

**Flygtningenævnets baggrundsmateriale**

<b>Bilagsnr.:</b>	<b>445</b>
Land:	Indien
Kilde:	Human Rights Watch
Titel:	World Report 2022
Udgivet:	12. januar 2022
Optaget på baggrundsmaterialet:	22. april 2022



HUMAN  
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# WORLD REPORT

**2022**  
EVENTS OF 2021

**HUMAN RIGHTS WATCH**

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This 32<sup>nd</sup> annual World Report summarizes human rights conditions in over 100 countries and territories worldwide in 2021.

It reflects extensive investigative work that Human Rights Watch staff conducted during the year, often in close partnership with domestic human rights activists.

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## India

Critics of the Bharatiya Janata Party (BJP)-led government in India including activists, journalists, peaceful protesters, and even poets, actors, and businesses increasingly risked politically motivated harassment, prosecutions, and tax raids. Authorities shut down rights groups using foreign funding regulations or allegations of financial irregularities.

The government adopted laws and policies that discriminated against religious minorities, especially Muslims. This, coupled with vilification of Muslims by some BJP leaders and police failure to take action against BJP supporters who commit violence, emboldened Hindu nationalist groups to attack Muslims and government critics with impunity.

A devastating second wave of Covid-19 in April exposed systemic weaknesses in India's health infrastructure and the government's mishandling of the pandemic. The authorities threatened action against criticism of its pandemic response, and allegedly suppressed data to downplay the threat of the pandemic.

### *Jammu and Kashmir*

In February, the government finally lifted an 18-month internet shutdown in Kashmir imposed in August 2019 when it revoked the state's constitutional autonomy and split it into two federally governed territories.

In September, after the death of separatist leader Syed Ali Shah Geelani, the government once again imposed restrictions on movement and a near-total communications' blackout for two days to prevent a mass gathering at his funeral. Geelani's family alleged that they were denied the right to conduct proper final rites.

In July, four UN human rights expert mandates wrote to the Indian government urging an inquiry into the death in custody of separatist leader Muhammad Ashraf Khan Sehrai, who was detained in July 2020 under the Public Safety Act, a preventive detention law. In March, five UN expert mandates wrote to the government seeking information about the detention of Kashmiri politician Waheed Para, the alleged custodial killing of a shopkeeper Irfan Ahmad Dar, and the en-

forced disappearance of Naseer Ahmad Wani. They raised concerns about “the repressive measures and broader pattern of systematic infringements of fundamental rights used against the local population, as well as of intimidations, searches and confiscations committed by national security agents.”

Journalists in Kashmir faced **increased harassment by the authorities**, including raids and **arrests** on terrorism charges. In September, the police **raided the homes of four Kashmiri journalists** and confiscated their phones and laptops. In June, the UN special rapporteur on freedom of expression and the Working Group on Arbitrary Detention **expressed concerns** over “alleged arbitrary detention and intimidation of journalists covering the situation in Jammu and Kashmir.”

### ***Impunity for Security Forces***

Allegations of torture and extrajudicial killings persisted with the **National Human Rights Commission** registering 143 deaths in police custody and 104 alleged extrajudicial killings in the first nine months in 2021.

After BJP leader Himanta Biswa Sarma became chief minister of Assam in May, his government’s “**zero tolerance policy**” on crime led to an **increase in police killings**. By September, the police had reportedly **killed 27 people in alleged extrajudicial killings** and injured 40 others. In September, Assam police opened fire during a protest against forced evictions, killing a man and a 12-year-old boy. In a video shared on social media, police were seen beating the man after he was shot and a **photographer hired by the local authorities stomping on the body of the injured man**. The victims were Bengali-speaking Muslims, a community the BJP government has frequently vilified as “**illegal Bangladeshis**.”

The authorities continued to use section 197 of the Criminal Procedure Code, which requires government approval to prosecute police officials, to block accountability even in cases of serious abuses. In March, the **Gujarat state government refused to give permission** to prosecute three police officials accused in the 2004 extrajudicial killing of a Muslim woman, Ishrat Jahan.

The Armed Forces (Special Powers) Act, which remained in effect in Jammu and Kashmir and several northeastern states, provides effective immunity from prosecution to security forces, even for **serious human rights abuses**.

The [Border Security Force](#) frequently used excessive force against irregular immigrants and cattle traders from Bangladesh.

### ***Dalits, Tribal Groups, and Religious Minorities***

Hindu mobs beat up Muslims, often [working class men](#), with impunity while pro-BJP supporters filed baseless complaints against critics, especially religious minorities.

In January, a [Muslim stand-up comic, Munawar Faruqui](#), and five of his associates were arrested on a complaint brought by the son of a BJP politician who accused him of hurting Hindu sentiments in jokes Faruqui apparently did not utter. Police subsequently admitted they had no evidence of the performance.

