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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Global Welfare Association, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2022]

* Issued as received, in the language of submission only.



Arbitrary Detention of Human Rights Defenders in India

Arbitrary detention is a hallmark of authoritarian regimes and it is used as tool of political intimidation. Arbitrary detention not only violates human rights, but also undermines the trust in institutions that keeps societies safe and open. Innocent persons in marginalised and vulnerable situations, as well as human rights defenders, journalists, and civil society activists are more often by arbitrarily detained. Our organization wants to bring council attention towards India where Indian government arbitrarily detained human rights defenders, journalists, and civil society activists solely for peacefully exercising their rights to freedom of expression and peaceful assembly. In the month of June 2022, thousands of people took to the streets in the states of Uttar Pradesh, Jharkhand, West Bengal, Maharashtra, Karnataka, Gujarat, Jammu and Kashmir and Telangana calling for the arrest of Nupur Sharma and Naveen Kumar Jindal, the former spokespersons for Bhartiya Janata Party (BJP), India's ruling political party, for making statements deemed insulting of Prophet Mohammed (PBUH) in a prime-time TV news debate. To control the situation Indian government selectively and viciously started cracked down on Muslims, arbitrarily detained them who dare to speak up and peacefully express their dissent against the discrimination faced by them. Cracking down on protesters with excessive use of force, arbitrary detentions and house demolitions by Indian authorities is a complete violation of India's commitments under international human rights law and standards. A journalist and human right activist named Muhammad Zubair from Delhi, highlighted that by a spokesperson of the governing Bhartiya Janata Party (BJP) allegedly insulted the Prophet Muhammad (PBUH) during a television debate. His tweet was widely shared. On 27 June 2022, Muhammad Zubair was arbitrarily detained by Delhi Police on fake allegation of "hurting Hindu religious sentiments". The charges under Section 295A of the Indian Penal Code and section 67 of the IT Act were pressed against Zubair. It was a clear attempt by the Hindu-nationalist government to clamp down on those who exposed hate speech. Therefore we urge this council to ask Indian government to stop use of force, arbitrary detentions and punitive measures against protesters must immediately release Muhammad Zubair.
