



# General Assembly

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## Human Rights Council

### Fifty-fifth session

26 February–5 April 2024

Agenda item 8

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

## Written statement\* submitted by Indigenous People of Africa Coordinating Committee, a non-governmental organization in special consultative status

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

[26 January 2024]

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



## **Suppression of Human Rights of Dalits, Minorities and Indigenous Peoples in India**

### **Suppression of Civil and Political Rights in India**

Vienna declaration upholds human rights of minorities and marginalised sections. Though India is party to the Vienna Declaration and Program of Action it has forgotten its responsibility of human rights of marginalised sections. Civil, political, cultural and economic rights rights of religious minorities, Dalits, and Adivasis (internationally known as indigenous peoples) are being suppressed in India. The right-wing fantastical groups are becoming more violent in their operations. Religious minorities are being attacked in the name of festivals and celebrations by majoritarian right-wing organisations. It is strange to observe that in this challenging period, the administration and the central government in India have preferred to ignore this increase in violent activities of the right-wing fundamentalist groups. We are also afraid that though India is a secular country and its constitution has guaranteed freedom of religion, the current central government is favouring the faith of the majority either directly or by enacting laws affecting the interest of religious minorities and other Marginalised Sections of society.

The laws and regulations in India are being used to silence the voices of descent. The government is also trying to introduce arbitrary laws which do not stand by Constitutional standards or international human rights standards. These laws are being used to harass the marginalised sections of society. These laws are being used to target Human Rights Defenders and Social organisations reporting Human Rights abuses by the state. FCRA, Foreign Contribution Regulation Act and recent amendments to the said law are examples of arbitrary laws and how they are being used to impose excessive control.

### **FCRA as a Tool for Harassment:**

Many international organisations are being forced to shut down, or their operations are crippled by misusing provisions of FCRA, for instance, Amnesty International, People's Watch ( program unit of Centre for Promotion of Social Concerns), Oxfam, Commonwealth Human Rights Initiative and other organisations. Since 2011, the FCRA registrations of around 20,000 NGOs have been cancelled on various grounds of violation of provisions.

### **Act of Reprisal:**

FCRA is being weaponized by the State to punish Civil Society Organisations cooperating with UNHRC and its mechanisms. The authorities' use of the foreign funding law against the Centre for Promotion of Social Concerns, a prominent Indian human rights organisation, highlights the law's use for reprisal. When the group challenged the government's decision not to renew its FCRA in the Delhi High Court in 2016, the Home Affairs Ministry told the court that the group used foreign funding to share information with United Nations special rapporteurs and foreign embassies, "portraying India's human rights record in negative light...to the detriment of India's image." The government characterised this as "undesirable activities detrimental to the national interest," effectively trying to target the group for promoting international human rights standards.

### **Story of CPR: An Example**

On January 10, the MHA cancelled the FCRA registration of the Centre for Policy Research (CPR), a leading public policy think tank in New Delhi. The Ministry of Home Affairs (MHA) alleged that CPR diverted foreign donations to fund "protests and legal battles against developmental projects" and misused funds to "affect India's economic interests." It alleged that the think tank engaged in production of current affairs programmes which violated FCRA norms.

CPR had furnished a report on air pollution — “Overview on the Commission for Air Quality Management Act 2021, policy challenges for the new government etc. However, the ministry's decision is incomprehensible and disproportionate. Equating scientific research with current affairs or political activity is an absurd and arbitrary act. Such one sided decisions by the Government challenge the very basis of the functioning of a research institution.

In June 2023, The Washington Post published a report, citing confidential documents, linking the government action against the CPR to its funding of Alok Shukla, an environmentalist who was helping villagers mobilise against “an Adani-operated coal mine in a lush forest in central India called Hasdeo Arand”. The CPR has denied funding any anti-mining protests. However, it was involved in a grassroots, data-collection project titled ‘Closing the Enforcement Gap: Groundtruthing of Environmental Violations in Sarguja, Chhattisgarh’.

In March 2023, about 100 academics based outside India released an open letter criticising the Indian government’s move to suspend the FCRA (Foreign Contribution Regulation Act) licence of the Centre for Policy Research (CPR), a leading think tank focussed on public policy research and advocacy.

In their letter, the scholars said the move “sets a dangerous precedent that will impair the pursuit of research and independent judgement in the country”. Their warning about the “dangerous precedent” seemed to have made no impression on the Union Home Ministry, which has now cancelled the CPR’s FCRA licence altogether.

## **RSS Nexus**

The political party in power in India is backed by right wing organisation namely Rashtriya Swayamsevak Sangh (RSS). It has an agenda of handing over the whole Non-Profit sector to RSS-affiliated organisations in view of implementing its agenda of Hindutva. Therefore, weakening and eliminating the NGO sector is a need and stringent FCRA rules are used to annihilate the NGO sector. The NGOs affiliated with RSS largely work in the fields of health, education, and livelihood. The RSB also provides them support and guidance in social activities and disaster and relief works.

We urge the council to remind India of its responsibilities as per Vienna Declaration.

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Voices for Peace, NGO(s) without consultative status, also share the views expressed in this statement.