

EU: Prioritize Rights at India Summit

Provide Essential Medical Supplies; Urge India to Free Rights Defenders, Address Abuses

(Brussels, May 3, 2021) – European leaders at the May 8, 2021 [summit](#) with their Indian counterparts should prioritize the deteriorating human rights situation in India, including the right to health, eight organizations said today.

With a devastating Covid-19 crisis affecting the country, Europe should focus on providing support to help India deal with the [acute shortage of medical supplies](#) and [access to vaccines](#). At the same time, European leaders should press the Indian government to reverse its abusive and discriminatory policies and immediately release all human rights defenders and other critics who have been jailed for peacefully exercising their rights to freedom of expression and peaceful assembly.

The organizations are Amnesty International, Christian Solidarity Worldwide (CSW), Front Line Defenders (FLD), Human Rights Watch, International Commission of Jurists (ICJ), International Dalit Solidarity Network (IDSN), International Federation for Human Rights (FIDH), and World Organisation Against Torture (OMCT).

India has the fastest-growing number of Covid-19 cases in the world and is facing [severe healthcare shortages](#) – of testing capacity, medicines, ambulance services, hospital beds, oxygen support, and vaccines. The European Union and its member states should [reconsider and reverse](#) their opposition to India and South Africa’s proposal before the World Trade Organization to temporarily waive certain intellectual property rules under the TRIPS Agreement to facilitate increased manufacturing and production of vaccines and related products globally, until [widespread vaccination is in place](#) the world over.

The Covid-19 crisis has also highlighted growing human rights concerns in India.. Faced with widespread criticism of its handling of the pandemic, the Indian government has tried to [censor free speech](#), including by [ordering social media content taken down](#) and [criminalizing calls for help](#). The government has also ignored calls from the [United Nations Office of the High Commissioner for Human Rights](#) for countries to release “every person detained without sufficient legal basis, including political prisoners, and those detained for critical, dissenting views” to prevent the growing rates of infection everywhere, including in closed facilities such as prisons and detention centers.

Instead, the Hindu nationalist Bharatiya Janata Party (BJP)-led government has increasingly harassed, intimidated and arbitrarily arrested human rights defenders, journalists, peaceful protesters, and other critics, including under draconian sedition and counterterrorism laws.

The authorities have jailed a number of human rights defenders, student activists, academics, opposition leaders, and critics, blaming them for the communal violence in February 2020 in Delhi as well as caste-based violence in Bhima Koregaon in Maharashtra state in January 2018. In both cases, BJP supporters were implicated in the violence. Police investigations in these cases were biased and aimed at silencing dissent and deterring future protests against government policies, the groups said.

The government uses foreign funding laws and other regulations to crack down on civil society. [Recent amendments](#) to the Foreign Contributions Regulations Act (FCRA) added onerous governmental oversight, additional regulations and certification processes, and operational requirements, which adversely affect civil society groups, and effectively [restrict access to foreign funding](#) for small nongovernmental organizations. In September 2020, Amnesty International India was forced to [halt its work](#) in the country after the Indian government froze its bank accounts in reprisal for the organization's human rights work, and many other local rights groups struggle to continue doing their work.

The Indian authorities have also enacted [discriminatory laws and policies](#) against minorities. Muslim and Dalit communities face growing attacks, while authorities fail to take action against BJP leaders who vilify minority communities, and against BJP supporters who engage in violence. The Indian government has imposed harsh and discriminatory restrictions on Muslim-majority areas in Jammu and Kashmir since [revoking the state's constitutional status](#) in August 2019 and splitting it into two federally governed territories.

The authorities carried out counterterrorism raids in [October](#) on multiple nongovernmental organizations in Kashmir and Delhi, and a newspaper office in Srinagar to silence them, causing a chilling effect on human rights defenders who fear for their safety.

Yet, despite the considerable [deterioration](#) in the country's human rights record under Prime Minister Narendra Modi, the Indian government has effectively shielded itself from the international scrutiny and reactions that the seriousness of the situation should have warranted. Focusing on [strengthening](#) trade and economic ties with India, the European Union and its member states have been reluctant to formulate public expressions of concern on human rights in India, with the exception of [occasional statements](#) focused solely on the death penalty.

In January 2020, amid intense [external pressure](#), the European Parliament indefinitely [postponed](#) the adoption of a resolution condemning India's discriminatory citizenship law and other abuses. The text was introduced, but not voted upon. However, in April 2021, the Parliament adopted a [recommendation](#) on EU-India relations raising serious concerns over human rights violations in India, and urging European leaders to use the upcoming summit as a platform to relay those messages at the highest level.

The EU's long silence on these issues stands in stark contrast with its much more vocal and robust reactions to serious human rights violations by certain other governments, including some of India's neighbors, and is incompatible with the EU's recently renewed [pledge](#) to speak up and take action whenever and wherever human rights abuses occur.

The EU recently resumed its local human rights dialogue with India, which had been suspended for seven years. While the EU insisted on holding the dialogue as a prerequisite for the leaders' meeting, where stronger trade ties and cooperation in other areas will be discussed, nongovernmental organizations [cautioned against](#) holding the dialogue as a box-ticking exercise, only aimed at getting rights off the summit's agenda. The [weak joint press release](#) published as the outcome did not assuage these fears.

European leaders should find their voice and raise concerns at the summit meeting, the organizations said. Instead of being content with securing empty references to allegedly “shared values of human rights and democracy” in joint statements, the EU and its member states should show their own commitment to upholding those values and hold the Indian government to account for its human rights violations.

European leaders should press the Indian government to immediately release all arbitrarily detained human rights defenders, journalists, and other critics; repeal or amend repressive laws used to silence dissent, discriminate against minorities, or unfairly target nongovernmental organizations; protect freedom of expression and assembly; and ensure accountability for human rights violations, including in Jammu and Kashmir.

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