

## INDIA

### NON-GOVERNMENTAL ORGANIZATIONS AT RISK OF SHUT DOWN

**The government of India has targeted Amnesty India and Greenpeace India in a series of “raids” which appear to be politically motivated. The bank accounts of both organizations 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 10-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 organizations operating in compliance with relevant national regulations, the accounts of Amnesty India and Greenpeace India have been frozen. Both organizations are now challenging this action in the Karnataka High Court. The authorities are claiming that the organizations 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 organizations 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 organizations 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 send a message without delay.** (Postage is \$2.50.) **Urge the authorities**

- \* to immediately stop intimidating and harassing organizations working on human rights and environmental issues
- \* to ensure that non-governmental organizations, like Amnesty India and Greenpeace India, are able to continue their operations unhindered by politically motivated restrictions on their bank accounts;
- \* to repeal the Foreign Contribution (Regulation) Act, or amend it in line with international human rights standards;
- \* to accord fair trials to human rights defenders and activists who have been arrested using repressive laws.

**Here is the contact information you need:**

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Email: [connect@mygov.nic.in](mailto:connect@mygov.nic.in)  
Twitter: @narendramodi  
Salutation: Dear Prime Minister

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](mailto:dr1.nhrc@nic.in)  
Salutation: Dear Sir

**Please send a copy to**

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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 organizations 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.