



Foreigners Tribunals

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Why in News

Amnesty International has raised **allegations over the functioning of the Foreigners Tribunals (FTs) in Assam.**

Key Points

- In a report titled '**Designed to Exclude**', Amnesty International has asserted that the Supreme Court and Gauhati High Court had enabled the FTs to create a statelessness crisis in Assam.
There appear to be **aberrations in some cases to the policy of assessing the performance of a FT member.**
- The organization has observed that the FTs that determined the paramount right to citizenship in Assam were often dismissive, used derogatory language, controlled their own procedures and applied them in arbitrary ways.
- It has also called for a **review of the existing legislative regime governing the determination of nationality** in India.

Foreigners Tribunals in Assam

- The tribunals are **quasi-judicial bodies**, to determine if a person staying illegally is a "foreigner" or not.
- Every individual, whose name does not figure in the **final National Register of Citizens (NRC)**, can represent his/her case in front of the appellate authority i.e. Foreigners Tribunals (FT).
Assam has set up FTs, specifically to handle the cases of 19.06 lakh people left out of the updated NRC.
- Under the provisions of **Foreigners Act 1946** and **Foreigners (Tribunals) Order 1964**, only Foreigners Tribunals are empowered to declare a person as a foreigner.

- The **Assam Police Border Organisation**, a wing of the State police tasked with detecting foreigners, readies the cases for the tribunals to decide who is a foreigner and who is not.

Foreigners Tribunal Member

- Each FT member is appointed under the Foreigners Tribunal Act, 1941, and Foreigners Tribunal Order, 1984, as per the guidelines issued by the government from time to time.
- A member can be a retired judicial officer of the Assam Judicial Service, a retired civil servant not below the rank of secretary and additional secretary with judicial experience, or a practising advocate not below the age of 35 years and with at least seven years of practice.
- A member is also required to have a fair knowledge of the official languages of Assam (Assamese, Bengali, Bodo and English) as well as be conversant with the historical background to the foreigners' issue.

Amnesty International

- AI is an **international Non Governmental Organization (NGO)** founded in **London** on May 28, 1961,
- It seeks to publicize violations by governments and other entities of rights recognized in the **Universal Declaration of Human Rights (1948)**, especially freedom of speech and of conscience and the right against torture.
- It also works with intergovernmental human rights bodies to expand and enforce human rights protections in international law.
- In 1977 AI was awarded the **Nobel Prize for Peace**.

Source: TH