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Excellency,

With reference to its letter to the State party dated 13 March 2009, the Committee on the Elimination of Racial Discrimination, the Committee wishes to recall that it expected to be informed on measures taken to follow up on the recommendations contained in paragraphs 12, 15, 19 and 26 of its concluding observations on the periodic report of India adopted at its 70th session in March 2007. In its letter, the Committee had also expressed concern at the impact of several dam construction projects as well as the continued application of the Armed Forces (Special Powers) Act of 1958 in Northeast India on indigenous communities living in this area. The Committee regrets that to date it has not received such information.

The Committee wishes to reiterate its concern with regard to the impact of dam projects on the indigenous communities of that region, in particular in light of information that the Government has now issued an "environmental clearance permit" allowing for the construction of the Tipaimukh dam without meaningful efforts to obtain prior informed consent of the affected communities. Also, with regard to the application of the Armed Forces Act (Special Powers), the Committee wishes to reiterate its call to repeal it. The Committee thus reiterates its request for comments from the State party on the issues that have been highlighted in the aforementioned letters.

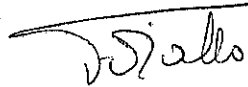
At its 75th session, the Committee also considered on a preliminary basis, under its early warning and urgent action procedure, information concerning bauxite mining plans on the religious lands of the Dongria Kondh people, in the administrative districts of Rayagada and Kalahandi in the state of Orissa. It appears that the Dongria Kondh community has not been fully and clearly informed of the implications of the mine, that no provisions have been made to allow the community to access and continue to worship in their religious site, and that no compensation has been offered for its destruction. It is alleged that the mine not only affects the livelihoods of the Dongria Kondh, but also pollutes their environment, which situation has led to protests, the erection of roadblocks and violent clashes.

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In this regard, the Committee would like to kindly request the State party to provide information on the situation of the Dongria Kondh people and on natural resource exploitation projects in the area concerned. The Committee would similarly appreciate to be informed of whether environmental and social impact assessments have been carried out for the new bauxite mine, and whether consultations have been initiated with the affected communities in order to obtain their prior informed consent to these mining activities.

Rest assured, Excellency, that the Committee looks forward to engaging in a constructive dialogue with the Government of India, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Yours sincerely,



Fatimata-Binta Victoire Dah
Chairperson of the Committee on the
Elimination of Racial Discrimination