In October, over 200 men and women allegedly belonging to the BJP youth wing and affiliated Hindu nationalist groups Vishwa Hindu Parishad (VHP) and Bajrang Dal [attacked a church in Uttarakhand state](#), vandalizing property and injuring several churchgoers. The attack came soon after the [VHP allegedly threatened to demolish churches](#) in Madhya Pradesh state's Jhabua district, claiming they were doing illegal religious conversions. Hindu nationalist groups also [attacked churches in Chhattisgarh state](#). Several states [enacted or amended laws](#) ostensibly to prevent forced religious conversions, but these laws have been largely used to target minority communities, particularly Christians, Muslims, Dalits, and Adivasis.

In September, the [National Crime Records Bureau reported](#) that 50,291 cases of crimes against Dalits were reported in 2020, an increase of 9.4 percent over the previous year. Crimes against tribal communities also increased by 9.3 percent, at 8,272 cases.

### ***Civil Society and Freedom of Association***

In July, the death of jailed tribal rights activist Stan Swamy, 84, was emblematic of the ongoing persecution of rights activists. Swamy was arrested on [politically motivated terrorism charges in the Bhima Koregaon case](#), related to caste violence in Maharashtra state in 2017. Fifteen other prominent human rights defenders are charged in this case. The [UN special rapporteur on human rights](#)

defenders said Swamy's death "will forever remain a stain on India's human rights record."

In February, Prime Minister Narendra Modi described people participating in various peaceful protests as "parasites."

Hundreds of thousands of farmers, many of them from the minority Sikh community, protesting amendments to farm laws since November 2020, were accused by BJP leaders and pro-government media of having a separatist agenda.

Following violent clashes on January 26, 2021 between the police and protesting farmers in which one protester died, the authorities filed baseless criminal cases against journalists, shut down the internet at multiple sites, prevented journalists from entering protest sites, and ordered Twitter to block hundreds of accounts. In February, the authorities arrested a climate activist, Disha Ravi, accusing her of sedition and criminal conspiracy for allegedly editing a document providing information on the protests, and issued warrants against two others. In March, several UN human rights experts raised concerns over government's measures to restrict the protests, intimidate those involved, and stifle public debate about them.

In October, police arrested the son of a BJP minister on accusations that he ran over and killed four protesting farmers in Uttar Pradesh state with his car. An angry mob, in retaliation, then killed three men in the car, including the driver. A journalist also died in the violence.

In September, government financial officials raided the home and office of Harsh Mander, an activist, in Delhi, alleging financial and administrative irregularities. In July, the government restricted funding for 10 international nongovernmental organizations working on climate change, environment or child labor, using the Foreign Contribution Regulation Act.

In June, the Delhi High Court, while granting bail to three student leaders arrested on terrorism charges in relation to communal violence in Delhi in February 2020, said, "in its anxiety to suppress dissent, in the mind of the State, the line between the constitutionally guaranteed right to protest and terrorist activity seems to be getting somewhat blurred."



UN human rights experts repeatedly raised concerns over misuse of counterterrorism laws to bring criminal charges against human rights defenders. In April, [UN rights experts wrote to the Indian government](#) on the alleged arbitrary detention of Adivasi human rights defender Hidme Markam on terrorism charges, saying the arrest appeared to be in response to her human rights work, and in particular her work to highlight instances of sexual violence against women by state security forces.

### ***Freedom of Expression and Privacy Rights***

The authorities continued to [intimidate and harass journalists and news outlets](#) critical of the government through politically motivated lawsuits and tax raids. In July, the Indian news website The Wire [reported](#) that at least 300 Indian phone numbers, including those of human rights defenders, journalists, lawyers, government officials, and opposition politicians, were included on a list of potential targets for advanced Israeli spyware Pegasus. Phone numbers of several activists arrested in the Bhima Koregaon case, as well as some of their family members were also on the [leaked Pegasus list](#). In October, the Supreme Court, in response to several petitions related to the use of Pegasus spyware, [appointed an independent panel](#) to investigate the allegations of illegal surveillance.

In February, the government enacted the [Information Technology \(Intermediary Guidelines and Digital Media Ethics Code\) Rules, 2021](#), which target internet intermediaries, including social media services, digital news services, and curated video streaming sites. While the government said they aimed to curb the spread of “fake news,” they allow greater governmental control over online content, threaten to weaken encryption, and would seriously [undermine rights to privacy and freedom of expression online](#). In June, [three UN human rights experts](#) said the rules did not conform with international human rights norms.

### ***Women’s and Girls’ Rights***

The alleged [rape and murder of a 9-year old Dalit girl in Delhi](#) in August once again spotlighted that Dalit women and girls are at heightened risk of [sexual violence](#). In August, a 24-year-old woman and her male friend from Uttar Pradesh died after [setting themselves on fire](#) in front of the Supreme Court, alleging ha-

rassment by state police and judiciary in retaliation for her rape complaint against a member of parliament.

In February, former BJP minister M.J. Akbar lost his defamation case against journalist Priya Ramani, who among several other women, had accused him of sexual harassment in the workplace. The ruling by a Delhi court, the [first major legal victory in India's #MeToo movement](#), noted that “a woman cannot be punished for raising her voice against sexual abuse.” However, the law addressing sexual violence in the workplace [remained poorly enforced](#), especially for women in the informal sector.

