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Human Rights Violations and Social
Unrest in the Aftermath of the 2020
Delhi Riots

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Abstract

The 2020 Delhi riots exposed the fragile balance between social harmony and unrest in India, highlighting human rights vulnerabilities during communal turmoil. This report meticulously examines the landscape surrounding the riots, focusing on profound human rights violations. Amidst complex socio-political dynamics, the riots laid bare deep-rooted tensions, resulting in loss, devastation, and erosion of trust in the Indian authorities. The swift escalation of violence emphasises the fragility of coexistence. In this chaos, diverse human rights violations emerged, Muslim individuals and their communities. This research delves beyond enumeration to dissect violation nature, from encroachments on life and security to broader socio-economic deprivations. The study is pivotal to comprehend violation extent and gravity. The analysis stimulates discourse on human rights preservation amid societal upheaval. The report seeks to inform policymakers, civil society, and international bodies about accountability, justice, and minority rights protection. From the 2020 Delhi riots, lessons emerge, urging a commitment to human rights and coexistence.

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Table of abbreviations

BJP - Bharatiya Janata Party

CAA - The Citizenship Amendment Act 2019 (India)

NRC - National Register of Citizens

ICCPR - The International Covenant on Civil and Political Rights

ICESCR - International Covenant on Economic, Social and Cultural Rights

UDHR - The Universal Declaration of Human Rights

UN – United Nations

UNDRIP - The United Nations Declaration on the Rights of Indigenous Peoples

RSS - The Rashtriya Swayamsevak Sangh

Introduction

1 Purpose and objective of report

The overarching purpose of this report is to examine the 2020 Delhi riots, how they occurred and the legal questions that arise from analysing them. The recent eruption of violence during a religious procession orchestrated by Hindus in the Nuh district, where the Muslim population holds a majority, underscores the deep-seated communal sensitivities that continue to challenge social cohesion. This distressing incident, which resulted in the tragic loss of four lives, including two police officers, and left nearly 60 others wounded, showcases how seemingly innocuous events can swiftly escalate into tragic confrontations due to underlying communal tensions.¹ Examining the linkages between this incident and the Delhi 2020 riots reveals disconcerting parallels in terms of communal strife and its devastating aftermath. The Delhi riots, characterised by communal clashes between Hindu and Muslim communities, led to widespread destruction, loss of life, and displaced families.² The stark resemblance between the two events underscores the pressing need to address the factors that contribute to religious tensions, and to explore mechanisms that promote understanding, dialogue, and peaceful coexistence among different religious groups.

The Nuh district incident serves as a microcosm of the broader challenges that India faces in maintaining communal harmony, and it echoes the lessons that were tragically learned from the Delhi 2020 riots.³ Both occurrences emphasise the importance of proactive measures to prevent and mitigate communal violence, effective law enforcement, and targeted community engagement efforts. As India navigates its diverse social fabric, reflecting on these events can hopefully steer the nation towards a future characterized by unity, empathy, and shared prosperity, rather than one marred by religious discord and division.

The 2020 Delhi riots stand as a stark reminder of the delicate equilibrium between social harmony and unrest, spotlighting the vulnerability of human rights during periods of communal

¹ 'Photos: India's Gurugram Tense after Hindu-Muslim Clashes' (*Aljazeeraer*, 2 August 2023) <<https://www.aljazeera.com/gallery/2023/8/2/photos-indias-gurugram-tense-after-hindu-muslim-clashes>> accessed 4 September 2023.

² Ashta Rajvanshi, 'How Internet Shutdowns Wreak Havoc in India' (*Time*, 15 August 2023) <<https://time.com/6304719/india-internet-shutdowns-manipur/>> accessed 4 September 2023.

³ Carole Dieterich, 'New Delhi on High Alert Following Religious Violence between Hindus and Muslims' *Le Monde.fr*, 4 August 2023) <https://www.lemonde.fr/en/international/article/2023/08/04/new-delhi-on-high-alert-following-religious-violence-between-hindus-and-muslims-on-its-outskirts_6079398_4.html> accessed 4 September 2023.

strife. This research report undertakes a meticulous examination of the multifaceted landscape surrounding the 2020 Delhi Riots, with a focus on the profound human rights violations that transpired against the backdrop of this tumultuous event. The violence, which lasted around four days from 23 to 27 February that year, led to the deaths of 53 people (38 Muslim victims and 15 Hindus) and left hundreds injured.⁴ Beyond the killings, Muslims were systematically targeted and their properties were selectively destroyed, including homes, businesses and vehicles.⁵ The riots underscored the fragility of societal coexistence and the perilous potential for conflict escalation.

Amidst this turmoil, a spectrum of human rights violations unfolded, impacting individuals, families, and entire communities. The primary impetus for delving into this topic lies in the imperative to comprehensively understand the extent and gravity of the human rights violations that were perpetrated. Beyond mere enumeration, this report seeks to meticulously analyse the nature of violations, ranging from infringements on the right to life and personal security. By undertaking this endeavour, the report aims to lend a critical lens to the incidents, casting light on the systemic and individual factors that contributed to their occurrence as well as the background that led up to them.

2 Structure of research report

Chapter 1 will provide a much-needed exploration into the background and context of the Delhi riots. In this chapter, the historical background and socio-political context surrounding the "Delhi Riots" will be explored. By introducing the "Delhi Riots" and providing the relevant facts surrounding the events, this report hopes to shed light on its significance. Additionally, this chapter will explore the Citizenship Amendment Act (CAA) that triggered these riots, explaining its aims and why it stirred such strong reactions from the public. Understanding the broader context in which these events unfolded is crucial to grasp the complexities of the situation.

Chapter 2 offers a focused analysis of the Delhi riots in the context of India's complex socio-political landscape. It underscores that the Indian government, in collaboration with local

⁴ Alisha Dutta & Samridhi Tewari, '2020 Delhi Riots: Three Years Later, the Scars Remain' (*The Hindu*, 22 February 2023) <<https://www.thehindu.com/news/cities/Delhi/2020-delhi-riots-3-years-later-the-scars-remain/article66542087.ece>> accessed 4 September 2023.

⁵ P Hisham ul Wahab, 'A War of Narratives: Understanding 2020 Delhi Violence in India' [2020] SSRN Electronic Journal 1, 6.

authorities, was not only unable to safeguard basic human rights but also appeared complicit in orchestrating the violations during the North-East Delhi attacks, particularly targeting the Muslim community. These violations encompass a wide range of human rights, including equality, non-discrimination, and the right to life, liberty and security. The government's failure to ensure impartial investigations into right-to-life violations and allegations of law enforcement involvement in targeted violence deepen the crisis. This situation highlights systemic issues, calls for swift international attention, and emphasises the need to prevent further erosion of human rights and communal harmony in India.

Chapter 3 delves deeply into the legal and ethical implications of the conduct and actions of the Indian Government. This chapter addresses the legal and ethical consequences of the human rights violations committed during the "Delhi Riots." The focus is on exploring the legal implications of these actions and discussing potential avenues for seeking justice. Additionally, the examination extends to India's obligations under international human rights treaties and conventions, assessing how well the country adheres to its commitments. Moreover, the ethical considerations surrounding the Indian government's response to the violations and its impact on affected communities are explored.

Finally, Chapter 4 concludes the report. This final chapter summarises the key findings and arguments presented throughout the research report. The implications of the "Delhi Riots" and the human rights violations on the Muslim community in India and the broader human rights landscape come under scrutiny. This chapter underscores the significance of the research in raising awareness and promoting accountability for human rights violations. It concludes with a reminder of the urgency to address the issues and implement the proposed recommendations, stressing the need for a long-term solution to prevent further atrocities.

Chapter 1: Background and context

1.0 Introduction

On 1 August 2023 Indian authorities enforced a curfew, shut down internet services, and dispatched numerous paramilitary forces to certain areas in the northern Haryana state.⁶ This action came in response to the escalation of deadly communal clashes, which had now extended to Gurugram, a city located just on the outskirts of the capital, New Delhi. The conflict originated in Haryana's Nuh district and involved confrontations between Hindus and Muslims during a religious procession organised by a Hindu nationalist group.⁷ Tragically, this clash resulted in the loss of four lives, including two police officers, and two civilians.⁸ The violence also left over 20 police officers injured and led to the destruction of numerous vehicles, which were set ablaze, according to a statement released by the police.⁹ The recent events in the Haryana state serve as a reminder that lessons have not been learned from the Delhi riots of 2020, the loss of life and destruction observed demonstrate an environment which is still marred by communal violence between Hindus and Muslims in India. The 2020 Delhi riots marked a tragic turning point in India's contemporary history, igniting debates and discussions both within the nation and across the globe. This chapter looks at the complex history and societal factors that set the stage for these unusual disturbances. To understand the context of the Delhi riots, we must traverse the annals of India's past. A nation with a diverse tapestry of cultures and religions, India's history bears witness to a myriad of struggles for power, identity, and socio-political representation. The colonial era, marked by British imperial rule, played a pivotal role in shaping the country's trajectory, affecting the social fabric and engendering tensions that persist even today. Furthermore, examining India's post-independence journey reveals the aspirations and challenges of a young democracy striving for unity amidst diversity. Socio-economic disparities, religious polarisations, and historical grievances have interwoven, culminating in periodic instances of unrest, such as the Delhi riots.

⁶ [n] 2.

⁷ [n] 3.

