

URGENT ACTION

NGOS IN INDIA AT RISK OF SHUT DOWN

Amnesty India and Greenpeace India have been targeted by the Government of India in a series of 'raids', which appear to be politically motivated. The bank accounts of both organisations have been frozen, effectively stopping their work. This is the latest in the clampdown by Indian authorities to crush civil society in India.

On 25 October 2018, Amnesty India endured a ten-hour-long raid as a group of officers from the Enforcement Directorate, a financial investigation agency under the Ministry of Finance, entered the premises and locked the gates behind them. Some of the staff were ordered to not leave, shut their laptops and not use their mobile phones. Similar action was undertaken against Greenpeace India in early October.

Following the separate raids, and despite both organisations operating in compliance with relevant national regulations, the accounts of Amnesty India and Greenpeace India have been frozen. Both organisations are now challenging this action in the Karnataka High Court. The authorities are claiming that the organisations have violated foreign funding regulations. The Ministry of Home Affairs has also initiated investigations into the funds received by Amnesty India. One of the repressive foreign funding laws that is often used by government authorities to obstruct the work of non-governmental organisations is the Foreign Contribution (Regulation) Act (FCRA). Authorities have cited financial 'irregularities' and activities that are against 'public interest' and 'national interest' to cancel NGO's foreign funding licences under the FCRA. Some of the organisations that have been targeted using this law include Lawyers Collective, People's Watch, Sabrang Trust and Navsarjan Trust, whose licenses remain suspended or cancelled.

The raid on Amnesty India's offices comes just days after India's election to the United Nations Human Rights Council, where it has an obligation to "uphold the highest standards in the promotion and protection of human rights". Amnesty International believes that these actions by the Indian authorities violate the rights to freedom of speech and expression, assembly, and association, which are guaranteed by the Indian Constitution and international human rights law.

Amnesty India and Greenpeace India are just the latest target of the Indian government's assault on civil society. In a series of brutal crackdowns on human rights defenders in the country from June to August 2018, ten prominent activists were arrested under a draconian counterterrorism law that is often used to silence government critics.

Please write immediately in English or your own language urging the authorities to ensure that:

- Intimidation and harassment of organisations working on human rights and environmental issues is stopped immediately and non-governmental organisations, like Amnesty India and Greenpeace India, are able to continue their operations unhindered by politically motivated restrictions on their bank accounts;
- The Foreign Contribution (Regulation) Act is repealed, or amended in line with international human rights standards;
- Human rights defenders and activists, who have been arrested using repressive laws are accorded fair trials, including release on bail pending trials.

PLEASE SEND APPEALS BEFORE 27 DECEMBER 2018 TO:

Prime Minister
Narendra Modi
Prime Minister's Office
South Block, Raisina Hill, New Delhi-110011
Fax: 01123017475
Email: connect@mygov.nic.in
Twitter: @narendramodi

Salutation: Dear Prime Minister

Also send copies to diplomatic representatives accredited to your country .HIS EXCELLENCY MR YASHVARDHAN KUMAR SINHA, Office of the High Commissioner for India, India House Aldwych WC2B 4NA, 020 78629 5950, Fax 020 7836 4331, info.london@hclondon.in, www.hclondon.in, Salutation: Your Excellency

Focal Point for Human Rights Defenders,
National Human Rights Commission
Srinivasa Kammath
Block-C,GPO Complex, INA,New Delhi, India
Email: dr1.nhrc@nic.in
Salutation: Dear Sir

Copies to:

UN High Commissioner for Human Rights
Michelle Bachelet Jeria
Office of the United Nations High Commissioner for Human Rights (OHCHR), Palais des Nations CH-1211 Geneva 10, Switzerland
Email: mbachelet@ohchr.org;
InfoDesk@ohchr.org

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Repressive laws are being used to stifle the rights to freedom of expression, association and assembly, in the country. Successive governments have used the Foreign Contribution (Regulation) Act (FCRA) as a political tool to harass groups critical of government views and actions. This legislation makes it extremely difficult for rights organisations to access funding from abroad. The use of broad and vague terms such as “public interest” and “national interest” have left the law open to abuse. The FCRA falls short of international standards and enables violations of the rights to freedom of association and expression.

In a series of crackdowns on human rights defenders in the country, the Maharashtra police on 6 June 2018, arrested activists Surendra Gadling, Rona Wilson, Sudhir Dhawale, Shoma Sen, and Mahesh Raut. On 28 August, Maharashtra police arrested activists Sudha Bharadwaj, Gautam Navlakha, Vernon Gonsalves, Arun Ferreira, and Varavara Rao, and raided the homes of several others. Arrested under the Unlawful Activities (Prevention) Act (UAPA), authorities alleged that these human rights defenders had incited Dalits, at a large public rally on 31 December 2017, leading to violent clashes the next day in which one person died and several were injured. Hundreds of Dalits had gathered in Bhima Koregaon in Maharashtra on 1 January to commemorate a 200-year-old battle in which Dalit soldiers of the British army defeated the ruling Peshwas. The UAPA has often been abused and used to detain people peacefully exercising their rights to freedom of expression and association. Parts of the UAPA do not meet international human rights standards and are likely to lead to human rights violations. Eight out of the ten activists are now in jail. On 25 October, a Hyderabad court extended the house arrest of Varavara Rao. On 1 October, the Delhi High Court ordered Gautam Navlakha’s release from house arrest.