



India, Degradation of Religious & Human Rights, 2020

While India has long prided itself in being the world's largest democracy, what we are witnessing today is a secular democracy in decline. The reality is that democracy only exists at the ballot box. Prime Minister Modi and the ruling BJP party have taken the country down a dangerous trajectory, one that targets non-Hindus including Muslims, Christians, Sikhs and Dalit communities.



Image Courtesy:
Prashant Miranda

This is the antithesis of equality and democracy. Religious freedoms have eroded drastically. Majoritarianism, a resurgence for the call of a Hindu nation, and subjugation of minorities and lower castes have amplified greatly under Modi's rule.

The United States International Religious Freedom Act (IRFA) requires that each year, the President designate as a "country of particular concern", each country, the government of which has engaged in or tolerated systematic, ongoing and egregious violations of religious freedom.

Recommendations are made by the Commission on International Religious Freedom (USCIRF), which the administration is required to consider in making a final determination and designation.

In 2020 and 2021, USCIRF made the recommendation that India be designated as a "country of particular concern".

Countries are evaluated on violations such as:

- 1) Torture or cruel, inhuman, or degrading treatment or punishment;
- 2) Prolonged detention without charges;
- 3) Causing the disappearance of persons by the abduction or clandestine detention of those persons;
- 4) Other flagrant denial of the right to life, liberty, or the security of persons

TORTURE OR CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

Delhi Pogrom 2020

At least 52 people were killed and 200 injured in three days of violence in India's capital in February 2020. Many minority owned businesses and properties were destroyed, and communities displaced in targeted attacks by Hindu mobs. While a policeman and some Hindus were also killed, the majority of the victims were Muslim. Often police were complicit or assisted right wing Hindu mobs. Delhi police fall under the authority of the Home Ministry of India's central government.



Image Courtesy: Kamran Akhter

Resources:

DELHI MINORITIES COMMISSION North-East Delhi Riots

Forced Renunciation of Faith

During the Delhi pogrom, Hindu mobs belonging to a WhatsApp group named “Kattar Hindu Ekta”, bragged about “killing Muslims” and “dumping their bodies in the sewer”.

The mob attacks were coordinated, sought out Muslims and demanded they show identification. Nine Muslim men were assaulted and forced to renounce their religion by chanting “Jai Shri Ram” (Glory to Lord Rama). The men were then bludgeoned to death. Six of the bodies were found in the sewer. In another separate incident, a 52-year-old auto rickshaw driver was assaulted when he refused to chant “Jai Shri Ram” and “Modi Zindabad”(Long Live Modi)

Resources:

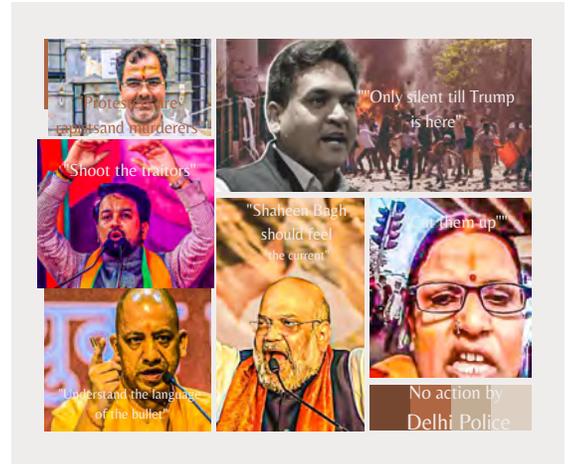
WhatsApp group with 125 members used to push hate, mobilise rioters in Northeast Delhi

Muslim Man Assaulted, Attackers Allegedly Insisted He Shout 'Modi Zindabad', 'Jai Shri Ram'

Hate Speech by BJP Leaders & Activists

The violence in Delhi was preceded by hate speeches by BJP leaders like Kapil Mishra, Anurag Thakur, Parvesh Verma, Amit Shah and Yogi Adityanath.

In their speeches BJP leaders referred to peaceful anti-CAA protesters as “rapists and murderers” and incited violence by calling on the masses to “shoot the traitors”.



Kapil Mishra

Kapil Mishra, a local politician belonging to the ruling Bharatiya Janta Party (BJP) amassed a crowd on February 23, 2020 and gave a fiery speech threatening anti-CAA protesters. This was despite the fact that the protests were peaceful and had been ongoing for months without incidence or violence.