⁸ *Ibid.*

⁹ *Ibid.*

1.1 Historical Context and the British colonial legacy

The tensions between different religious and ethnic groups in India have deep historical roots. India is a diverse and multi-religious society with a long history of coexistence and cultural exchange, but it has also experienced periods of communal strife and conflicts.¹⁰ Several historical and social factors contribute to the complexities of these tensions. The colonial legacy that has endured since the British Empire seized control of India delivers a particular context for the layered divisions that exist in present-day India, it has played a significant role in exacerbating communal divisions. The British employed a policy of "divide and rule" exploiting existing religious and ethnic differences to maintain control over the subcontinent.¹¹ This tactic sowed the seeds of suspicion and distrust among different communities, leaving a lasting impact on inter-community relations.¹²

The partition of India in 1947 into Pakistan and India has consequently resulted in further, deep rooted dissonance. The partition was accompanied by widespread violence, displacement, and communal riots, leading to the mass migration of Hindus and Sikhs to India and Muslims to Pakistan.¹³ The scars of this traumatic time continue to influence attitudes and perceptions between religious communities in both countries:

“...but Hindus, Muslims and Sikhs ranged against one another – even if, as Indian nationalists were quick to point out, a century and more of colonial politics had something to do with this denouement.”¹⁴

In post-independence India, political parties and leaders have resorted to identity-based politics to garner support, playing on these community divisions to bolster their movement and alleviate their own political power.¹⁵ This has at times heightened religious and ethnic tensions, as communities have been mobilized along communal lines for political gains.

¹⁰ For in-depth analysis, see: Martha C. Nussbaum, *The Clash Within: Democracy, Religious Violence, and India's Future* (Harvard University Press 2007).

¹¹ Nitin Govind Punathambekar and Aswin Punathambekar, *Global Digital Cultures: Perspectives from South Asia* (University of Michigan Press 2019) 42.

¹² *Ibid.*

¹³ Gyanendra Pandey, *Remembering Partition: Violence, Nationalism and History in India* (Cambridge University Press 2001), 40.

¹⁴ *Ibid.*, 2.

¹⁵ *Ibid.*, 4.

1.2 The Citizenship Amendment Act

The Citizenship Amendment Act sought to amend the Citizenship Act of 1955 to grant Indian citizenship to undocumented immigrants from three neighbouring countries: Pakistan, Bangladesh, and Afghanistan. The Act specified that individuals belonging to Hindu, Sikh, Buddhist, Jain, Parsi, and Christian communities, who entered India before 31 December 2014, due to religious persecution, would be eligible for expedited citizenship.¹⁶ Notably, the Act did not include Muslims, which was a major point of contention. The CAA¹⁷ proved to be highly controversial due to its exclusionary nature. The Act was seen as discriminatory for granting citizenship based on religious identity, particularly by excluding Muslims. This went against the secular principles enshrined in India's Constitution and raised concerns about the erosion of the country's pluralistic and inclusive ethos.¹⁸ Critics argued that the CAA could be used in conjunction with the proposed National Register of Citizens (NRC) to target and disenfranchise Muslims, creating a situation of statelessness for them. This further fueled apprehensions and protests from various quarters, including civil society organizations, students, and opposition parties, who saw the Act as a threat to India's secular fabric and as a means to further marginalise vulnerable communities.

The controversies surrounding the CAA brought to the forefront the deep divisions that exist within India and underscored the need for addressing socio-economic disparities and promoting religious harmony. It also highlighted the importance of ensuring that legislation respects the pluralistic character of India, accommodating the rights and aspirations of all its diverse communities. Understanding and addressing these historical and social factors are crucial for fostering a united and inclusive India, where diversity is celebrated and respected.

1.3 The Delhi Riots

The broader socio-political context leading up to the Delhi Riots was characterised by heightened communal tensions and polarised opinions surrounding the CAA. Protests against

¹⁶ Citizenship (Amendment) Act 2019 (India) s 2(1)(b).

¹⁷ Citizenship Amendment Act 2019 (India).

¹⁸ S. Ahmed and S. Pathak, 'Voices from India's Borderlands: Indigeneity and the De-Centering of Dissent against the Citizenship (Amendment) Act (CAA)', (2020) 5(1) *International Journal for Indian Studies* 3, 12. <https://journals.ukzn.ac.za/index.php/Nidan/article/view/2011> accessed 4 September 2023.

the Act began in various parts of the country in December 2019, with diverse groups, including students, civil society organisations, and opposition parties, expressing their discontent with the legislation. The first protest was in Shaheen Bagh, a Muslim-majority neighbourhood in New Delhi where initially people staged a mass ‘sit down’ protest.¹⁹ On 4 December 2019 protests had spread across much of India, this expansion of unrest soon manifested in many of more than half of India’s states.²⁰

The public reaction emphasises the immense scale of collective opposition to the CAA, the Muslim community pointed out the discriminatory nature of the CAA and called for it to be scrapped. As the protests spread further and the public’s reaction grew more hostile, some leaders of the BJP try control the narrative. The protesters were labelled as "anti-national and pro-Pakistan" referred to as "Pakistani hooligans," and chants of "shoot the traitors" were used to incite violence.²¹ Critics of the CAA have argued that it violated the secular principles enshrined in India's Constitution by explicitly excluding Muslims from the list of eligible religious minorities, illustrating a departure from secular democracy in India.²² They saw the Act as discriminatory and an infringement on the rights of Muslim immigrants seeking refuge in India. Critics also expressed concerns that the CAA, when combined with the proposed NRC, could be used to marginalise and disenfranchise Muslims within India. The hatred faced by Muslims around the world has risen to “epidemic proportions” according to the United Nations,²³ this is clearly something that has manifested comfortably in India as the 2020 riots show. The hatred which soon developed into violence towards Muslims led not just to led to the deaths of 53 people (38 of which were Muslims) but serious human rights violations. Whilst Hindu-nationalists collided with and attacked the Muslim protestors, the police nor the government did anything to stop them.²⁴ Drawing from interviews conducted with over 50

¹⁹ Nahid Afrose Kabir, ‘Identity Politics in India: Gujarat and Delhi Riots’ (2020) 40 *Journal of Muslim Minority Affairs* 395, 405.

²⁰ Rahul Rao, ‘Nationalisms by, against, and beyond the Indian State’ (2023) 4 *Pakistan Social Sciences Review* 333.

²¹ Human Rights Watch, ‘Shoot the Traitors: Discrimination Against Muslims under India’s New Citizenship Policy’, April 2020, <https://www.hrw.org/report/2020/04/09/shoot-traitors/discrimination-against-muslims-under-indias-new-citizenship-policy> accessed 4 September 2023.

²² Sumanth Inukonda, ‘Northeast Delhi Riots of 2020: Contesting and (Re)Claiming the Western Media Narrative’ (2023) 17 *International Journal of Communication* 4602, 4606.

²³ Ahmed Shaheed, ‘Countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief’ 2021, <https://www.ohchr.org/en/press-releases/2021/03/un-expert-says-anti-muslim-hatred-rises-epidemic-proportions-urges-states?LangID=E&NewsID=26841> accessed 4 September 2023.

²⁴ Diplomat SB for T, ‘Delhi: The Anatomy of a Riot’ (*The Diplomat*, 27 February 2020) <<https://thediplomat.com/2020/02/delhi-the-anatomy-of-a-riot/>> accessed 4 September 2023.

eyewitnesses, legal professionals, medical practitioners, human rights advocates, and retired law enforcement personnel, Amnesty International's investigation uncovered a troubling recurring trend of police engaging in human rights infringements throughout the riots. Law enforcement officers were documented resorting to physical violence against rioters, employing disproportionate force, subjecting detainees to torture while in custody, and passively observing as rioters unleashed chaos.²⁵ Amnesty India conducted field visits to areas where instances of police brutality captured on social media videos had occurred and engaged in interviews with eyewitnesses and survivors. In one of the multiple videos scrutinised by Amnesty's Citizen Evidence Lab, a team specialising in open-source digital investigations, there is footage of Delhi police officers kicking and striking a group of five injured men on 24 February.²⁶ They can also be observed prodding them with rifles and requesting that they sing the Indian National Anthem. Subsequently, these men were taken into custody by the police.²⁷

²⁵ Amnesty International UK, 'India: Delhi Police Committed Multiple Human Rights Abuses during February Riots - New Briefing' (*Amnesty International UK*, 20 August 2020) <<https://www.amnesty.org.uk/press-releases/india-delhi-police-committed-multiple-human-rights-abuses-during-february-riots-new>> accessed 4 September 2023.

²⁶ *Ibid.*

²⁷ *Ibid.*

Below is Map 1 showing the various districts of Delhi:

Map 1: Districts of Delhi



The Delhi Riots were a manifestation of the deep-seated divisions and religious animosities present in Indian society, magnified by the controversies surrounding the CAA. The riots served as a grim reminder of the importance of adhering to the principles of non-discrimination as outlined in both the Indian Constitution and international human rights law, to which India has committed. It highlights the imperative of ensuring strict compliance with these legal standards, emphasising the importance of preventing and addressing communal tensions and religious inclusivity challenges in a diverse and pluralistic nation like India.

1.4 Relevant laws and frameworks concerned with the events in New Delhi

Several international human rights principles, treaties, and legal frameworks are relevant to the protection of minority rights and the prevention of discrimination and violence.²⁸ These instruments aim to safeguard the rights of all individuals, regardless of their ethnic, religious, or social background. The Universal Declaration of Human Rights (UDHR)²⁹, adopted by the United Nations General Assembly on 10 December 1948 and ratified by India on the same date, serves as the foundation for international human rights law. It upholds the principles of equality (article 1) and non-discrimination (article 2), emphasising that all individuals are entitled to rights and freedoms without distinction of any kind, such as race, religion, or nationality. Whilst this instrument is monumental, it is not legally binding and beyond a discussion point, it cannot be used in a legal argument to enforce the human rights of those who have been punished at the hands of angry mobs and the police.

On 10 April 1979 India also ratified The International Covenant on Civil and Political Rights (ICCPR).³⁰ The ICCPR was adopted on 23 March 1966. It outlines civil and political rights, including the right to life, freedom of religion, freedom of expression, and the right to a fair trial. It also prohibits discrimination based on race, religion, or other protected characteristics.

