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## **Authorities must immediately stop unjust targeted demolition of Muslim properties**

### ***JCB brand machinery weaponized as a tool in hate campaign against minorities in India***

[Amnesty International](#) (07.02.2024) - India's widespread unlawful demolitions of Muslims' homes, businesses and places of worship through the use of JCB bulldozers and other machines must stop immediately, Amnesty International said in two companion reports released today.

The two reports — '[If you speak up, your house will be demolished': Bulldozer Injustice in India](#)' and '[Unearthing Accountability: JCB's Role and Responsibility in Bulldozer Injustice in India](#)' — document the punitive demolition of Muslim properties in at least five states with a widespread use of JCB-branded bulldozers or diggers as brand of choice in a hate campaign against the minority community. These demolitions are carried out with widespread impunity as was evident from the [Mira Road demolitions](#) after a Ram Temple Rally turned violent earlier last month in Mumbai, India.

Amnesty International calls on the Government of India and state governments to immediately halt the de facto policy of demolishing people's homes as a form of extra-judicial punishment and ensure nobody is made homeless as a result of forced evictions. They must also offer adequate compensation to all those affected by the demolitions and ensure those responsible for these violations are held to account.

"The unlawful demolition of Muslim properties by the Indian authorities, peddled as 'bulldozer justice' by political leaders and media, is cruel and appalling. Such displacement and dispossession is deeply unjust, unlawful and discriminatory. They are destroying families— and must stop immediately," said Agnès Callamard, Amnesty International's Secretary General.

"The authorities have repeatedly undermined the rule of law, destroying homes, businesses or places of worship, through targeted campaigns of hate, harassment, violence and the weaponization of JCB bulldozers. These human rights abuses must be urgently addressed."

Amnesty International's Crisis Evidence Lab and Digital Verification Corps have verified that JCB's machines, while not the only vehicles used, were the most widely deployed equipment in these demolitions. Their repeated use have given rise to the use of monikers for the company like 'Jihadi Control Board' by celebratory right-wing media and politicians.

In response to a letter from Amnesty International, a JCB spokesperson said that once

products have been sold to customers, the company has no control over or responsibility for their products' use or abuse.

However, according to the UN Guiding Principles on Business and Human Rights, JCB has a responsibility to respect human rights including by conducting due diligence to identify, prevent and mitigate adverse human rights impacts that are directly linked to its operations, products or services across its value chain. This requirement is especially important when a company's products are used in regions where there is a heightened risk or evidence of their link to human rights abuses publicly available, such as in Assam, Delhi, Gujarat, Uttar Pradesh and Madhya Pradesh.

"Under international standards, JCB is responsible for what third-party buyers do with its equipment. The company must stop looking away as JCB machines are used to target and punish the Muslim community, while people sloganeer anti-Muslim vitriol mounted from atop these bulldozers. JCB cannot continue to evade responsibility while its machines are repeatedly used to inflict human rights abuses," said Agnès Callamard.

"The company must publicly condemn the use of its machinery to commit human rights violations, including punitive demolitions of Muslim properties in India, use its leverage to mitigate adverse impact and create robust human rights due diligence policies for the use of its equipment across the globe."

### ***'Punishment' for religious minorities***

Between April and June 2022, Amnesty International researchers found that authorities in five states – Bhartiya Janata Party (BJP)-ruled states of Assam, Gujarat, Madhya Pradesh, and Uttar Pradesh and the Aam Aadmi Party (AAP) governed state of Delhi – carried out demolitions as a 'punishment' following episodes of communal violence or protests against discrimination by those in authority against Muslims.

Amnesty International investigated 63 of 128 documented demolitions in detail by interviewing more than a hundred survivors, legal experts, journalists and community leaders. At least 33 instances of the repeated use of JCB's equipment were verified. The investigation also established that at least 617 people, including men, women, children and older persons, were rendered homeless or deprived of their livelihoods. These individuals were subjected to forced evictions, intimidation and unlawful force by the police and collective and arbitrary punishment, which undermined their rights to non-discrimination, adequate housing, and a fair trial.