The Covid-19 pandemic exacerbated existing challenges women faced in [workforce participation](#), pushing even more women out of jobs and into poverty. [Studies showed](#) more women than men lost jobs; a [2021 study](#) said 47 percent of women lost their jobs as compared to 7 percent of men during the first lockdown in 2020, and they had not returned to work by the end of the year. In the informal sector, women fared even worse. Between March and April 2021, women in informal jobs in rural India accounted for [80 percent of job losses](#).

### ***Children's Rights during Covid-19 Pandemic***

By September 2021, several states in India began to reopen schools that had been shut for the most part since March 2020, affecting around 320 million children in India. An August report by a [parliamentary standing committee](#) noted that children's learning had “suffered immensely and because education sector also provides help, nutrition and psychological services, the overall welfare of the children has declined substantially.” The report noted that 77 percent of students were deprived of attending online classes, while 40 percent of students had not accessed any remote learning.

A February [study by Azim Premji University](#) covering approximately 16,000 students across grade 2 to 6 in five states found significant learning losses. Another [report](#) led by some economists found devastating impact of school closures on children's learning, especially in rural areas and in poor and marginalized households.

School disruptions accompanied by declines in earnings and loss of jobs, particularly in marginalized communities, resulted in an increase in child labor, [early](#)

marriage, and trafficking. A UNICEF report said about 10 million students are at risk of never returning to school.

### ***Disability Rights***

Disability rights groups welcomed two court judgments recognizing barriers to justice for persons with disabilities and calling for an end to abuses in mental health institutions. In September, the Supreme Court recognized that the rights of people with disabilities in mental hospitals are being violated and called on the government to monitor state-run institutions more closely. It also ordered states to make Covid-19 vaccinations available to everyone detained in a mental health facility and to the staff. In April, the Supreme Court issued a ruling, echoing calls from the Indian disability rights movement to make concrete reforms to make the criminal justice system more accessible for people with disabilities.

### ***Sexual Orientation and Gender Identity***

In June, the Madras High Court issued guidelines for the safety of lesbian, gay, bisexual, transgender, queer, and intersex persons and for prevention of harassment by the state authorities. The ruling recognized widespread discrimination and also recommended several measures towards addressing prejudices against them in society, including through training and sensitization programs for police and judiciary.

In January, the Delhi Commission for Protection of Child Rights recommended a ban on medically unnecessary “normalizing” surgeries on children born with intersex variations. In August, a rights group filed a public interest litigation in Delhi High Court asking the Delhi government to declare a ban, citing the state’s child rights agency’s stance on the matter.

### ***Key International Actors***

In April, the European Union held a local human rights dialogue with India. To date, the EU’s foreign policy branch has refrained from publicly expressing concerns over India’s human rights record, as have EU leaders during a summit with their Indian counterparts in May. The European parliament remains the only EU

body that raised concerns on human rights in India, including in a [recommendation](#) adopted in April.

In September, India and Australia held the inaugural 2+2 Ministerial Dialogue where they discussed [cooperation on cyber and critical technology](#) and called for international [counterterrorism efforts in Afghanistan](#).

In September, Prime Minister Modi attended the first in-person [Quad summit](#) in Washington, DC with leaders of Japan, Australia, and the United States. The leaders reiterated their commitment for a free and open Indo-Pacific, with an eye on China, and boosting global vaccine supply. The [US deputy secretary of state visited Delhi](#) in October to discuss India's security concerns with the spillover effects from the Taliban takeover in Afghanistan.

### ***Foreign Policy***

Following the military coup in Myanmar in February, even as India condemned the violence and called for the release of detained leaders, it [abstained on a UN General Assembly resolution](#) in June that called for the release of those arbitrarily detained, stopping the flow of arms into the country, and the Myanmar military to respect the outcome of the 2020 election.

In August, under India's month-long presidency, the [UN Security Council](#) adopted a resolution on Afghanistan that called on the Taliban to ensure safe passage for Afghan nationals who want to leave the country, allow humanitarian access, and uphold human rights. India, reflecting Pakistan's ties to the Taliban, pushed for commitments from the Taliban to ensure the country is not used by extremist groups to carry out attacks on India. In August, the Indian ambassador to Qatar met the [head of the Taliban's political office](#) in Doha.

India did not raise rights protections publicly with other neighbors including Bangladesh, Nepal, and Sri Lanka.

India gifted [10.7 million vaccines to 47 countries](#), commercially exported 35.7 million vaccines to 26 countries, and supplied 19.8 million vaccines to Covax, the global vaccine initiative that procures and distributes vaccines to low-and middle-income countries. Covax is largely supplied by AstraZeneca, which in turn has relied on only one manufacturing partner in India, the Serum Institute.

As India struggled with a huge surge in deaths and infections with the second wave of Covid-19, the government halted all vaccine exports, causing shortages in countries that depended on Covax. In September, the government said it would [restart the exports](#), including to Bangladesh, Nepal, and the Maldives.