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India: Indigenous Peoples Face Systematic Discrimination

A shadow report to the UN Committee on the Elimination of Racial Discrimination (CERD) during its 118th Session (10-25 August 2026)

Table of contents

1. Executive summary and recommendations.....	2
2. Absence of a comprehensive anti-racial discrimination law (Articles 1, 2, 4 and 6)	4
3. Endangered Indigenous Peoples May Become Extinct With the Great Nicobar Mega Project (Articles 2 and 5)	5
4. Weakening of the laws regarding Indigenous Peoples right to land and resources (Articles 2, 5 and 6) 8	
5. Continuing discrimination against the Chakma and Hajong communities in Arunachal Pradesh in violations of the Supreme Court judgments (Articles 2, 5 and 6).....	11
6. Forced evictions from the protected areas and misuse of CAMPA funds for displacement (Articles 2, 5 and 6)	13
7. Indigenous human rights defenders	16
7.1 Repeated targeting of Indigenous rights defenders at Kaziranga National Park.....	16
7.2: Targeting of HRDs Opposing Siang Upper Multipurpose Project, Arunachal Pradesh	18

1. Executive summary and recommendations

This shadow report is submitted in response to India's combined twentieth and twenty-first periodic reports under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which will be considered by the Committee on the Elimination of Racial Discrimination (CERD Committee) during its 118th session (10-25 August 2026). The report provides information on issues omitted or inadequately addressed by the State party and responds to relevant issues identified by the Committee in its List of Issues.

This shadow report highlights the critical issues that ought to be addressed i.e. absence of a comprehensive anti-racial discrimination law; endangered Indigenous Peoples may become extinct with the Great Nicobar Mega Project; systematic weakening of the laws regarding Indigenous Peoples right to land and resources; continuing discrimination against the Chakma and Hajong communities in Arunachal Pradesh in violations of the Supreme Court judgments; forced evictions from the protected areas and misuse of the National Compensatory Afforestation Fund Management & Planning Authority (CAMPA) funds for displacement; and the status of Indigenous Peoples rights defenders. Out of these issues, endangered Indigenous Peoples may become extinct with the Great Nicobar Mega Project; continuing discrimination against the Chakma and Hajong communities in Arunachal Pradesh in violations of the Supreme Court judgments and forced evictions from the protected areas and misuse of CAMPA funds for displacement have already been raised by the UN CERD Committee under its Early Warning Procedures. However, the State party, India did not address any of these issues.

The International Work Group for Indigenous Affairs (IWGIA) recommends the following to the UN CERD Committee:

- *The CERD Committee should urge India to enact comprehensive anti-racial discrimination legislation that is fully consistent with Articles 1, 2, 4 and 6 of ICERD.*
- *The CERD Committee should recommend to the Government of India to prohibit afforestation programmes outside the neighborhood of project affected areas, and further urge the Government of India to abandon the Mega project in the Great Nicobar island itself.*
- *The CERD Committee should recommend India to establish mechanisms to monitor alienation of lands of the Indigenous Peoples in violations of the national laws and take measures to restore alienated lands to Indigenous and tribal Peoples.*
- *The CERD Committee should urge India to implement the Supreme Court's judgments relating to the citizenship rights of the Chakmas and Hajongs of Arunachal Pradesh and give assurance against any relocation of the Chakmas and Hajongs sixty years after their settlement in the region.*
- *The CERD Committee should urge India to fully comply with Section 38V(5) of the Wildlife Protection Act of 1972 and Section 4(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006, particularly regarding the incomplete process to recognize and determine the rights and acquisition of land of the tribal and forest-*

dwelling Indigenous Peoples, the lack of evidence that the activities or the presence of the tribal and Indigenous Peoples cause irreversible damage and threaten the existence of tigers and their habitat, the absence of confirmation that other reasonable options of co-existence are not available, and lack of available resettlement or alternative packages to impacted Indigenous communities.

- The CERD Committee should urge India to stop targeting Indigenous Peoples rights defenders and take measures, including establishing a judicial commission of inquiry, to examine the attacks on the Indigenous rights defenders and hold perpetrators of violations to account.

Furthermore, the CERD Committee in its Concluding Observations (CERD/C/IND/CO/19 of 5 May 2007) recommended a number of measures and the following remains unimplemented relating to Indigenous Peoples:

“9. Notwithstanding the above-mentioned legal position of the State party, the Committee invites it to include in its next periodic report detailed information on measures taken to implement anti-discrimination and affirmative action legislation, disaggregated by caste, tribe, gender, State/district and rural/urban population. The State party should also provide disaggregated data on the percentages of the Union, State and district budgets allocated for that purpose and on the effects of such measures on the enjoyment by members of scheduled castes and scheduled and other tribes of the rights guaranteed by the Convention.

16. *The Committee recommends that the State party consider acceding to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol and enact a comprehensive legal framework governing the treatment of refugees.*

19. *The Committee urges the State party to fully respect and implement the right of ownership, collective or individual, of the members of tribal communities over the lands traditionally occupied by them in its practice concerning tribal peoples, in accordance with ILO Convention No. 107 on Indigenous and Tribal Populations (1957). The State party should seek the prior informed consent of communities affected by the construction of dams in the Northeast or similar projects on their traditional lands in any decision-making processes related to such projects and provide adequate compensation and alternative land and housing to those communities. Furthermore, it should protect tribes such as the Jarawa against encroachments on their lands and resources by settlers, poachers, private companies or other third parties and implement the 2002 order of the Indian Supreme Court to close the sections of the Andaman Trunk Road that run through the Jarawa reserve.*

20. *The Committee recommends that the State party ensure that Dalits, including Dalit women, have access to adequate and affordable land and that acts of violence against Dalits due to land disputes are punished under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (1989). The State party should also*

ensure that tribal communities are not evicted from their lands without seeking their prior informed consent and provision of adequate alternative land and compensation, that bans on leasing tribal lands to third persons or companies are effectively enforced, and that adequate safeguards against the acquisition of tribal lands are included in the Recognition of Forest Rights Act (2006) and other relevant legislation.”