The fact-finding report on North-East Delhi Riots 2020 states that “violence started in different pockets almost immediately after the short speech of Shri Kapil Mishra on 23 February, 2020 at Maujpur in which he openly called for forcefully removing the protestors at Jafrabad in North East Delhi.” ***In his speech Mishra had stated “We will walk along peacefully until Trump returns. After that, we won’t even listen to you if the roads are not vacated.”***

Resources:

DELHI MINORITIES COMMISSION North-East Delhi Riots

Amit Shah

Among the speeches cited in the Delhi Minorities Commission report is one by Home Minister Amit Shah on January 27, where he stated: ***“Your vote to a BJP candidate will make Delhi and the country safe and prevent thousands of incidents like Shaheen Bagh.”*** In another speech, he urged voters to “press the EVM button with such anger that the protesters at Shaheen Bagh feel the current”.

Anurag Thakur

In a BJP rally Minister of State for Finance and Corporate Affairs Anurag Thakur openly incited violence by chanting “Shoot the traitors” along with an expletive targeting the Muslim community. Shockingly, this slogan became so popular that it was even heard during pro-CAA rallies here in the US.

Resources:

Watch: Union minister Anurag Thakur leads ‘goli maaro saalon ko’ slogans at rally

Parvesh Verma

BJP MP Parvesh Verma referred to the peaceful anti-CAA protesters at Shaheen Bagh as “rapists and murderers”.

Resources:

BJP MP Parvesh Verma Calls Peaceful Shaheen Bagh Protesters 'Rapists, Murderers'

Yogi Adityanath

In a reference to anti-CAA protesters Uttar Pradesh Chief Minister, Yogi Adityanath, stated that **“those who don’t understand words, will surely understand the language of the bullet”**.

Resources:

The Print – Amit Shah, Adityanath, Anurag Thakur — 5 most provocative speeches of Delhi elections

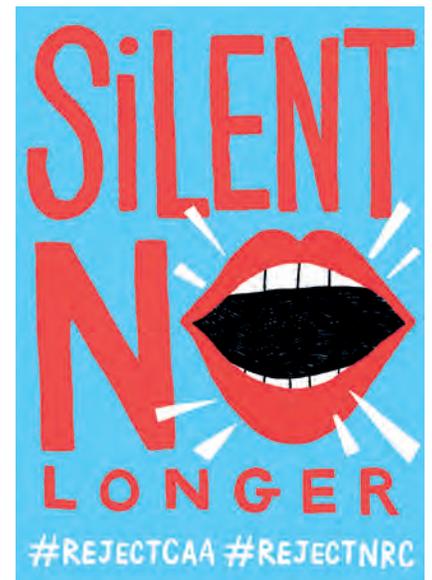


Image Credit: Pearl D'Souza

Ragini Tiwari

Ragini Tiwari, a self proclaimed Hindutva activist, incited violence against anti-CAA protesters. Her incendiary speech in addition to others was a catalyst for the Delhi pogrom. She has also been accused of pelting stones with the rioters during the Delhi pogrom.

She recently threatened protesting Sikh farmers stating that if they didn't vacate the protest sites, she would create another Jafrabad. Jafrabad is an area in north east Delhi where most of the violence took place during the Delhi pogrom. In one of her videos, Tiwari shouts out, **“Cut him up, whoever it is cut him up...is it a Bhimti?”** Bhimti is a derogatory term used for the followers of Dr BR Ambedkar, the architect of the Indian constitution.

Resources:

Who is Ragini Tiwari whose video threatening protesting farmers has gone viral?

No action was taken by the Delhi police against any of these politicians and activists, despite several videos of their inflammatory speeches. They remain unapologetic and have threatened to do it again.

Resources:

The Print – Amit Shah, Adityanath, Anurag Thakur — 5 most provocative speeches of Delhi elections

Tablighi Jamaat #CoronaJihad

During the chaos of the COVID-19 outbreak, BJP followers falsely blamed the Muslim Tablighi Jamaat for the spread of the corona virus. They vilified Muslims as “superspreaders”, boycotted Muslim businesses, refused to treat Muslims in hospitals and used hashtags like **#CoronaJihad** to spread hate against Muslims. Some Hindu organizations refused to distribute food packets to Muslims.



Resources:

Tablighi Jamaat men India held for ‘spreading COVID’ share ordeal

Religious discriminatory attacks targeting Muslims and Christians



Image Courtesy: Gunasees Juneja

In August 2020, in the town of Panipat, an extremist Hindu mob amputated Akhlaq Salmani’s hand with a chainsaw after they identified him as a Muslim from a symbol on his arm. In another horrific incident of human rights abuse and police brutality, two young Muslim men, Abdurrahman and Bilal, aged 18 and 20 years old, were arrested on fabricated charges of assault on an RSS worker.

