

**AMNESTY
INTERNATIONAL**



DEFENDING HUMAN RIGHTS

11 February 2021

Senator the Hon. Marise Payne
Minister for Foreign Affairs
PO Box 6100
Senate
Parliament House
Canberra ACT 2600

AMNESTY INTERNATIONAL AUSTRALIA

Street address:

79 Myrtle Street

Chippendale

NSW 2008

T: (02) 83967618

E: exec.admin@amnesty.org.au

ABN 64 002 806 233

Postal address:

Locked bag 23

Broadway

NSW 2007

F: (02) 83967677

W: www.amnesty.org.au

Dear Minister Payne

RE: HUMAN RIGHTS SITUATION IN INDIA - FARMERS' PROTESTS

The Indian government must stop its escalating crackdown on protesters, farming leaders and journalists, amid ongoing nationwide demonstrations against three recently introduced farm laws.

Amnesty International is concerned that rather than investigating reports of violence against protesters and bringing suspected perpetrators to justice, the authorities have resorted to hindering access to protest sites, shutting down the internet, censoring social media using draconian laws against protesters who have been peacefully voicing their opposition to the new laws for several months now. **In short, Indian authorities are cracking down on human rights rather than upholding and protecting them.**

The tactics used by authorities in regards to the farmers' protests are becoming worryingly similar to those used during the 2020 New Delhi Riots. More than 50 people died when clashes broke out between Hindus and Muslims over a controversial citizenship law. I have **enclosed** the Amnesty International report which shows that since the riots, authorities including Delhi police continued to enjoy impunity despite evidence of human rights violations.

The human rights situation in India, particularly in relation to the farmers' protests, is worsening steadily.

At least eight journalists and politicians have been charged with sedition after reporting on the farmers' protests. They have been charged with misreporting, spreading disharmony and inciting riots via Twitter.

Mandeep Punia, a freelance journalist for *The Caravan*, was arrested on the evening of 30 January, shortly after *The Caravan* published a story in which he reported that the ruling Bharatiya Janata Party had sent activists to attack the protesting farmers. Initially accused of obstructing the police, and then of violence, Mandeep Punia was detained for an initial period of 14 days without being allowed to see a lawyer but was later granted bail.

On 1 February, hundreds of Indian Twitter accounts including those belonging to news websites, activists and actors were suspended for more than 12 hours after the government said users were posting content inciting violence due to their use of the hashtag #FarmersProtests. Twitter reversed its decision by the evening.

However two days later, on 3 February, the Indian government served a notice on Twitter to comply with an order to remove content and accounts related to hashtags linked to the farmers' protest. The same day, many news media organizations reported that journalists' access to the protest sites were being hindered by the police.

Furthermore, farming groups say more than 100 people have gone missing since the 26 January tractor rally, as draconian laws like sedition and *Unlawful Activities Prevention Act* have been used to clampdown on protestors. At least six activists are among the 120 people arrested in connection with the violence that broke out in the capital during the rally on Republic Day, according to a list released by the Delhi police.

The UN Office of the High Commissioner on Human Rights called on 5 February for the Indian authorities and protesters to exercise "maximum restraint", adding that the rights to freedom of peaceful assembly and expression should be protected both offline and online.

Amnesty International is concerned that despite being in a position to speak out due to Australia's relationship with India, it is mostly silent on India's human rights record. Australia and India have a strong relationship, particularly through the Australia-India Comprehensive Strategic Partnership, and the Quadrilateral Security Dialogue. Human rights must be at the centre of such partnerships.

Amnesty International recommends that the Australian government:

- Undertakes an urgent bilateral meeting with Prime Minister Modi or Foreign Minister Jaishankar regarding the worsening human rights situation in India
- Support action at the United Nations Human Rights Council 46 to address the worsening human rights situation in India, including by urging the Indian government to:
 - release all activists, lawyers, journalists and students who have been arrested simply for exercising their rights to peaceful assembly and/or freedom of expression in criticising the government;
 - end the crackdown on human rights NGOs, including Amnesty International India, and allow them to carry on their work without intimidation or interference;
 - ensure no one else is detained or targeted for exercising their rights to freedom of expression and peaceful assembly;
 - take urgent steps to review and amend/repeal the Citizenship Amendment Act, Unlawful Activities (Prevention) Act and Foreign Contribution Regulation Act to ensure compliance with international human rights law;
 - engage in good faith with relevant Special Procedures and facilitate as a matter of priority visits by the Special Rapporteur on freedom of expression, Working Group on arbitrary detention, Special Rapporteur on freedom of assembly, and Special

Rapporteur on minority issues, all of whom have pending visit requests and extend an invitation to the UN Special Rapporteur on the situation of human rights defenders.

For further information, or to discuss and organise a meeting, please contact Joel MacKay at joel.mackay@amnesty.org.au or 0424 242 112.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Klintworth', written in a cursive style.

Sam Klintworth
National Director
Amnesty International Australia