

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	526
Land:	Indien
Kilde:	Human Rights Watch
Titel:	World Report 2024
Udgivet:	11. januar 2024
Optaget på baggrundsmaterialet:	26. februar 2024

World Report 2024



India

Events of 2023

Activists protesting ethnic violence in northeastern Manipur state shout slogans in Mumbai, India, July 24, 2023.

© 2023 AP Photo/Rafiq Maqbool

- [English](#)
- [हिन्दी](#)

The Indian government, led by Prime Minister Narendra Modi of the Bharatiya Janata Party (BJP), persisted with policies that discriminate and stigmatize religious and other minorities. This led to increasing incidents of communal violence in many parts of the country, including in Manipur state, where hundreds were killed in ethnic clashes.

The police in BJP-governed states failed to properly investigate crimes against minorities while administrative officials responded by summarily punishing victim communities, including those who protested such abuses. Constitutional authorities like the National Human Rights Commission, and those designed to protect the rights of children, women, religious minorities, tribal groups, and Dalits, did not function independently.

The government promoted the use of a digital public infrastructure to expand the delivery of social and economic services. However, those efforts were harmed by rampant internet shutdowns, lack of privacy and data protection, and uneven access among rural communities.

In September, India, holding the rotating presidency, hosted the summit of the Group of Twenty (G20), the world's largest economies, and pushed [to include the African Union as a permanent member](#) and make the group more representative and inclusive.

Jammu and Kashmir

Indian authorities continued to restrict free expression, peaceful assembly, and other rights in Jammu and Kashmir. [Reports of extrajudicial killings](#) by security forces continued throughout the year.

Critics and human rights defenders faced arrests and raids based on spurious terrorism allegations. On March 22, prominent Kashmiri human rights activist Khurram Parvez, [already detained since November 2021](#) on accusations of terrorism, was charged on [allegations of financing terrorism](#) under the Unlawful Activities (Prevention) Act (UAPA). On March 20, Irfan Mehraj, a journalist formerly associated with Parvez's human rights organization, was also arrested in the same case. UN human rights experts have [repeatedly called](#) for Parvez's release and condemned the use of the UAPA [to target civil society and human rights defenders](#).

In April 2023, six UN human rights experts [wrote](#) to the Indian government over the alleged arbitrary detention and ill-treatment of human rights defender Muhammad Ahsan Untoo, saying his detention "appears to be part of a strategy to disrupt, intimidate, detain and punish those engaging in journalism and human rights advocacy."

In May, the G20 Tourism Working Group held a meeting in Kashmir, prompting the [UN special rapporteur on minority issues](#) to say that "the G20 is unwittingly providing a veneer of support to a facade of normalcy at a time when massive human rights violations" continued to escalate.

Impunity for Security Force Abuses

Allegations of torture and extrajudicial killings persisted, with the [National Human Rights Commission](#) registering 126 deaths in police custody, 1,673 deaths in judicial custody, and 55 alleged extrajudicial killings in the first nine months in 2023.

On April 13, 2023, police in Uttar Pradesh state shot and killed an associate and the 19-year-old son of politician Atiq Ahmed, who was serving a life sentence and faced about 100 criminal cases, including for murder. The state's BJP chief minister [praised the killings](#) while [BJP leaders openly insinuated](#) that Ahmed could also be killed by the police or in an "accident." Two days after his son's killing, Ahmed and his brother were fatally shot at close range on live television as they were being escorted by the police for a routine medical checkup. Two BJP state ministers [hailed the murders as](#) "divine justice," renewing concerns about a breakdown in the rule of law in the state.

In April, the Indian government [denied permission to prosecute soldiers](#) accused of killing six coal miners in Nagaland state's Mon district in December 2021. In June 2022, the state police had filed charges against 30 soldiers, including a major, after a special investigation team found the military had shot the miners "with a clear intention to kill." But the central government refused to sanction the prosecution, which is required for civilian legal actions to proceed under the colonial-era [Armed Forces Special Powers Act \(AFSPA\)](#). The law has long shielded India's armed forces from being held accountable for grave human rights abuses in Jammu and Kashmir and several states in the northeast.

Religious Minorities, Dalits, and Tribal Groups

On July 31, [communal violence broke out in Nuh district in Haryana](#) state during a Hindu procession and swiftly spread to several adjoining districts. Following the violence, as part of a growing pattern, the authorities retaliated against Muslim residents by [illegally demolishing hundreds of Muslim properties](#) and detaining scores of Muslim boys and men. The demolitions led the Punjab and Haryana High Court to ask the state whether it was conducting "[ethnic cleansing](#)."

On May 3, [violence](#) erupted in the northeast Manipur state between the majority Meitei and the minority Kuki Zo communities. By November, more than 200 people were killed, tens of thousands displaced, and hundreds of homes and churches destroyed. The authorities shut down internet access in the state. Prime Minister Modi [responded to the violence after nearly three months](#), only after a video emerged on July 20 showing a Meitei mob stripping and parading two Kuki women on May 4.