### ***A total failure to follow due process***

"The (bulldozers) directly attacked our house. We weren't given any notice. Nothing," said Hasina Bi, a 56-year-old widow who was at her home in Khargone, Madhya Pradesh when it was targeted and demolished in April 2022 by the municipal authorities.

In all five states, Amnesty International found that the demolitions – often carried out under the guise of remedying illegal construction and encroachment – were enacted without following any of the due process safeguards outlined in domestic law or international human rights law. State authorities enforced the demolitions and evictions without offering any prior consultation, adequate notice, or alternative resettlement opportunities. The destruction of buildings sometimes took place at night, with occupants given little or no time to leave their homes and shops, salvage their belongings, or appeal the demolition orders and seek legal redress.

Such demolitions constitute forced evictions, which are prohibited under international human rights law and the International Covenant on Economic, Social and Cultural Rights

(ICESCR) to which India is a state party.

### ***'They beat up my husband'***

A 60-year-old woman whose house was demolished in Sendhwa, Madhya Pradesh, said: "When we asked what our fault was, they beat up my husband with lathis (batons). I was yelling that my disabled son is inside, but they did not stop... I could have lost them both."

Amnesty International documented at least 39 cases of the police resorting to unlawful force while carrying out demolitions or preventing victims from collecting their belongings. At least 14 residents said they were beaten by the police for presenting their official documents and asking why their homes were being demolished. The police hurled abuses at residents, kicked open doors, and dragged people out of their homes before beating them with *lathis* [batons]. Both men and women were restrained and held in police vehicles.

The use of force by the police was neither necessary nor proportionate. This unlawful use of force constitutes a human rights violation and has also resulted in a range of other violations including the residents' right to adequate housing as well as their rights to bodily integrity, freedom from cruel, inhuman, or degrading treatment, and effective remedy, which are enshrined in both the Indian constitution and international human rights law.

### ***Discrimination and complicity of politicians and media***

"If they (say it is) justice, it should be done equally, whether the property belongs to a Hindu or Muslim," said Zahid Ali Sayyed, who owned a now-demolished tent-house in Khargone, Madhya Pradesh.

Amnesty International found that Muslim-concentrated localities were chosen for demolitions, while Muslim-owned properties were selectively targeted in diverse areas. Nearby Hindu-owned properties, particularly in Gujarat and Madhya Pradesh, were left untouched.

The demolitions were often instigated at the highest levels of government, with many state officials directly or indirectly calling for the use of bulldozers against Muslims. Punitive demolitions have been aggressively pursued as a form of extrajudicial punishment over many years and in several states, including Uttar Pradesh whose chief minister, Yogi Adityanath, has been labelled by the media as "Bulldozer Baba" (grandfather).

The Indian media has also referred to the demolitions as "bulldozer justice"; describing the punitive destruction of homes and businesses as "(good) models of governance" by state authorities, while failing to consider whether the demolitions were carried out in accordance with the law or constitute unlawful discrimination against the Muslim community.

"In a year that India heads to the polls, the ongoing hate campaign against minorities – especially Muslims – and the widespread impunity enjoyed by those responsible for the demolition of their homes and properties is unacceptable. Amnesty International calls on the Indian authorities to ensure immediate protection of the rights of Muslims and those who are most marginalized before, during and after elections," said Agnès Callamard.

### ***Background***

A year-and-a-half since the demolitions, in spite of the financial hardships created by the loss of their homes and businesses, victims continue to wait for justice with legal cases pending in courts.

The Indian government has also failed to provide access to justice and effective remedies for victims as accountability for human rights violations committed by the police, municipal corporations, development authorities and revenue departments in the five states remains elusive.

Instead, the state governments and federal government have continued to demolish other Muslim properties, as evidenced by the destruction of homes and shops in [Jammu and Kashmir](#), Haryana, Gujarat, and Uttarakhand in 2023.

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## **INDIA PM inaugurates Hindu temple on razed Babri mosque site**

*By Geeta Pandey and Yogita Limaye*

**[BBC News \(23.01.2024\)](#) - Indian Prime Minister Narendra Modi has inaugurated a grand temple to Hindu god Ram in the flashpoint city of Ayodhya.**

He said it heralded "a new era" for India - the temple replaces a 16th-Century mosque torn down by Hindu mobs in 1992, sparking riots in which nearly 2,000 people died. Top film stars and cricketers were among guests at the event in Ayodhya.

