



**Justice for All Statement to United States Commission on International Religious Freedom (USCIRF)
Hearing on the India Citizenship Laws and Religious Freedom
March 4 2020**

On behalf of Justice For All we wish to share our grave concerns with the Commission on the ongoing human rights violations of the Muslim minority in India. As an organization, which has worked on getting the Rohingya crisis recognized as a genocide, we find remarkable similarities in the way citizenship laws are being used to leave swathes of people stateless. The 1982 Citizenship Law in Burma stripped away the Rohingya of their rights as citizens, similarly the combination of the CAA and the NPR is paving the path to disenfranchising the Muslim minority community in India.

It was an editorial in the New York Times actually warned about the deadly alliance between the extremists of India and Burma.¹

It was a peaceful women protest to these Indian policies which were already used in the Indian state of Assam to strip at least 1.9 million Indians of their citizenship while expelling all international journalists from the state,² which was used to attack 12 Muslim neighborhood in Delhi.

The brutal attacks on Muslims in Delhi are neither random nor unplanned. They are consistent with the pattern of Hindutva³ driven violence in other parts of India, and indicative of the fascism that is being practiced across the country every day. The brazenness of the pre planned attacks can be gauged from the fact that they happened in India's capital, New Delhi, while President Trump was in town and the world media was watching.

Anatomy of the attacks on Delhi Muslims

The methods⁴ adopted in the Delhi attacks were the same as those in the attacks on the Jawaharlal Nehru University (JNU).⁵ It is a method that was mastered in the Gujarat pogrom of Muslims in 2002 and the massacre of Sikhs in Delhi in 1984. Similar methods are used in attacks on the Dalits, Christians⁶, and other caste oppressed communities in India.

1. **Ultimatum by BJP-RSS Paramilitary Leader:** A Hindu leader of BJP, Kapil Mishra, issued an ultimatum on Feb 23, 2020, 1 PM to the Delhi Police. He declared that either the police remove a peaceful sit in

1 <https://www.nytimes.com/2014/10/16/opinion/deadly-alliances-against-muslims.html>

2 [Vaidyanathan,Rajini "Assam NRC: What next for 1.9 million 'stateless' Indians? BBC 31 August 2019 https://www.bbc.com/news/world-asia-india-49520593](https://www.bbc.com/news/world-asia-india-49520593)

3 [Hindutva- a political movement advocating Hindu nationalism and the establishment of a Hindu state](#)

4 [Kuchay,Bilal, , "Fresh violence erupts in Indian capital during anti-CAA protests", Al-Jazeera, 24 Feb 2020, https://www.aljazeera.com/news/2020/02/fresh-violence-erupts-Indian-capital-anti-CAA-protests-200224121139653.html](https://www.aljazeera.com/news/2020/02/fresh-violence-erupts-Indian-capital-anti-CAA-protests-200224121139653.html)

5 [Ayyub, Rana. "I Saw Police Stand by as Masked Men Attacked Students at a Top Delhi University. It Was Yet Another Assault on India's Intellectuals." Time, 24 Jan. 2020, https://time.com/5760597/what-happened-during-jnu-attack-in-dia/?amp=true.](https://time.com/5760597/what-happened-during-jnu-attack-in-dia/?amp=true)

6 [Klett,Leah MarieAnn, "Hindu extremists beat children during Sunday morning worship", Christian Post World, 10 Feb 2020](https://www.christianpost.com/news/india-hindu-extremists-beat-christian-children-during-sunday-morning-worship.html)

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camp protesting the anti-Muslim Indian citizenship law or he would have it removed. Mishra was filmed issuing this ultimatum as a senior police officer stood next to him.⁷

2. **Militia Attacks:** Mishra then led this pre-planned and state sanctioned attack with a mob carrying militia flags and shouting the war cry of “Jai Shri Ram.” They destroyed the sit in camp decorated with the tall Indian flags which had peacefully existed for the last 40 days. This camp was run by Muslim women with the goal of urging the government to repeal the controversial citizenship law.

3. **The Police Supports the Attackers:** The police, as always, actively participated in attacking Muslims while protecting attackers. Police were even filmed saying “Go ahead and throw stones.”⁸ Police were also filmed beating injured Muslims forcing them to sing the national anthem. Reuters witnesses⁹ also reported policemen mostly standing behind the mob of militia attackers, and doing little to prevent the attacks. Now the police is enforcing a curfew, which normally results in Muslim youth being hunted and killed either by the police or by the militia. Previously the police is accused of carrying out targeted killings of protesters to the controversial citizenship laws.¹⁰

It is important to note that the Delhi police is controlled directly by Amit Shah, the Home Minister, who was the enforcer of the Gujarat Massacre of Muslims in 2002 under Modi’s command.¹¹ Just as in Gujarat, the police and the fire department did not respond to urgent calls for help and in some cases blocked ambulances from reaching the victims. No action has been taken against any police officer including the one who stood next to Mishra, the BJP leader who started the whole thing.