2. Absence of a comprehensive anti-racial discrimination law (Articles 1, 2, 4 and 6)

Although the Constitution of India guarantees equality before the law and prohibit discrimination of certain grounds, India still has no comprehensive law that specifically prohibits racial discrimination as required under ICERD. Existing criminal laws deal only with limited offences such as promoting enmity or disturbing public order. They do not define or prohibit racial discrimination, indirect discrimination, institutional discrimination or racial harassment or profiling.

This legal gap particularly affects Indigenous Peoples and people from North-East India, who continue to face racial abuse, stereotyping, exclusion and violence in different parts of the country.

In its periodic report, the Government refers to administrative measures such as advisories to States, appointment of nodal officers and implementation of certain recommendations of the M.P. Bezbaruah Committee following the Supreme Court’s decision in *Karma Dorjee v. Union of India*¹. While these measures are welcome, they cannot replace binding legislation that creates enforceable rights and effective remedies for victims of racial discrimination or violence.

Recognising the widespread discrimination faced by people from North-East India, the Government constituted the M.P. Bezbaruah Committee on 5 February 2014. The Committee submitted its report on 11 July 2014 and recommended the enactment of a specific anti-racial discrimination law.² More than a decade later, this key recommendation remains unimplemented.

The continuing absence of such legislation is reflected in repeated incidents of racial violence. One recent example is the brutal murder of Anjel Chakma, a 24-year-old Indigenous student from Tripura studying in Dehradun, Uttarakhand. On 9 December 2025, he was racially abused with slurs such as “Chinki”, “Chinese” and “Momo” before being stabbed after protesting against the abuse. He died from his injuries on 26 December 2025 after remaining in hospital for 17 days.³

1. The Supreme Court judgment in *Karma Dorjee v. Union of India* is available at <https://api.sci.gov.in/jonew/judis/44397.pdf>

2. Bezbaruah Committee report is available at <https://www.mha.gov.in/sites/default/files/2022-08/ReportOfMPBezbaruahCommittee%5B1%5D.PDF>

3. “Complaint only mentioned casteist slurs’: Cops dismiss ‘racial slurs’ in Chakma case; activists slam SSP’s ‘reductive’ reasoning.” The Times of India, 31 December 2025.

The case also exposed serious failures in law enforcement. Police reportedly refused to register the complaint immediately and recorded the First Information Report (FIR) only three days later following public pressure. Relevant provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act were not invoked. Although five accused were arrested, the main suspect remains to be arrested until today.⁴

Following Anjel Chakma's death, a Public Interest Litigation was filed before the Supreme Court seeking directions to address racial discrimination and hate crimes against people from North-East India. On 18 February 2026, the Supreme Court disposed of the petition, holding that it could not direct Parliament to enact legislation or frame guidelines and advised the petitioners to approach the Attorney General of India. At the same time, the Court acknowledged that the petition raised important concerns regarding hate crimes based on race, place of birth and language and observed that such offences must be dealt "with an iron hand."⁵

Recommendations:

The CERD Committee should urge India to enact comprehensive anti-racial discrimination legislation that is fully consistent with Articles 1, 2, 4 and 6 of ICERD.

3. Endangered Indigenous Peoples May Become Extinct With the Great Nicobar Mega Project (Articles 2 and 5)

The Government of India is continuing with the much-criticized Rs 72,000-crore (EUR 8,116.42 million) mega project on Great Nicobar Island despite concerns raised by Indigenous communities, environmental experts, anthropologists, civil society organisations, opposition political parties and international human rights bodies.⁶ The project threatens the survival of two Indigenous tribes - the Shompen, classified by the Government of India as a Particularly Vulnerable Tribal Group (PVTG), and the Nicobarese people, who are Scheduled Tribe.

<https://timesofindia.indiatimes.com/city/dehradun/anjelchakma-murder-family-questions-police-denial-of-racial-slurs-ne-activistsslam-ssps-reductive-reasoning/articleshowprint/126261804.cms>

4. "Demand for anti-racial violence law grows after Tripura student's killing in Dehradun." The Hindu, 27 December 2025. <https://www.thehindu.com/news/national/tripura/demand-for-anti-racial-violence-law-grows-after-tripura-students-killing-in-dehradun/article70443361.ece>

5. SC asks AG to examine plea on curbing racial attacks after Anjel Chakma case, The Telegraph Online, 19 February 2026, <https://www.telegraphindia.com/india/supreme-court-seeks-ag-view-on-pil-over-racial-attacks-on-northeast-people-prnt/cid/2147937>

6. Great Nicobar infra project a recipe for ecological disaster: Congress, The Hindu, 6 January 2025. <https://www.thehindu.com/news/national/andaman-andnicobar-islands/great-nicobar-in>

The project, now estimated to cost about Rs. 81,000 crore⁷, includes an International Container Transshipment Terminal, a Greenfield International Airport, a township and a gas and solar-based power plant. It will be implemented in phases until 2047 over 166.10 sq. km of land, including 130.75 sq. km of forest.⁸

The Government argues that the project is strategically important for India's economic development, maritime security and Indo-Pacific strategy. It states that only 1.82% of the total forest cover of the Andaman and Nicobar Islands will be diverted, that approximately 7.11 lakh trees will be felled in phases and that compensatory afforestation will be carried out in Haryana because the islands already have more than 75% forest cover.⁹ However, environmental experts argue that afforestation in Haryana cannot compensate for the permanent loss of Great Nicobar's unique tropical rainforest and biodiversity.¹⁰

Great Nicobar Island is home to the Indigenous Shompen and Nicobarese communities. To facilitate the project, 73.07 sq. km of the Great Nicobar Tribal Reserve has been de-notified, although the Government states that a larger area will be re-notified elsewhere, resulting in a net increase in the Tribal Reserve. It further maintains that no tribal settlements will be displaced and that the project complies with the Shompen Policy, 2015 and other applicable safeguards.¹¹