But some Hindu seers and most of the opposition boycotted it, saying Mr Modi was using it for political gain.

General elections are due in India in the next few months and Mr Modi's political rivals say the governing Bharatiya Janata Party (BJP) will be seeking votes in the temple's name in a country where 80% of the population is Hindu.

Critics have also accused the government of exploiting a religious celebration in a country which - according to its constitution - is secular. For Muslims, India's biggest minority, the event evoked fear and painful memories, members of the community in Ayodhya [told the BBC](#) in the run-up to Monday's ceremony.

Televised live, it showed Mr Modi performing religious rituals inside the temple's sanctum along with priests and Mohan Bhagwat, head of the Rashtriya Swayamsevak Sangh (RSS) - the ideological fountainhead of Hindu nationalist parties.

"Today's date will go down in history," Mr Modi said after the event. "After years of struggle and countless sacrifices, Lord Ram has arrived [home]. I want to congratulate every citizen of the country on this historic occasion."

The temple has been constructed at a cost of \$217m (£170m), funded from private donations. Only the ground floor was opened - the rest is expected to be completed by the end of the year. The construction work is part of a revamp for the city, estimated to cost more than \$3bn.

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The building of the Ram temple in Ayodhya fulfils a decades-long Hindu nationalist pledge. Many Hindus believe the Babri mosque was built by Muslim invaders on the ruins of a temple where the Hindu god was born.

The movement to build the temple helped propel the BJP into political prominence in the 1990s.

There was a festive atmosphere as tens of thousands of chanting Hindu devotees waved flags and beat drums - military helicopters showered flower petals on the temple. Saffron flags with pictures of Lord Ram line streets in the city festooned with marigolds, as do banners with the faces of Mr Modi and Uttar Pradesh Chief Minister Yogi Adityanath. Some of India's biggest celebrities, including Bollywood star Amitabh Bachchan and cricketer Sachin Tendulkar, attended.

- [Temple rises from ruins of one of India's darkest days](#)
- [Listen: The temple at the heart of Modi's India re-election bid](#)
- [Transforming a flashpoint holy city into the 'Hindu Vatican'](#)

In many other northern cities Hindus lit lamps, and saffron flags carrying images of Ram are fluttering on rooftops, including in several parts of Delhi. Cinemas screened the event, and big screens relayed pictures from Ayodhya to town squares and residential neighbourhoods.

The ceremony, called Pran Pratishtha, which loosely translates from Sanskrit into "establishment of life force", lasted about an hour. Hindus believe that chanting mantras and performing rituals around a fire will infuse sacred life in an idol or a photograph of a deity.

Several domestic TV stations built huge sets by the side of the river Saryu, a tributary of the Ganges, just behind the temple, and provided wall-to-wall coverage of the event, some proclaiming the moment of consecration as the start of "Ram Rajya" (Lord Ram's rule) in India.

Hindus celebrated the inauguration in other countries too. Massive billboards of Lord Ram graced Times Square in New York, where a group of devotees braved the freezing weather to gather in the middle of the night.

Temples all across the United Kingdom - where Indians are one of the largest diaspora groups - marked the event. Colourful posters had been shared inviting devotees to honour the occasion and celebrations involved flowers, sweets and music. There were also some celebrations in Muslim-majority Dubai - where Indians are a significant population - but from Indian news reports these appeared more muted than elsewhere.

In 2019, the Supreme Court gave the disputed land to Hindus after a protracted legal battle followed the mosque's demolition. Muslims were given a plot outside the city for a mosque but have yet to build one.

One member of the community the BBC spoke to in Ayodhya ahead of Monday's inauguration agreed that Hindus have the right to build the temple after the Supreme Court gave them the site.

"We did not accept that decision happily, but what can we do," he said. Another man said he was happy Hindus are building the temple - "but we are also sad because it was built after destroying a mosque".

