

# UN RIGHTS BODY TO MOVE SC ON CAA

Relevant for: International Relations | Topic: UNO and its various Agencies

Steely resolve: People from nomadic tribes and other communities protesting at Azad Maidan. Emmanuel Yogini

Former Solicitor General Mohan Parasaran said that in his opinion, the U.N. official could not be impleaded on international law in a domestic matter. "The CAA has to be tested on the touchstone of the Indian Constitution and not some U.N. Convention. If such interventions as *amicus curiae* are allowed, it will set a wrong precedent," he observed.

Last month, a Bench led by Chief Justice of India Sharad A. Bobde took "note" of a plea made by a U.N. Special Rapporteur in a case related to the rights of Rohingya refugees, but forwarded it to the government for a response without ruling on it.

Former Indian Foreign Service officer Deb Mukherji, who is a petitioner in the original case filed in December, said the U.N. move would not change their case against the CAA. "I am not aware that international bodies can implead themselves in our courts, that is for the honourable Supreme Court to decide. We have been waiting for weeks to be heard, and hope our petition will be taken up soon," he told *The Hindu*.

Former External Affairs Minister K. Natwar Singh described the U.N. rights body's move as "absolutely unprecedented in the diplomatic history of India".

Agreeing, former envoy to the U.N. Chinmaya Gharekhan said the move was "objectionable", as the U.N. was an inter-governmental body and "they are not supposed to approach the Supreme Court of India."

## Worries galore

In her address to the Human Rights Council on February 27, Ms. Bachelet expressed "great concern" over the CAA. Earlier, U.N. Secretary General Antonio Guterres had spoken of worries over the "risk of statelessness" that arose from the CAA being used as a discriminatory measure.

The Government of India has denied and rejected both the comments.

The citizenship bill enacted on December 12, 2019 after it was cleared by Parliament, promises to fast-track citizenship for undocumented migrants belonging to six faiths not including Islam and Judaism, who fled from religious persecution in Bangladesh, Afghanistan and Pakistan before December 21, 2014.

( *With inputs from Krishnadas Rajagopal* )

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