However, Indigenous representatives dispute these claims. They maintain that the free, prior and informed consent (FPIC) of the affected Indigenous communities was never obtained. They allege that community representatives were pressured into signing land surrender documents without being adequately informed about the project or its consequences and that the Tribal Council later withdrew its earlier consent. They also state that the Forest Rights Act, 2006 has

7. 'Great Nicobar project will serve strategic interests, emerge as maritime focal point', The Indian Express, 9 June 2026, <https://indianexpress.com/article/india/great-nicobar-project-will-serve-strategic-interests-emerge-as-maritime-focal-point-10730449/>

8. Great Nicobar Project Strategic Importance, Sustainable Development, Press Information Bureau, 1 May 2026, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2257174®=48&lang=2>

9. Great Nicobar Project Strategic Importance, Sustainable Development, Press Information Bureau, 1 May 2026, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2257174®=48&lang=2>

10. How the loss of a tropical forest in Nicobar could end up funding a jungle safari in Haryana, Scroll.in, 16 January 2023, <https://scroll.in/article/1041669/how-the-loss-of-a-tropical-forest-in-nicobar-could-end-up-funding-a-jungle-safari-in-haryana>

11. Great Nicobar Project Strategic Importance, Sustainable Development, Press Information Bureau, 1 May 2026, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2257174®=48&lang=2>

never been effectively implemented on Great Nicobar Island and that their customary rights over forests and traditional lands remain legally unrecognised.¹²

Environmental organisations have warned that the project will destroy large areas of pristine rainforest, damage coral reefs and threaten important wildlife habitats. Particular concern has been expressed regarding the proposed transshipment port at Galathea Bay, one of the world's most important nesting sites for the endangered leatherback sea turtle.¹³ Experts have also warned that increased human activity could fragment the Shompen's habitat and expose the community to diseases to which they have little immunity.¹⁴

In 2023, the National Green Tribunal (NGT) identified certain deficiencies and constituted a High-Powered Committee (HPC) to revisit the environment clearance (EC) granted to the project. However, the NGT refused to interfere with the environmental or forest clearances, saying the project was of great significance not only for economic development but also for defence and national security.¹⁵

The Government of India also failed to submit any information to the UN Committee on the Elimination of Racial Discrimination (CERD Committee), which intervened via its early warning procedure.¹⁶ In December 2023, the CERD Committee expressed its regret at the lack of response from India and urged the Government of India “to adopt all necessary measures to address the allegations mentioned above and to protect the rights of the PVTGs in Andaman and Nicobar Islands.”¹⁷ The Committee again wrote to the Government of India on 5 May 2026 regarding the situation of the Shompen. It expressed concern that, if the allegations were verified, the project could violate the rights of the Indigenous Shompen protected under ICERD, including their rights to life, health, a clean, healthy and sustainable environment, self-

¹². Tribal leaders allege pressure to surrender land for the Great Nicobar project, Mongabay, 23 January 2026, <https://india.mongabay.com/2026/01/asked-to-surrender-land-for-the-great-nicobar-project-tribal-leaders-say-no/>

¹³. Court submission challenges ‘confidential’ report on the Great Nicobar Island plan, Mongabay, 27 August 2025, <https://india.mongabay.com/2025/08/a-new-submission-challenges-confidential-report-on-the-great-nicobar-island-plan/>

¹⁴. Global indigenous rights group says Indian govt's Great Nicobar project will annihilate Shompen tribe, The Print, 16 April 2025, <https://theprint.in/environment/global-indigenous-rights-group-says-indian-govts-great-nicobar-project-will-annihilate-shompen-tribe/2590929/>

¹⁵. “NGT’s Stand on Nicobar Mega Project Disappointing, Say Conservationists”, The Wire, 8 April 2023. <https://thewire.in/environment/ngt-great-nicobar-project-disappointing>

¹⁶. INT_CERD_ALE_Ind_9556_E, 29 April

2022. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FInd%2F9556&Lang=en

¹⁷. NT_CERD_ALE_IND_9937_E. 8 December 2023.

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FALE%2FIND%2F9937&Lang=en

determination, and to own, control and use their traditional lands, territories and natural resources. The Committee also expressed concern over the reported absence of meaningful consultation and the failure to obtain the free, prior and informed consent of the affected Indigenous communities. It requested detailed information from the Government for consideration during India's review at the 118th session.¹⁸

Despite these continuing concerns from domestic institutions, Indigenous communities and the CERD Committee, the Government continues to advance the Great Nicobar Mega Project.

These endangered Indigenous Peoples may become extinct if the Great Nicobar Mega Project is carried out.

Recommendations:

The CERD Committee should recommend to the Government of India to prohibit afforestation programme outside the neighbourhood of project affected areas such as felling of approximately 7.11 lakh trees in Nicobar Islands being compensated with afforestation programme in Haryana,¹⁹ which is over 2,500 kilometers away,²⁰ and further urge the Government of India to abandon the Mega project itself.

4. Weakening of the laws regarding Indigenous Peoples right to land and resources (Articles 2, 5 and 6)

The rights of Indigenous Peoples to land and forest resources have been increasingly targeted through changes to forest and conservation laws.

The legal protection of Indigenous Peoples' lands, forests and natural resources has been steadily weakened in India through amendments to forest and conservation laws and through the continued diversion of Indigenous lands for infrastructure, mining, industrial and energy projects without their free, prior and informed consent (FPIC).