[Civil society activists](#) alleged that BJP's Chief Minister N. Biren Singh fueled divisiveness in Manipur with political patronage to violent groups in the Hindu-majority Meitei community and by stigmatizing the Kuki by alleging their involvement in drug trafficking and providing sanctuary to refugees from Myanmar. In August, the [Supreme Court](#) said the state police had "lost control over the situation," and ordered special teams to [investigate the violence, including sexual violence, in Manipur](#). In September, [over a dozen United Nations experts raised concerns](#) about the ongoing violence and abuses in Manipur, saying the government's response had been slow and inadequate.

[Counterinsurgency operations](#) against [Maoist rebels in central India](#), home to many tribal communities, led to [abuses against villagers](#). The authorities have often attempted to discredit human rights activists by [describing them](#) as Maoists or Maoist supporters.

Despite an official ban on "manual scavenging"—the degrading and [dangerous](#) practice of manually cleaning human excrement from private and public dry toilets, open defecation sites, septic tanks, and open and closed gutters and sewers—continued across the country, leading to deaths and injuries. Mostly Dalits and caste groups customarily relegated to the bottom of the caste hierarchy are forced to do this work.

Freedom of Expression

Authorities intensified efforts to silence civil society activists, independent journalists, and even political opponents through threats and by [using politically motivated charges](#).

In March 2023, a court in Gujarat sentenced prominent opposition leader [Rahul Gandhi to two years in prison](#) in a politically motivated defamation case. Gandhi had raised corruption allegations in parliament against billionaire industrialist Gautam Adani, perceived to have close relations with the prime minister. The Supreme Court [eventually suspended Gandhi's conviction in August](#).

In July, Manipur police filed a [case of sedition](#), criminal conspiracy, defamation, promoting enmity, and breach of peace against three women activists who were part of the National Federation of Indian Women's fact-finding team. The team had described the ethnic clashes as a result of "state-sponsored violence" and called for a Supreme Court-monitored investigation.

In September, [Manipur police filed criminal cases against the Editors Guild of India](#) after it published a report saying the state leadership had played a partisan role in the ethnic violence.

In October 2023, [police raided](#) the office of the news website *NewsClick*, which has been critical of the Modi government, and the homes of several of its journalists and writers on allegations that the website got illegal funds from China, a charge it denies. The police also raided the homes of activists and comedians in Delhi as part of coordinated raids at 30 locations. In Mumbai, the police raided the home of activist Teesta Setalvad, who has been repeatedly targeted for fighting for justice for the Muslim victims of the 2002 riots in Gujarat state and has written articles critical of the government for *NewsClick*.

Soon after the writer Arundhati Roy spoke out at a protest that followed the raids, authorities said they would [prosecute her](#) and a Kashmiri academic for allegedly "promoting enmity between different groups," "causing disharmony," and "public mischief" for a speech Roy had made in 2010. A case was also registered under the [counterterrorism law, the UAPA](#), against them.

In February, Indian [tax officials raided the BBC offices](#) in an apparent reprisal for a two-part documentary that highlighted Prime Minister Modi's record in failing to protect Muslims. The government had [blocked the BBC documentary in India](#) in January, using emergency powers under the Information Technology Rules.

In August 2023, India adopted a [personal data protection law](#) granting the government sweeping powers of unchecked state surveillance. In April, the government further [expanded its control over online content](#) through the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023. The Rules weaken safeguards around encryption and seriously undermine media freedom, privacy rights, and freedom of expression online. They also authorize the government to set up a "fact checking" unit with arbitrary, overbroad, and unchecked censorship powers to identify any online content deemed to be "false" or "misleading" with regard to the Indian government and requires that tech platforms and other intermediaries remove such content. If they do not comply, companies may face legal action.

Indian authorities continued to impose the [largest number of internet shutdowns globally in 2022](#), violating Indian and international human rights standards. The [shutdowns disproportionately hurt](#) socially and economically marginalized communities by denying them access to free or subsidized food rations and livelihoods, which requires adequate internet access.

Women's and Girls' Rights

Indian authorities delayed the investigation into [allegations of sexual abuse](#) by a member of parliament from the ruling BJP and the president of the Wrestling Federation of India, Brij Bhushan Sharan Singh, despite weeks of protest by athletes. In April, six women and a child filed complaints of sexual abuse with the police against Singh. However, the police only initiated an investigation after the complainants filed a petition in the Supreme Court. In May, police [forcibly tackled and temporarily detained protesting athletes](#), including two Olympic wrestlers. In June, the [police finally charged Singh with sexual harassment](#), assault, and stalking. The case highlighted [barriers to justice for sexual assault survivors in India](#), especially when the accused is powerful.

The authorities did not properly [enforce the law to address sexual harassment at work](#). Women, particularly in the informal sector, remain constrained by stigma, fear of retribution, and institutional barriers to justice. The Indian government has not ratified the [International Labour Organization Violence and Harassment Convention](#) (C190), which it voted in favor of in 2019.

