



HAUT-

COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

REFERENCE: CERD/EWUAP/111th Session/2023/MJ/CS/ks

8 December 2023

Excellency,

I write to you in relation to the Committee's letter of 29 April 2022 regarding the information received under its early warning and urgent action procedure, related to the situation of Chakma and Hajong communities in Arunachal Pradesh State in India.

In the abovementioned letter, the Committee expressed concern about the allegations received according to which authorities of Arunachal Pradesh State have been taking different measures aimed at relocating Chakmas and Hajongs communities outside the State. The information received also indicated that in 1996, the Supreme Court of India declared the Chakmas and Hajongs as citizens and directed the Government of India and the State of Arunachal Pradesh to process their citizenship applications. Reportedly, these applications were never processed (National Human Rights Commission v. State of Arunachal Pradesh and Another, 1996 SCC (1) 742), and in 2015, the Supreme Court again directed the Government of India and the State of Arunachal Pradesh to process the citizenship applications, but that no application has been processed (Committee for C.R. of C.A.P. & Ors vs State of Arunachal Pradesh & Ors [Writ Petition (Civil) No.510 of 2007]).

The Committee notes with regret that the State party has not responded to the abovementioned letter and remains concerned that the allegations received may amount to a breach of the prohibition of discrimination based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life, enshrined in the International Convention on the Elimination of all forms of racial discrimination (ICERD).

In particular, the Committee regrets that the State party has not provided information on the steps taken to prevent and halt any measures directed at relocating the Chakma and Hajong communities; the measures adopted to prevent and combat racial profiling or racial discrimination against the persons belonging to the Chakma and Hajong communities; and on the implementation of the judgements of the Supreme Court of India in the cases National Human Rights Commission v. State of Arunachal Pradesh and Another, 1996 SCC (1) 742 and Committee for C.R. of C.A.P. & Ors vs State of Arunachal Pradesh & Ors [Writ Petition (Civil) No.510 of 2007].

H.E. Mr. Indra Mani Pandey
Permanent Representative of India
to the United Nations Office
Geneva
Email: india.geneva@mea.gov.in



In this context, the Committee reiterates its call on the State party to adopt all necessary measures to address the allegations mentioned above and to protect the persons belonging to the Chakma and Hajong communities from forced relocations and against racial profiling and racial discrimination.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of India, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'V Shepherd'.

Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination