

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	423
Land:	Indien
Kilde:	Human Rights Watch
Titel:	India: Government Raids Targeting Critics
Udgivet:	17. september 2021
Optaget på baggrundsmaterialet:	25. februar 2022

SEPTEMBER 17, 2021

India: Government Raids Targeting Critics

Stop Harassment of Activists, Journalists, Peaceful Protesters
Published in

(New York) – Indian authorities are using politically motivated allegations of tax evasion and financial irregularities to silence human rights activists, journalists, and other critics of the government. In September 2021, government financial officials have carried out raids in Srinagar, Delhi, and Mumbai on journalists' homes, news offices, an actor's premises, and the home and office of a human rights activist.



Policemen at the entrance of Press Enclave, which houses several newspaper offices, in Srinagar, India, September 8, 2021.

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The raids are part of the ruling Bharatiya Janata Party (BJP)-led national government's escalating crackdown on freedom of expression, association, and peaceful assembly since coming to power in 2014. The authorities have brought politically motivated criminal cases, including under broadly worded terrorism and sedition laws, against activists, journalists, academics, students, and others. They have also used foreign funding regulations and allegations of financial misconduct to target outspoken groups.

"The Indian government's raids appear intended to harass and intimidate critics, and reflect a broader pattern of trying to silence all criticism," said Meenakshi Ganguly, South Asia director at Human Rights Watch. "These abuses weaken India's core democratic institutions and break down fundamental freedoms."

Journalism organizations, such as the Editors Guild and Press Club of India, have repeatedly called for an end to harassment of independent media, saying that it is a blatant attack on press freedom.

In the most recent incident, on September 16, officials from the Enforcement Directorate, which investigates financial crimes, raided the home and office of Harsh Mander, an activist, in Delhi, alleging financial and administrative irregularities. Mander was in Germany on a fellowship at the time of the raid.

A joint statement by activists, academics, and former civil servants condemned the raid as part of “a continuing chain of abuse of state institutions” to curtail rights.

The authorities have repeatedly targeted Mander, who has been a vocal critic of the BJP government’s discriminatory policies against religious minorities and works with victims of communal violence. Delhi police, instead of taking action against BJP leaders who incited communal violence in Delhi in February 2020, filed a fabricated case of hate speech and inciting communal violence against Mander.

On September 8 the police in Jammu and Kashmir raided the homes of four Kashmiri journalists – Hilal Mir, Shah Abbas, Showkat Motta, and Azhar Qadri – and confiscated their phones and laptops. Mir reported that they also took his and his wife’s passports. The authorities summoned all four to a Srinagar police station for questioning and told them to return the next day. Journalists in Kashmir face increased harassment by the authorities, including arrest under terrorism charges, since the BJP government revoked the state’s autonomous constitutional status in August 2019.

In June, the United Nations special rapporteur on freedom of expression and the Working Group on Arbitrary Detention wrote to the Indian government expressing concerns over “alleged arbitrary detention and intimidation of journalists covering the situation in Jammu and Kashmir.” The letter cited the cases of Fahad Shah, Auqib Javeed, Sajar Gul, and Qazi Shibli, and also raised concerns over the closure of the outspoken newspaper Kashmir Times in October 2020. It noted that these violations “may be part of a broader pattern of silencing of independent reporting in Jammu and Kashmir, which in turn may ultimately deter other journalists and civil society more broadly from reporting on issues of public interest and human rights in the region.”

On September 10, authorities from the Income Tax Department raided the offices of the news websites Newslaundry and Newslick, in Delhi, as part of an investigation into alleged tax evasion. Both are known for criticizing the government. During the raids, officials downloaded data from office computers and the personal cell phone and laptop of the Newslaundry editor-in-chief, Abhinandan Sekhri, and took various financial documents as well as email archives from the Newslick editor-in-chief, Prabir Purkayastha, and another editor. Financial authorities had previously targeted both media outlets in June. In February, Enforcement Directorate officials raided Purkayastha’s office and home.

In July tax authorities raided about 30 offices of one of India’s most widely read newspapers, Dainik Bhaskar, in Madhya Pradesh, Delhi, Rajasthan, Gujarat, and Maharashtra states, after months of critical coverage of the government’s handling of the Covid-19 pandemic. In 2017, the authorities raided the television news channel NDTV, also critical of the government’s policies, over allegations of financial impropriety.

On September 7, police in Uttar Pradesh state filed a criminal case against the journalist Rana Ayyub, an outspoken critic of the BJP government, for alleged money laundering, cheating, dishonest misappropriation of property, and criminal breach of trust. The complaint, brought by a group called the

“Hindu IT cell,” accused her of committing these crimes during fundraising campaigns for flood victims and people affected by the Covid-19 pandemic.

Uttar Pradesh police accused Ayyub of promoting enmity between religious groups and insulting religious beliefs in another criminal case in June, for sharing a video on social media. In the video, a Muslim man accuses Hindu men of beating him up and forcing him to chant Jai Shri Ram, a phrase used by Hindus to pray or as a greeting, but has also become a rallying cry used by Hindu nationalists. Government supporters and Hindu nationalist trolls on social media have repeatedly abused and threatened Ayyub. In 2018, after she received death threats, UN human rights experts called on the Indian authorities to protect her.

On September 15, tax authorities searched the premises of Sonu Sood, an actor, in Mumbai, alleging tax evasion on a real estate deal. The raids appeared to be politically motivated because the actor had received widespread praise from the general public, media, and opposition politicians across the country for his philanthropic work during the pandemic, especially to address the gaps created due to government’s lockdown policies and healthcare shortages.

The UN high commissioner for human rights and various UN human rights experts have repeatedly raised concerns in the last few years over shrinking space for civil society groups, and increased harassment and prosecution of human rights defenders and other critics. They have called on the government to ensure that no one is detained for exercising their basic human rights, and to protect the country’s civil society groups.

“By stifling fundamental freedoms at home, India is undercutting its influence as a world leader promoting human rights,” Ganguly said. “The government needs to change course and uphold the basic rights of its people.”

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