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THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

IMADR Oral Statement: 21st Session of the Human Rights Council**Item 6:UPR India**

20 September, 2012

Thank you Madame President,

Of 169 recommendations India has received in the second UPR examination, ten specifically related to caste discrimination and the situation of Dalits – officially known as Scheduled Castes (“SCs”) – in India.¹ According to the 2001 census there are 167 million Dalits in India.

Although India has a strong range of constitutional provisions and laws that ban caste discrimination, the central feature of caste discrimination is the practices of “untouchability”. In this context, effective implementation of laws to prevent this form of discrimination is the critical challenge to be solved, as noted by several states during the UPR and by various treaty human rights bodies over the years. We urge the GOI to immediately take actual actions to make *de jure* into *de facto* by comprehensively implementing existing laws to protect the rights of its most vulnerable citizens.

We welcome the approach of the Government in pre-UPR dialogues with civil society on the issue of caste-based discrimination and also in accepting caste specific recommendations made by Ghana and Holy See concerning appropriate monitoring mechanisms and the equal treatment of women regardless of their caste and tribe. We also welcome India’s acceptance of Nicaragua’s recommendation to include civil society participation in the UPR process.

In this context, we urge the GOI to immediately take actions to rightfully implement these recommendations and also consider to accept other recommendations which has direct implications on 160 million Dalits in India. We also urge the GOI to effectively follow-up the visits and communications made by Special Procedures, and to fulfill its reporting obligations to treaty bodies, including the urgent submission of its overdue reports such as the one to the Human Rights Committee which is more than ten years overdue.

Thank you Madame President.

¹ Caste-related recommendations were made by a cross-regional group of states, including Thailand, Ghana, Japan, Czech Republic, Germany, Norway, USA, and the Holy See. In addition, Chile, Canada, Luxembourg, Hungary, Denmark, and Slovenia asked questions or made observations related to caste and manual scavenging.