

India: Put an end to all forms of violence and allow peaceful protests across the country

(Bangkok/Kathmandu, 26 February 2020) - The Asian Forum for Human Rights and Development (FORUM-ASIA) unequivocally condemns the riots that have taken place in Delhi in recent days. It also condemns the failure of the Governments, both state and union, and particularly of the Delhi Police, to control the violence and maintain law and order.

Riots broke out on Sunday in the north-eastern part of Delhi. It seems to have been triggered when Kapil Mishra, a lawmaker for the governing Hindu nationalist Bharatiya Janata Party, made comments in support of the Citizenship Amendment Act (CAA), and threatened to shut down a peaceful protest of women against the Act.

Different accounts are circulating on how the riots started and escalated. However, most suggest that the riots were fanned by mobs chanting pro-Hindu slogans. Now, after days of the worst communal violence to occur in the Capital of India in decades, it is reported that at least 20 people have been killed, while 50 people, including 37 police officials, have been injured. The violence represents an escalation of months of tensions around the controversial CAA across the country.¹

While Delhi police has reportedly used tear gas and other forms of hard-handed means in an attempt to quench the riots, it has completely failed to maintain law and order. Some reports have even claimed the police was directly involved in unprovoked attacks.

Mosques, shops and houses have been set ablaze. Reporters attempting to cover the riots have been threatened and beaten up. Even ambulances were blocked from ferrying the wounded to hospital, prompting the Delhi High Court to hold a mid-night hearing and intervene.²

All the while, peaceful protesters and innocent bystanders have been victimised, both directly in how they have been affected by the violence, but also in how the riots and the crackdown on the violent protests has been used to further restrict the right to freedom of peaceful assembly.

The Government of India is duty-bound to ensure the rights to freedom of peaceful assembly and expression, as well as the safety and security of the people exercising these rights. This requires the rule of law, which the Government of India has blatantly failed to maintain, not only in Delhi but also in other parts of the country. It is this failure to maintain the rule of law that has given rise to the mob violence as seen in Delhi.

¹ <https://www.forum-asia.org/?p=30640> and <https://www.forum-asia.org/?p=30727>

² <https://www.hindustantimes.com/india-news/in-urgent-midnight-hearing-delhi-hc-asks-cops-to-give-emergency-treatment-to-injured-stuck-in-ne-delhi-hospital/story-Dy5q6xxRxZrdZOZ7n0XE2J.html>

Indian authorities must learn lessons from this incident. They must hold credible investigations into who was responsible for the recent violence, including the police officers alleged to be behind the riots, and hold them accountable in accordance with international human rights standards.

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FORUM-ASIA is a regional human rights group with 81 member organisations in 21 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

For further information, please contact:

- South Asia Programme, FORUM-ASIA, sasia@forum-asia.org