They were viciously lashed and tortured by having their **arms, thighs and genitals burned**. Hate crimes against Christians by Hindutva groups also continued to rise despite the COVID lockdown.

Resources:

Panipat: Mob Attack Leaves Muslim Hairdresser Amputated, Family Says Cops Want Compromise With Accused

“Policemen sat on their chests, burnt their genitals with lighter,” lawyer recounts horrific custodial torture by Palakkad police of 2 Muslim youth
157 attacks on christians in 3rd quarter of 2020: Persecution Relief | SabrangIndia

ABDUCTION OR CLANDESTINE DETENTION



Image Courtesy: Kranti Gagdekar

After the abrogation of Article 370 of the Indian Constitution in August 2019, human rights violations worsened during the pandemic in the state of Jammu and Kashmir. The Indian government continued to practice violent enforced disappearances.

Hundreds of Kashmiris remain detained without charge in Jammu and Kashmir under the draconian Public Safety Act, which permits detention without trial for up to two years. Kashmir was the only Muslim-majority state in India. Article 370 offered Kashmir a special status and limited domicile to Kashmiri natives, most of whom are Muslim.

New Kashmir domicile laws have recently been introduced, allowing domicile for non-Muslim Indians. This can only be understood as an attempt to change the demographics of the region.

In the state of Punjab, thousands of young men, mostly Sikh, are reported missing.

Resources:

World Report 2021: India

Ensaaf: Home

PROLONGED DETENTION WITHOUT CHARGES



Image Courtesy: Kamran Akhter

The list of political prisoners in India is growing at an alarming rate. Across India, anyone who dares or would dare to express political disagreement with the Modi government risks going to jail on fraudulent charges, in which trial and bail are difficult. Many people are “preventively” imprisoned under the Unlawful Activities Prevention Act (UAPA), which is often applied with questionable evidence.

Father Stan Swamy, Safoora Zargar, Dr. Kafeel Khan, Sudha Bharadwaj, Nodeep Kaur are just a few of the hundreds of prisoners who faced imprisonment and harassment for peacefully dissenting against Modi’s authoritarian regime. The following four detainees are examples of victims who fell prey to made up charges and prolonged detention.

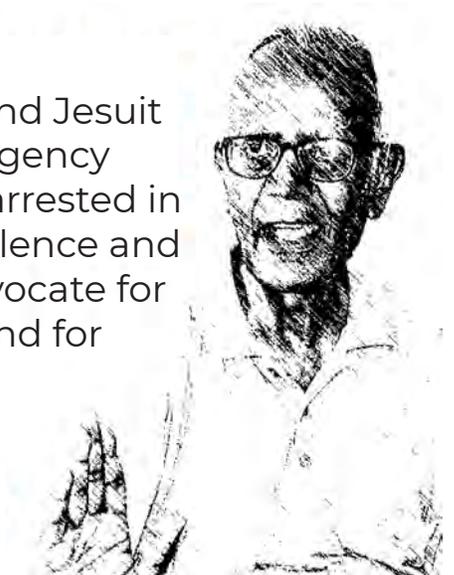
Father Stan Swamy

Father Stan Swamy, an ailing 83-year-old activist and Jesuit priest was arrested by the National Investigation Agency (NIA), which deals with anti-terror crimes. He was arrested in connection with a 2018 incident of caste-based violence and alleged links with Maoists. He has been a vocal advocate for the welfare and human rights of tribals in Jharkhand for over five decades.

Resources:

Stan Swamy

Stan Swamy: The oldest person to be accused of terrorism in India



Safoora Zargar

Safoora is a student leader who took part in the peaceful protests after the passage of the Citizenship Amendment Act (CAA). She was arrested on April 10, 2020, granted bail three days later, but as is a common punishment tactic, she was rearrested immediately on new charges.

Her imprisonment continued until bail was granted in June 2020. However, the police opposed her being released on bail. The Delhi Police is under the jurisdiction of the Home Ministry of the Central Govt. of India. The Home Minister of India is Amit Shah, a close accomplice of PM Modi.