4. **The Judiciary:** When a Delhi judge ordered that the police allow ambulances to reach victims and accused the police of failing to cite the politician Kapil Mishra for hate speech, he was transferred to a different court the very same night.¹²

5. **The Government Leaders Remain Silent:** Prime Minister Modi remained silent for 69 hours and then finally responded, in the form of a tweet. Neither the Prime Minister, nor the Home Minister who controls the police have visited any of the ten neighborhoods which were attacked, nor have they issued any statement sympathizing with the victims. When a Minister was asked about their leader Mishra’s ultimatum, he avoided the question.

6. **High Caste Attackers Remain Free while Victims Get Arrested:** The instigator Mishra belongs to the “high caste” Brahmin Hindu community. He remains free. Brahmins, the highest caste among Hindus, are small in number but lead the paramilitary RSS and have disproportionate control of the government offices. They are rarely charged with a crime, while victims are being arrested and charged.

7. **Impact on the community:** The death toll resulting from the Delhi attacks, at the time of writing stands at 46 and is rising. The victims are overwhelmingly from the Muslim community. 500 people have been injured and several places of worship, shops and homes have been torched. Muslims are fleeing to other slums for security. Houses, shops, cars, cemeteries and mosques were gutted as mobs, armed with sticks,

7 _____ Gittleman, Jeffrey et al, “The Roots of the Delhi Riots: A Fiery Speech and an Ultimatum.” The New York Times, 26 February 2020 <https://www.nytimes.com/2020/02/26/world/asia/delhi-riots-kapil-mishra.html>

8 _____ Imran Ahmed Siddiqui and Pheroze L. Vincent, The Telegraph, “Cop to pro-CAA group: ‘Go ahead and throw stones’”

9 _____ Devjyot Ghoshal, Reuters “One killed, dozens injured in Delhi clashes as Trump visits” https://www.reuters.com/article/us-india-citizenship-protests/one-killed-dozens-injured-in-delhi-clashes-as-trump-visits-idUSKC-N20I0XE?eType=EmailBlastContent&eid=f09c2057-9652-41cf-8a92-e14907766bb8&fbclid=IwAR3y6jFJhTHONPL8D-fiw-Z3q2encD_MLDWEZdrGS7xg13jk4L_-X-OTAE6o

10 _____ <https://foreignpolicy.com/2020/03/03/india-muslims-accuse-police-targeted-killings-meerut-caa-protests/>

11 _____ Rautray, Samanwaya. “Amit Shah Had Role in 2002 Gujarat Riots: Sanjiv Bhatt to Supreme Court.” Economic Times, 15 Sept. 2015, <https://economictimes.com/news/politics-and-nation/amit-shah-had-role-in-2002-gujarat-riots-sanjiv-bhatt-to-supreme-court/articleshow/48963795.cms>.

12 _____ “Delhi riots” Anger as judge critical of violence removed, BBC News, 27 Feb 2020, <https://www.bbc.com/news/world-asia-india-51644861>

stones, and Molotov cocktails, ransacked at least 10 neighborhoods in northeast Delhi.¹³

8. **Media Spins:** In an open attempt to obfuscate the distinction between victim and perpetrator, the Indian government's talking points are adopted by media which calls it "communal violence" and "communal riots." Media called the attacks a "riot," or used terms as "communal violence" or "clash" instead of using the term attacks. Victim voices were rarely covered. International media is also describing these atrocious, pre-planned attacks by Hindu militia as "communal violence" or "Hindu-Muslim riots."¹⁴

We call on the Commission to:

- 1) Recommend India be designated as a "country of particular concern" in its annual report due to its systematic, ongoing, and egregious violations of religious freedom
- 2) Urge the State Department to raise India to a Tier 1 level country for religious discrimination
- 3) Urge the State department to declare RSS an extremist organization and investigate all funding going from the United States.
- 4) Invite victims and testify in Congress
- 5) Since India refuses permission to the USCIRF to visit India, USCIRF should organize virtual hearings of Indian minorities to testify
- 6) Adopt Gorakhpur pediatrician Dr Kafeel Khan as a prisoner of conscience

Submitted by

Imam Abdul Malik Mujahid
President Justice For All

malik@JusticeForAll.org
+13128041962

¹³ Ellis Peterson, Hannah, "Inside Delhi: beaten, lynched and burnt alive." The Guardian, 1 March 2020 <https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists>

¹⁴ Malik, Kenan, "The violence in Delhi is not a 'riot'. It is targeted anti-Muslim brutality, The Guardian, 1 March 2020 <https://amp.theguardian.com/commentisfree/2020/mar/01/violence-in-delhi-is-not-a-riot-it-is-targeted-anti-muslim-brutality>