

Amnesty UK South Asia

September 2022



South Asia Coordinator Team

You have been sent this Newsletter because you or your local group opted in to receive Actions, Campaigns and Updates on South Asia. You can opt out at any time by contacting one of us.

Please let us know if you have taken any actions or need further information.

Thank you for your support.

Cherry, Nigina, Ayesha & Jerry

INDIA

Call for Action

Note from Cherry: This action only arrived in the last few days and has been sent to some groups individually. It is rather late now, as the visit is scheduled to start on Tuesday 20th September, but please do what you can. Anyway, it is important to be aware and to make any diaspora you are in contact with who oppose these extreme views are aware.

Please take action to stop the planned visit of Sadhvi Ritambhara to the UK. She is the founder of the women's wing of Vishwa Hindu Parishad (VHP) which is a right-wing Hindutva organisation instrumental in the Babri Masjid demolition. The organisation is known for its anti-minority stance, in particular anti-Muslim. She was in the US last



week to speak at various conferences. While she was able to attend the one in Atlanta, the event in New Jersey was eventually cancelled because of pressure from Indian diaspora groups, particularly Hindus for Human Rights. The next leg of her trip is in the UK. The link by MEND (Muslim Engagement and Development) specifically calls on the MPs of the areas she is expected to visit (which are listed) to cancel the events or her participation in those events. Please do share this link with any Indian diaspora groups with whom you have links.

Action Alert: Voice your objection to the tour of hate preacher Sadhvi Ritambhara across the UK – Say no to Islamophobia - Muslim Engagement and Development (www.mend.org.uk)

Kashmir

Amnesty's latest press release calls on the Indian government to end its 'vicious crackdown' on human rights in Jammu & Kashmir, saying that civil society, journalists, lawyers and human rights defenders continue to face a barrage of human rights violations, including total control of information coming out of the region and suspension of internet services in parts of Kashmir, often without warning.

A new 31-page report published on 2nd September [We are being punished by the law: Three years of abrogation of Article 370 in Jammu & Kashmir](#) documents how civil society, journalists, lawyers and human rights defenders have faced relentless interrogations, arbitrary travel bans, revolving door detentions and repressive media policies. Access to appeals or justice in courts and human rights bodies is also blocked.

Amnesty has recorded at least 60 instances of crackdown on journalists and human rights defenders since August 2019. A Kashmiri journalist who has been harassed by the authorities told Amnesty, "They (security forces) tell you in so many ways – subtle as well as blatant – that the cost of pursuing journalism in Jammu and Kashmir is huge." Amnesty also found that in the last three years, at least six people, including journalists, human rights activists and academics, were stopped from travelling abroad despite having the requisite travel documents. This violated their right to freedom of movement through arbitrary executive actions and was not backed by any court order, warrant or written explanation.



A senior editor of a prominent daily newspaper told Amnesty, "When the NIA raids a journalist's house or the Enforcement Directorate threatens an editor with false cases, it not only impacts the journalist or editor but the entire community. They fear they can be next. It has become impossible for journalists to continue their work independently." In 2020, the NIA conducted multiple raids on the residences and offices of well-known human rights defenders like Khurram Parvez, three of his associates and Parveena Ahanger. Raids have also been carried out on the offices of the newspaper Kashmir Times, NGOs Athrout and GK Trust and on the residence of Agence France-Presse's Kashmir correspondent Parvez Bukhari.

Read more: <https://www.amnesty.org/en/latest/news/2022/09/india-the-government-must-end-the-repression-of-rights-in-jammu-and-kashmir/>

(Bhima Koregaon) BK16

There are concerns about the health of one of the BK16 prisoners, Vernon Gonsalves, activist, poet and writer who, at the age of 65, developed significant symptoms some weeks ago, including fever, cough and nausea. He initially received no treatment, despite the fact that he collapsed several times and was unable to move. After numerous requests from his lawyers, he was finally taken to the state hospital, where it was confirmed that he was suffering from Dengue fever and possibly had developed pneumonia. Yet he was moved back to jail the same day. His lawyers are requesting temporary bail on medical grounds.

<https://thewire.in/rights/elgar-parishad-case-vernon-gonsalves-latest-victim-medical-neglect>

<https://free-them-all.net/tag/bk16/>



Vernon Gonsalves is a human rights activist, writer and former professor in several colleges in Mumbai. As an advocate of the rights of marginalised communities, he is a vocal critic of India's criminal justice system and of the State establishment. In 2007, he was imprisoned under the Unlawful Activities Prevention Act (UAPA) but released in 2013 after most of the charges against him were disproved in Court. He was arrested again as one of the BK16 group of detainees in 2018. He has written on law and order

issues, the prison system, in particular, about under-trials, and the need to repeal the UAPA and other draconian security laws that have vague provisions and give the Indian government extraordinary powers over its citizens. His exposition of the undemocratic, authoritarian ways of working of the Indian government and clear elucidation of the complex socio-political-economic power structures that maintain the status quo are seen by the establishment as a force to be concerned about.

