

Amnesty UK South Asia

October 2023



South Asia Coordinator Team

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

Thank you for your support.

Cherry, Nigina, Lucja & Jerry

INDIA

New IaR casefile: Free Umar Khalid



Umar Khalid is a Muslim human rights defender and scholar who was active in the protests against the Citizenship Amendment Act passed by the Indian government in December 2019, which blatantly discriminates against Muslims. Umar attended protests and gave speeches in opposition to the law, which was also vehemently opposed by many people across India, not just Muslims. In an atmosphere of intimidation, harassment, and repression, he raised his voice against religious discrimination. As a result, he was arrested on 13 September 2020, accused of inciting communal violence through speeches. He was charged under multiple provisions of the Indian Penal Code,

including the draconian anti-terror legislation the Unlawful Activities (Prevention) Act, for “promoting enmity between different groups” and “rioting”. Umar has remained in prison for three years without trial, with bail applications repeatedly rejected by the courts.

Umar has previously faced years of harassment by the Indian authorities for his activism. He was arrested in 2016 and shot by unknown men at in 2018. This IaR casefile is connected to the Amnesty *Protect the Protest* Flagship Campaign, as Amnesty International believes he is detained purely for peacefully exercising his right to free speech. **Take action** by writing to *Amit Shah, Union Home Minister, Ministry of Home Affairs, North Block, New Delhi 110001,*

India demanding Umar's unconditional release and urging the Indian government to cease using the Unlawful Activities (Prevention) Law to repress freedom of speech. If you would like a template letter or more information about working on this casefile, please contact Cherry Bird on cherry.bird@amnesty.org.uk.

Further evidence of declining press freedom in India: Raid on NewsClick

Following a police raid on the homes and offices of journalists working for NewsClick, an independent digital news outlet based in Delhi, journalists across India are once more raising questions about press freedom and their ability to work without threat of reprisal. NewsClick describes itself as "one of India's most consistent chroniclers of diverse people's movements and struggles". It employs less than a hundred journalists and has a social media following of just over 70,000, yet still it appears to be viewed as a threat by the authorities.



Read more [here](#).

India is weaponizing FATF counterterrorism recommendations against civil society



In an article published on Al Jazeera, Aakar Patel (pictured), Chair of the Board of Amnesty International in India says that the use of draconian anti-terror laws against NewsClick and its journalists is an alarming reminder of the Indian government's determination to crack down on a free press and stifle dissenting voices. He notes that over the past decade, there has been a coordinated campaign attacking the independent media and the non-profit sector in India. Under the guise of combatting terrorism and money laundering, the Indian government has tightened financial and counterterrorism laws, and routinely misused them to attack and silence critics.

The Financial Action Task Force (FATF) is a global watchdog that works with 39 member states to tackle money laundering and terrorism financing. Member countries are expected to ensure that their domestic laws, regulations and operational policies are aligned with a list of 40 recommendations to combat money laundering and nine special recommendations against terror financing. India became a member in 2010 and cites this as being "very important for India" in its struggle to become a "major player" in international finance and to build the country's capacity to fight terrorism.

In compliance with FATF recommendations, India passed laws and legislative amendments, including the Prevention of Money Laundering Act (PMLA) and the Foreign Contributions (Regulation) Act (FCRA). In 2012, the Unlawful Activities (Prevention) Act (UAPA) was amended, expanding its scope. But all these laws are now being used against legitimate organisations and individuals, such as NewsClick.

Other examples of those targeted include Muslim student activist Umar Khalid, Kashmiri human rights activist Khurram Parvez, journalist Irfan Mehraj, journalist Fahad Shah and 16 activists and journalists associated with the Bhima Koregaon case (the BK16) accused of having "incited" a group of Dalit people at a large public rally in December 2017.

Read more [here](#).