The new three-storey temple - made with pink sandstone and anchored by black granite

- stretches across 7.2 acres in a 70-acre complex. A 51-inch (4.25-ft) statue of the deity, specially commissioned for the temple, was unveiled last week. The idol has been placed on a marble pedestal in the sanctum sanctorum.

Thousands of police were deployed for Monday's event, despite Mr Modi having appealed to pilgrims not to turn up and to watch the ceremony on television. In many states a full or half day holiday was called, with schools and colleges closed and stock markets shut.

- [The build-up to a demolition that shook India](#)
- [The man who helped Lord Ram win the Ayodhya case](#)

But a sour note was struck with some top religious seers saying that as the temple was not yet complete, it was against Hinduism to perform the rituals there, and many opposition leaders deciding to stay away.

Some opposition-ruled states also announced their own plans for the day - West Bengal Chief Minister Mamata Banerjee said she would pray at the iconic temple to goddess Kali in Kolkata and then lead an all-faith rally. The eastern state of Odisha (Orissa) unveiled huge plans to bring pilgrims to the Jagannath temple in Puri, one of the holiest sites for Hindus.

Authorities say they expect more than 150,000 visitors per day once the temple in Ayodhya is fully ready.

To accommodate this expected rush, new hotels are being built and existing ones spruced up as part of a [major makeover](#) and in recent weeks, a new airport and railway station have opened.

Officials say they are building a "world-class city where people come as pilgrims and tourists", but many local people have told the BBC that their homes, shops and "structures of religious nature" have been either completely or partially demolished to expand roads and set up other facilities.

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## **Hate speech, hate crimes and religious minorities**

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Photo: Meer Faisal/[Maktoob](#)

The London Story (08.01.2024) – The NGO London Story based in The Netherlands has just published a compilation of news updates about the human rights situation India in December 2023. The list is not exhaustive but includes a selection of pertinent incidents – both hopeful and worrisome. See their [archives](#) as well.

### Hate Crimes and Hate Speech against Minorities

- On December 4, **Hindu supremacists** reportedly **attacked a 15-year-old boy** from the Muslim community as he was returning from school in Uttar Pradesh state. The attackers **filmed the incident** and shared it on social media.
- On December 5, three people reportedly **beat to death a man from the Muslim community** in West Bengal state. The attackers had accused the victim of being a thief. This raises questions about the state's ability to protect citizens' right to life ([Article 6 ICCPR](#)) and about the right to be assumed innocent until proven guilty.
- On December 14, the United Christian Front, an Indian human rights group working with Christian minorities, published **new data** that shows **two Christians are attacked daily in India** on average. Via their helpline, they recorded at least 687 incidents of violence in the 334 days of 2023 so far. This raises questions about the state's ability to protect citizens' right to life ([Article 6 ICCPR](#)) regardless of their religion ([Article 2 ICCPR](#)).
- On December 6, **Hindu supremacist leaders met to celebrate the demolition of the Babri Mosque** at an event organised by the militant Vishwa Hindu Parishad (VHP) and its youth wing, the Bajrang Dal. Hindu supremacists **extrajudicially demolished** the Babri mosque in 1992. At the event, the **speakers engaged in hate speech**. For instance, one speaker **reportedly said**: "This is not the country of Gandhi anymore who preached of offering another cheek if someone slaps you at one, this country is changed. **If a Muslim tries to slap you, cut his hand and give it in another hand.**" These incidents

raise questions about the state's ability to prohibit advocating religious hatred that constitutes incitement to discrimination, hostility or violence ([Article 20 ICCPR](#)).

