnerable, including women, girls and children, as well as the scheduled castes and scheduled tribes and minorities are well achieved (Ghana);

138.53. Enact comprehensive anti-discrimination legislation and ensure that there are adequate means of redress (Ireland);

2. Law enforcement and reforms, police abuse, capacity building and training for law enforcement officials

138.59. Intensify efforts in providing capacity building and training programmes on human rights for its law enforcement officials as well as judicial and legal officials in the rural areas (Malaysia);

138.60. Improve training on human rights by addressing law enforcement, especially police officers (Iraq);

138.61. Set up State and District Commissioners for the Protection of Child Rights in all States and Districts (Ireland);

138.62. Strengthen the process for ensuring independent and timely investigation mechanisms to address and eliminate corruption; and provide for and facilitate increased accountability and transparency in this process (United States of America);

138.117. Continue to carry out policies aimed at improving its judicial system, reforming the law enforcement bodies and reducing the level of crime and corruption (Russian Federation);

138.119. Guarantee effective access to justice in cases of human rights violations committed by security forces personnel with regard to the use of torture (Spain);

138.120. Implement effective judiciary proceedings making possible the bringing to justice security forces personnel who have committed human rights violations (France);

138.121. Solve remaining cases of human rights violations and create an independent committee to receive claims against the police that were referred to by the Special Rapporteur on Human Rights Defenders (Iraq);

138.122. Further promote equal access to justice for all , including by reducing backlog and delays in the administration of cases in court, providing more legal aids to the poor and marginalized, as well as increasing the use of alternative measures to pre-trial detention (Thailand);

3. Human rights defenders

138.43. Enact a law on the protection of human rights defenders, with emphasis on those defenders facing greater risks, including those working on minority rights and the rights of scheduled castes and tribes (Czech Republic);

138.68. Implement the recommendations made by the Special Rapporteur on the rights of human right defenders following her visit in 2011, with particular emphasis on recommendations that concern defenders of women's and children's rights, defenders of minorities rights, including Dalits and Adavasi, and right to information activists (Norway);

138.67. Adopt the recommendations of the Special Rapporteur on the situation of human rights defenders and the necessary measures to its recognition and protection, guaranteeing that the human rights violations are timely, effectively and independently investigated (Spain);

4. Cooperation with UN human rights mechanisms

138.65. Implement Treaty Body recommendations and develop a National Action Plan to eliminate all forms of discrimination (Slovenia);

138.66. Continue cooperating with Special Procedures and accept in particular requests for visits from Special Rapporteurs (Belgium);

138.69. Allow the visit of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, whose request had been pending for 18 years, in line with India's standing invitation issued in 2011 to all Special Procedures of the HRC (Hungary);

138.70. Continue cooperating with the United Nations and other international organisations and share good experience and practices with other countries in order to overcome the remaining challenges (Lao People's Democratic Republic);

5. National commissions (ICC recommendations, effective implementation of their work, enhanced coordination)

138.56. Implement the 2011 recommendations of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to ensure the high standards and independence of India's National Human Rights Institutions (United Kingdom of Great Britain and Northern Ireland);

138.57. Intensify its efforts and measures to consolidate the state of law and its national mechanisms on human rights (Viet Nam);

138.58. Further coordination among relevant national authorities and human rights institutions (Egypt);

6. Torture – ratification of the International Convention Against Torture

Recommendations to ratify the ICAT were made by Spain, Sweden, Turkey, Switzerland, UK, USA, Botswana, Canada, Chile, France, Hungary, Iraq, Italy, Maldives, Brazil, France, Indonesia, Costa Rica, Czech Republic, Portugal, Republic of Korea, Timor-Leste, Austria, and Australia.