Another significant treaty regime that is important to discuss is the International Covenant on Economic, Social and Cultural Rights (ICESCR).³¹ This treaty, also ratified by India on 10 April 1979 recognises economic, social, and cultural rights, such as the right to education, health, and adequate standards of living. It emphasises the need to protect these rights without discrimination of any kind. These international human rights principles, treaties, and legal frameworks play a crucial role in establishing a comprehensive and universal framework for protecting the rights of minority groups and preventing discrimination and violence. They provide a basis for governments and societies to uphold human rights standards and promote

²⁸ International Covenant on Civil and Political Rights (ICCPR): Article 27 of the ICCPR specifically recognises the rights of ethnic, religious, or linguistic minorities to enjoy their own culture, practice their religion, and use their own language.

²⁹ Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217A (III) (1948) UN Doc A/810, preamble.

³⁰ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.

³¹ International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3.

inclusivity, tolerance, and equality for all individuals, irrespective of their background or identity.

1.5 Conclusion

The Delhi riots are a stark reminder of India's complex history and the lingering challenges it faces. The events of 2020 underscore the urgency of addressing deep-rooted socio-political tensions and historical grievances. The tragedy serves as a call to action, urging policymakers, civil society, and citizens to unite in building a nation that upholds equality, embraces diversity, and prioritizes peace, and justice for all.

Chapter 2: Examination of human rights violations

2.0 Introduction

Having established the complexities which mould the modern India one can see today, it is crucial now to analyse the Delhi riots under a more focused lens, looking at the key human rights violations that have been observed. The detailed, evidence-based accounts from those who witnessed these riots firsthand are vital to explore, doing so will demonstrate that the Indian government, by virtue of the local authorities, oversaw and indeed orchestrated the violation of human rights on its very streets.

2.1 The fragility of human rights

The gathered information related to the Delhi riots indicate a worrying picture, it appears that members of the Muslim community have been suffering from religion-based hatred, discrimination and violations of their fundamental human rights peaking with the North-East Delhi attacks and their immediate consequences for the community living in the attacked areas. Not only does the Indian government fail to ensure the basic human rights of the members of the Muslim community, and thus fail to protect its population, but the multiplication of orchestrated communal riots as a technique for mass murdering over the past three decades and the current climate of anti-Muslim hatred in India both rise deep concerns about the eventuality of a genocidal soil in the “world’s largest democracy”.³²

³² As two former judges of the Indian Supreme Court (Justice V.R. Krishna Iyer and Justice H. Suresh), part of the Concerned Citizens Tribunal on Gujarat Riots, already dared to qualify such events as “nothing but a Genocide”: “The Gujarat carnage was especially coloured by state complicity in the violence, premeditation and planning behind the attacks on the lives, dignity, livelihoods, businesses and properties of a section of the population - Muslims - and a selective assault on their religious and cultural places of worship. Muslim women were targeted as objects of their community and similarly abused with an inhuman level of violence and sexual crimes. Economic and social boycott of the community was openly encouraged and continues in many parts of Gujarat, to date. Agricultural land holdings of Muslims, small and large have been taken over by dominant community and caste groups. Livelihood for Muslims has been snatched away and there is a clear-cut and ongoing design to economically cripple the community. The chief Minister of Gujarat, Shri Narendra Modi has been held by this Tribunal to be personally responsible, along with cabinet colleagues, and organisations that he leads and patronises - the BJP, RSS, VHP and BD. For all these reasons together, there is no way that the post-Godhra carnage in Gujarat can escape being called squarely what it was - Crimes against Humanity and Genocide.”, *Concerned Citizens Tribunal – Gujarat 2002*, 153.

Numerous human rights violations are at stake, such as: the right to equality and non-discrimination,³³ the right to life³⁴ and physical integrity,³⁵ the right to liberty and security,³⁶ the civil and political rights – mainly the right to be free from torture and other cruel, inhumane treatment³⁷ and the right to fair trial³⁸ –, the economic, social and cultural rights – mainly the right to an adequate standard of living,³⁹ the right to health⁴⁰ and the right to work⁴¹ – as well as the right to domestic judicial protection, reparation and effective remedies.⁴² Videos surfaced on social media and messaging platforms originating from the Khajuri Khas area in the northeastern part of Delhi, depicting instances where the police were observed in conjunction with a crowd, engaging in stone-throwing activities.⁴³ The BBC conducted an inquiry into these videos by collecting accounts from witnesses representing both communities. According to one shopkeeper, the police purportedly provided stones to him and fellow Hindus, encouraging them to target Muslims across the street. Similarly, Bhoora Khan, a Muslim whose residence and store on the opposite side were subjected to arson, also asserted that the police collaborated with Hindus in actions against Muslims.⁴⁴ In another incident investigated by Amnesty India, A 26-year-old man named Faizan was held in police custody for an approximate duration of 36 hours without being charged with any specific offense.⁴⁵ His health deteriorated significantly during this period, leading to his release to his mother. The police declined to provide any documentation to the family as evidence of his detention. Amnesty India said:

“The ruthless treatment of the heavily injured men by the Delhi police violates international human rights standards that allow for force to be used

³³ Article 26 International Covenant on Civil and Political Rights.

³⁴ Article 6 International Covenant on Civil and Political Rights.

³⁵ Articles 7 and 9 International Covenant on Civil and Political Rights; Article 12 International Covenant on Economic, Social and Cultural Rights.

³⁶ Article 9 International Covenant on Civil and Political Rights.

³⁷ Article 7 International Covenant on Civil and Political Rights.

³⁸ Articles 9 and 14 International Covenant on Civil and Political Rights.

³⁹ Article 11 International Covenant on Economic, Social and Cultural Rights.

⁴⁰ Article 12 International Covenant on Economic, Social and Cultural Rights.

⁴¹ Article 6 International Covenant on Economic, Social and Cultural Rights.

⁴² Article 2 International Covenant on Civil and Political Rights.

⁴³ Yogita Limaye, ‘Delhi 2020 Religious Riots: Amnesty International Accuses Police of Rights Abuses’ (*BBC News*, 27 August 2020) <<https://www.bbc.co.uk/news/world-asia-india-53891354>> accessed 4 September 2023.

⁴⁴ *Ibid.*

⁴⁵ Amnesty International UK, ‘India: Delhi Police Committed Multiple Human Rights Abuses during February Riots - New Briefing’ (www.amnesty.org.uk 20 August 2020) <<https://www.amnesty.org.uk/press-releases/india-delhi-police-committed-multiple-human-rights-abuses-during-february-riots-new>> accessed 4 September 2023.

2.2 The right to life

The Indian government and police have failed in carrying out exhaustive and impartial investigations into all allegations of violations of the right to life, therefore granting impunity to the authors of the attacks, according to Human Rights Watch.⁴⁷ HRW have criticised the bias nature of investigations and the sheer lack of impartiality:

“The authorities should immediately drop politically motivated charges and release the 18 activists and others detained. People responsible for abuses should be appropriately prosecuted, including supporters of the ruling BJP-led government who instigated the communal violence and police officers who did not impartially enforce the law.”⁴⁸

The assertion made by HRW underscores significant concerns regarding the Indian government and police's handling of investigations related to alleged violations of the right to life during communal violence. The accusation of failing to conduct exhaustive and impartial investigations raises questions about accountability and justice in such cases. It is crucial to highlight the significance of investigating allegations of human rights violations, particularly in the context of the ICCPR. Failing to conduct thorough and impartial investigations not only raises concerns about accountability and justice but could constitute a violation of the Covenant:

“A failure by a State Party to investigate allegations of violations could in and of itself give rise to a separate breach of the Covenant.”⁴⁹

It is deeply concerning that the intervention by the Delhi High Court was required on 26 February 2020 to address the situation at Al Hind hospital in Mustafabad. Justice S. Muralidhar, presiding over a petition related to religious riots, strongly criticised both the government and

⁴⁷ HRW, ‘India: Biased Investigations 2 Years after Delhi Riot’ (*Human Rights Watch* 21 February 2022) <<https://www.hrw.org/news/2022/02/21/india-biased-investigations-2-years-after-delhi-riot>> accessed 4 September 2023.

⁴⁸ *Ibid.*

⁴⁹ UN, ‘General Comment No. 31 [80] the Nature of the General Legal Obligation Imposed on States Parties to the Covenant’ (*Un.org*2023) <<https://daccess-ods.un.org/tmp/5961437.2253418.html>> accessed 4 September 2023.

the police,⁵⁰ he subsequently transferred out of the High Court however the government maintained this was not a decision made based on his assessment of police participation in the Delhi riots.⁵¹ The hospital had been sealed off by the police, and ambulances, patients, and medical supplies were prevented from reaching the facility for several hours, resulting in the loss of life.⁵² The hospital had been offering medical care to individuals injured in the violence over the past couple of days and was being accessed by people in need of urgent medical treatment. Ashfaq Hussain, Mehtab Munna Khan, Zakir, and another man (*unidentified*) were declared dead on arrival at GTB hospital.⁵³ On 25 February 2020, a mob gathered at a bridge called the Johripur-Bhagirathi Vihar pulyia located in an intersection for two drains, Bhagirathi Vihar and Johripur. The rioters started to attack people passing through the bridge, with two policemen standing beside the mob and just watching. First, they asked them their religion, asked to chant “*Jai Shri Ram*” (“Hail Lord Rama”). They killed several of them and threw them into the drains.⁵⁴ At least nine bodies were fished out from these two drains, all Muslims. Since the beginning of the investigation, the Police, as well as the government, have been blaming, arresting and prosecuting political opponents and victims of the attacks, mostly Muslims, thus revealing the investigations’ insufficiency and community bias. Reports show that police were seemingly uninterested in intervening when violence had broken out, indeed there had been one documented occasion in Chandbagh where the police had watched as vehicles and property were destroyed (Image 1).⁵⁵

⁵⁰ ‘Delhi Riots: Anger as Judge Critical of Violence Removed’ (*BBC News*, 27 February 2020) <<https://www.bbc.co.uk/news/world-asia-india-51644861>> accessed 4 September 2023.

