



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

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7 March 2014

Excellency,

I write to inform you that in the course of its 84th session, the Committee on the Elimination of Racial Discrimination received information on recent developments regarding the situation of indigenous peoples in the North East of India submitted by non-governmental organisations with regard to the continuation of Tipaimukh dam project and the construction of the Lower Subansiri Hydro-electric project.

The Committee deeply regrets that the State party has not replied to its previous requests for information dated 30 August 2013.

New information received alleges that your Government has now approved the construction of the Lower Subansiri Hydro-electric project in spite of the Assam Assembly's House Committee's recommendation to undertake a proper scientific assessment of the project and without the approval of the indigenous peoples of the North East of India. On the basis of the information received, the Committee understands that that the construction might negatively impact the livelihoods of the indigenous peoples of Arunachal Pradesh and Assam due to the dam's possible impact on flood management.

The Committee reiterates its concern about these allegations which, if verified, could hinder the full enjoyment of rights under the Convention. In this regard, the Committee refers to its General Recommendation 23 on the rights of indigenous peoples in which the Committee calls upon the State parties "to recognise and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and natural resources and, where they have been deprived of their lands and territories traditionally occupied otherwise inhabited or used without their prior, free and informed consent, to take steps to return those lands and territories".

His Excellency
Mr. Dilip Sinha
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of India
to the United Nations Office and other
International Organizations at Geneva
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In accordance with Article 9 (1) of the Convention and article 65 of its Rules of Procedure, the Committee urges the State party to submit its combined 20th to 21st periodic report overdue since 2010 and invites the State party to include in the report the responses to all of the issues and concerns outlined above. Specifically, the Committee requests the State party to include information on its implementation of the recommendations made in paragraphs 12 and 19 of its concluding observations of 2007 (CERD/C/IND/CO/19).

Allow me, Excellency, to express the wish of the Committee to continue to engage in a constructive dialogue with the Government of India, with a view to provide it with assistance in the effective implementation of the Convention.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'José Francisco Calí Tzay', written over a horizontal line.

José Francisco Calí Tzay
Chair

Committee on the Elimination of Racial Discrimination