7. Freedom of religion (communal violence, anti-conversion laws)

138.118. Prevent and pursue through the judicial process, all violent acts against religious and tribal minorities, Dalits and other casts (Holy See);

138.48. Adopt the Prevention of Communal and Targeted Violence Bill addressing issues such as accountability of civil servants, standards of compensation for victims and elements of command responsibilities (Germany);

138.49. Reconsider laws and bills on religious conversion in several Indian states in the light of freedom of religion or belief in order to avoid the use of vague or broad terminology and discriminatory provisions (Germany);

138.50. Reconsider current local legislation on freedom of religion, that uses vague or broad terminology and discriminatory provisions, and impedes the possibility for conversion of faith for those who wish to do so (Netherlands);

8. Women's rights, violence against women

138.87. Continue to promote the rights of women in their choice of marriage and their equality of treatment independently of caste and tribe or other considerations (Holy See);

138.41. Enact comprehensive reforms to address sexual violence and all acts of violence against women, including "honour" crimes, child marriage, female feticide and female infanticide, and to remedy limitations in the definition of rape and the medico forensic procedures adopted for rape cases (Canada);

138.80. Improve women empowerment and emancipation, and provide them with a bigger role to play in the society (Kuwait);

138.81. Redouble efforts on ensuring gender equality and take measures to prevent gender discrimination (Bahrain);

138.82. Review the budgets and social laws taking into account gender issues (Morocco);

138.83. Continue incorporating the gender perspective in programmes and development plans with positive measures to the effective promotion and protection of women's' rights (Venezuela (Bolivarian Republic of));

138.84. Continue to promote its many initiatives for the eradication of all forms of discrimination against women (Trinidad and Tobago);

138.85. Further strengthen measures to eliminate traditional harmful practices which are discriminatory against women and girls in particular child marriages, dowry related murders and honour killings (Chile);

138.86. Continue following-up on steps taken to eliminate discrimination against women, including through awareness raising and continuous strengthening of the relevant legal and institutional frameworks (Egypt);

138.88. Strictly enforce the legal provisions prohibiting harmful and discriminatory practices that violate the rights of women and girls, and that it undertake effective public education measures, including awareness-raising programmes designed to eliminate gender-based prejudices, traditional practices and provisions of personal status laws that are harmful and discriminatory to women and girls (Liechtenstein);

9. Children and women's rights (violence, sexual abuse and harassment)

138.54. Establishment and implementation of a National Human Rights Plan which cover access to education and health, including aspects of sexual and reproductive and health, as well as, concrete measures to eliminate violence against women (Spain);

138.40. Strengthen protection of children's rights, including the ratification of the Convention on the Rights of the Child, by improving mechanisms and resources for the implementation of existing legislation, and by demonstrating higher conviction rates for crimes against children such as sexual exploitation, child labour, child forced-labour and child trafficking (Canada);

138.42. Enact those pending bills that are aimed at empowering women, including the women's Reservation Bill and the amendments to Panchayati Raj Act (Netherlands);

138.79. Continue its legal efforts in the protection of women and children's rights as well as improve measures to prevent violence against women and girls, and members of religious minorities (Iran);

138.102. Take effective measures to dissuade child marriage and to protect the fundamental rights of the children (Switzerland);

138.103. Take more efforts to prevent children from sexual exploitation and separation from families, and give them the opportunity and assistance to grow up in an environment of freedom and dignity (Bahrain);

138.104. Introduce legislation to prohibit corporal punishment of children in all settings (Liechtenstein);

138.105. Adopt comprehensive legislation on fighting all forms of sexual harassment in relation to women and children (Kyrgyzstan);

138.106. Take the necessary legislative, civil and criminal measures to provide the appropriate protection to women, and children that are victims of sexual abuse (Mexico);

138.130. Provide more resources for the enjoyment of economic and social rights, especially in favour of vulnerable groups like women, children, poor people and minorities (Viet Nam);

10. Human trafficking

138.107. Accelerate its efforts on combatting human trafficking (Iran);

138.108. Reinforce efforts to protect and rehabilitate the victims of trafficking (Ukraine);

138.109. Continue stepping up efforts in the area of fighting trafficking as well as consider the possibility of inviting the Special Rapporteur on trafficking in persons, especially in women and children, to visit the country (Belarus);

138.110. Continue to strengthen its efforts to combat trafficking in persons by providing the necessary budget to establish a larger number of local bodies to combat this scourge (Paraguay);