⁵¹ *Ibid.*

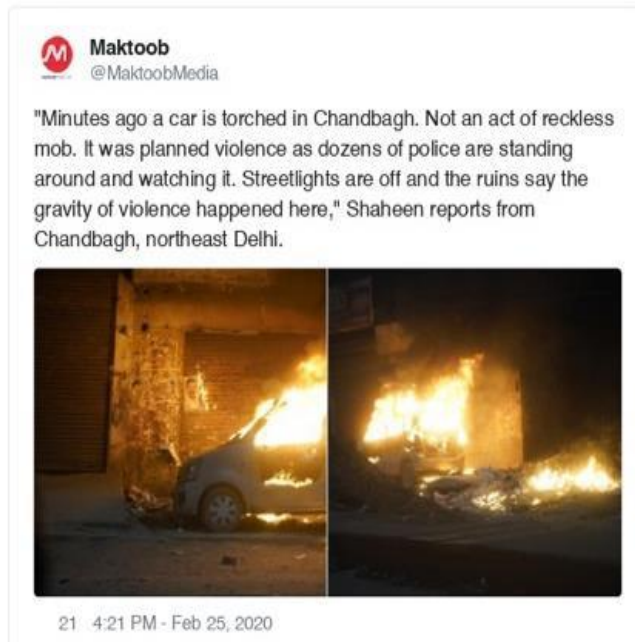
⁵² The Wire, ‘Delhi Riots: Healthcare NGOs Urge Authorities to Ensure Access to Care’ (*The Wire* 27 February 2020) <<https://thewire.in/health/delhi-riots-medical-care>> accessed 4 September 2023.

⁵³ Arunabh Saikia and Sruthisagar Yamunan, ‘Delhi Police Is Ignoring Complaints and Scuttling Investigation in Communal Violence Cases’ (*Scroll.in* 11 March 2020) <<https://scroll.in/article/955748/delhi-police-is-ignoring-complaints-and-scuttling-investigation-in-communal-violence-cases>> accessed 4 September 2023.

⁵⁴ Ayush Tiwari and Basant Kumar, ‘Delhi Carnage: The Story of One Mob, Two Drains, and Five Murders’ (*NewsLaundry* 21 March 2020) <<https://www.newsLaundry.com/2020/03/21/delhi-carnage-the-story-of-one-mob-two-drains-and-five-murders>> accessed 4 September 2023.

⁵⁵ Dhairya Maheshwari and India TV News, ‘Twitter Erupts in Disbelief as Delhi Police Blames Aishe Ghosh for JNU Violence’ (*indiatvnews* 10 January 2020) <<https://www.indiatvnews.com/news/india/delhi-police-blames-aishe-ghosh-left-jnu-violence-twitter-disbelief-578208>> accessed 4 September 2023.

Image 1: Tweet from @MaktoobMedia documenting Police inaction



This gathered information reveals that law enforcement officers were indirectly and/or directly involved in targeted religion-based violence and killings with or tolerated by the Indian government. The Delhi Police was not deployed until 26 February despite the seven hundred emergency calls made to the police control room on 23 February.⁵⁶ It should be noted that the Delhi Police answer ultimately before the Indian Minister of Home Affairs, who is in charge of law and order in the capital, and not before the government of Delhi, contrary to all other States in India. Therefore, it is the Indian central government which should be held responsible for the late police intervention and the resulting killings that could have been avoided between 23 and 26 February— approximately 30 deaths on a total of 53 to 62.⁵⁷ The police's inability to intervene have caused deaths during these riots.

2.3 Involvement of paramilitary groups

Governments must be held responsible for the actions of paramilitary groups it contributed to create or it failed to prohibit, prevent, or punish adequately, something that was confirmed in

⁵⁶ Utkarsh Roshan & Aman Hasan Kumar, 'Reward of Public Money If Delhi Police Registers Your Hate Speech Complaint' (www.thecitizen.in, 17 March 2020)

<<https://www.thecitizen.in/index.php/en/NewsDetail/index/9/18463/Reward-of-Public-Money-If-Delhi-Police-Registers-Your-Hate-Speech-Complaint-->> accessed 4 September 2023.

⁵⁷ *Ibid.*

the 19 Merchants v Columbia case.⁵⁸ On 6 March 1996, the Inter-American Commission on Human Rights (referred to as "the Commission") received a petition filed by the Colombian Commission of Jurists against the Republic of Colombia. The petition alleged the forced disappearance of a group of individuals during the period from 6 to 18 October 1987, in the municipality of Puerto Boyacá, department of Boyacá, located in the middle Magdalena region.⁵⁹ This incident was attributed to members of the National Army and civilians purportedly associated with a paramilitary group. It was affirmed that the state collusion with paramilitary groups is not permitted. Whilst this case concerns the Inter-American Commission on Human Rights the conclusions drawn are applicable to the RSS and its relationship with the BJP, offering a compelling argument that Indian government bears responsibility for the actions of paramilitary groups during the Delhi riots. Deliberate targeted killings were allegedly perpetrated by paramilitary groups and Hindu-nationalist mobs cooperating with or tolerated by the Indian government.⁶⁰ Indeed, members of RSS were recognised among those who participated in the violence through their songs and prayers, notably their slogan "Jai Shri Ram" ("Hail Lord Rama").⁶¹ RSS is a paramilitary volunteer organisation, known to be the historical and most powerful organisation that embodies the Hindutva. It counts 5 million active members in India, 7.6 million followers on Twitter and Facebook, numbers which are still rising thanks to the new online registration facility. RSS has historically justified the use of violence against the Muslims as "self-defence",⁶² but also against anyone (including the Indian government or Hindus) who would hinder the will of the Sangh (the building of a Hindu Rashtra).

Yet, RSS is regarded as paramilitary group: they operate outside public military and police forces, but at the government's demand or with its knowledge or acquiescence in situations of

⁵⁸ Corte Interamericana de Derechos Humanos, *Caso 19 Comerciantes Vs. Colombia* (Fondo, Reparaciones y Costas, 5 de julio de 2004, §124 <https://www.corteidh.or.cr/docs/casos/articulos/seriec_109_esp.pdf> accessed 4 September 2023.

⁵⁹ *Ibid.*

⁶⁰ Hannah Ellis-Petersen and Shaikh Azizur Rahman, 'Delhi's Muslims despair of justice after police implicated in riots' (*The Guardian*, March 16, 2020) https://www.corteidh.or.cr/docs/casos/articulos/seriec_109_esp.pdf accessed 4 September 2023.

⁶¹ Fatma Ben Hamad, 'Who are India's RSS, the Hindu nationalists accused of inciting violence towards Muslims?' (*France 24 The Observers*, 2020) <<https://www.theguardian.com/world/2020/mar/16/delhis-muslims-despair-justice-police-implicated-hindu-riots#:~:text=Most%20victims%20of%20the%20riots,violence%20being%20brought%20to%20account.>> accessed 4 September 2023.

⁶² BBC, 'Inside a Far-Right Hindu "Self Defence" Training Camp' (*BBC News*, 1 June 2016) <<https://www.bbc.co.uk/news/world-asia-india-36415080>> accessed 4 September 2023.

widespread killings or communal violence.⁶³ In this case, two main elements allow us to establish an objective link between RSS and the current Indian government: first, the BJP is closely linked to RSS as the two organisations are part and pillars of the *Sangh Parivar*; second, the Prime Minister of India and the Minister of Home Affairs are both former members of RSS.⁶⁴ Moreover, if RSS did not answer directly to the government demands while attacking anti-CAA protestors and Northeast Delhi Muslim inhabitants, it did answer to BJP leaders' public incitement to violence, in the knowing of the Indian government. Indeed, B.L. Santhosh BJP's general secretary – posted a message on twitter at around 9 p.m. on 25 February 2020: “Jaffrabad Metro protest area totally cleared. The game starts now. Rioters need to be taught a lesson or two of Indian laws. #PlannedDelhiRiots.”⁶⁵ As shown below in a screenshot of the tweet.⁶⁶

Image 2: Tweet from Santhosh (now deleted)



⁶³ Special Rapporteur on extrajudicial, summary or arbitrary executions, ‘Call for Submissions on Non-State actors and extra-judicial, summary or arbitrary killing: normative framework and specific case studies’ <<https://observers.france24.com/en/20200302-who-are-india-rss-hindu-nationalists-accused-violence-towards-muslims>> accessed 4 September 2023.

⁶⁴ Hannah Ellis-Petersen, ‘What Is Hindu Nationalism and How Does It Relate to Trouble in Leicester?’ (*The Guardian*, 20 September 2022) <<https://www.theguardian.com/world/2022/sep/20/what-is-hindu-nationalism-and-who-are-the-rss>> accessed 4 September 2023.

⁶⁵ The tweet has since been deleted from Santhosh’s account.

⁶⁶ Shivam Vij, ‘The Delhi Pogrom 2020 Is Amit Shah’s Answer to an Election Defeat’ (*ThePrint* 26 February 2020) <<https://theprint.in/opinion/delhi-pogrom-2020-is-amit-shah-answer-to-an-election-defeat/371558/>> accessed 4 September 2023.

Throughout its almost century-long existence, the RSS it has faced accusations of plotting assassinations, fueling riots against minority communities, and engaging in acts of terrorism. (Notably, Mahatma Gandhi was assassinated in 1948 by an individual associated with this organisation, although they claim he had already disassociated from their ranks by then.)⁶⁷ The organisation itself does not directly participate in electoral politics, but it has affiliations with the BJP, which governs India.⁶⁸ Under the leadership of Prime Minister Narendra Modi, the BJP has been actively reshaping India into what some perceive as an authoritarian, Hindu nationalist state.