Resources:

Safoora Zargar was one of main conspirators, pregnancy no ground for bail: Delhi Police tells court

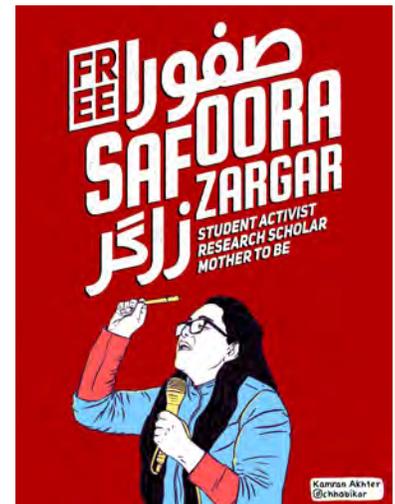


Image Courtesy: Kamran Akhter

Sudha Bhardawaj

Sudha’s case is very exemplary of the tactics used by Indian police to keep activists and pro-democracy protesters in jail. She is a lawyer who was protesting with other lower caste Hindus (known as Dalits). She was arrested along with several other protestors in what is now known as the Bhima Koregaon case. The protestors were arrested and labeled as Urban Naxalites, who were planning frequent protests which would have political ramifications if allowed to continue. Documents filed by police were found to have been manipulated or forged.

Resources:

Explained: Case against Sudha Bharadwaj; why SC turned down her bail plea

Why the State Fears My Friend, Sudha Bharadwaj

Dr. Kafeel Khan

Perhaps the best known of the cases of long detentions, is the case of Dr. Kafeel Khan, a pediatrician, who, in a heroic act of responsibility, has saved the lives of countless patients. In Uttar Pradesh, the government of Chief Minister Yogi Adityanath, instead brought several charges against him, having arrested him multiple times on new charges once bail was granted. He was eventually granted bail in September 2020, after spending almost seven months in jail. He was also accused of provocative speech, in which he had called for national unity.

Resources:

Bail for Dr Kafeel Khan indictment of Uttar Pradesh



Image Courtesy: Kamran Akhter

Nodeep Kaur

Nodeep Kaur is a 24 year old Dalit activist who was arrested on fake charges including attempt to murder, rioting and others while participating in the Farmers' protest in Haryana.

She was beaten and sexually assaulted while in police custody. She was finally released on bail after more than a month in police custody.

Resources:

Nodeep Kaur: Jailed Dalit activist, 25, granted bail by India court.

OTHER FLAGRANT DENIAL OF THE RIGHT TO LIFE, LIBERTY, OR THE SECURITY OF PERSONS

Beef /Cow lynching

Hindutva activists continued their violent cow vigilantism in 2020 as they brutally attacked a 25 year old Muslim youth who was carrying buffalo meat in Gurugram.

Resources:

'Better to have killed me' — man thrashed by cow vigilantes says won't transport meat again

Babri Masjid Verdict

In a travesty of justice, a special Court acquitted all 32 accused involved in the illegal demolition of the historic Babri Masjid which had led to communal violence that left over 2,000 dead, most of whom were Muslims. This is another manifestation of a pliant judiciary under the extremist BJP regime in which 'Hindutva' ideology takes precedence over all principles of justice and international norms.



The court's verdict stood in stark contrast to the findings of the Union government's Liberhan Commission which was constituted to inquire into the demolition.

Resources:

LIBERHAN AYODHYA COMMISSION

Hathras Rape Case

In one of the many growing incidents of sexual assaults against Dalit women, a 19-year-old girl was brutally gang raped by 4 higher caste Hindus in the town of Hathras, Uttar Pradesh. With her spinal cord broken and her tongue sliced off, she was left to die in the farm where she was discovered by her mother. She was treated at the Aligarh Muslim University Medical College Hospital, where it was determined that she had been raped. Later reports sought to bring the initial reports to question.



Image Credit: Afsaana E Hoor

Furthermore, after her death, and in a final act of degradation of their lower caste, her family was locked up while the police forcibly cremated her body without permission from her family or allowing anyone from her family to be present.

Journalists who were covering the incident were also arrested under the guise of National Security, and sedition charges brought against them.

Resources:

Hathras case: A woman repeatedly reported rape. Why are police denying it?

CONCLUSION

The above examples amply demonstrate that India should be recommended as a CPC using the very tests that USCIRF specifies in determining if a country should be listed as one. It's not surprising that India has been downgraded several places in the Democracy Index by several leading agencies.

Genocide Watch continues to list India with two watches against it. We will continue to highlight these issues that Indian minorities face day after day, We urge the United States State Department to accept the USCIRF recommendation to designate India as a CPC to prevent an impending genocide.

Resources:

Freedom in the World 2021: Democracy under Siege
Democracy Report 2021: Autocratization Turns Viral

THANK YOU

Justice for All would like to recognize and thank the following individuals for their commitment to our cause. Without these team members, Justice for All would not be able to follow our mission statement and advance our work in advocacy and fighting for the human rights of oppressed minorities.

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Report Written by: Farhana Motala and Sadaf Afshan
Edits: Faiza Zainab Khan**

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