

Statement

We condemn the brutal crackdown on dissent and protest that has accompanied India's COVID-19 lockdown. The government of India, led by Prime Minister Narendra Modi and Home Minister Amit Shah, has launched a campaign of retribution against students and activists who have expressed their dissent peacefully during the country-wide protests against the discriminatory, illegal, and inhumane changes to the secular basis for citizenship in India.

The government of India has chosen to use draconian laws like the Unlawful Activities (Prevention) Act (UAPA) and the National Security Act (NSA) to arrest and make an example of some of the most visible dissenters. The Delhi police, which is controlled by the government of India, have against all evidence to the contrary, accused some of these peaceful protestors of instigating and participating in the violent communal carnage that engulfed working-class settlements in Northeast Delhi in February 2020. Clear evidence showing the culpability of the leaders of the ruling Bharatiya Janata Party (BJP) in instigating many of the violent mobs has been ignored. The police have used the UAPA and the suspension of much judicial activity during the Covid-19 lockdown, to extend their custody.

Among those arrested are Meeran Haider, Asif Tanha and Safoora Zargar of the Jamia Coordinating Committee (JCC) and Shifa-ur-Rahman, the President of the Jamia Alumni Association, both of which are associated with the Jamia Millia University in Delhi, one of the epicentres of the protests. Safoora Zargar is pregnant and has been in custody at the crowded Tihar Jail.

Devangana Kalita and Natasha Narwal, two activists belonging to Pinjra Tod, a womens' organisation that had co-ordinated protests in the national capital, have also been arrested.

Prior to the lockdown, Gulifsha, who led a peaceful protest in the North-East of Delhi, and Ishrat Jahan and Khalid Saifi, who had been at the forefront of some sit-in protests, were also arrested and remain in custody.

Amulya Leona has now been under arrest for over three months for what she said at an event in Bangalore.

The police in Uttar Pradesh, a state controlled by the BJP, have used the provisions of another draconian law, the National Security Act, to arrest and extend the custody of Dr. Kafeel Khan, a paediatrician who had participated in the protests at the Aligarh Muslim University.

A case under the UAPA was also registered against Umar Khalid, another student leader.

Akhil Gogoi remains under arrest after being taken into custody following protests breaking out in the state of Assam.

These arrests and intimidation have further squeezed the narrow space for dissent in India. The police in Kashmir recently filed charges against the author Gowhar Geelani and the photographer Masrat Zahra. Gautam Navlakha and Anand Teltumbe were arrested under the UAPA and placed under custody during the Covid 19 lockdown, in connection with the violent incidents at Bhima Koregaon in 2018. Surendra Gadling, Sudhir Dhawale, Rona Wilson, Shoma Sen, Mahesh Raut, Varavara Rao, Sudha Bharadwaj, Arun Ferreira, and Vernon Gonsalves, have faced similar accusations and remain under arrest.

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All of them are prisoners of conscience and each of these arrests ignore the freedom of speech and expression, the liberty of thought and belief, and the dignity of the individual that are guaranteed in the Indian constitution. These arrests, and attempts to extend their custody, are being made when the Supreme Court has directed governments to decongest jails to prevent the spread of the COVID-19. With these actions, the BJP-led Government has demonstrated that it will not tolerate any opposition to its ambition to build a Hindu nation where religious identity forms the basis for citizenship.

This planned political marginalisation of Muslims and other minorities is also happening along with a larger economic and material disenfranchisement of the country's poor and working class. The communalisation of the COVID-19 led humanitarian crisis such as banning of Muslim vendors and workers from some communities and spaces in the cities has exacerbated their economic marginalisation. Muslims constitute around 50% of the self-employed sector in urban areas (NSSO, 2009-10).

We call upon the international community to immediately condemn:

- Violation of the constitutional rights of Indians to protest and the shrinking space for dissent in India,
- Attempts by the government of India to use the COVID-19 lockdown to stifle dissent and extract retribution from those opposed to its inhumane vision for Indian citizenship, and
- Attempts by the government of India to disenfranchise Muslims, Adivasis and other minorities by forcing them to prove their citizenship.

We demand that the government of India without any delay:

- Release all political prisoners from custody and drop charges against them,
- Announce an independent investigation into the anti-Muslim violence in Delhi in February 2020,
- Announce an inquiry into the human rights violations in Uttar Pradesh and other parts of India during the crackdown on protests against the CAA and the NRC
- Repeal the Citizenship Amendment Act, and
- Announce that the National Population Register and the National Register for Citizens will not be implemented

References

1. *Huffington Post*, "[Delhi Riots: Police Books Umar Khalid, Meeran Haider, Safoora Zargar Under UAPA](#)"
2. *BBC News*, "[India Coronavirus: Pregnant student Safoora Zargar at risk in jail](#)"
3. *Indian Express*, "[Pregnant Jamia student in jail for three weeks, family says believe in judiciary](#)"
4. *The Wire*, "[Delhi Police Re-Arrest Pinjra Tod Women Activists As Court Grants Them Bail](#)"
5. *The Print*, "[Minorities panel notice to Delhi Police for 'random' arrests of Muslims everyday for riots](#)"
6. *The Wire*, "[Activists Khalid Saifi, Ishrat Jahan's Custody Extended](#)"
7. *The Wire*, "[Amulya Leona Has Now Spent a Month in Jail for Saying 'Pakistan Zindabad'](#)"
8. *The Print*, "[Covid an excuse to push Indian Muslims out of informal sector jobs. Apartheid the next step](#)"