



FROM DEMOCRACY TO AUTOCRACY: INDIA'S DETERIORATING RECORD OF HUMAN RIGHTS

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(Views expressed in the brief are those of the author, and do not represent those of ISSI)



The sharp decline in human rights and growing intolerance in India, which prides itself to be the world's largest democracy has grabbed the attention of world powers, international media and civil society alike. Most recently, a letter was written by Mr. Robert Menendez, Chairman, United States Senate Committee on Foreign Relations on March 17, 2021 to the Defence Secretary Lloyd J. Austin who has embarked on an official visit to India where he is expected to meet India's Prime Minister Narendra Modi, Defence Minister Rajnath Singh and National Security Advisor Ajit Doval.

In the letter, Chairman Robert Menendez began by urging the Defence Secretary to raise the issue of growing human rights violations with the India government as the partnership between the two countries must be based on shared democratic values from which the Indian government has been "trending away"¹.

Chairman Menendez expressed particular concern regarding the Indian government's arrogant treatment of the farmers who have been protesting against three farm acts i.e. Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020; the Farmers Empowerment and Protection) Agreement on Price Assurance and Farm Services Act 2020 and the Essential

¹ For Full text of the letter visit <https://www.foreign.senate.gov/imo/media/doc/03-17-21%20RM%20letter%20to%20Austin%20re%20India%20trip.pdf>

Commodities (Amendment) Act, 2020 that were passed by Indian government in September 2020.² The farmers have been camping on three main entry points of Delhi for the past four months. During this time, they braved extreme weather conditions, vicious propaganda and every effort by the Modi government to divide them on caste and religious lines. So far, 248³ farmers have lost their lives during these protests. At least 120 farmers died due to extreme cold, some met accidents while some committed suicide.

Chairman Menendez went on to express his deep apprehension regarding intimidation of those who do not conform to government policies and raise their voice. Since Prime Minister Modi assumed power, intimidation of critics has become a norm. Journalists are harassed on regular basis for doing their job with honesty. Foreign Contribution (Regulation) Act (FCRA) is used to harass outspoken rights groups. India was also ranked at the top globally for largest numbers of internet shut downs particularly in Indian Illegally Occupied Jammu and Kashmir (IIOJ&K). To check any dissent, Indian government also used surveillance software owned by an Israeli firm NSO Group Technologies. This software has the ability to turn on the targeted phone's camera and microphone and transmit the information to third parties. Journalists, academics, political rivals and civil rights advocates were the victims of this software.⁴

It is interesting to note here that Human Rights Watch in its 2020 annual report had also criticised India for using "sedition and criminal defamation laws to stifle peaceful dissent."⁵ Chairman Menendez too categorically pointed out that US human rights group Freedom House has "Stripped India of its 'Free Status' in its yearly global survey."

The anti Muslim sentiment that has been on constant rise since 2016 was also a matter of worry for Chairman Menendez. Introduction of laws like Citizenship Amendment Act that is bound to render many - mostly Muslims stateless, growing incidents of lynching of Muslims and the vicious anti-Muslim propaganda that was seen during the first wave of covid-19 in 2020 are just few examples of how narrow minded Indian society has become.

The illegal steps of abrogation of Article 370 and 35 A and the draconian human rights violation that have lately been witnessed in IIOJ&K have shaken the world conscience and hence, the plight

² "Farm Law: Are India's new reforms a 'death warrant' for farmers?," BBC News, February 16, 2021, [bbc.com/news/world-asia-india-54233080](https://www.bbc.com/news/world-asia-india-54233080)

³ "248 farmers have died during protest against three agri laws," Indian Express, February 22, 2021, <https://indianexpress.com/article/india/248-farmers-have-died-during-protest-against-three-agri-laws-7198797/>

⁴ Ibid

⁵ "World Report 2020 - India, Events of 2019," Human Rights Watch, https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2020_0.pdf

Kashmiris also did not skip Chairman Menendez's mind. He specifically mentioned and urged the Defence Secretary to raise the issue of arrest of entire Kashmiri political leadership and lack of political process to address the grievances of Kashmiri people with his Indian counterparts.

With Joe Biden's assuming power and Kamala Harris as Vice President, the hopes are high that the issues of human rights abuses in India and in IIOJK by Indian forces will be taken more frequently. In this regard, the letter by Chairman Robert Menendez is a welcome development. It is hoped that the Biden administration will take a serious note of massive human rights violations particularly in IIOJK and play its due role in the resolution of Kashmir issue for ensuring lasting peace in South Asian region.