



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/North/DL/03/08/2023

August 22, 2023

To,
Mr. Indrajeet Kumar,
National Focal Point - Human Rights Defenders & Assistant Registrar,
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA, New Delhi –110 023
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert – Urgent Appeal for Action – Delhi - Disruption of HRDs peaceful We20 summit by the Delhi police

Greetings from Human Rights Defenders Alert!

HRD Alert -India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are writing to express our deep concern over the police officials of Delhi police disrupting the We20, known as the People's Summit, which was to be held in Delhi to discuss issues directly affecting marginalised and vulnerable segments of the population including land rights, natural resources, food security, escalating economic inequality, climate justice, and the influence of majoritarian politics.

Source of Information:

- Communication with our North Regional Co-ordinator
- Communication with the local HRDs

Date of Incident:

August 19, 2023

Place of Incident:

- H.K.S. Surjeet Bhawan, Delhi, India

Perpetrators:

- Officials of Delhi Police
- Ministry of Home Affairs

About the Human Rights Defenders:

The **'We20: Peoples Summit'** was organized in the backdrop of the G20 in Delhi by more than 70 Civil society organisations including the *National Alliance of People's Movements, Focus on the Global South, All India Union of Forest Working People, Narmada Bachao Andolan, Environment Support Group (ESG), People's Resource Centre, People First, Alternative Law Forum, Manthan Adhyayan Kendra, Delhi Forum, Jharkhand Mine Area Committee, Parisar, Basti Suraksha Manch, National Hawkers Federation, Pani Haq Samiti, and Ghar Bachao Ghar Banao* etc.

The We20 aimed to discuss issues directly affecting marginalised and vulnerable segments of the population including land rights, natural resources, food security, escalating economic inequality, climate justice, and the influence of majoritarian politics.

Details of the Incident:

In 2023 India assumed the G20 presidency and hosted G20 Presidency meetings in various cities across India. However, CSOs felt that the concerns of the marginalised and vulnerable citizens were not reflected adequately in the G20 and thus, the 'We20 Summit' — with tagline "People and Nature over Profits for a Just, Inclusive, Transparent, and Equitable Future" was supposed to be held from August 18-August 20, 2023, in Delhi.

The event was organized by over 70 civil society organisations and the speakers included activists such as Medha Patkar, Teesta Setalvad, Harsh Mander Vandana Shiva, Anjali Bhardwaj, Nikhil Dey, Thomas Franco, and Shaktiman Ghosh. The event was being held at H.K.S. Surjeet Bhawan, which are private premises and don't need permission.

On day 1, August 18, 2022, representatives from peoples' movements, trade unions, and civil society spoke on how the decisions of the G20 impacted national economies, democratic institutions and fundamental rights and accused Mr. Modi's government of hostility towards civil society and human rights organisations.

On day 2, August 19, 2022, at 11:30 am, the Delhi police under the central government's Ministry of Home Affairs put-up barricades and a police force cordoned off Surjeet Bhavan to stop delegates from attending the conference. Those who had already entered were not allowed to leave the building by the police cordons. The people were asked to leave by the police but when they refused to do so, the police prevented entry inside the building. Attendees allege that the police physically tried to stop the participants even those who were elderly and disabled. However after the resistance by the people, the event to continue for the day.

On day 3, the last day of the summit, the organizers of the summit received a letter from the Delhi police saying that permission for the event has been denied. The organizers of the We20 released a statement saying that "while in the official G20 summit there are claims of us being the "Mother of Democracy", the state of affairs that we have witnessed here at the We20 Peoples' Summit only goes on to show how we are inching closer to being a police state. One where even dialogue, deliberations inside the four walls and thoughts are being policed."

We believe that this is another instance in the increasing pattern of curbing the democratic rights of citizens and shrinking the democratic space for dissent in India. Civic space in India is shrinking at an alarming rate with freedom of assembly and speech under constant attack. The disruption of the We20 amounts to a gross abuse of fundamental right of the Indian Constitution as well as a complete violation of rights as guaranteed by national and international laws.

Article 19 (a) and (b) of the Indian Constitution guarantees freedom of speech and expression, to assemble peaceably and without arms and to form associations or unions.

The Human Rights Council resolution 15/21 adopted in October 2010 reaffirms that everyone has the right to freedom of peaceful assembly free of restrictions that is subject only to the limitations permitted by international law, in particular international human rights law.

According to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, "states and their law enforcement agencies and officials are obligated under international law to respect and protect, without discrimination, the rights of all those who participate in assemblies, as well as

monitors and bystanders. The potential for violence is not an excuse to interfere with or disperse otherwise peaceful assemblies.”

Further, the Declaration on human rights defenders adopted in 1998 by the UN general Assembly was Clauses 2 and 3 of Article 12 of the declaration state: *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure, or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.*

In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.”

HRDs and civil society not allowed to assemble peacefully or allowed to dissent from the official line, even in private spaces is a gross violation of the fundamental right to freedom of expression and assembly.

Appeal:

We urge the Hon'ble Commission to Urgently initiate an independent inquiry by the Director General of Investigation of NHRC into why a Constitutionally lawful assembly of CSOs and HRDs being held within private premises was not allowed to take place by the police.

We hope to hear from you soon,

Yours Sincerely,



(Henri Tiphagne)

National Working Secretary