On 4 August 2023, Parliament enacted the Forest (Conservation) Amendment Act, 2023, which came into force on 1 December 2023.²¹ The amendments allow the Central Government to exempt certain categories of forest land from the requirement of prior forest clearance, including security-related projects within 100 kilometres of international borders, defence infrastructure,

¹⁸. CERD/EWUAP/2026/CS/BJ/ks, 5 May 2026

¹⁹. Great Nicobar Project Strategic Importance, Sustainable Development, Press Information Bureau, 1 May 2026,

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=2257174®=48&lang=2>

²⁰. How the loss of a tropical forest in Nicobar could end up funding a jungle safari in Haryana, Scroll.in, 16 January 2023, <https://scroll.in/article/1041669/how-the-loss-of-a-tropical-forest-in-nicobar-could-end-up-funding-a-jungle-safari-in-haryana>

²¹. The Forest (Conservation) Amendment Act, 2023, <https://egazette.gov.in/WriteReadData/2023/247866.pdf>

paramilitary camps and public utility projects in Left Wing Extremism-affected areas. The law also facilitates diversion of forest land for development, mining, tourism and other projects.²²

These amendments significantly weaken existing safeguards protecting Indigenous communities. They undermine the requirement of obtaining the consent of Gram Sabhas under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Forest Rights Act)²³ and the Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA).²⁴

The dilution of forest protection has continued. On 31 August 2025, the Ministry of Environment, Forest and Climate Change notified the Van (Sanrakshan Evam Samvardhan) Rules, 2025, which further simplify the diversion of forest land by permitting certain pre-clearance activities after only Stage-I approval, allowing offline applications for defence and other projects, reducing transparency and weakening safeguards relating to compensatory afforestation.²⁵

These legislative changes have been accompanied by increasing acquisition of Indigenous lands across several states without meaningful consultation or free, prior and informed consent.

The case of Assam

Assam's tribal land rights are primarily governed by the Sixth Schedule of the Indian Constitution, which provides autonomy to tribal regions and the Assam Land and Revenue Regulation of 1886, which establishes "Protected Tribal Belts and Blocks" to prevent the alienation of Indigenous lands to non-tribals.

However, Assam has witnessed large-scale diversion of Indigenous land for industrial, infrastructure and energy projects over the years.

Since May 2025, Indigenous communities in Basbari village, Kokrajhar district, Assam have been protesting the allocation of 3,400 bighas (454.85 hectares) of land to the Adani Group for a 3,200 MW thermal power plant in partnership with Assam Power Distribution Company Limited (APDCL). The affected land, inhabited for generations by Bodo, Garo, Rabha and other Indigenous communities, was transferred without community consultation, Gram Sabha consent

²². The Forest (Conservation) Amendment Act, 2023, <https://egazette.gov.in/WriteReadData/2023/247866.pdf>

²³. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. <https://www.indiacode.nic.in/bitstream/123456789/8311/1/a2007-02.pdf>

²⁴. The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996. <https://www.indiacode.nic.in/bitstream/123456789/1973/1/A1996-40.pdf>

²⁵. Choubey, J. "MoEFCC's new notification dilutes Forest Conservation Act, afforestation rules." The New Indian Express, 2 September 2025. <https://www.newindianexpress.com/india/2025/Sep/02/moefccs-new-notification-dilutes-forest-conservation-act-afforestation-rules>

or environmental clearances violating the Sixth Schedule, the Forest Rights Act, 2006 and the Forest (Conservation) Act, 1980. The approval process, initiated vide letter No. BTC/LR/803/2025/18 dated 19 April 2025, has also been questioned as the Sub-Divisional Land Advisory Committee approved the proposal before the Assam Cabinet's formal decision. The project is expected to result in the loss of over 500,000 trees and significant environmental pollution.²⁶

On 15 June 2025, protests intensified as local residents blocked the Gauripur-Banshbari PWD road under Bodoland Territorial Council (BTC) and clashed with political leaders over the proposed allocation of land in the Paglihora Reserved Forest for the Adani Group's planned 3,200 MW thermal power plant. Protesters warned of self-immolation if the government proceeded with the project, alleging that the land transfer violates the rights of Indigenous communities. They argued that forest rights over more than 280 hectares of the project area had been recognised in April 2025 under the Forest Rights Act, making prior consent of the concerned Gram Sabhas mandatory before any diversion of the land.²⁷

In August 2025, the Gauhati High Court questioned the legality of the allotment of nearly 3,000 bighas of land (about 4,036,800 square metres) in Dima Hasao district to a private cement company, observing that land situated within a Sixth Schedule area requires special constitutional protection and directing the authorities to explain the legal basis of the allotment.²⁸

Other proposed projects have similarly generated opposition. Indigenous organisations have opposed the proposed 1,500-acre Barduar Satellite Township in Kamrup district because of concerns regarding displacement of more than 2,000 Indigenous families and the failure to recognise their forest rights.²⁹ The All Tiwa Students' Union also documented extensive encroachment on protected tribal belts and blocks in Morigaon district, alleging that about 28,000 bighas of land (about 3,745.85 hectares) reserved for Indigenous communities remain under illegal occupation.³⁰ In South Kamrup, Indigenous communities continue to seek

²⁶. Land allocation for Adani's thermal plant in Assam's Kokrajhar sparks massive protests, Land Conflict Watch, June 2025, <https://www.landconflictwatch.org/conflicts/land-allocation-for-adani-s-thermal-plant-in-assam-s-kokrajhar-sparks-massive-protests#>

²⁷. Land allocation for Adani's thermal plant in Assam's Kokrajhar sparks massive protests, Land Conflict Watch, June 2025, <https://www.landconflictwatch.org/conflicts/land-allocation-for-adani-s-thermal-plant-in-assam-s-kokrajhar-sparks-massive-protests#>

²⁸. "Gauhati HC flays 3,000-bigha land allotment in 6th Schedule Dima Hasao to cement firm." Assam Tribune, 18 August 2025. <https://assamtribune.com/assam/gauhati-hc-flays-3000-bigha-land-allotment-in-6th-schedule-dima-hasao-to-cement-firm-1588550>

²⁹. Proposed Barduar satellite township sparks uproar, Rabha groups protest 'land takeover', The Times of India, 4 June 2025, <https://timesofindia.indiatimes.com/city/guwahati/proposed-barduar-satellite-township-sparks-uproar-rabha-groups-protest-land-takeover/articleshowprint/121630172.cms>