Read more: <https://www.thepolisproject.com/read/exposing-the-machinations-of-authoritarian-power-a-profile-of-vernon-gonsalves/>

Jagtar Singh Johal

In 2017, Jagtar Singh Johal (known as Jaggi), from Dumbarton, went to India for his marriage, where his family say he was forced into an unmarked car. He says he was then tortured over days, and he has remained in detention since then. Successive British prime ministers have raised his case but India's government denies he was tortured or mistreated.

Jaggi was an active blogger and campaigner for Sikh human rights in India, which is said to have brought him to the attention of the Indian authorities. In May this year he was formally charged with conspiracy to commit murder and being a member of a terrorist gang. He will be presented with a full list of the charges against him next month and faces a possible death penalty. The Indian authorities say the charges are related to Sikh nationalism, though he denies any wrongdoing.

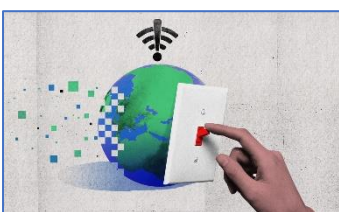
Now, in an unexpected twist to this long-running case, the human rights group Reprieve has shown the BBC documentation that it says is compelling evidence that his arrest followed a tip-off from British intelligence.



Currently, Amnesty does not have the capacity to undertake the necessary research to work on this case, but a number of Scottish groups are working with Reprieve and approaching their MPs independently on his behalf. Contact Cherry if you would like to support them.

Read more: <https://www.bbc.co.uk/news/uk-62639233>

Digital darkness as a weapon



India retains its shameful position as world leader in the use of internet shutdown as a tool of repression. In 2021 it did this 106 times – more than the rest of the world combined. Unsurprisingly, Kashmir has been the biggest target (85 shutdowns), but it has also been used in other states where protests or civil unrest are happening or thought likely to happen. Former UN Special Rapporteur for freedom of expression, David Kaye, said “[use of internet shutdown] has spread from places where rule of

law is pretty spotty to a place like India. It's migrated into a toolbox for governments that do have a rule of law”

Read more: <https://www.theguardian.com/technology/2022/aug/29/flicking-the-kill-switch-governments-embrace-internet-shutdowns-as-a-form-of-control>

Two girls raped and murdered

Once again violence against women, particularly those from the Dalit caste, rears its ugly head. Two teenage sisters were abducted, raped and murdered in Uttar Pradesh, then left hanging from a tree to make it look like suicide. The event has triggered protests against the right wing state government for its lack of action to deal with sexual violence and caste discrimination.



Last month, the Indian National Crime Records Bureau (NCRB) reported a 19% increase in rape cases in 2021 compared with 2020, an average of 87 cases a day. The NCRB data also shows there was a 45% rise in reported [rapes of Dalit women](#) between 2015 and 2020. However, the true extent of the sexual violence against women and girls in India is thought to be far greater than the figures show, especially among the Dalit community where there is widespread under-reporting of rape. One estimate, based on government data, concluded that [99% of sexual violence cases](#) went unreported.

Read more: <https://www.theguardian.com/world/2022/sep/15/india-uttar-pradesh-teenage-sisters-raped-murdered>

SRI LANKA

Penalized For Protesting: Sri Lanka's crackdown on protestors

The Sri Lankan authorities have fiercely clamped down on protests and demonized protestors during a period of economic crisis and hardship in the country.

Please see: <https://www.amnesty.org/en/latest/news/2022/09/sri-lanka-authorities-crackdown-on-protest-rights-must-end/>

Since February 2022, Sri Lankans have taken to the street to call for the resignations of then President, Gotabaya Rajapaksa and Prime Minister, Mahinda Rajapaksa, and for accountability for corruption, enforced disappearances, extrajudicial killings, and police misuse of force, amongst other causes.

The briefing, *Penalized for Protesting: Sri Lanka's crackdown on protestors*, details how the authorities have failed to protect peaceful protestors and resorted to excessive use of force, deploying the military to police protests, and carrying out reprisals against protestors while also demonizing those who exercise their protest rights peacefully. "People have the right to express discontent peacefully and the state has an obligation to facilitate this right but the Sri Lankan authorities have repeatedly and unrelentingly stifled the voice of the people," said Yamini Mishra, Amnesty International's South Asia Regional Director.