Furthermore, during an investigation into the circumstances of the death of nine Muslim men recovered from the Bhagirathi Vihar drain on 25 and 26 February, the police discovered the existence of a WhatsApp group created on 25 February 2020, called “Kattar Hindut Ekta” (Hardcore Hindu Unity).⁶⁹ The Fact Sheet revealed that the group was created in order to mobilise and coordinate Hindu rioters, keep an eye on their respective neighbourhoods, kill “Mullahs” (“Muslims”) and share arms and ammunition. The Final Charge Sheet states that:

“During investigation, it has been established that all the arrested accused persons along with other identified and yet to be identified accused person were members of an unlawful armed mob, who all with a common object to take revenge of the death of Hindus during riots, to teach Muslims a lesson, had bludgeoned or stabbed many innocent persons [...] to death for no fault of theirs”.⁷⁰

⁶⁷ Samanth Subramanian, ‘How Hindu Supremacists Are Tearing India Apart’ (*The Guardian*, 20 February 2020) <<https://www.theguardian.com/world/2020/feb/20/hindu-supremacists-nationalism-tearing-india-apart-modi-bjp-rss-jnu-attacks>> accessed 4 September 2023.

⁶⁸ *Ibid.*

⁶⁹ The WhatsApp Group was first named ‘Kattar Hindut Ekta (a misspelling of ‘Kattar Hindu Ekta’). This was later changed to ‘Hindu Ekta Zindabad.’ The name was changed at least four times to such titles as ‘Hindu Unity’ and ‘Hindu Ekta Group.’

⁷⁰ Final Charge Sheet, page 65.

2.4 The right to be protected from discrimination

“(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”⁷¹

The Indian constitution affords any citizen protection from discrimination based on their religion. Despite this legal protection afforded to Muslims, they have been discriminated against, entirely due to their religion. The Muslim community in India represents less than a third of the total population (14.2%) and despite their status as a minority they have equal protection to any group under the India constitution. Yet, the human rights violations that have increased in number and intensity, peaking with the Northeast Delhi attacks, underline the general attitude of intolerance and discrimination of the Indian government towards the Muslim minority.⁷² The exclusion of Muslims from the CAA led to concerns about discrimination and marginalization, as it does not include anyone from a Muslim background. Many felt that the Act, in conjunction with other actions taken by the government, was part of a larger pattern of disenfranchisement and exclusion of Muslims in India. This perception of being left out and unfairly treated added to a sense of lack of representation among Muslims, preventing its members to participate effectively in decision-making that may affect them as well as increasing threats to its existence and survival and to its religious identity. The consequence of Muslims protesting the CAA and the subsequent violence which ensued led to the Indian Government being in violation with the following dispositions of international human rights law:

- Article 2 of the UDHR (*right not to be discriminated*)
- Article 2 (1) of the ICCPR (*right to non-discrimination*)
- Article 2§2 of the ICESR (*non-discrimination in the enjoyment of the rights*) especially on religious grounds
- Article 2 (2) of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (*right to participate in public life*)

⁷¹ Indian Constitution, art 15.

⁷² See: Rapporteur's Digest on Freedom of Religion or Belief, excerpts of the Reports from 1986 to 2011 by the Special Rapporteur on the freedom of religion or belief arranged by the topics of the framework for communications, pp.60-88.

<<https://www.ohchr.org/sites/default/files/Documents/Issues/Religion/RapporteursDigestFreedomReligionBelief.pdf>> accessed 4 September 2023. ; Article 4, UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, November 25, 1981, RES/A/36/55.

- Article 25 (c) of the ICCPR (*right to have access, on general terms of equality, to public service in his country*)
- Article 26 of the ICCPR (*the right to an equal protection by law*)
- Article 6 of the ICCPR and Article 3 of the UDHR (*right to life*)
- Article 12 of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental (*State duty to protect*) especially to protect minority's existence and Article 1 of the UNDRIP (*protection of existence and the national or ethnic, cultural, religious and linguistic identity of minorities*)
- the prohibition of inhuman or degrading treatment (article 7 of the ICCPR, article 5 of the UDHR)
- the right to dignity (article 9§1 of the ICCPR and article 1 of the UDHR, and Article 2 of the Code of Conduct for Law Enforcement Officials)
- the freedom to worship and to use religious objects and places (Article 6(a) and (c) of the 1981 Declaration of the United Nations General Assembly, Paragraph 4 of the United Nations Human Rights Committee General Comment No. 22)
- the right for a minority to enjoy religion freely without discrimination (Article 2(1) of the Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities), the right to enjoy religion without discrimination (Article 27 of the ICCPR, Article 5 of the ICERD)
- State duty to ensure the right to worship (paragraph 4(d) of the Commission on Human Rights resolution 2005/40 ; paragraph 9(g) of the Human Rights Council resolution 6/37 ; paragraph 12(g) of the General Assembly resolution 65/211)
- State duty to protect religious site (paragraph 9(e) of the Human Rights Council resolution 6/37). violated (*right to enjoy its religion*)
- State duty to protect and promote the identity of minorities and prevent the loss of cultures and religion (article 4(1) of the General Assembly Resolution 47/135, article 4(2) of the General Assembly Resolution 47/135)

On the issue of the minority rights of Muslims being violated, the Delhi Minorities Commission addressed the issue of selective arrests of Muslims,⁷³ considering that “[dozens of] young Muslim boys [were arrested] every single day”.⁷⁴ As a form of reprisal or intimidation, Zafarul Islam Khan, chairman of the Commission, has been arrested during the first Covid-19 lockdown before being granted bail. He has been harassed by the police ever since, because of a post on social media related to these selective arrests.⁷⁵ Finally, it has been alleged that arrested Muslims were denied their right to “be informed at the time of [their] arrest of the reason for his arrest and (...) of any charges against [them]”⁷⁶ and that suspects’ procedural rights were violated several times in detention: some have been denied access to legal counsel, as lawyers were threatened and beaten up by the police⁷⁷ although the Human Rights Committee considers that restricting or denying right to communicate with one’s lawyer and threatening lawyers are violations of Article 14 of the ICCPR.⁷⁸

2.5 Timeline of events following the riots

After a thorough examination of the events that transpired during the 2020 Delhi riots, it is equally crucial to delve into the timeline of events that unfolded in the aftermath. This phase is instrumental in understanding the responses, actions, and developments that occurred as a consequence of the riots. Examining this timeline provides valuable insights into how government authorities reacted in the aftermath of the riots and worked towards recovery, accountability, and reconciliation.

⁷³ Sikh Siyasat Bureau, ‘Delhi Violence: Human Rights Group Seeks Transparency, Demands Making FIRs Publicly Available’ (*Sikh Siyasat News*, 15 May 2020) <<https://sikhsiyasat.net/delhi-violence-human-rights-group-seeks-transparency-demands-making-firs-publicly-available/>> accessed 4 September 2023.

⁷⁴ Harsh Mander and Amitanshu Verma, ‘Following Authoritarian Regimes around the World, India Is Using Covid-19 Pandemic to Crush Dissent’ (*Scroll.in*, 15 May 2020) <<https://scroll.in/article/961431/delhi-police-is-making-arbitrary-arrests-and-crushing-dissent-under-the>> accessed 4 September 2023.

⁷⁵ Front Line Defenders, ‘Raids and Police Harassment of Dr. Zafarul Islam Khan’ (*Front Line Defenders*, 5 November 2020) <<https://www.frontlinedefenders.org/en/case/raids-and-police-harassment-dr-zafarul-islam-khan>> accessed 4 September 2023.

⁷⁶ Principle 10 of Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, General Assembly resolution 43/173 of 9 December 1988

⁷⁷ Indians for Amnesty International Trust, ‘New Delhi/Bengaluru Investigative Briefing’, *Amnesty International India*, 28 August 2020, p.16.

⁷⁸ ‘General comment no. 32, Article 14, Right to equality before courts and tribunals and to fair trial’, CCPR/C/GC/32, UN Human Rights Committee (HRC), 23 August 2007, § 23 <<https://www.refworld.org/docid/478b2b2f2.html>> accessed 4 September 2023.

March 2020:

- On 1 March: Delhi police stated that the situation in Delhi was peaceful. By Monday 2, 2020, they had arrested more than 40 people for spreading rumours about fresh violence.⁷⁹ The position held by Delhi police appears at odds with reality on the ground.
- On 2 March: Supreme Court agreed to hear plea filed by riot victims against politicians and other for their hate speeches that led Delhi into the violence.⁸⁰
- On 6 March: FIR 59/2020 was registered by the Crime Branch, naming JNU student Umar Khalid. It investigated on an alleged conspiracy made by anti-CAA in order to provoke the Delhi riots.⁸¹
- By 7 March: The Delhi Police arrested 2,193 individuals and registered 693 cases related to riots in Delhi.⁸²
- On 11 March: Home Minister Amit Shah stated that “over 700 FIRs” had been filed.⁸³ However, it soon appeared that victims who went to complain about their situation often had difficulties to open a FIR, and Delhi police sometimes asked them to modify their complaint, for instance by not naming the attackers. Moreover, still no complaint had been filled against Kapil Mishra and other BJP leaders for their speeches before the riots.⁸⁴
- On 21 March: Delhi Minorities commission wrote to Deputy Commission of Police northeast Delhi about allegedly arbitrary arrests of youth aged from 20 to 30 from the Muslim community, in connection with the riots.⁸⁵

⁷⁹ Chirac Gothi, ‘Delhi violence rumours: West, South East Delhi made most calls; riot-hit North East Delhi just 2’ (*India Today*, 2 March 2020) <<https://www.indiatoday.in/india/story/delhi-violence-rumours-police-distress-calls-west-south-east-north-east-delhi-1651645-2020-03-02>> accessed 4 September 2023.