³⁰. Assam Students' Union demands eviction of encroachers from tribal belt lands in Morigaon, India Today NE, 16 January 2026, <https://www.indiatodayne.in/assam/video/assam-students->

enforcement of repeated eviction orders against industries occupying tribal land without legal authority as of March 2025. The failure of the administration to enforce government orders, in violation of Chapter X of the Assam Land and Revenue Regulation Act, 1886 had led to growing unrest among Indigenous communities, who have warned of mass protests to reclaim their ancestral land.³¹

The failure of authorities to protect Indigenous land has also contributed to growing social unrest. In December 2025, at least two persons were killed and several others injured after a protest turned violent in West Karbi Anglong and Karbi Anglong districts. The protesters were demanding the eviction of illegal settlers from Indigenous areas governed under the Sixth Schedule of the Constitution, where land is legally protected for Indigenous communities. They alleged large-scale encroachment by outsiders on Village Grazing Reserves (VGRs) and Professional Grazing Reserves (PGRs), which are meant to safeguard Indigenous livelihoods and land rights.³²

These developments show that the constitutional rights of Indigenous Peoples, the protections provided under the Forest Rights Act and the requirement to obtain their consent are often ignored for industrial, infrastructure and mining projects. The continued use of Indigenous lands without their meaningful participation is inconsistent with India's obligations under Articles 2, 5 and 6 of the Convention.

Recommendations:

The CERD Committee should recommend India to establish mechanisms to monitor alienation of lands of the Indigenous Peoples in violations of the national laws and take measures to restore alienated lands to Indigenous and tribal peoples.

5. Continuing discrimination against the Chakma and Hajong communities in Arunachal Pradesh in violations of the Supreme Court judgments (Articles 2, 5 and 6)

The indigenous Chakma and Hajong migrants who were settled in the State of Arunachal Pradesh from 1964 to 1968 after their migration from the Chittagong Hill Tracts of then East Pakistan continue to be discriminated despite two binding judgments of the Supreme Court of India. In *National Human Rights Commission v. State of Arunachal Pradesh* dated 9 January

[union-demands-eviction-of-encroachers-from-tribal-belt-lands-in-morigaon-1332137-2026-01-16](#)

³¹. ILAI complaint dated 13 March 2025, registered with the NHRC as Case No. 67/3/30/2025. Case status can be accessed through the NHRC online case status portal at:

<https://hrcnet.nic.in/HRCNet/public/CaseStatus.aspx>

³². Mazumdar, P. "Differently abled man among two killed; over 45 injured as violent protests demanding eviction roil Assam." *The New Indian Express*, 24 December 2025.

<https://www.newindianexpress.com/india/2025/Dec/23/eviction-demand-ips-officer-among-38-cops-injured-in-riot-in-assams-west-karbi-anglong>

1996³³, the Supreme Court directed the Government of India and the State Government to process the citizenship applications of Chakmas and Hajongs and to protect their lives and personal liberty. Subsequently, in *Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh v. State of Arunachal Pradesh* dated 17 September 2015³⁴, the Supreme Court again directed the authorities to complete the processing of pending citizenship applications. For the last 30 years, India failed to process a single citizenship application.

In 2022, the CERD Committee requested India to provide information on measures taken to prevent the proposed relocation of the Chakma and Hajong communities, to prevent racial profiling and discrimination against them and to implement the Supreme Court's judgments.³⁵ The Government of India has not provided a response to these requests.

Meanwhile, repeated political statements calling for the relocation of the communities continue to create fear and insecurity. On 8 October 2025, the Chief Minister of Arunachal Pradesh publicly reiterated that the Chakma and Hajong communities would not be accommodated in the State and stated that the State Government, in coordination with the Government of India, was exploring options to relocate them elsewhere.³⁶ Earlier, the State Government constituted a Committee chaired by the State Home Minister to examine the issue. At its meeting on 8 July 2025, the Committee decided to conduct a land survey in areas inhabited by the Chakma and Hajong communities.³⁷ The survey was carried out in August 2025 and was widely perceived by community members as a preparatory step towards their relocation.

Recommendations:

The CERD Committee should urge India to implement the Supreme Court's judgments relating to the citizenship rights of the Chakmas and Hajongs of Arunachal Pradesh and give assurance against any relocation of the Chakmas and Hajongs sixty years after their settlement in the region.

³³. The judgment is available at <https://indiankanoon.org/doc/767216/>

³⁴. The judgment is available at <https://indiankanoon.org/doc/163542302/>

³⁵. INT_CERD_ALE_Ind_9556_E, 29 April 2022

³⁶. CM rules out Chakma-Hajong settlement, says state land belongs exclusively to ST population, Arunachal Observer, 9 October 2025, https://arunachalobserver.org/2025/10/09/cm-rules-out-chakma-hajong-settlement-says-state-land-belongs-exclusively-to-st-population/?fbclid=IwY2xjawS9hJdleHRuA2FlbQlxMQBzcnRjBmFwcF9pZBAyMjlwMzIxNzg4MjAwODkyAAEeVpBJM-ARu6Mlc0nqd4P9QGoDqlcVYjzuc2s5lwHC3kQc2CSvYPYw3WuAvrg_aem_vsyMarX-V6GtXIWff19ABQ

³⁷. Arunachal Govt Holds High-Level Meet With AAPSU On Illegal Immigrants and Chakma-Hajong Refugees, Northeast Live, 9 July 2025, <https://northeastlivetv.com/topnews/arunachal-govt-holds-high-level-meet-with-aapsu-on-illegal-immigrants-and-chakma-hajong-refugees/>

6. Forced evictions from the protected areas and misuse of CAMPA funds for displacement (Articles 2, 5 and 6)

Indigenous peoples in India continue to face forced displacement from their ancestral lands in the name of wildlife conservation and compensatory afforestation. Although the Wildlife (Protection) Act, 1972, the Forest Rights Act, 2006 (FRA) and the National Tiger Conservation Authority (NTCA) Guidelines require recognition of forest rights and voluntary relocation based on the free, prior and informed consent of Gram Sabhas, these safeguards are frequently ignored in practice.