Please see the briefing: <https://www.amnesty.org/en/documents/asa37/5986/2022/en/>



Please Sign the Petition: End the crackdown on peaceful protests in Sri Lanka

President Ranil Wickremesinghe must immediately stop the repression, intimidation, and reprisals against peaceful protestors.

<https://www.amnesty.org/en/petition/end-the-crackdown-on-peaceful-protests-in-sri-lanka/>



Letter to UNHRC

Amnesty International and three other organisations have sent an open letter to the United Nations Human Rights Council calling on them to adopt a strong resolution on human rights in Sri Lanka.

“We urge states to support a resolution that calls upon the Sri Lankan Government to:

- Ensure that people are able to freely and peacefully protest and express their views without fear of reprisal or arrest;
- End the harassment, intimidation and arbitrary arrest of people believed to have participated in or supported recent protests;
- End all forms of surveillance and harassment of and reprisals against human rights defenders, civil society activists, journalists, victims and their families;
- Investigate and appropriately prosecute officials and security force personnel suspected of criminal responsibility for human rights violations constituting crimes under international law, regardless of position or rank;
- Repeal the PTA and issue an immediate moratorium on its use in the interim period; review the detention of those held under the PTA, and immediately release all those not facing recognizable charges consistent with human rights obligations, ensure all PTA detainees, including those undergoing pre-trial detention, are tried promptly and fairly in an ordinary civilian court;
- Restore the independence of the judiciary, attorney general, Election Commission, Public Service Commission, Police Commission, Judicial Service Commission, and Human Rights Commission, mandated to protect fundamental rights, which was removed in 2020 by the Gotabaya Rajapaksa government’s 20th amendment to the Constitution.
- Cooperate with UN special procedure mandate holders, including responding formally to pending requests for official visits and implementing their recommendations.”

Please see the letter: <https://www.amnesty.org/en/documents/asa37/6028/2022/en/>

PAKISTAN

Devastating floods demonstrate the stark realities of the climate crisis

Amnesty calls on high emitters in the Global North to provide compensation

Last month's floods in Pakistan have left at least [1,300 dead](#), [33 million displaced](#), and [one third of the country under water](#). [UNICEF reports](#) that the consequences are particularly dire for children, who make up about half of the affected population. Relief efforts have been hampered by the destruction of vital communication, travel, and health infrastructure. Survivors face further dangers from the spread of waterborne diseases. Those in the agricultural sector are particularly vulnerable to the economic consequences of the floods as vast hectares of crops have been destroyed. This will also of course have potentially calamitous implications for the nation's food security.



On a recent visit to the country, UN Secretary-General [Antonio Guterres said](#) "I have seen many humanitarian disasters in the world, but I have never seen climate carnage on this scale...I have simply no words to describe what I have seen today". He called for "massive" global support, as the provisional cost of the catastrophe is projected at more than \$30bn according to the government's flood relief centre.

Amnesty International is calling on those states most responsible for the climate crisis to provide reparations for the consequences their high emissions have wrought on Pakistan. "States that have enriched themselves using fossil fuels and other unsustainable practices must meet their international obligations. They must provide compensation and other forms of remedy for the loss and damage people are suffering in Pakistan," said Rimmel Mohyidin, Amnesty's Pakistan Campaigner. The state government in turn "must uphold the human rights of the affected communities and take preventive measures to protect those most at-risk from the impacts of the disaster" as the floods are likely to exacerbate existing inequalities, particularly on gender and socio-economic lines.

Read Amnesty's statement in full: <https://www.amnesty.org/en/latest/news/2022/08/pakistan-deadly-floods-reminder-to-wealthy-countries-to-remedy-unfettered-climate-change/>

AFGHANISTAN

Turkey Deports Thousands to Taliban-Controlled Afghanistan

Afghanistan's neighbouring countries have closed their borders to Afghans without travel documents. Under international law, countries are obliged to ensure a right to seek asylum and the principle of non-refoulement. Turkey is deporting thousands of Afghans, despite an international outcry about the dire humanitarian situation in Afghanistan, where the Taliban have been accused of human rights violations. Having paid smugglers to organise a dangerous escape, those fleeing the Taliban face persistent hostility.

The Taliban's seizure of power last August plunged Afghanistan into one of the worst humanitarian crises in the world, prompting the United Nations to launch its largest single-country humanitarian assistance appeal for about \$4.4 billion in 2022.

