

INTERNET AND PRESS FREEDOM

- Between 2021 and 2022, India dropped 8 ranks in the Reporters Without Borders Press Freedom Index, to rank **150th worst world-wide**.
- The 2023 report by Access Now and the #KeepItOn coalition documented **India as the world leader of Internet shutdowns** for the fifth consecutive year. Data from the Software Freedom Law Center shows that most of its shutdowns have been preventive in nature. Takedown orders by the Indian government increased by 11% between 2021 and 2022. The 552-day shutdown in Kashmir constitutes the longest internet shutdown in a democratic country.
- Between 2010-2020, **154 journalists** were **arrested, detained, interrogated**, or harassed for their work. Over 40% of incidents took place in 2020 itself. The government has imposed travel bans on over 22 journalists, several of whom have faced raids, threats, and detention. **Independent media**, including the BBC, have faced raids or temporary suspension after coverage critical of the government.

DEMOCRATIC INSTITUTIONS

- In January 2023, former senior Supreme Court judges warned that **oversight bodies** had been **"turned into extended arms of the central government"** and had been "ignoring the Constitution of India".
- Research by Article14 from 2022 notes that for 1.5 years, there was **no progress on six cases of national importance** in the Supreme Court, and 53 cases that required a wider review by a constitution bench were kept pending.
- Since July 2022, the ruling BJP does not have Muslim representatives in either of the two houses of Parliament or state assemblies.

RISK FACTORS FOR MASS ATROCITIES

- The Early Warning Project in 2023 ranks India **8th highest-risk of concern for mass atrocities** against religious minorities among 162 countries.
- **Targeted violence** on grounds of protected characteristics **disproportionately targets religious minorities**. Of over 19014 verified victims of communal violence, physical assaults, and lynching since 2017 (status: August 2022), the majority (86.7%) are Muslims. Violence against Christians also rose by 81% between 2020 and 2021. More than 2000 Christians were attacked and injured in the first nine months of 2021.
- **Elected legislators and ministers engage in hate speech** and legitimization of violence against religious minorities. Examples include BJP MP Pragya Thakur (2022) urging attendees of a conference to "keep knives sharpened", BJP Government Minister of State for Finance Anurag Thakur (2020) calling to "shoot the traitors of the country", which triggered communal violence in which at least 53 people died, and India's BJP Home Minister Amit Shah (2019) calling Rohingya refugees "termites".

CIVIL SOCIETY AND CIVIC SPACES

- In 2020, Freedom House's Freedom in the World report downgraded India to **"party free"** and ranked India as one of the 'Countries in the Spotlight' for the "deterioration of basic freedoms". The V-Dem Institute has considered India an **"electoral autocracy"** for several years in a row. The V-Dem Institute considers India one of the **"worst autocratizers in the last 10 years"**.
- Between 2015 and 2018, there was a **decline of 40 per cent in funding to NGOs** in India following amendments to the Foreign Contribution (Regulation) Act (FCRA). Amnesty India was forced to suspend its operations in India in 2020 after the government froze the organization's bank accounts for alleged FCRA violations.
- **Human rights defenders** and civil society are **systematically persecuted and evidence planted**. For example, in July 2021, 84-year-old Jesuit priest Father Stan Swamy died in custody while imprisoned without trial under sedition laws and being denied medical care.
- In 2019, the Unlawful Activities (Prevention) Act (UAPA) was amended to allow the executive power to designate individuals as terrorists without due process.

EXCLUSION FROM CITIZENRY

- In the state of Assam, a process to identify "citizens" of India left **1.9 million persons de facto stateless**. Home Minister Amit Shah announced that a National Registry of Citizens (NRC) would be conducted for the whole of India.
- In 2019, India enacted Citizenship Amendment Act (CAA) to grant citizenship on basis of religious identity. The Act excludes Muslims. The NRC coupled with the CAA risks mass statelessness of Muslims throughout the country. The OHCHR called the amendment 'fundamentally discriminatory', as it adds a religious criterion to citizenship.