On 19 June 2024, the National Tiger Conservation Authority (NTCA) directed the Chief Wildlife Wardens of 18 States to expedite the relocation of approximately 89,800 tribal and forest-dwelling families from 848 villages located inside the core areas of 54 tiger reserves.³⁸ If implemented, this would constitute one of the largest conservation-related displacements in India's history. The order was widely criticised for disregarding statutory safeguards under the Forest Rights Act and the Wildlife (Protection) Act. As the UN CERD Committee noted, "The order violates the safeguards and standards of the domestic legal framework, namely under Section 38V(5) of the Wildlife Protection Act of 1972 and Section 4(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006, particularly regarding the incomplete process to recognize and determine the rights and acquisition of land of the tribal and forest-dwelling Indigenous Peoples, the lack of evidence that the activities or the presence of the tribal and Indigenous Peoples cause irreversible damage and threaten the existence of tigers and their habitat, the absence of confirmation that other reasonable options of co-existence are not available, and lack of available resettlement or alternative packages to impacted Indigenous communities".³⁹

The government of India continues to evict Indigenous Peoples from the tiger reserves.

Odisha: Similipal Tiger Reserve and Satkosia Tiger Reserve

In April 2025, the Government of Odisha declared 845 sq. km. of the Similipal Tiger Reserve as a National Park. The decision placed 61 Indigenous families of Bakua village at risk of displacement. The Gram Sabha alleged that officials uploaded fabricated documents on the Government's Parivesh portal falsely claiming that the community had voluntarily agreed to relocate. Villagers denied giving consent and stated that they had neither been consulted nor informed about the proposal.⁴⁰

³⁸. "How the NTCA Defied the Tribal Ministry, its Own Officials to Order Massive Displacement of Tribals For 'Conservation'." The Wire, 4 November 2024. https://thewire.in/environment/ntca-conservation-displacement-tribal-ministry/?mid_related_new

³⁹. CERD/EWUAP/115thsession/2025/CS/BJ/ks dated 12 May 2025, <https://www.ohchr.org/sites/default/files/documents/hrbodies/cerd/earlywarning/letters/cerd-ewuap-letter-115-india-2.pdf>

⁴⁰. IWGIA, India Chapter, The Indigenous World 2026, 40th Edition, <https://www.iwgia.org/images/publications/indigenous-world/indigenous-world-2026.pdf>

Community members further alleged physical assaults, sexual violence against Indigenous women, restrictions on movement, arbitrary criminal cases and attempts to forcibly evict residents. Following complaints from the Bakua Gram Sabha, the Ministry of Environment, Forest and Climate Change itself raised concerns regarding possible violations of the Forest Rights Act, the Wildlife (Protection) Act, the Panchayats (Extension to Scheduled Areas) Act and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.⁴¹

In February 2026, the Odisha Human Rights Commission found serious procedural irregularities in the relocation of villages from the Satkosia Tiger Reserve. It held that relocation had proceeded without proper recognition of forest rights, without valid Gram Sabha consent and in violation of statutory safeguards. The Commission recommended an independent inquiry, corrective measures for affected families and directed that no further relocation should take place until legal requirements had been fully complied with.

Karnataka: Nagarahole and Kali Tiger Reserves

In May 2025, about 52 Jenu Kuruba families, a Particularly Vulnerable Tribal Group (PVTG), reoccupied their ancestral village inside the Nagarahole Tiger Reserve after waiting more than a decade for recognition of their forest rights claims filed under the Forest Rights Act. On 18 June 2025, the Karnataka Forest Department, assisted by police, demolished their temporary shelters, leaving families without adequate shelter during the monsoon. The community maintains that their claims were rejected without properly considering oral histories, sacred sites and other evidence recognised under the Forest Rights Act.⁴²

Serious concerns have also arisen regarding the use of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) funds for relocation. In August 2025, the National CAMPA directed the Karnataka Forest Department to suspend further utilisation of CAMPA funds and ordered an inquiry into the alleged misuse of approximately Rs. 151.8 crore for the relocation of around 450 forest-dwelling families from the Kali (Dandeli-Anshi) Tiger Reserve. Complaints alleged that relocations were undertaken without Gram Sabha consent, social impact assessments or independent verification of voluntary relocation, in violation of the Forest Rights Act, the Wildlife (Protection) Act and the Compensatory Afforestation Fund Rules, 2018. Allegations that tourism infrastructure was subsequently proposed in vacated areas further undermined the stated conservation rationale.⁴³

Compensatory afforestation and Indigenous land rights

⁴¹. IWGIA, India Chapter, The Indigenous World 2026, 40th Edition, <https://www.iwgia.org/images/publications/indigenous-world/indigenous-world-2026.pdf>

⁴². IWGIA, India Chapter, The Indigenous World 2026, 40th Edition, <https://www.iwgia.org/images/publications/indigenous-world/indigenous-world-2026.pdf>

⁴³. IWGIA, India Chapter, The Indigenous World 2026, 40th Edition, <https://www.iwgia.org/images/publications/indigenous-world/indigenous-world-2026.pdf>

Compensatory afforestation, intended to offset forest diversion, has increasingly become a source of displacement for Indigenous Peoples. Instead of restoring degraded forests, CAMPA-funded plantations are frequently established on lands traditionally used by Indigenous communities, treating them as encroachers on their own customary territories.