- On December 16, **India's Home Minister Amit Shah reportedly justified the 2002 Gujarat Riots** that killed at least 1044 people, claiming that they taught Muslims "a lesson". Shah reportedly said: "In 2002, there were riots and thereafter Modi saheb taught a lesson to not repeat the act. Have there been riots thereafter? The rioters were taught such a lesson in 2002 that to date no one dares to cause riots in Gujarat." The incident constitutes a **senior minister advocating for religious hatred** that constitutes incitement to discrimination, hostility or violence ([Article 20 ICCPR](#)). The United Kingdom concluded that Narendra Modi was "**directly responsible**" for the systematic violence.
- On December 17, the Rajasthan Police arrested one person for **reportedly raping a 20-year-old Dalit ("untouchable") woman** in a bus on December 9. Such a gender- and caste-based atrocity raises questions about the state's ability to protect its citizens' rights regardless of their caste and gender.
- On December 17, police arrested a teacher and principal of a government-run school in Karnataka state, as they allegedly **forced Dalit ("untouchable") students to manually clean a septic tank**. This violates the prohibition of "manual scavenging" under India's domestic law, i.e. the manual cleaning of human faeces and sanitation systems, which Dalits have historically been forced into, and which violates human dignity and constitutes **inhuman and degrading treatment** ([Article 7 ICCPR](#)).
- On December 29, Karnataka police arrested a man in a 31-year-old rioting case, which took place ahead of the extrajudicial demolition of the Babri Mosque by Hindu supremacists in 1992. The Karnataka Police commented that the arrest is part of routine efforts to address long-pending cases.

## Religious Freedoms and Minority Rights

- On December 1, Bharatiya Janata Party (BJP) **Union Minister Giriraj Singh called for closure of "illegal madrasas [Islamic schools]"** in Bihar state, alleging that they pose a "**threat to the internal security of the state and the nation.**" In his speech, he also claimed that the "people of Bihar" will face "a major threat to their wealth and their faith" without action against Islamic schools, thereby circulating dangerous disinformation. The incident may constitute a ruling party lawmaker advocating for religious hatred that constitutes incitement to discrimination, hostility or violence ([Article 20 ICCPR](#)), and for violations of the right of parents to "choose the kind of education that shall be given to their children" ([Article 26 UDHR](#)).
- On December 1, the Uttar Pradesh Police **filed a case against 42 people and arrested nine of them** for allegedly luring poor and tribal people to **convert to Christianity**. Several BJP-ruled states have passed laws criminalising professing one's religion and converting, in violation of the right to family life ([Article 23](#)) and right to freedom of religion ([Article 18](#)) in the ICCPR. Such laws have also emboldened vigilante groups, who engage in extrajudicial violence against people from religious minorities in response to alleged violations of these laws.
- On December 4, **a video circulated** showing newly elected Bharatiya Janata Party (BJP) legislator Balmakund Acharya **ordering the closure of all meat stalls** run by the Muslim community in his constituency in Rajasthan state. The BJP had won the election in Rajasthan state just days before and Acharya was not yet sworn in. On December 6, he **apologised** for his actions. This violates the right to work under [Article 6 ICESCR](#), which includes the right of everyone to "the opportunity to gain his living by work which he freely chooses or accepts".
- On December 8, a public school reportedly **dismissed a teacher** in Uttar Pradesh state from duty after Hindu supremacist groups claimed that "**he did not respond**

**appropriately” to a student’s Hindu religious greeting.** The principal issued an apology and promised “[measures to prevent such incidents in the future.](#)” This may violate the right of everyone to “manifest his religion or belief in workshop, observance, practice or teaching” ([Article 18 ICCPR](#)).

- On December 8, the Rajya Sabha (Upper House of Parliament) reportedly [announced](#) it would **end the 30-minute break allowed for Muslim lawmakers to perform Friday prayers.** A break for Friday prayers has been the norm for over 60 years. This may violate the right of everyone to “manifest his religion or belief in workshop, observance, practice or teaching” ([Article 18 ICCPR](#)).
  - On December 25, a Hindu supremacist group held a rally in Tripura state, demanding that **tribals who converted to Christianity** should be **removed from the “Scheduled Tribes” list**, which guarantees certain reservations and benefits. Such a demand may violate the right to freedom of religion ([Article 18](#)) in the ICCPR.
  - On December 25, Prime Minister **Narendra Modi organised Christmas celebrations** in his residence. Following this, approximately **3200 Christians**, among them one MP, signed a statement protesting against community leaders who participated in the celebrations, **citing “continued attacks and vilification”** of the Christian community by the BJP government.
  - On December 26, authorities in Madhya Pradesh state reportedly **demolished the homes of persons accused of having harmed a cow.** However, the police claimed that the demolitions were in connection with a separate case of illegal construction.
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