Now, despite fears of repression back home, many Afghan refugees are being forced out of Turkey, where an economic crisis is fuelling anti-immigrant sentiments. In the past six months, 79 Turkish chartered deportation flights have landed

at Kabul international airport, carrying more than 18,000 Afghans, according to Turkish officials and the International Organization for Migration (IOM).

However, International refugee law clearly states that it is unlawful to deport asylum applicants without first hearing and deciding their case. Although the fighting in the country has ended, Afghanistan's situation has been deteriorating as serious human rights violations continue unabated. In the recent months, UNHCR asked the European Union to accept 42,500 Afghans over five years but the request was resisted by the countries.

A new Amnesty International report has found that Afghan refugees have consistently come under fire while trying to cross into Iran and Turkey in the year since the Taliban retook control of Afghanistan. The report, **'They Don't Treat Us Like Humans,'** consist of interviews with 74 Afghans who had been pushed back by border forces and officials in both nations. More than half have reported coming under fire by border guards.

Read more: <https://www.amnesty.org/en/documents/asa11/5897/2022/en/>



Taliban prevented 80 female AUAF students from travelling without mahram

The hardline Islamists have imposed sweeping restrictions on freedoms, mostly targeting Afghan girls and women. They are increasingly being shut out of public life, barred from school and most government jobs and ordered to dress according to the Taliban's strict dress code.

The Taliban have told airlines in Afghanistan that women cannot board domestic or international flights without a male chaperone. Last month, the Taliban stopped close to 80 female students of the American University of Afghanistan from flying out of Kabul airport to Qatar. AUAF confirmed that 109 students were scheduled to travel to Doha, Qatar on August 25, but the Taliban prevented 79 female students from boarding the flight. "The flight arrived in Doha as planned, but none of the unaccompanied female passengers were permitted to board the flight," Jeff Gardner, AUAF's acting chief of staff stated that "some of the students were to remain in Doha at AUAF facilities at Education City, and others were to transit to Bishkek, Kyrgyzstan, to enrol at the American University of Central Asia".



NEPAL

Migrant labour revival: But is this good news?

The Covid pandemic had a major impact on Nepal's economic mainstay, overseas employment. Those working abroad in 2020 were unable to return to Nepal, even when they lost their jobs. Would-be migrant workers in



Nepal could not resume or start overseas employment as planned. When laid-off workers did return home en-masse, they found that lofty promises of reintegration were just that: promises.

Now, foreign employment has not just recovered but surpassed pre-pandemic levels. More than 630,000 Nepalis left for overseas jobs in the last fiscal year (2021/2) a huge jump in labour approvals, from 166,698 in 2021, and 368,433 in 2020. Overall, the Department of Foreign Employment said that the number of workers going abroad increased by 3.68 times in the fiscal year 2021/22, with Saudi Arabia and Qatar the most popular destinations. However, there are fears that this apparently positive news of increased opportunities for economic betterment may come at the cost of the rights and conditions of workers, as the Nepal government has frequently been accused of failing to effectively regulate the practices of recruitment agencies. Another point is that these increased departures are the result of lack of decent job opportunities at home and continuing political instability, combined with lack of clear policies to address rising inflation and increasing poverty.

Meanwhile, as the date of the football World cup in Qatar approaches, Amnesty International and other human rights organisations have been campaigning for FIFA to pay compensation to migrant workers who have suffered serious abuses while working on the associated infrastructure.

Read more: <https://www.hrw.org/news/2022/05/18/fifa-pay-harm-qatars-migrant-workers>

Reform of penal code relating to sexual violence and rape

A small success; as a result of widespread protests and calls for reform (including from Amnesty Nepal), the government has amended the penal code to extend the statute of limitations on rape and sexual violence from one year to three years. This gives more time for victims to pursue their case for justice, a small but important change, since many victims are initially too traumatised to take any action. Amnesty Nepal will continue to call for further reforms to ensure the statute of limitations does not become a barrier for access to justice.



For details see Amnesty's press release in May: <https://www.amnesty.org/en/latest/news/2022/05/nepal-overly-restrictive-statute-of-limitations-on-rape-and-other-sexual-violence-must-be-removed/>

Transitional justice – still waiting

The fight for transitional justice continues, as Amnesty Nepal remains active on the ground, partnering with civil society organisations and victim's groups to keep up the advocacy pressure. Unfortunately, the Nepal Parliament's term has just ended, ahead of November's elections, which there will be no further opportunity for the much needed reforms to the Transitional Justice provisions for some time to come.