For example, in February 2025, members of the Gujjar community in Ganderbal district, Jammu and Kashmir, protested against a CAMPA-funded plantation project established on their traditional grazing lands.⁴⁴ Community members alleged physical assaults, threats of sexual violence and criminal prosecution after peacefully opposing the project. The incident reflects the continuing failure to implement the Forest Rights Act in Jammu and Kashmir despite its extension to the Union Territory.⁴⁵

The use of CAMPA funds for relocation has also become institutionalised in several States. State CAMPA Annual Plans of Operation in Odisha expressly provide funding for relocation of villages from protected areas⁴⁶, while Maharashtra has utilised CAMPA resources over many years to relocate villages from tiger reserves and wildlife sanctuaries. A total of 117 villages were identified for relocation - 83 from Tiger Reserves and 34 from other Protected Areas. By March 2022, 69 villages had already been relocated, while 48 remained. Major relocations took place from Tadoba-Andhari, Melghat, Pench, Bor, Navegaon-Nagzira and Sahyadri Tiger Reserves as well as from Umred-Pavani-Karandla and Tipeshwar Wildlife Sanctuaries. Over the last twelve years, Maharashtra spent Rs. 581.62 crore from the CAMPA funds up to 2022-23 on relocation activities.⁴⁷ Judicial decisions have likewise facilitated the use of CAMPA funds for relocation, including the Madras High Court's direction in 2023 to release CAMPA funds for relocating families from the Mudumalai Tiger Reserve in Tamil Nadu.⁴⁸

Recommendations:

⁴⁴. Forest deptt files FIR against seven residents for assaulting officials in G'bal, Rising Kashmir, 6 February 2025, <https://risingkashmir.com/forest-deptt-files-fir-against-seven-residents-for-assaulting-officials-in-gbal/>

⁴⁵. Rape threats, assault, FIR: Tribal community in remote Jammu and Kashmir village bears blunt for protesting eviction, Maktoob Media, 19 February 2025, <https://maktoobmedia.com/features/rape-threats-assault-fir-tribal-community-in-remote-jammu-and-kashmir-village-bears-blunt-for-protesting-eviction/>

⁴⁶. Annual Plan of Operation 2020-21, State CAMPA, Odisha (2020), <https://campa.odisha.gov.in/pdf/APO-2020-21.pdf>

⁴⁷. Glimpses of Success Stories in CAMPA for Eco-restoration of Landscapes, 2022-24, National CAMPA, <https://nationalcampa.nic.in/dashboard/PublicationPDF/6793565162557.pdf>

⁴⁸. Madras HC directs State and National CAMPA to release funds to NCTA for relocating 495 families from Mudumalai Tiger Reserve, SCC Online Times, 20 August 2023, <https://www.sconline.com/blog/post/2023/08/20/madras-hc-state-national-campa-release-funds-ncta-relocating-495-families-mudumalai-tiger-reserve/>

The CERD Committee should express concerns that the practices of India are inconsistent with India's obligations under Articles 2, 5 and 6 of the Convention and with CERD General Recommendation No. 23 on the rights of Indigenous Peoples.

The CERD Committee should urge India to fully comply with Section 38V(5) of the Wildlife Protection Act of 1972 and Section 4(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006, particularly regarding the incomplete process to recognize and determine the rights and acquisition of land of the tribal and forest-dwelling Indigenous Peoples, the lack of evidence that the activities or the presence of the tribal and Indigenous Peoples cause irreversible damage and threaten the existence of tigers and their habitat, the absence of confirmation that other reasonable options of co-existence are not available, and lack of available resettlement or alternative packages to impacted Indigenous communities.

7. Indigenous human rights defenders

Indigenous peoples human rights defenders have been specifically targeted by the State for seeking the right to free, prior and informed consent in the development initiatives that victimizes them. This report cites two specific attacks:

7.1 Repeated targeting of Indigenous rights defenders at Kaziranga National Park

The Indigenous Peoples human rights defenders face attack from the State actors for opposing development projects, commenting on political leaders, protecting community rights, demanding transparency, protesting against forced eviction, exercising the right to freedom of opinion and expression, are arrested without warrant, protest against alleged mismanagement of government funds, protest against discriminatory laws, seeking a probe into fake encounter cases, demand of fair investigation etc.

The Kaziranga National Park, a UNESCO Heritage Site, is based in Golaghat and Nagaon district of Assam and is the ancestral home of many Indigenous communities. The Kaziranga Proposed Reserve Forest was created in 1905 at the request of Baroness Curzon of Kedleston. Initially, this conservation scheme was set up to regulate and enable the continuation of recreational hunting for the British elite, where game associations prohibited non-members (notably indigenous communities) from entering gaming sanctuaries.

After the enactment of the Wildlife Protection Act in 1971, the Kaziranga Wildlife Sanctuary was designated as a National Park in 1974. It has since doubled in size leading to further displacement of Indigenous communities. This led to regular protests by Indigenous Peoples and

local communities facing displacement⁴⁹ including for several tourism-related activities in recent years. Members of the Greater Kaziranga Land and Human Rights Committee (GKLHRC), including Pranab Doley, Soneshwar Narah, Manohar Pegu, Ritupan Pegu, Rajib Pegu and others, have faced repeated targeting by the authorities. They have been booked under a range of laws, from the Motor Vehicles Act, Disaster Management Act and Juvenile Justice Act to various provisions of the Indian Penal Code, 1860 (IPC) and the Bharatiya Nyaya Sanhita, 2023 (BNS), merely for exercising their right to dissent. Their offences include protesting against unjust taxation and arbitrary restrictions on e-rickshaw drivers, collecting testimonies from families displaced by tourism projects, demanding effective protection measures against the growing human-animal conflict, exposing irregularities in the public distribution system, opposing the establishment of illegal toll gates, speaking out against assaults by forest officials, seeking proper investigation into suspicious deaths, demanding the release of innocent persons wrongfully arrested and resisting ecologically harmful projects threatening the fragile ecosystem and the land rights of Indigenous and Adivasi peoples. Each time they raise their voices, new cases are filed against Pranab Doley and other activists.

Pranab Doley faced at least 11 cases. He has been acquitted in seven cases while two are pending. The status of one case is not available.