138.111. Implement monitoring mechanisms to stop people trafficking (Holy See);

138.112. Ban all forms of child labour for children from ages 6 to 14 (Ireland) and ratify ILO Conventions No. 138 and no. 182 (Ireland);

138.113. Amend the Child Labour Act to ban child labour, and to sign and ratify ILO Conventions 138 concerning Minimum Age for Admission to Employment and 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour and elaborate a timeline for the ratification of these instruments (Norway);

138.114. Continue the implementation of the national child labour project aiming at the rehabilitation of child labourers (Angola);

138.115. Extend the minimum age to 18 years for any form of labour that prevents children from accessing a full education (Ireland);

138.116. Implement the recommendations included in the OHCHR report on street children (A/HRC/19/35) (Hungary);

11. Child labour

138.46. Effectively implement existing legislation on child labour in line with India's international obligations and strengthen the judicial powers of the National Commission for Protection of Child Rights (Germany);

138.128. Align its national regulations with the ILO Conventions 138 concerning Minimum Age for Admission to Employment and 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour and elaborate a timeline for the ratification of these instruments (Hungary);

12. Poverty and access to development and resources (health, water and sanitation)

138.51. Continue its efforts to further spread in the country the model of rural growth in the Mahatma Gandhi National Rural Employment Guarantee Act (Greece);

138.135. Allocate more resources in sectors that provide basic services such as health, education and employment opportunities (Malaysia);

138.136. Introduce a strategy to promote food security (Saudi Arabia);

138.137. Continue to implement plans adopted in the area of housing and rehabilitation, particularly the plan launched in 2011 aimed at preventing the construction of new slums (Algeria);

138.138. Ensure that every household enjoys the right to safe drinking water and sanitation (Slovenia);

138.139. Further accelerate the sanitation coverage and the access to safe and sustainable drinking water in rural areas (Myanmar);

138.140. Continue to strengthen its poverty alleviation strategies, as well as its child protection strategies, particularly against the exploitation of children (South Africa);

138.141. Continue consolidating its programmes and socio-economic measures essential to achieve poverty reduction and social exclusion to the utmost wellbeing of its people (Venezuela (Bolivarian Republic of));

138.142. Continue efforts to eradicate poverty and to better living conditions as well as increase job opportunities (Kuwait);

138.143. Further strengthen the efforts in poverty eradication, paying special attention to the rural population (Myanmar);

138.144. Continue to advance the progress already underway on poverty eradication and improve the enjoyment of the most basic human rights of its people, especially women and children (Singapore);

138.145. Continue encouraging socio economic development and poverty eradication (Cuba);

138.146. Continue its efforts aimed at improving the level of public health in the country to attain better results in the area of health and access to health (Saudi Arabia);

138.147. Establish measures at the national and state level to remove obstacles in terms of access by the population to pain palliative medicines (Uruguay);

138.148. Provide every possible support and assistance to the national project for rural health to increase the standard of nutrition and improve public health and to strengthen the relationship between health and indicators such as sanitation and personal hygiene; (United Arab Emirates);

138.152. Strengthen its efforts to improve maternal health and acts to effectively balance the skewed sex-ratio among children, including by combating female foeticide (Norway);

- 138.153. Take further measures to ensure all women without any discrimination access to adequate obstetric delivery services and sexual and reproductive health services, including safe abortion and gender-sensitive comprehensive contraceptive services (Finland);
- 138.154. Contribute to further reduction of maternal mortality through the establishment of an independent organ to accelerate programmes and projects in this area (Honduras);
- 138.155. Intensify its efforts to sensitize and train medical professionals on the criminal nature of prenatal sex selection with a view to ensuring stringent enforcement of the legal prohibition of such practice (Liechtenstein);
- 138.156. Take effective measures to fully implement National Rural Health Missions (Honduras);
- 138.157. Continue to strengthen its programmes and initiatives geared towards guaranteeing the rights to health and education (Cuba);
- 138.158. Redouble its efforts in the field of education and health (Senegal);
- 138.159. Increase the budget allocated to health from 1 percent of the GDP to 2 percent (Luxembourg);