CRIMINALISING PROTEST AND EXTRAJUDICIAL REPRISALS

- In February 2022, Prime Minister Narendra Modi described people participating in various peaceful protests as **"parasites."**
- 96% of sedition cases after 2014 have been filed against citizens criticizing the government and politicians.
- Several BJP-led states in India have **demolished homes with bulldozers without due process**, reportedly as reprisal for participation in anti-government protests.
- In 2020, the Uttar Pradesh in violation of privacy rights put up public billboards displaying names, photos, and residential addresses of people who had participated in protests against the CAA, a discriminatory law. It then passed the Recovery of Damages to Public and Private Property Ordinance, which enabled recovery for damages allegedly caused during protests the accused participated in without proving they personally contributed to the damages.
- The Bihar and Uttarakhand police in 2021 issued circulares threatening individuals participating in protests with obstacles to getting passports, government jobs, financial grants and bank loans, and started monitoring social media for "objectionable" comments against the State government.

FURTHER READING

- Reporters without Borders. India. <https://rsf.org/en/country/india>
- Access Now. Weapons of Control, Shields of Impunity. February 2023. <https://www.accessnow.org/cms/assets/uploads/2023/03/2022-KIO-Report-new.pdf>
- Software Freedom Law Center India. Internet Shutdowns. <https://internetshutdowns.in/>
- Al Jazeera. India restores internet in Kashmir after 7 months of blackout. 5 March 2020. <https://www.aljazeera.com/news/2020/3/5/india-restores-internet-in-kashmir-after-7-months-of-blackout>
- Free Speech Collective. Behind Bars: Arrest and Detention of Journalists in India 2010-20. <https://freespeechcollectivedot.in.files.wordpress.com/2020/12/behind-bars-arrests-of-journalists-in-india-2010-20.pdf>
- Human Rights Watch. India: Kashmiri Journalist Held Under Abusive Laws. 8 February 2022. <https://www.hrw.org/news/2022/02/08/india-kashmiri-journalist-held-under-abusive-laws>
- BBC. BBC offices in India raided by tax officials amid Modi documentary fallout. 14 February 2023. <https://www.theguardian.com/world/2023/feb/14/bbc-offices-india-raided-tax-officials-modi-documentary-fallout>
- Committee to Protect Journalists. India temporarily bans 2 news channels over coverage of Delhi riots. 6 March 2020. <https://cpj.org/2020/03/india-temporarily-bans-2-news-channels-over-coverage/>
- Freedom House. Freedom in the World 2020. https://freedomhouse.org/sites/default/files/2020-02/FIW_2020_REPORT_BOOKLET_Final.pdf
- V-Dem Institute. Democracy Reports. https://www.v-dem.net/democracy_reports.html
- V-Dem Institute. Democracy Report 2023: Defiance in the Face of Autocratization. https://www.v-dem.net/documents/29/V-dem_democracyreport2023_lowres.pdf
- Al Jazeera. Indian law on foreign funding a 'tool to silence' civil society. 13 November 2020. <https://www.aljazeera.com/news/2020/11/13/restrictions-on-funding-of-indian-civil-society>
- Amnesty International. Amnesty International India halts its work on upholding human rights in India due to reprisal from Government of India. 29 September 2020. <https://www.amnesty.org/en/latest/press-release/2020/09/amnesty-international-india-halts-its-work-on-upholding-human-rights-in-india-due-to-reprisal-from-government-of-india/>
- Indian Express. US-based forensic firm claims digital evidence was 'planted' on Stan Swamy's computer. 13 December 2022. <https://indianexpress.com/article/india/us-forensic-firm-digital-evidence-planted-stan-swamy-computer-8322990/>
- BBC. Stan Swamy: Jailed activist dies at 84. 5 July 2021. <https://www.bbc.com/news/world-asia-india-57718356>
- Hindustan Times. Anti-terror law should not be used to quell dissent: SC judge DY Chandrachud. 13 July 2021. <https://www.hindustantimes.com/india-news/antiterror-law-should-not-be-used-to-quell-dissent-sc-judge-dy-chandrachud-101626162172968.html>