Case 1. Arrest and illegal detention of Pranab Doley

Mr Pranab Doley, Indigenous human rights defender of the Mising people, convener of the Greater Kaziranga Land and Human Rights Protection Committee (GKLHRPC) was arrested by Assam Police on the morning of 12 July 2026 at a residence in the Sundarpur area of Guwahati, Assam in connection with Bokakhat Police Station Case No. 108/2026, registered on 29 June 2026 regarding a protest against the proposed Assam Tourism Development Corporation (ATDC) Hyatt luxury hotel project at Ingle Pathar near Kaziranga National Park. He was subsequently taken to Golaghat, formally shown arrested on 13 July 2026 at 3.30 AM, and remanded to seven days' police custody by the Bokakhat District Court, Assam.⁵⁰

Mr. Doley has been leading peaceful protests on behalf of project-affected Indigenous and local farming families who have opposed the proposed hotel project, alleging that it would adversely affect their land, livelihoods and the surrounding ecology. His arrest immediately after

⁴⁹. Eviction notice served on settlements in animal corridors of Kaziranga National Park in Assam; residents protest, Land Conflict Watch, April 2023, <https://www.landconflictwatch.org/conflicts/eviction-notice-served-on-settlements-in-animal-corridors-of-kaziranga-national-park-in-assam-residents-protest>

⁵⁰. Indigenous Rights Activist Pranab Doley Arrested Over Protests Against Hotel Project Near Kaziranga, The Wire, 13 July 2026, <https://thewire.in/rights/indigenous-rights-activist-pranab-doley-arrested-hyatt-project-ingle-pathar>

spearheading these protests indicates that he has been targeted for his legitimate human rights advocacy and for peacefully speaking up for the rights of the affected communities.⁵¹

According to Mr. Doley's public statement made while being taken into police custody, he was taken into custody without being shown any arrest warrant, arrest memo, Notice of Grounds of Arrest or any other document authorising his arrest. He was formally shown arrested on 13 July 2026 at 3.30 AM. He was charged under Sections 61(2) relating to criminal conspiracy, 62 relating to punishment for attempting to commit offences punishable with imprisonment for life or other imprisonment, 74 relating to assault or use of criminal force to woman with intent to outrage her modesty, 121 relating to Voluntarily causing hurt or grievous hurt to deter public servant from his duty, 132 relating to assault or criminal force to deter public servant from discharge of his duty, section 190 relating to unlawful assembly, 191 relating to riot, 221 relating to obstructing public servant in discharge of public functions, 324 relating to mischief, 329(3) relating to criminal trespass and house-trespass, 351 relating to criminal intimidation, 326(g) relating to Mischief by injury, inundation, fire or explosive substance, etc, of the Bharatiya Nyay Sanhita. The police claimed that 12 police personnel were injured during the protest and Mr. Doley was also charged with outraging the modesty of women police personnel by touching them inappropriately.⁵²

However, it is clear that he has been targeted for merely protesting against the hotel project.

7.2: Targeting of HRDs Opposing Siang Upper Multipurpose Project, Arunachal Pradesh

The 11,000 Megawatt Siang Upper Multipurpose Project (SUMP) in Upper Siang district of Arunachal Pradesh has triggered strong opposition and public protests by Indigenous tribal communities in the state and downstream areas in Assam. The proposed project has the potential to displace over 1.5 lakh people, mostly from the Adi and other Indigenous tribes as well as submergence of 27 villages, which would lead to the loss of ancestral homes and land rights, agricultural lands and livelihood and cultural heritage sites, including Kekar Moying, a historic Adi landmark where the Anglo Abor (British-Adi) battle took place.⁵³

Human rights lawyer and environmental activist Ebo Mili and activists from the Siang Indigenous Farmers' Forum (SIFF) have been raising voices against the proposed project. However, Ebo Mili and activists of the SIFF have been targeted for their stand against the project.

⁵¹. Indigenous Rights Activist Pranab Doley Arrested Over Protests Against Hotel Project Near Kaziranga, The Wire, 13 July 2026, <https://thewire.in/rights/indigenous-rights-activist-pranab-doley-arrested-hyatt-project-ingle-pathar>

⁵². FIR available with IWGIA.

⁵³. SIFF alleges govt implementing SUMP forcibly, The Arunachal Times, 3 August 2025, <https://arunachaltimes.in/index.php/2025/08/03/siff-alleges-govt-implementing-sump-forcibly/>

On 4 October 2025, Ebo Mili was stopped by immigration officials at the Kolkata airport in West Bengal while travelling to Dhaka, Bangladesh to attend the Regional Infrastructure Monitoring Alliance (RIMA) conference, which was to be held between 5 and 7 October 2025. The action was taken based on a lookout notice issued by the Arunachal Pradesh Police, which was confirmed by the Inspector General of Police (Law and Order) Chukhu Apa. Mili said he had complied with all police summons and was unaware of any such notice. He condemned what he described as the arbitrary and vindictive policy of the state police.⁵⁴

On 7 September 2025, Ms Bhanu Tatak, legal adviser to the Siang Indigenous Farmer's Forum and a key activist against the Siang Upper Multipurpose Project, was stopped by immigration officials at Delhi airport while en route to Ireland for a three-month course at Dublin City University. She was prevented from traveling due to a Look-Out Circular (LOC) issued by the Ministry of Home Affairs at the request of Arunachal Pradesh police, citing pending cases related to protests against the SUMP. Ms. Tatak alleged "The authorities didn't give me any written order or official communication prior to detention and cancellation of my travel to Dublin University. Had they done that, at least I would have cooperated. As a legal adviser and lawyer, I would comply with the government." Earlier, she was summoned by the crime branch police station's special investigation team to appear on 30 August 2025 in a case related to an FIR lodged at the Boleng police station. Several cases were filed against her in connection with a protest against the proposed SUMP. The action against Ms Tatak was condemned by local organisations as arbitrary, vindictive, anti-tribal and a misuse of state power to silence dissent.⁵⁵

Recommendations:

The CERD Committee should urge India to stop targeting of indigenous peoples rights defenders and take measures including establishing a judicial commission of inquiry to examine the attacks on the indigenous rights defenders.

⁵⁴. Ebo Mili stopped at Kolkata airport, The Arunachal Times, 5 October 2025, <https://arunachaltimes.in/index.php/2025/10/05/ebo-mili-stopped-at-kolkata-airport/>

⁵⁵. SIFF legal adviser Bhanu Tatak stopped at Delhi airport, The Arunachal Times, 8 September 2025, <https://arunachaltimes.in/index.php/2025/09/08/siff-legal-adviser-bhanu-tatak-stopped-at-delhi-airport/>