13. Access to education (Right to Education Act)

- 138.163. Strengthen human rights training aimed at teachers in order to eliminate discriminatory treatment of children of specific castes, as well as appropriately follow-up on the results of the training that has occurred thus far (Japan);
- 138.52. Enhance the coordination of both the central and state governments in an effective manner in order to guarantee the smooth implementation of the 2010 Right of Children to Free and Compulsory Education Act (Indonesia);
- 138.123. Take legislative action to ensure every person's right to freely choose one's religion in line with the Indian Constitution and effectively and swiftly prosecute acts of violence against religious minorities (Austria);
- 138.124. Abolish anti-conversion laws in relation to religion and grant access to justice to victims of religious violence and discrimination (Italy);
- 138.125. Strengthen the Federal Government's effort to guarantee freedom of religion to everyone in this world largest democracy (Holy See);
- 138.149. Meet the stated commitment from the Common Minimum Program of 2004 to dedicate 3 percent of India's GDP to health and 6 percent to education (Slovenia);
- 138.160. Further promote children's right to education (Greece);
- 138.161. Reinforce its efforts in provision of free and compulsory primary education (Slovakia);
- 138.162. Continue implementing a non-discriminatory and inclusive policy and guarantee quality education to all the girls and boys in its country (Ecuador);
- 138.164. Ensure universal, compulsory and free education, carrying out on a priority basis measures aimed at eradicating discrimination, particularly discrimination that affects girls, marginal groups and persons with disabilities (Mexico);
- 138.165. Continue its efforts to promote the right to children's education and ensure the importance of the principles of children's education in the country (Qatar);

138. The recommendations formulated during the interactive dialogue and listed below will be examined by India who will provide its responses in due time, but no later than the 21st session of the Human Rights Council in September 2012. These responses will be included in the outcome report adopted by the Human Rights Council at its 21st session.

138.43. Enact a law on the protection of human rights defenders, with emphasis on those defenders facing greater risks, including those working on minority rights and the rights of scheduled castes and tribes (Czech Republic);

138.47. Take adequate measures to guarantee and monitor the effective implementation of the Prevention of Atrocities Act, providing legal means for an increased protection of vulnerable groups like the Dalit, including the access to legal remedies for affected persons (Germany);

138.68. Implement the recommendations made by the Special Rapporteur on the rights of human right defenders following her visit in 2011, with particular emphasis on recommendations that concern defenders of women's and children's rights, defenders of minorities rights, including Dalits and Adavasi, and right to information activists (Norway);

138.71. Continue its efforts to eliminate discrimination against and empower marginalized and vulnerable groups particularly by ensuring effective implementation of relevant laws and measures through proper and active coordination among line ministries, national and state governments; by extending disaggregated data to caste, gender, religion, status and region; and by increasing sensitization and reducing discriminatory attitudes among law enforcement officers through human rights education and training (Thailand);

138.72. Ensure that laws are fully and consistently enforced to provide adequate protections for members of religious minorities, scheduled castes, and adivasi groups, as well as, women, trafficking victims, and LGBT citizens (United States of America);

138.73. Monitor and verify the effectiveness of, and steadily implement, measures such as quota programmes in the areas of education and employment, special police and special courts for effective implementation of the Protection of Civil Rights Act and the Scheduled Caste and Scheduled Tribes Act, and the work of the National Commission for Scheduled Castes (Japan);

138.75. Put in place appropriate monitoring mechanisms to ensure that the intended objectives of the progressive policy initiatives and measures for the promotion and protection of the welfare and the rights of the vulnerable, including women, girls and children, as well as the scheduled castes and scheduled tribes and minorities are well achieved (Ghana);

138.87. Continue to promote the rights of women in their choice of marriage and their equality of treatment independently of caste and tribe or other considerations (Holy See);

138.118. Prevent and pursue through the judicial process, all violent acts against religious and tribal minorities, Dalits and other casts (Holy See);

138.163. Strengthen human rights training aimed at teachers in order to eliminate discriminatory treatment of children of specific castes, as well as appropriately follow-up on the results of the training that has occurred thus far (Japan);

139. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

ⁱ Link to [UPR Info's analysis of India's responses \(2 October 2012\)](#)