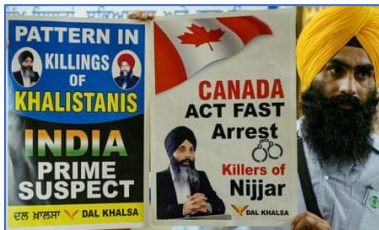
New Amnesty report

Amnesty International's latest report, *Weaponizing Counterterrorism*, explains how India is exploiting FATF assessment reports to target civil society and human rights defenders. FATF is scheduled to visit India in November 2023 for the country's fourth mutual evaluation and the briefing aims to build awareness of the international

community, particularly the member states and assessor bodies of FATF, about the Indian government's grave misuse of its recommendations. It calls on the FATF, its member states and assessor bodies to not allow these laws to further the clamp down on dissent in India. It also calls on the FATF to engage with independent non-governmental organisations to understand the barriers they face as part of their evaluation.

See the report [here](#).

Killing of Sikh separatist in Canada



The killing of Hardeep Singh Nijjar in June 2023 in a car park in British Columbia, where he was living and working as a Canadian citizen, caused global shock waves, signalling a “radical reimagining of Indian intelligence and its operations outside the country”. India’s increasing profile on the world stage seems to be encouraging the BJP government to actively pursue policies that may run counter to western interests and values.

In this case, Nijjar had, on the previous day, made an impassioned speech on the fight for an independent state for Sikhs (Khalistan). Some weeks after his death, in September, Prime Minister Justin Trudeau announced to the Canadian parliament that there was credible evidence that this was an extrajudicial killing carried out with the involvement of the Indian government. Canada immediately expelled a top diplomat, India responded by calling the accusations “absurd” and expelling a Canadian diplomat. Trade talks were halted.

In fact, support for the Khalistan movement has largely evaporated within India, so this suspected action is a sign of the sensitivity of the Indian government to any manifestation of a secessionist movement that runs counter to its nationalistic agenda.

Read more [here](#).

Kashmir: Increased harassment of journalists and a culture of fear

In the period before the fourth anniversary of the revocation of article 370, which downgraded the state of Jammu & Kashmir to the status of two union territories ruled directly from Delhi, Kashmiri journalists and others associated with the media were subject to increased harassment, in what appeared to be a campaign of intimidation.

To the casual tourist or visitor, life now seems quite “normal” in Kashmir, with construction of new buildings and roads, an influx of global brands and food outlets such as McDonalds, Dominos, KFC, etc. But these “enhancements” are viewed by locals as a cynical way to show that Kashmir is progressing under India’s governance and all is rosy, with the aim of encouraging tourism and investment, and presumably to keep it out of the human rights spotlight.

The strong pro-India media messaging, with pro-government billboards and pro-army and police posters, enforced flying of the Indian flag on public buildings and residences and India tricolour lighting in main streets are all a facade. Although local people have become accustomed to the presence of armed personnel and security checks, many say they are paranoid about being watched. Monitoring of private communications and social media, control over government workers and an atmosphere of community suspicion mean they are afraid to be seen talking to foreigners, especially if they work in the media. All this points to a focus on limiting Kashmiris’ freedom and crushing Kashmir’s identity.



Read more in our second Kashmir blog [here](#).

Take action by writing to your MP expressing your concerns about the human rights violations and repression in Indian-administered Kashmir. Contact Cherry (cherry.bird@amnesty.org.uk) if you would like a template letter.

And now Arundhati Roy may be a target



A recent CNN article noted that Booker Prize-winning Indian author Arundhati Roy could be prosecuted for allegedly seditious comments made over a decade ago, after a top official in Delhi said there was enough evidence to lay charges. Roy rose to international prominence for her novels, including 1997 Booker Prize winner “The God of Small Things,” but has also published two collections of political writing and long been an outspoken critic of

Indian Prime Minister Narendra Modi. In a 2022 [op-ed published by CNN](#), Roy compared India’s ruling Hindu nationalist BJP to the January 6 US Capitol rioters and noted that “people like myself are on the A-list of ‘anti-nationals,’ largely for “the things I write and say. Particularly about Kashmir.” This is likely to be just a warning, at least for now, that even such a high-profile figure is not safe.

Read more [here](#).

India’s Supreme Court declines to recognise same sex marriage

In a ruling that has disappointed LGBTQ+ people in India, the supreme court has declined to grant legal recognition to same-sex marriages, saying it is beyond its scope and must be decided by parliament. However, it emphasised that such relationships should not face discrimination by the state. In a sign of how contentious the issue remains in India, the five-judge bench of the supreme court, led by the chief justice of India, said they had been divided on the matter, and four separate judgments were written by the bench. Two of the judges had supported same-sex unions but the majority verdict ruled against them. Homosexuality is not illegal in India, but same sex couples do not enjoy the same rights as those enjoyed by heterosexual couples.