In September, the government [adopted a law](#) to reserve for women one-third of the seats in the lower house of parliament and state legislative assemblies. The BJP government said that the law, which has been in the works for 27 years, [will not be implemented until](#) India completes the next census and redraws the boundaries of constituencies, complicated processes expected to take several years.

Children's Rights

In January 2023, a news outlet [reported](#) that for over a year, Diksha, an education app owned and used by the Indian government, had exposed the personal data of nearly 600,000 students, as well as more than 1 million teachers, on the open web for anyone to find. Human Rights Watch found that [Diksha transmitted children's data](#) to a third-party company using advertising trackers and also had the capacity to collect children's precise location data, which it failed to disclose in its privacy policy. In February, the government [announced a third-party security audit of the app](#) and committed to better protect the data privacy of children and teachers using its app.

Millions of children from socially and economically marginalized communities remained at risk of exclusion from education, child marriage, and child labor.

Disability Rights

Disability rights advocates in India continued to raise concerns about the lack of progress on deinstitutionalization of people with disabilities. In May, Human Rights Watch found arbitrary detention, overcrowding, lack of adequately trained staff, denial of education, and [prison-like conditions in a government-run institution](#) for children and adults with disabilities on the outskirts of Delhi. The governing council of the institution has since announced reforms.

Sexual Orientation and Gender Identity

In October, the Supreme Court [declined to legalize same-sex marriages](#), instead accepting the government's offer to set up a panel to consider granting certain benefits associated with marriage to same-sex couples.

Refugee Rights

Indian authorities continued to [detain hundreds of Rohingya refugees](#) for immigration-related offenses. On July 24, police in Uttar Pradesh state [arrested 74 Rohingya refugees](#), including women and children, under immigration laws, saying they did not have valid documents. On July 18, when hundreds of Rohingya refugees in Jammu protested their indefinite detention, including through a hunger strike, Indian authorities responded with tear gas and beatings. Two days after the incident, a Rohingya infant died [reportedly](#) because of exposure to tear gas.

On August 9, Union [Home Minister Amit Shah told parliament](#) that the influx of Kuki refugees from bordering Myanmar had contributed to the unrest and violence in Manipur by creating “insecurities” among the Meitei community. This was one example of BJP leaders making false, prejudicial, and stigmatizing statements against refugees.

Environment and Human Rights

In August, the Indian Parliament [passed the Forest Conservation Amendment Act](#), despite vocal opposition from environmental activists and [tribal communities](#). The law dilutes existing safeguards and could lead to a loss of legal protection for one-quarter of Indian forests—enabling industry, mining, and infrastructure development in formerly protected areas—and threatens encroachment on tribal communities' traditional territories.

Key International Actors

In July, the European Parliament [adopted a resolution on the ethnic violence in Manipur](#), urging Indian authorities to take all necessary measures to protect religious minorities, not to criminalize government critics, to allow independent investigations into the violence, and to end the internet shutdown. The Indian government [condemned the resolution](#), calling it interference in internal affairs and reflective of a “colonial mindset.” European Union leaders, and the EU at the UN, remained reluctant to express concerns about human rights abuses in the country.

In June, the United States hosted Modi for a four-day state visit, which included him addressing a joint session of the US Congress. Many Indian diaspora activists and groups protested the Modi administration's poor human rights record, and six Democrats [boycotted his speech to Congress](#). A White House spokesperson also [strongly condemned the online harassment](#) faced by a *Wall Street Journal* reporter who questioned Modi on the issue of religious minorities during a joint press conference with US President Joe Biden in Washington.

French President Emmanuel Macron invited Modi as the guest of honor for the July 14 military parade and [awarded](#) him the highest rank of France's Legion of Honor. During the visit, India [announced](#) a multibillion-dollar arms deal with France, but the two countries failed to discuss human rights.

In April, [Australia and India signed a trade deal](#), after a decade of negotiations. A month later, during Modi's visit to Sydney, Australian Prime Minister [Anthony Albanese avoided discussing Modi's human rights record](#) when questioned by the press, instead repeating his refrain that India was the world's largest democracy.

Foreign Policy

In September, India negotiated a [resolution](#) at the G20 summit in New Delhi. The statement only mentioned "human suffering and negative added impacts of the war in Ukraine," but it did not condemn Russia's atrocities or its responsibility for disrupting the global grain supply. However, the [group agreed to take steps](#) to address challenges, including food insecurity and gender inequality, and to manage global debt vulnerabilities.

India abstained on important UN resolutions, including one [condemning Russia's invasion of Ukraine](#) and extending the mandate of the investigation into alleged war crimes in Ukraine and another establishing a probe into serious abuses in the context of the conflict in [Sudan](#), among others.

In September, [tensions escalated between India and Canada](#) after Canadian Prime Minister Justin Trudeau announced an investigation into "credible allegations of a potential link between agents of the government of India" and the killing of a Canadian Sikh separatist leader in Canada, allegations that India denied. Earlier in the year, [India had raised concerns with Canada](#) about the safety of its diplomats.