- Newsclick. Delhi: Former Judges, Lawyers Accuse the Current Government of Undermining Democracy and Constitution. 9 January 2023. <https://www.newsclick.in/Delhi-Former-Judges-Lawyers-Accuse-Current-Government-Undermining-Democracy-Constitution>
- Article 14. Lots of Speeches, But No Action In Cases Of National Importance: The Legacy of Chief Justice Ramana. 24 August 2022. <https://article-14.com/post/lots-of-speeches-but-no-action-in-cases-of-national-importance-the-legacy-of-chief-justice-ramana-63058720be481>
- The Wire. From July 7, BJP Will Have No Muslim Representatives in Parliament, Assemblies. 7 July 2022. <https://thewire.in/government/in-one-months-time-bjp-will-have-no-muslim-representatives-in-parliament-assemblies>
- BBC. Assam NRC: What next for 1.9 million 'stateless' Indians? 31 August 2019. <https://www.bbc.com/news/world-asia-india-49520593>
- The Wire. 'Fundamentally Discriminatory': UN Human Rights Chief Expresses Concern on Citizenship Act. 13 December 2019. <https://thewire.in/rights/united-nations-high-commissioner-for-human-rights-cab>
- Early Warning Project. Countries at Risk for Mass Killing 2022-23: Early Warning Project Statistical Risk Assessment Results. 29 November 2022. <https://earlywarningproject.usmmm.org/reports/countries-at-risk-for-mass-killing-2022-23-early-warning-project-statistical-risk-assessment-results>
- The London Story. Republic of India, UPR Cycle IV Fact-sheet. 2022. <https://thelondonstory.org/wp-content/uploads/UPR-Cycle-IV-India-Factsheet-1.pdf>
- National Herald. Violent attacks against Christians up by 81 per cent since 2020, 505 incidents in 2021. 15 February 2022. <https://www.nationalheraldindia.com/india/violent-attacks-against-christians-up-by-81-per-cent-since-2020-505-incidents-in-2021>
- The Indian Express. Karnataka witnessing rise in attacks on Christians since anti-conversion law proposal: Report. 6 December 2021. <https://indianexpress.com/article/cities/bangalore/karnataka-attacks-against-christians-anti-conversion-law-7658233/>
- Financial Express. Keep your knives 'sharpened', Pragma Thakur sparks row with remarks at Hindu convention. 26 December 2022. <https://www.financialexpress.com/india-news/keep-your-knives-sharpened-pragya-thakur-sparks-row-with-remarks-at-hindu-convention/2927227/>
- The Wire. Anurag Thakur Leads Crowd to Chant 'Shoot the Traitors'. 27 January 2020. <https://thewire.in/politics/anurag-thakur-delhi-chants>
- The Wire. US State Department Red Flags Amit Shah's 'Termites' Comment on Migrants. 21 March 2019. <https://thewire.in/rights/us-state-department-india-amit-shah-human-rights-refugees>
- The Indian Express. India must save itself from 'Foreign Destructive Ideology': PM Modi in Rajya Sabha. 8 February 2021. <https://indianexpress.com/article/india/india-must-save-itself-from-foreign-destructive-ideology-pm-modi-in-rajya-sabha-7179445/>
- Article 14. Our New Database Reveals Rise in Sedition Cases In The Modi Era. 2 February 2021. <https://www.article-14.com/post/our-new-database-reveals-rise-in-sedition-cases-in-the-modi-era>
- Amnesty International. India: Authorities must stop apparent unlawful demolitions of largely Muslim-owned property. 14 April 2022. <https://www.amnesty.org/en/latest/news/2022/04/india-authorities-must-stop-apparent-unlawful-demolitions-of-largely-muslim-owned-property/>
- The Hindu. Details of anti-CAA protesters on display. 7 March 2020. <https://www.thehindu.com/todays-paper/tp-national/up-banners-display-photos-details-of-anti-cao-protesters/article31005797.ece>
- PRS India. The Uttar Pradesh Recovery of Damages to Public and Private Property Ordinance, 2020. https://prsindia.org/files/bills_acts/bills_states/andhra-pradesh/2020/The%20Uttar%20Pradesh%20Recovery%20of%20Damages%20to%20Public%20and%20Private%20Property%20Ordinance.%202020.pdf
- The Wire. Bihar and Uttarakhand to 'Monitor' Protestors, Could Face Difficulty in Getting Jobs. 4 February 2021. <https://thewire.in/government/bihar-uttarakhand-police-monitor-protesters-anti-national-posts>
- The Indian Express. Bihar warns of action for online posts against govt; Opp calls it draconian. <https://indianexpress.com/article/india/bihar-warns-of-action-for-online-posts-against-govt-opp-calls-it-draconian-7157949/>