BANGLADESH

‘Protect the Protest’ and Freedom of Expression campaign

We have actions and letters available for activists to send to the Bangladesh High Commission and to your MPs. These actions relate to the repression of freedom of expression and the right to protest in Bangladesh as detailed in previous newsletters. They urge the authorities to:

- Release the Odhikar leaders Khan and Elan immediately and unconditionally.
- End the harassment and intimidation of the Nobel Peace Laureate Mohammad Yunus.
- Substantially amend the draft CSA to align it with international human rights law and standards.
- Drop the case against Khadijatul Kubra (Khadija) and immediately and unconditionally release her.

Please contact jerry.allen@amnesty.org.uk if you are interested in supporting these actions and sending these letters. This is an activist led campaign and is not an official AIUK campaign.



Rohingya campaign

The conditions that Rohingya refugees are being forced to live in are getting worse. AI Germany is campaigning on this. There are two actions that have been approved by the International Secretariat. We are planning to join this campaign. Please contact jerry.allen@amnesty.org.uk if you would like more information on these actions. (This is not an official AIUK campaign.)

1. Forced prostitution and sex trafficking of women and girls in Rohingya refugee camps

AI Germany is concerned about the reports of sexual violence against women and girls in the refugee camps. Rohingya women and girls, who make up more than half of the up to 700,000 refugees at in the Kutupalong camp near Cox's Bazar, are today subjected to many forms of human rights violations. Among them include sex trafficking and forced prostitution.

The campaign urges the Government of Bangladesh to take precautions to stop trafficking and harassment against women. It also asks that access to education and work opportunities for girls and women is ensured. The lack of access to work and education has led to the increase in human trafficking, child marriage and forced marriage, sexual exploitation and forced labour.

2. Security and freedom of movement for the Rohingya refugees

In 2017, Bangladesh took in almost one million refugees. The inhabitants of the camps are exposed to the danger of floods or fires because of their location and the high security fences. Access to education, the health system and drinking water is restricted, as is freedom of movement. Criminal gangs compete for supremacy.

This campaign urges the government in Bangladesh to ensure that the refugees can lead a dignified life. This includes housing, food, medical care, and security. The authorities must ensure that the Rohingya community is involved in all decisions affecting their lives and rights. Journalists, representatives of the United Nations and civil society organisations, must be given unhindered access to the camps to independently assess the situation of the Rohingyas. The government must uphold the principle of non-refoulement and ensure that the Rohingya refugees are not sent to a place which is not safe.

Shipping firms profit from labour abuse – Human Rights Watch



Many European shipping companies are knowingly sending their end-of-life ships for scrap in dangerous and polluting yards in Bangladesh, [Human Rights Watch and the NGO Shipbreaking Platform said in a report](#). Bangladeshi shipbreaking yards often take shortcuts on safety measures, dump toxic waste directly onto the beach and the surrounding environment, and deny workers living wages, rest, or compensation in case of injuries. The report reveals a network used by

shipowners to circumvent international regulations prohibiting the export of ships to facilities like those in Bangladesh that do not have adequate environmental or labour protections.

PAKISTAN

Pakistan government must not deport Afghan refugees

The Government of Pakistan has ordered all unregistered Afghan refugees fleeing the Taliban to leave the country by November 2023. Pakistan's Interior Minister Sarfraz Bugti has announced a crackdown order on 'illegal immigrants', including Afghans, in Pakistan. In recent years, many Afghans living in fear of persecution following the Taliban takeover of Afghanistan in August 2021 have fled to Pakistan, where they have been subjected to waves of arbitrary detentions, arrests, and the threat of deportation. Because of considerable delays in the registration process, most do not hold Proof of Registration (PoR) or Afghan Citizen Cards (ACC), the identity documents that entitle Afghan refugees to remain regularly in Pakistan. Many arrived in Pakistan with regular visas, which have since expired.



