



# General Assembly

Distr.: General  
27 June 2019

English only

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## Human Rights Council

### Forty-first session

24 June–12 July 2019

Agenda item 8

### Follow-up and implementation of the Vienna Declaration and Programme of Action

## Written statement\* submitted by Liberation, a non- governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[03 June 2019]

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\* Issued as received, in the language(s) of submission only.



## **Protecting rights of Indigenous People's of India as committed in Vienna Declaration**

### **Rights of Indigenous People's of India**

Vienna Declaration and Programme of Action reaffirms protection of indigenous peoples, their distinct culture and identity. Though India is party to the convention, apart from its tall claims, has failed to protect its indigenous peoples. Indigenous people's especially from north east India have faced challenges since long and now the situation is worsening. Assam and Tripura, two states from India are excellent examples showcasing how indigenous communities are facing danger of extinction. In India, rapid communalisation has put the human rights of minorities and indigenous people's in danger.

Indigenous people's from all north eastern state in India are facing grave human rights violations due influx of illegal immigrants. It is not people in themselves but mishandling of the situation by government of India, which has worsen the situation. Human rights of all needs to be protected and we uphold the same. But human rights of one community can not be put at stake for supporting the other community. Though it is not desirable to do so, it is exactly happening with indigenous people's of north eastern region of India. The issue of illegal immigrants is long battled. In recent years government's initiative to renew National Register of Citizenship data created a hope for indigenous people's. But later on, it was found out that it remains a futile hope as the process was not carried out properly. Now, it has come under attack for its supposed link with religious fundamentalism. In addition to that the previous central government tried to pass the citizenship amendment bill. This bill will result in legalising the illegal immigrants. Though it did not contribute much in solving their real problems it definitely does contribute in increasing challenges for indigenous people's. It is duty of the government to address the human rights of illegal immigrants but India is running away from this responsibility by passing the burden of illegal immigrants to north east region. Following is description of how citizenship amendment bill 2016 will add to the existing hardships faced by indigenous people's.

In the backdrop of proposed Citizenship (Amendment) Bill 2016, the people of Assam has discussed the issues of granting citizenship to the religious minorities of the illegal immigrants with various stakeholders and found that if implemented as proposed, the Assamese race will not survive its due time. The North-east of India is much more than a mere political construct and the existence of the indigenous people of the region and their identity, culture, economy are endangered due to unabated influx from Bangladesh. Despite constitutional safeguards and autonomous arrangements in some confined areas, the influx has changed the demography of some states in general and Tripura and Assam in particular. In general, Assam has already taken the burden of illegal migrants till 25th March 1971, through Assam Accord signed on 14th August 1985 between Government of India and All Assam Students Union (AASU). So, people of Assam has already shown its magnanimity of accepting illegal migrants as citizens till 25th March 1971.

The bill proposes to give citizenship, among others, to illegal Hindu immigrants. The ramifications of the bill is frightening, because, if passed into law, it would be death knell for the Assamese identity. The Indigenous people of North-east will be on the verge of becoming minorities in its own land and that would cause serious implications in their existence and survival, if the proposed amendment is allowed to pass through. The Indigenous people of Tripura have become the minority community in their own homeland due to the unabated influx from Bangladesh. The proposed amendment of Citizenship Bill 2016 would make the indigenous people of North-east into a minority community in its own land. Though at the outset It allows different religious communities the privileged to get the citizenship, it surely will help a single religious community the most - Hindus. On the other hand going against constitutional principles, it gives citizenship on the basis of religious belief. The whole region is full of cultural diversity and over imposition of majority religious beliefs on indigenous culture will cause irreparable damage to the rights of the people as well as whole human kind.

It has to be noted that the party which has secured majority votes in parliamentary elections in 2019 tried to introduced this bill previously. The efforts were unsuccessful as it failed in

upper house. Now, that again the same party is power, it will surely push its previous agenda of passing the bill. So, we urge international community to urge India to abide by its commitment given in Vienna Declaration and Program of Action by protecting rights of its indigenous peoples.

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