⁸⁰ ‘Delhi riots of February 2020 causes, fallout and aftermath’, *A report by citizens and lawyers initiative*, September 2020, p.119.

⁸¹ Seemi Pasha, ‘The Delhi Violence FIRs Are like Blank Cheques, to Be Encashed by the Police Any Time’ (*The Wire*, 30 April 2020) <<https://thewire.in/communalism/the-delhi-violence-firs-are-like-blank-cheques-to-be-encashed-by-the-police-any-time>> accessed 4 September 2023.

⁸² [n] 80, p.158.

⁸³ ‘Rescripting north-east Delhi riots – and the question of justice’, (*The Hindu*, 16 May 2020) <<https://www.thehindu.com/news/cities/Delhi/rescripting-north-east-delhi-riots-and-the-question-of-justice/article31597139.ece>> accessed 4 September 2023.

⁸⁴ *Ibid.*

⁸⁵ ‘Delhi Minorities Commission asks police to furnish report on arbitrary arrests of youths from minority community’, (*Indian Legal*, 21 March 2020) <<https://www.indialegallive.com/top-news-of-the-day/news/delhi-minorities-commission-asks-police-furnish-report-arbitrary-arrests-youths-minority-community/>> accessed 4 September 2023.

- On 24 March: As a significant proportion of the victims of the riots lost their homes, or were forced to flee, worried to stay at home and had been eventually able to find refuge in government-established camps for Muslim displaced people out the outskirts of Delhi, like the Eidgah relief camp in Mustafabad.⁸⁶ Following the government's decision to order the lockdown to the Indian population, the Eidgah relief camp closed. Even though the government had assured to provide them compensation for housing, it was far from sufficient.⁸⁷
- Mohammad Idrish, whose house on Shiv Vihar was ruined, ran into Eidgah relief camp with his family. When he was forced to leave the camp, he didn't know what to do, as no money had been given by the government.
- Mohammad Nazir, who had lost his house and job during the riots, lost \$2,365 during the riots, and government payed him \$123 as compensation. He and his daughter Mahira had to leave the camp.⁸⁸
- Mumtaz Begum, her husband Mohammad Waqil and their children had their house burnt, their belongings stolen and shop looted, after what they went in Eidgah camp for a while.⁸⁹

On that same day, the national lockdown due to the Covid-19 situation was announced. In Shaheen Bagh area, nine women were arrested while they were peacefully protesting and carefully maintaining social distance. The reasons of the arrest were “disobeying an order by the public servant; obstructing a public servant in discharge of his/ her functions and assaulting and using criminal force to deter a public servant”.⁹⁰ Despite the fact that a case pending before

⁸⁶ Fahad Shah, ‘These Muslims Survived Mob Attacks by Indian Nationalists. Then Coronavirus Hit.’ (*Vice*, 7 April 2020) <<https://www.vice.com/en/article/v74k88/these-muslims-survived-mob-attacks-by-indian-nationalists-then-coronavirus-hit>> accessed 4 September 2023.

⁸⁷ Amrit Dhillon, ‘Divided Delhi under lockdown: “If coronavirus doesn't kill me, hunger will”’, (*The Guardian*, 30 March 2020) <<https://www.theguardian.com/global-development/2020/mar/30/divided-delhi-under-lockdown-if-coronavirus-doesnt-kill-me-hunger-will>> accessed 4 September 2023.

⁸⁸ [n] 87.

⁸⁹ Vijayta Lalwani, ‘When acid became a weapon: One month after Delhi violence, revisiting three horror stories’, (*Scroll.in*, 23 March 2020) <<https://scroll.in/article/956149/when-acid-became-a-weapon-one-month-after-delhi-violence-revisiting-three-horror-stories>> accessed 4 September 2023.

⁹⁰ ‘AMNESTY INTERNATIONAL INDIA NEW DELHI/BENGALURU 28 AUGUST 2020 INVESTIGATIVE BRIEFING’ (2020) <<https://www.amnestyusa.org/wp-content/uploads/2020/08/Investigative-Briefing.pdf>> accessed 4 September 2023.

the Supreme Court of India for “removal of mass gathering from Shaheen Bagh”, the Delhi Police dislocated the protest sites in the whole city.⁹¹

April 2020:

- On 2 April: During lockdown, Meeran Haider was arrested for his alleged participation in FIR 59/200 conspiracy. So too was Saroofa Zargar on 10 April (she got bail on 23 June), and Shifa-Ur-Rehman on 26 April. All of them are students from Jamia Millia Islamia University. They were booked under the Unlawful Activities Prevention Act (UAPA). Image 2 below shows one student who had lost their eye following a police assault.⁹²

Image 2: Student injured at the hands of Delhi police



⁹¹ *Ibid.*

⁹² India Today, ‘Delhi Violence Rumours: West, South East Delhi Made Most Calls; Riot-Hit North East Delhi Just 2’ (*India Today*, 2 March 2020) <<https://www.indiatoday.in/india/story/delhi-violence-rumours-police-distress-calls-west-south-east-north-east-delhi-1651645-2020-03-02>> accessed 4 September 2023.

Since then, several other students have been arrested, as Sabu Ansari and Ishrat Jehan, and many received notices from Special Cell, asking to join the probe in connection with the riot's conspiracy case.⁹³ Most of them seem too scared to speak to medias, but a few of them accepted to testify anonymously. They explained that police interrogated them about Jamia Coordination Committee, a WhatsApp group created to help organization of anti-CAA protests. Police managed to get the names of students from the group and thus were trying to link this group with the riots.⁹⁴ According to Meenakshi Ganguly, South Asia director at Human Rights Watch, "The Indian authorities have used the nationwide Covid-19 lockdown to arrest activists, silence dissent, and deter future protests against discriminatory policies".⁹⁵

- On 19 April: Javed (Muslim) was arrested. He had been to a police office for a complaint, after having been severely beaten with sticks in Farooqia Masjid on 25 February.⁹⁶

May 2020:

- On 23 May: Pinjra Tod activist Natasha Narwal was arrested⁹⁷ as she was part of a WhatsApp group called Delhi Protests Support Group, allegedly advocating the use of violence as a protest strategy. This group was created on 28 December 2019, by cultural and political activists publicly opposed to CAA, and has more than 100 members. United against Hate activist Khalid Saifi was also arrested. Umar Khalid is also

⁹³ Seemi Pasha, 'The Delhi Violence FIRs Are Like Blank Cheques, to be Encashed By the Police Any Time' (*The Wire*, 30 April 2020) <<https://thewire.in/communalism/the-delhi-violence-firs-are-like-blank-cheques-to-be-encashed-by-the-police-any-time>> accessed 4 September 2023.

⁹⁴ Seemi Pasha, 'Jamia: For Delhi Police, India's Top Central Varsity is a Free Hunting Ground for FIR 59/20', (*The Wire*, 15 August 2020, <https://thewire.in/communalism/jamia-millia-islamia-university-delhi-police-riots> accessed 4 September 2023.

⁹⁵ 'India: End Bias in Prosecuting Delhi Violence', Human Rights Watch, 2020, <<https://www.hrw.org/news/2020/06/15/india-end-bias-prosecuting-delhi-violence>> accessed 4 September 2023.

⁹⁶ Hemani Bhandari, "Man injured in Farooqia Masjid attack held for 'rioting'" (*The Hindu*, 23 April 2020) <<https://www.thehindu.com/news/cities/Delhi/man-injured-in-farooqia-masjid-attack-held-for-rioting/article31419125.ece>> accessed 4 September 2023.

⁹⁷ 'Delhi riots: HC issues notice to police on bail plea by Pinjra Tod activist Natasha Narwal' (*The Hindu*, 12 August 2020) <<https://www.thehindu.com/news/cities/Delhi/delhi-riots-hc-issues-notice-to-police-on-bail-plea-by-pinjra-tod-activist-natasha-narwal/article32333587.ece>> accessed 4 September 2023.

member. However, it seems that there is nothing in the chat supporting the police theory that DPSG “created conditions for violence during the anti-CAA riots”.⁹⁸

June 2020:

- A charge sheet filed on FIR 102/20 revealed the involvement of a WhatsApp group of Hindutva extremists in mobilizing crowds and organizing acts of violence during the nights of 25 and 26 February, with 125 members. Members of this group, called “Kattar Hindut Unity”, posted many messages of violence and murder, informing about the movements of Muslims or advising on how to recognize them. The speech of Kapil Mishra was mentioned many times.⁹⁹ According to a Delhi Court, 11 accused from this Whatsapp group were instrumental in the gathering at Johripur-Bhagirathi Vihar pulyia, in Bhagirathi Vihar, on 25 and 26 February.¹⁰⁰ They are currently charged for deaths of Aas Mohammad, Bhure Ali, Mohammad Hamza, Amir and Hasim Khan, but also Mursalen, Musaraf, Akil Ahmed and Amin, who were asked their religion, forced to sing “*Jai Shri Ram*” (“Hail Lord Rama”), and as they couldn’t, they got attacked, killed and thrown in drains.¹⁰¹
- On 3 June: Tahir Hussain, a former AAP municipal councilor, who was arrested some days after the riots, was charged with murder of Intelligence Bureau Official Ankit Sharma, on 25 February 2020 in Gokulpuri. He was also accused of being part of a conspiracy organising the Delhi riots after having met Umar Khalid on 10 January. According to the police, he was using his house in Chand Bagh to contain things like petrol, acid, stones and glass bottles. They stated Hussain confessed his crimes. However, his lawyer claimed that he had not done so and was forced to sign a pre-written confession. Hussain explained that he and his family had left the area, after a

⁹⁸ ‘How Delhi Police Turned Anti-CAA WhatsApp Group Chats Into Riots “Conspiracy”’ (*The Wire*, 3 August 2020) <<https://thewire.in/communalism/delhi-riots-police-activists-whatsapp-group>> accessed 4 September 2023.