Amnesty International urges the Government of Pakistan to continue its historic support for Afghan refugees by enabling them to live with dignity and free from the fear of deportation to Afghanistan where they face persecution by the Taliban.

Read more [here](#).

How IMF policies undermine rights



Millions of Pakistanis are forced to make choices between food, books, electricity, medicine, dignity and debt. The deepening economic crisis in Pakistan has historical and structural reasons. However, the recent spike in inflation, increase in electricity and fuel prices, and currency depreciation comes as a result of a \$3 billion deal between the IMF (International Monetary Fund) and Pakistan in July 2022. This requires the government to end energy and fuel subsidies, increase taxes, and move to a market-based exchange rate. Both the IMF and the Pakistani government have human rights obligations to pursue economic recovery measures that protect and advance rights in the short and long term, yet the deal puts the burden of recovery on people who are already struggling the most.

Read more from Human Rights Watch [here](#).

AFGHANISTAN

A series of devastating earthquakes in Afghanistan has killed more than 2,400 people



Two powerful earthquakes struck Herat Province in north-western Afghanistan early on Sunday, shaking a region already hit by three major quakes over the past eight days that have killed more than 2,000 people.

The quakes hit 35 km (20 miles) northwest of Herat, one with a magnitude of 6.3, the U.S. Geological Survey (USGS) said. They were among the world's deadliest quakes this year after tremors in Turkey and Syria killed an estimated 50,000 people in February.

Daniel Peter Endres, acting UN Humanitarian Coordinator for Afghanistan, described the situation there as “a race against time” for aid organisations to deliver assistance before the onset of winter.

“These earthquakes have struck some of the most vulnerable communities in Afghanistan, they have already been grappling with decades of conflicts and under development,” he told journalists in New York, via video link.

“The affected communities have little resilience to cope with the multiple and simultaneous shocks, especially with the cold winter coming, when households have limited food resources and are most constrained in capacity.”

He said nightly temperatures have dipped considerably, noting that many whose homes were damaged are sleeping outside, afraid their dwellings might collapse completely.

Read more [here](#).

Afghan refugees continue to suffer in the hands of Pakistani authorities



On 3 October 2023, the Government of Pakistan ordered all unregistered Afghan refugees to leave the country by November 2023. Broad calls by Pakistani officials for mass deportation have instigated an increase in police abuse against Afghans, including harassment, assault, and arbitrary detention. Over 2,000 people were arrested across the country since the crackdown began earlier last week.

Pakistan is home to one of the world's largest refugee populations – the vast majority of them from Afghanistan. Given the two countries' shared border and deep cultural ties, their fates have always been linked – with years of conflict and humanitarian crises in Afghanistan. In August 2021, after the Taliban takeover, many Afghans living in fear of persecution by the Taliban fled to Pakistan. The United Nations High Commissioner for Refugees (UNHCR) reported that as of October 2023, there were 3.7 million Afghans in Pakistan, among them some 700,000 Afghans who fled to Pakistan after the Taliban takeover on August 15, 2021.

Many tell RFE/RL that their possession of official status does not spare Afghans, who make up the vast majority of migrants in Pakistan, from detention by the authorities. "Every night, every day, in every corner of Pakistan, they detain immigrants who have legal documents," Nawid Shahab, an Afghan migrant, told RFE/RL's Radio Azadi on October 4. "They detain migrants who have PoR cards, and they detain migrants who are undocumented. There is no difference between them." The reports suggest that children are among hundreds detained unlawfully by the Pakistani authorities.

Read the story [here](#).

And Amnesty's statement [here](#).

SRI LANKA

The World Bank must promote universal social protection

Amnesty International has produced a report [“Actions Speak Louder Than Words”](#) calling on the World Bank to act in line with its human rights responsibilities and commitment to universal social protection and ensure that its funding and technical support lead to universal and comprehensive coverage. It focuses on Sri Lanka and other countries.

Sri Lanka has been facing a severe economic crisis since 2020, which has had a catastrophic impact on people's ability to access essential goods and services that underpin their economic and social rights. According to the World Bank update published in April 2023, national poverty in Sri Lanka is estimated to have doubled to 25% in 2022 from 13.1% in 2021 due to economic contraction (with an increase of 2.5 million people living in poverty) and is expected to increase to 27.5% in 2023.