

## India: End crackdown against protesting farmers

(Bangkok/Kathmandu, 5 February 2021) – The Indian government must uphold the constitutional rights to freedom of speech and expression as well as to assemble peacefully. The continuous crackdown against the farmers aimed at suppressing dissent through various means is unconstitutional, said the Asian Forum for Human Rights and Development (FORUM-ASIA) today.

On 26 January 2021, protestors called for a tractor march to New Delhi, protesting against the new farm laws enacted by the Indian government in September 2020 and demanded the repeal of the laws, which are pro-corporate and against agrarian interests. The peaceful march turned violent as the police started using tear gas and batons to dispel the protestors, leaving a farmer dead<sup>1</sup> and at least hundreds injured. Immediately, the authorities declared orders under Section 144 of the Criminal Procedure Code - which prohibits assembly of more than five persons - on the borders of New Delhi.<sup>2</sup> Hundreds of protestors have been arrested and cases have been filed against farmer leaders of the protest.

‘The Indian authorities should end the use of excessive force against peaceful protests and ensure the constitutional rights to freedom of speech and peaceful assembly. Recent democratic protests in India including the anti-citizenship law movement have been responded to with police brutality,<sup>3</sup> which is against international human rights law and standards,’ said FORUM-ASIA’s Executive Director Shamini Darshni Kaliemuthu.

The authorities have now ‘fortified’ the borders of Delhi using barbed wires, spikes and concrete trenches to block the entry of protestors into the capital city.<sup>4</sup> The government claimed that the farmers’ protest has been infiltrated by ‘Khalistani’ separatist groups,<sup>5</sup> seen as an attempt to malign and discredit the protestors.

To further curtail the protests, at the request of the Indian Home Ministry, Twitter temporarily withheld accounts of a news magazine, protest leaders and organisations including *Kisan Ekta Morcha*, a farmers’ collective that were providing updates on the protests.<sup>6</sup> The accounts were unblocked on the same day, prompting the Ministry to issue a notice to Twitter, threatening penal action for unblocking these accounts.<sup>7</sup>

Internet services were also shut down in the protest areas since 26 January, denying peoples’ right to seek, receive and impart information.<sup>8</sup> At least eight journalists who were covering the farmers’ protest

<sup>1</sup> <https://thewire.in/rights/autopsy-doctor-told-me-hed-seen-the-bullet-injury-but-can-do-nothing-as-his-hands-are-tied>

<sup>2</sup> <https://edition.cnn.com/2021/02/01/asia/india-internet-cut-farmers-intl-hnk/index.html>

<sup>3</sup> <http://l.forum-asia.org/JSIndiaInternCommunityMarch2020>

<sup>4</sup> <https://www.bbc.com/news/world-asia-india-55899754>

<sup>5</sup> <https://www.ndtv.com/india-news/khalistanis-infiltrated-farmers-protest-government-tells-supreme-court-2351310>

<sup>6</sup> <https://www.aljazeera.com/news/2021/2/2/twitter-blocks-accounts-over-india-farmers-protest-on-govt-order>

<sup>7</sup> <https://indianexpress.com/article/india/twitter-accounts-farmers-protest-it-ministry-notice-7172690/>

<sup>8</sup> <https://edition.cnn.com/2021/02/01/asia/india-internet-cut-farmers-intl-hnk/index.html>

in New Delhi are facing criminal charges, including sedition, while the media has been arbitrarily and illegally denied entry into the protest site.

‘As about half of India’s 1.3 billion people still depend primarily on agriculture for their livelihood, the Indian government, instead of vilifying and discrediting the protesting farmers, should engage in conversation with them to ensure that their legitimate demands are fulfilled. Dissent, an essential characteristic of a constitutional democracy, should be encouraged and not criminalised,’ said Shamini.

FORUM-ASIA urges the Indian authorities to end the crackdown on protesting farmers and calls upon the authorities to ensure their fundamental right to freedom of peaceful assembly.

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### **Background of the protest:**

Since November 2020, several farmers’ organisations, movements, and trade unions have been protesting against the new farm laws enacted by the Indian government in September 2020 and demanding the repeal of the laws, which are pro-corporate and against agrarian interests. In December 2020, as protests intensified, Delhi Police prevented protesters from entering Delhi, forcing farmers to start a sit-in protest at Tikri, Singhu and Ghazipur which are the border areas between New Delhi and its neighbouring states.

The three contentious laws that the farmers are protesting against are: Farmers’ Produce Trade and Commerce (Promotion and Facilitation) Act, 2020; Essential Commodities (Amendment) Act, 2020; and Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020. The opposition political parties have accused the government of passing these crucial bills in the Parliament in a hurried manner without adequate discussion, and denying their request for sending the bills to a parliamentary committee for scrutiny.

The apprehensions of farmers are that the new amendments would lead to the abolition of minimum support price (MSP), which guarantees a minimum selling price for the crops. The amendments also replace traditional ‘mandis’ (local markets) where farmers sell their crops directly to dealers, instead allowing corporations to buy from the farmers.<sup>9</sup> The farmers claim that this would allow private players including big corporations to hoard essential commodities, which was illegal before the passing of these new laws.<sup>10</sup>

### **About FORUM-ASIA:**

*The Asian Forum for Human Rights and Development (FORUM-ASIA) is a Bangkok-based regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human*

<sup>9</sup> <https://indianexpress.com/article/explained/government-farmer-talks-deadlock-explained-7106698/>

<sup>10</sup> <https://www.aljazeera.com/news/2020/9/23/why-are-indian-farmers-protesting-against-new-farm-bills>

*rights and sustainable development through research, advocacy, capacity-development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu. [www.forum-asia.org](http://www.forum-asia.org)*

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