⁹⁹ Ismat Ara, “‘Tear Them Apart’: How Hindutva WhatsApp Group Demanded Murder, Rape of Muslims in Delhi Riots”, (*The Wire*, 6 July 2020) <<https://thewire.in/communalism/delhi-riots-hindutva-whatsapp-muslims-murder-rape>> accessed 4 September 2023.

¹⁰⁰ ‘Delhi riots: 11 murder accused lost individuality, worked with mob mind, says court’ (*The Indian Express*, 22 July 2020) <<https://indianexpress.com/article/cities/delhi/delhi-riots-11-murder-accused-lost-individuality-worked-with-mob-mind-says-court-6517249/>> accessed 4 September 2023.

¹⁰¹ ‘Nine of those killed in northeast Delhi riots were forced to shout “Jai Shri Ram”’ (*The Hindu*, 2 July 2020) <<https://www.thehindu.com/news/cities/Delhi/nine-of-those-killed-in-northeast-delhi-riots-were-forced-to-shout-jai-shri-ram/article31973715.ece>> accessed 4 September 2023.

mob had taken control over his house, using it to launch attacks. He also denied any role in the killing of Ankit Sharma. He has still not been judged and is still in jail. Police speaks of a plan created on 8 January to use Trump, as Trump visit was announced days later, on 13 January 2020.¹⁰²

- On 20 June: Faisal Farooq, owner of Rajdhani Public School arrested for allegedly organizing a riot with stones and gas sent from the school yard, was granted bail. Indeed, the court stated there was *prima facie* no proof against him, despite what the police said.¹⁰³ The police set a separate petition seeking annulment of the bail. In response, on 23 February 2020 Justice Suresh Kumar Kait from Delhi High Court blamed Delhi police for “misusing the judicial system” and taking the “system for ride”. Bail was confirmed.¹⁰⁴

July 2020:

- On 3 July: The online portal to allow the riots victims to fill up relief applications started working again after it was stopped because of the Covid-19 situation. The Delhi High Court intervened to make it work again.¹⁰⁵ Up to now, most of the compensation announced by the government were not received yet.¹⁰⁶
- On 8 July: Special Commissioner of Delhi Police Praveer Ranjan issues an order to Delhi police to take “due care and precaution while making arrests of ‘some Hindu youth’ from hit areas in Northeast Delhi”.¹⁰⁷ On 9 August, the Delhi High Court said that this order didn’t cause prejudice to any community.¹⁰⁸

¹⁰² “‘No Evidence’ to Link Former Councillor Tahir Hussain to Delhi Riots, Says Counsel’ (*The Wire*, 4 August 2020) <<https://thewire.in/government/tahir-hussain-confession-delhi-riots-police-javed-ali>> accessed 4 September 2023.

¹⁰³ “‘Misuse of Judicial System’”: HC Slams Delhi Police for Filing Twin Petitions in Riots Case’ (*The Wire*, 23 July 2020) <<https://thewire.in/law/delhi-high-court-delhi-riots-police-school-owner-faisal-farooq>> accessed 4 September 2023.

¹⁰⁴ ‘In riot case, Delhi HC says police taking system for a ride’ (*The Indian Express*, 23 July 2020) <https://indianexpress.com/article/cities/delhi/delhi-high-court-riots-police-6519060/> accessed 4 September 2023.

¹⁰⁵ ‘Delhi riots of February 2020 causes, fallout and aftermath’, *A report by citizens and lawyers initiative*, September 2020, p.183.

¹⁰⁶ Delhi decoded: the aftermath of the riot, *Mint*, 2020 <<https://www.livemint.com/news/india/delhi-decoded-the-aftermath-of-the-riot-11594881153476.html>> accessed 4 September 2023.

¹⁰⁷ Mahender Singh Manral, ‘Resentment in Hindus on arrests, take care: Special CP to probe teams’ (*The Indian Express*, 16 July 2020) <<https://indianexpress.com/article/cities/delhi/hindu-resentment-north-east-delhi-riots-special-cp-6506063/>> accessed 4 September 2023.

¹⁰⁸ Richa Banka, ‘Delhi riots: Police circular does not cause prejudice, says Delhi high court’ (*Hindustan Times*, 8 August 2020) <<https://www.hindustantimes.com/delhi-news/delhi-riots-police-circular-does-not-cause-prejudice-says-high-court/story-gk4RwacLSptyv6j1Qff8PJ.html>> accessed 4 September 2023.

- On 13 July: An affidavit was submitted to the Delhi High Court by Delhi Police. This is supposed to prove that the riots were a conspiracy by the anti-CAA protesters to “execute a secessionist movement in the country by propagating an armed rebellion” in which “the anti-government feeling of Muslims, will be used at an appropriate time to destabilize the government.” It was made in order to respond to many petitions against asking for the opening of a FIR against BJP politicians who made inflammatory speeches in February. However, this affidavit includes several annexures. One is a list of dead victims, according to which 40 of the 53 established victims are Muslims. Another is a Muslim-Hindu break-up of houses and shops destroyed. Even though the data seems incomplete, it appears that Muslims suffered greater losses. In the affidavit, Delhi police makes no comments on this data.¹⁰⁹
- On 25 July: Regarding the compensation promised by the government, only one or two traders in the market got it despite 119 requests, revealed Haji Ramzuddin, the general secretary of the market association.¹¹⁰

August 2020:

- On 5 August: The Delhi High Court asked a magisterial court to take a decision on CPI leader Brinda Karat’s petition seeking registration of FIRs against Kapil Mishra, Anurag Thakur and Parvesh Verma for their hate speeches.¹¹¹
- Evening: As the “bhoomi puja” for the Ayodhya temple was organised, a group of Hindus decided to celebrate it at Ghonda, Northeast Delhi. However, during the night, some of them went near a lane with a mosque closed with iron gates for security. They started shouting “Jai Shri Ram” (“*Hail Lord Rama*”) and “Desh Ke gaddaron” (“*Traitors of the nation*”) and put up saffron flags. Seven women from the lane went at Bhajanpura police station to file an FIR. But policemen started to beat them. One of the victims, Shanno, was then granted security from the Delhi High Court. She and her

¹⁰⁹ Siddharth Varadarajan, ‘Delhi Police Affidavit Shows Muslims Bore Brunt of Riots, Silent on Who Targeted Them and Why’ (*The Wire*, 16 July 2020) <<https://thewire.in/communalism/delhi-police-affidavit-shows-muslims-bore-brunt-of-riots-silent-on-who-targeted-them-and-why>> accessed 4 September 2023.

¹¹⁰ Dhairya Mahshwari, ‘Delhi riots: AAP govt missing in action as Gokulpuri Tyre Market, mosque spring back to life’ (*The National Herald*, 25 July 2020) <<https://www.nationalheraldindia.com/india/delhi-riots-aap-govt-missing-in-action-as-gokulpuri-tyre-market-mosque-spring-back-to-life>> accessed 4 September 2023.

¹¹¹ ‘Consider Plea on Filing FIR Against BJP Leaders for “Hate Speeches”: Delhi HC to Lower Court’ (*The Wire*, 6 August 2020) <<https://thewire.in/law/consider-plea-on-filing-fir-against-bjp-leaders-for-hate-speeches-delhi-hc-to-lower-court>> accessed 4 September 2023.

husband had already complained in February about the riots but were constantly threatened to withdraw it.¹¹²

- On 9 August: According to Delhi police, 535 Hindu and 513 Muslims had been arrested.¹¹³

September 2020:

- On 16 September: The Delhi Police, in a special court, filed a charge sheet of 17,500 pages¹¹⁴ against fifteen anti-CAA protesters claiming that the main aims of the protests were to “engineer the riot” and “ensure communal skirmish” but not to block the road. Delhi Police ensured that they wanted to bring a “bad name to the government”. A source said Police officers and non-Muslim people would have been the target as well as government and public properties.¹¹⁵ The plan would have been to damage it through “arson, vandalism and other means”.¹¹⁶ It happened while those who have been inciting violence by their speeches, as BJP leaders have been spared by the police.

2.6 Conclusion

A focused analysis of the Delhi riots against the backdrop of India's intricate landscape reveals unsettling realities. The Indian government, through local authorities, not only failed to safeguard basic human rights but also appeared complicit in orchestrating violations during the North-East Delhi attacks. This highlights the vulnerability of human rights, with the Muslim community suffering religion-based hatred, discrimination, and severe violations of fundamental rights. These actions align with an alarming history of communal violence and the current climate of anti-Muslim sentiment, raising concerns of even graver violations. The

¹¹² Ismat Ara, ‘For Delhi’s Riot Victims, Ayodhya Event Saw Saffron Flags, Crackers – and Threats’ (*The Wire*, 10 August 2020) <<https://thewire.in/communalism/north-east-delhi-saffron-flags-bhoomi-pujan>> accessed 4 September.

¹¹³ ‘Delhi Riots: Delhi HC Says “Hindu Resentment” Order Of Delhi Police Caused No Prejudice; Asks Media To Verify Facts’ (*Livelaw.in*, 8 August 2020) <<https://www.livelaw.in/news-updates/delhi-riots-delhi-hc-says-hindu-resentment-order-of-delhi-police-caused-no-prejudice-161172>> accessed 4 September 2023.

¹¹⁴ ‘Delhi riots case: a farcical, political charge sheet’ (*Deccan Herald*, 18 September 2020) <<https://www.deccanherald.com/opinion/editorial/delhi-riots-case-a-farcical-political-charge-sheet-889129.html>> accessed 4 September 2023.

¹¹⁵ ‘Anti-CAA protesters wanted to engineer Delhi riots, not just block roads, says charge sheet’ (*The Print*, 16 September 2020) <<https://theprint.in/india/anti-cao-protesters-wanted-to-engineer-delhi-riots-not-just-block-roads-says-charge-sheet/504390/>> accessed 4 September 2023.

