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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

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.

[30 May 2021]

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



Rights of all its citizens including right to have freedom of thought.

International covenant on civil and political rights guides every nation state to protect and uphold rights of all its citizens including right to have freedom of thought. Though the Universal Declaration of Human rights upholds the right of political thought , opinion , expression and conscience and fundamental human rights to be universally protected ,in India there is a severe violations of these rights due to the Unlawful Activities prevention act which curtailed the rights to dissent and is against the rights to freedom of speech and expression. Lately due the protests against Citizenship Amendment Act due to which people of North East India faces grave danger to their identity, many people were arrested under this draconian act. It does not allow dissent and criminalizes mere thoughts and political protests that cause “disaffection” with the state. It is an assault to citizens right to expression and has been used to bypass fundamental rights and procedures.

It confers upon the government broad discretionary powers and authorizes the creation of special courts with the ability to use secret witnesses. it is being used to suppress dissent and criminalizing the performance of civil liberties . Those arrested include Akhil Gogoi an activist earlier and now a Member of the Legislative Assembly Assam. He was arrested back in December 2019 and have been in NIA custody since. Amidst several health issues and his rights being violated he is facing repercussions of a draconian law for being a dissident. Another social activist Devangana Kalita was arrested under the same act and hasn't been granted bail due to the UAPA act post her participation in Anti Citizenship Amendment Act protest. Bhaskar Phukan , Bhupen Gogoi and many more were arrested and have been in jail due this act. At the same time with the Implementation of Citizenship Amendment Act threatening the identity of indigenous people of the land it has also violated fundamental and political rights of those who protested the Citizenship Amendment Act under Unlawful activities prevention act 2019. The Unlawful Activities Prevention Act has been continuously used to arrest and detain those who dissent with current government and has targeted people like Akhil gogoi who even after winning the elections to its Legislative Assembly of the state creating hindrances for him from his duties to serve the people as an elected representative .

The United Nation Special Rapporteurs have earlier raised concern over several violations of the international human rights obligations of India. While citizens face tough time in jail trying to free itself of the clutches of this act the government seem to bother less about their violations of basic rights of its citizens and continuous rise in misuse of such act. This act demonstrates discriminations directed to minorities, human rights defenders and political dissident. Along with the violation of India's own constitutions it contravenes several articles of the Universal declaration of human rights and the international covenant of civil and political rights.

Even after several concerns raised by international community and Human Rights defenders both these acts Citizenship Amendment Act and Unlawful Activities Prevention Act have been implemented and functioning while violation human and political rights of its citizens and violation of the constitution continues.

In view of the above we request urgent intervention of respective stake holders of democratic institutions organizations and people at large to save the political rights and abolition of human rights violations of the people of north east India and India at large. We urge the international community to urge India to abide by the resolutions of United Nations security council to make legislations against terrorism extremism without the breach of its international law obligations.
