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Joint Oral Statement by the International Commission of Jurists (ICJ), Asian Forum for Human Rights and Development (FORUM-ASIA), CIVICUS - World Alliance for Citizen Participation, Human Rights Watch, International Service for Human Rights (ISHR), Minority Rights Group International, and World Organization against Torture (OMCT), in General Debate item 4

10 March 2020

INDIA: CITIZENSHIP AMENDMENT ACT VIOLATES INTERNATIONAL LAW

India's Citizenship (Amendment) Act, 2019 (CAA) arbitrarily excludes certain groups at risk of persecution, such as Muslims, from accessing an expedited path to citizenship, based on their religious affiliation.

The CAA is inconsistent with rule of law principles and international law, including the right to equality before the law and the right to non-discrimination, protected under human rights treaties such as the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, to which India is a party.

The implementation of the National Register of Citizens (NRC) in Assam risks making 1.9 million persons stateless. A nationwide NRC will put more people at risk.

Our organizations urge the Indian government to amend the CAA to ensure that any path to citizenship provides for equal protection for persecuted persons, and does not discriminate on grounds such as religion or national origin.

We also urge India to develop a comprehensive refugee law that addresses the plight of persecuted minorities in a non-discriminatory manner, and to accede to the 1951 Refugee Convention and its 1967 Protocol.

We further call on India to respect the right to peaceful assembly, and to ensure accountability for those alleged to have instigated violence or used excessive force in relation to the nationwide protests against the CAA.