¹¹⁶ *Ibid.*

wide-ranging human rights breaches encompass equality, non-discrimination, the right to life, liberty, security, and economic well-being. The government's failure to ensure impartial investigations into right-to-life violations, coupled with allegations of law enforcement involvement in targeted violence, deepens the crisis. The Muslim minority's plight showcases broader patterns of intolerance and discrimination, disregarding international human rights obligations. The selective arrests of Muslims and reprisals against advocates for minority rights further underline systemic issues. This situation calls for swift international attention and action to prevent further erosion of human rights and communal harmony in India.

Chapter 3: Legal implications domestically for India

3.0 Introduction

The human rights violations committed against the Muslim community during the "Delhi Riots" have legal implications that involve India's national frameworks. These implications underscore the responsibilities of both the Indian government and the international community to ensure justice, accountability, and protection of fundamental rights. In the wake of the riots, many fact-finding reports were conducted to ensure that the events were rightfully scrutinised.

3.1 National Legal Implications

The Indian Constitution guarantees fundamental right to all citizens, including the right to life, equality before the law, and protection against discrimination based on religion. The violations of these rights during the Delhi Riots raise concerns about the government's duty to safeguard these constitutional protections. While the Indian Constitution does not explicitly mention protection against discrimination based on religion in a single article, various provisions contribute to this principle.¹¹⁷

Indeed, there is criminal liability to consider for those responsible for perpetrating violence and human rights abuses must be held accountable under Indian law. This includes investigating and prosecuting individuals involved in acts of violence, hate speech, and incitement that contributed to the riots. Allegations of inadequate police response or even complicity in the violence highlight the need for investigations into the role of law enforcement agencies during the riots. State institutions' duty to protect citizens and prevent violence becomes a focal point for legal analysis.

3.2 Reparation and Justice

Survivors of the violence have the right to reparations, including compensation for physical and psychological harm, as well as property damage. The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) applies to

¹¹⁷ Constitution of India, Article 15 states 'The State shall not discriminate against any citizen on grounds only'.

India as it is a signatory to the convention. India ratified the Convention against Torture on 14 October 1997, which means that it is legally bound by the provisions of the convention:

“Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation.”¹¹⁸

Article 14 of the Convention against Torture emphasises the right of victims of torture to obtain redress and to receive fair and adequate compensation, including rehabilitation. This article underscores the obligation of state parties to provide remedies to victims of torture and to ensure that they have access to justice and reparation. In the context of India, as a state party to the convention, the government is expected to take measures to implement the provisions of the convention, including Article 14. This involves establishing mechanisms for victims of torture to seek redress, compensation, and rehabilitation. It's important to note that while the convention establishes these principles, the specific implementation mechanisms and procedures are typically developed at the national level, which may involve enacting domestic laws and regulations to fulfil the obligations set out in the convention.

3.3 The aftermath of the 2020 Delhi riots

The aftermath of the Delhi riots culminated in the making of many fact-finding reports, seeking to analyse the extent of the events and identify where culpability lay, often concluding that the Indian government lacked innocence. Some of those key reports include but are not limited to:

- Delhi Minority Commission's "Report of the DMC Fact-Finding Committee on North-East Delhi Riots of February 2020" (20 June 2020)¹¹⁹: This report delves into the North-East Delhi riots of February 2020, providing factual findings from the committee's investigation. It sheds light on the events, their causes, and impacts, with a focus on

¹¹⁸ United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984, art 14.

¹¹⁹ Delhi Minority Commission, 'Report of the DMC Fact-Finding Committee on North-East Delhi Riots of February 2020' (27 June 2020, New Delhi).

minority communities. The report aims to uncover the truth behind the riots and present a comprehensive account of the situation.

- "Delhi Riots 2020: Report from Ground Zero – The Shaheen Bagh Model in North-East Delhi: From Dharna to Danga" by the Group of Intellectuals and Academicians (GIA) (Submitted on 11 March 2020)¹²⁰: This report, led by Supreme Court advocate Monika Arora, proposes that an "Urban-Naxal-Jihadi network" orchestrated the North-East Delhi riots. It suggests that the violence was a premeditated result of radicalized elements within the minority community. The report frames the events through a lens of a conspiracy involving various groups.
- Human Rights Watch's "Shoot the Traitors': Discrimination Against Muslims under India's New Citizenship Policy" (United States of America)¹²¹: Published by Human Rights Watch, this report sheds light on discrimination against Muslims in India within the context of the new citizenship policy. The report discusses how this policy has disproportionately affected Muslims and led to concerns about their rights and safety.
- Amnesty International India's "India: Six Months Since Delhi Riots, Delhi Police Continue To Enjoy Impunity Despite Evidence Of Human Rights Violations"¹²²: Amnesty International India's report highlights the situation six months after the Delhi riots. It examines the conduct of Delhi Police and addresses the issue of impunity despite evidence of human rights violations. The report underlines the importance of accountability and justice in the aftermath of the riots.

The existence of numerous fact-finding reports regarding the Delhi Riots underlines the intricate nature of the events and the diverse interpretations surrounding them. These reports indicate the complexity of the situation, the controversy and disputes it has generated, and the efforts to uncover the truth and establish accountability. They also reflect the various perspectives and viewpoints of different organisations and individuals, highlighting the challenges of determining an objective truth. Overall, the presence of these reports underscores the search for justice, transparency, and a comprehensive understanding of the events while

¹²⁰ Group of Intellectuals and Academicians (GIA), 'Delhi Riots 2020: Report from Ground Zero – The Shaheen Bagh Model in North-East Delhi: From Dharna to Danga', submitted on 11 March 2020.

¹²¹ Human Rights Watch, 'Shoot the Traitors': Discrimination Against Muslims under India's New Citizenship Policy' (9 April 2020, United States of America).

¹²² Amnesty International India, 'India: Six Months Since Delhi Riots, Delhi Police Continue To Enjoy Impunity Despite Evidence Of Human Rights Violations' (28 August 2020, New Delhi).

contributing to public awareness, documentation, and the call for accountability. The Delhi Minority Commission report¹²³ found evidence of targeted violence towards mosques (Image 3).¹²⁴

Image 3: Evidence from the Delhi Minority Commission Report

The damages sustained were so extensive that even the walls and pillars of the structure of the mosque have crumbled. The losses could be around Rs. 50 lakh.

Apart from the masjid, seven out of the nine adjacent shops were also looted and then set on fire. The perpetrators looted everything: coolers, inverters, electrical appliances, carpets, fans, iron-gates, furniture, kitchen tools, and washing machines. The victims told the fact-finding committee members that they had to abandon everything and run barefoot. When they returned days later they found everything had been turned into ashes. No compensation has been granted by the government yet to the house-owners.



Copies of the Quran burnt inside the mosque (Photo taken by a fact-finding committee member)

3.4 Conclusion

The examination of the human rights violations perpetrated against the Muslim community during the "Delhi Riots" has revealed profound legal implications that intersect with India's national legal frameworks. These implications serve as a reminder of the crucial responsibilities

¹²³ [n] 64.

¹²⁴ *Ibid*, pg 50-55.

resting upon both the Indian government and the international community. The pursuit of justice, accountability, and the safeguarding of fundamental rights stand at the forefront of these obligations. As the aftermath of the riots unfolded, a pivotal step was the initiation of fact-finding reports aimed at subjecting the events to rigorous scrutiny. These reports played a vital role in shedding light on the circumstances and dynamics surrounding the riots. By meticulously analysing the available evidence and providing comprehensive accounts of the incidents, these reports contributed to a more comprehensive understanding of the violations and their impact on affected communities.

In this context, the combined efforts of national and international actors to ensure that the events were impartially examined reflect the commitment to upholding the rule of law and human rights principles. Such inquiries, coupled with legal frameworks and international obligations, create a foundation upon which justice, accountability, and redress can be built. The lessons drawn from the Delhi Riots underscore the significance of robust legal mechanisms, transparent investigations, and the continuous engagement of the international community to prevent further violations and promote a just and inclusive society.

Chapter 4: Conclusion

The 2020 Delhi riots stand as a stark reminder of the complex tapestry that defines India's social fabric, exposing the vulnerability of human rights amidst communal tensions. This research report has meticulously untangled the intricate threads surrounding the riots, with a specific focus on the egregious human rights violations that unfolded during this tumultuous period in India's recent history. Against the backdrop of intricate socio-political dynamics and historical communal divisions unique to the nation, the riots erupted, leaving in their wake destruction, despair, and a fractured sense of trust within local communities. Unfolding over the course of several days, these riots starkly revealed the fragility of peaceful coexistence and the alarming potential for the escalation of conflicts within India's context. Within this turmoil, a wide spectrum of human rights violations came to the fore, casting their shadow on individuals, families, and entire communities. The impetus for delving into this subject arises from the pressing need to thoroughly grasp the scale and seriousness of the violations that transpired. Beyond a mere cataloguing of events, this report has endeavoured to rigorously analyse the nature of these violations, spanning from encroachments on the right to life and personal security to broader socio-economic deprivations that resonate within India's unique societal structure. Through this thorough exploration, the report aims to shed light on both systemic factors and individual elements that contributed to these violations, within the specific context of India.

The significance of this research extends beyond academic inquiry. By diligently examining these violations, the report endeavors to ignite a nuanced discourse about human rights within India, accentuating the imperative of upholding these rights even in the face of societal upheaval. Through its meticulous dissection, this report strives to inform policy makers, civil society, and domestic stakeholders about the urgent necessity of accountability, justice, and safeguarding the rights of minority communities within India's distinctive milieu. Ultimately, this investigation represents a resolute stride towards fostering awareness, and catalysing collective endeavors to forestall future violations and secure a just, inclusive, and harmonious society for the people of India.

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