

AMNESTY INTERNATIONAL SUBMISSION

EU-India relations – new comprehensive strategic approach

Amnesty International's submission to the European Commission's call for evidence

7 May 2025

Human rights and the rule of law in the EU-India Strategic Partnership

Ahead of their forthcoming Joint Communication on a new Strategic EU-India Agenda, **Amnesty International urges the European Union (EU) and its member states to ensure that human rights and rule of law commitments are reinforced and placed squarely at the centre of relations with India.** Drawing on progress in relations to date under the EU-India [Strategic Partnership](#) established in 2004, this Joint Communication will crucially frame the EU's approach as both sides jointly draft a five-year roadmap for relations and look ahead to their next summit in 2026 and a potential Free Trade Agreement.

The last [Joint Communication](#) on Elements for an EU Strategy on India (2018) asserts that:

“In a challenging regional and international environment, the EU and India share the values of democracy, human rights, fundamental freedoms and support the rules-based global order centred on multilateralism. Both represent ‘unions of diversity’ and have important stakes in each other’s prosperity and sustainable development.”

Among other actions, the 2018 Joint Communication proposes that both sides:

- “Continue to engage regularly at bilateral and UN level and pursue joint initiatives to promote common global agendas on human rights and democracy, gender equality and women's empowerment and the inclusion of young people.
- Enhance practical cooperation with and outreach to stakeholders, including the civil society, to promote common values and principles, particularly in the field of rule of law, sustainable socioeconomic development and human rights.”

Due to expire in 2025 and be replaced by a new five-year set of joint actions, the current [Roadmap](#) for the EU-India Strategic Partnership – agreed to by both sides in 2020 - foresees solely two joint actions with regard to human rights: the “reaffirmation” of the local EU-India human rights dialogue¹ and the enhancement of cooperation at multilateral fora.

With serious, mounting concerns about human rights and the rule of law in India – along with rising authoritarianism, contestation of the international human rights law framework and attacks on the rule of law across the globe - the EU can no longer limit human rights exchanges with India to the human rights dialogue and to cooperation at multilateral human rights fora.

Instead, **the EU and its member states must fully use the opportunity of the forthcoming Joint Communication to set the ambitious groundwork for a concerted mainstreaming of human rights across EU-India relations, in the roadmap and all the other key next steps in EU-India relations.**

Despite very serious abuses and worrying authoritarian and repressive trends in India, the EU has yet to publicly express its concerns over the human rights crisis in the country. Since the last roadmap, the sole public communication from the European institutions in response to the human rights in India consists of:

- A European Parliament [report](#) on EU-India relations, of January 2024
- A European Parliament [resolution](#) on the situation in Manipur, of July 2023

Despite [joint calls](#) from Amnesty International and other NGOs to foreground human rights in engagement with India, the visit of the College of Commissioners to India in February 2025 [concluded](#) without a single public mention of human rights even as both sides aimed to deepen ties.

Any EU concerns on human rights in India are allegedly raised privately, including most recently during the local bilateral human rights dialogue in Delhi in January 2025, followed by a vaguely worded [joint press release](#) foregrounding “shared commitments and values.” The most recent EU-India human rights dialogue took place after two prior attempts in December 2023 and in [August 2024](#) failed to materialize, and after civil society in India and in Europe was not consulted in its preparation.

By contrast, long-muted concerns at multilateral level on human rights and the rule of law in India are growing ever more vocal. The most recent public statement by the United Nations High Commissioner for Human Rights (UNHCHR) at the 58th session of the United Nations (UN) Human Rights Council on 3 March 2025 [expressed concern](#) about the “use of restrictive laws and harassment against human rights defenders and independent journalists resulting in arbitrary detention and a diminished civic space, including in Kashmir.” While this statement was met with an Indian government [rebuttal](#), international statements of concern on the situation in India are proliferating, including the UN Secretary-General’s 2024 [report on reprisals](#), public communications by UN Special Proceduresⁱⁱ, the 2024 [findings](#) of the UN Human Rights Committee and the Financial Action Task Force (FATF) [Mutual Evaluation Report](#) of 2024.

At the same time, India is [falling short of its international human rights obligations](#) and in its interactions with different UN bodies and mechanisms. Since the ruling Bharatiya Janata Party (BJP) came into power in 2014, India has facilitated the completion of only two visits by a UN Special Procedure mandate to the country. It currently has [19 active visit requests pending](#). Some have gone unanswered since 1999.

Even at a time of volatility and vast geopolitical changes, the EU cannot afford to tone down its engagement with India on the rule of law and human rights for short-term political expediency. In the Joint Communication, it will be primordial for the EU and its member states to maintain a wider vision over the next five years and beyond, moving past perceived geopolitical constraints to effectively respond to a rapidly worsening situation in India.

As the EU and India deepen their relations, both sides must re-assert how shared values and interests converge around human rights and the rule of law across all areas of relations to achieve a partnership that can truly serve the EU, India and their people.

As key global players, the ability of both sides to engage effectively on human rights and the rule of law should be treated as an important measure of the quality of the EU-India partnership.

The Joint Communication must envisage opening spaces for dialogue on the rule of law and human rights across all areas of relations from security and defence, trade and technology, to work on climate or at multilateral fora. India’s own national law and international human rights commitments, along with

[accepted recommendations](#) at the country's recent Universal Periodic Review (UPR), will serve as the point of departure for meaningful engagement.

Both the Joint Communication and the Roadmap must affirm both sides' commitment to the rule of law, the universality and indivisibility of rights and the respect and fulfillment of rights to freedom of expression, association and peaceful assembly as enshrined in national and international law. In jointly shaping their partnership, the EU and India must publicly recognize the work of civil society and human rights defenders (HRDs) and foreground the importance of preserving a safe and enabling environment for their work, in recognition of the contribution they make to the strengthening of societies based on the rule of law.

With its increasing role on the global stage, India must rise to the responsibility of respecting, upholding and championing human rights and the rule of law – and as India's partner, the EU must robustly hold the Indian authorities to account to deliver on their stated commitments in practice. Only with the rule of law and human rights at the core of their joint commitments will both sides – and the EU-India partnership itself – be equipped to confront the challenges of the coming years, at home and in the wider world.

Background on the human rights situation in India

India has witnessed a serious deterioration in human rights in the last decade and remains in a profound human rights crisis today. The BJP-led government has systematically weakened the country's independent institutions that are essential to hold the executive accountable, and escalated its crackdown on peaceful dissent, press freedom, civil society and religious minorities. The Indian authorities have increasingly used federal laws to target their political opponents and civil society groups on allegations of financial irregularities.

The Indian authorities continue to repress human rights defenders, civil society and dissenting voices using a range of counterterrorism, foreign funding and anti-money laundering laws, including the Foreign Contribution (Regulation) Act (FCRA), the Unlawful Activities (Prevention) Act (UAPA), the Prevention of Money Laundering Act (PMLA), the Jammu and Kashmir Public Safety Act (PSA) and others. The UN Human Rights Committee [called](#) for the review and amendment of these laws following a recent evaluation of India in June 2024. Similarly, in June 2024, the Financial Action Task Force (FATF) – of which the European Commission and several EU states are members – [recommended](#) that India put in place measures to prevent the abuse of counterterrorism policies against non-governmental groups, following its [mutual evaluation](#) of India's regimes to counter money laundering and terrorist financing.

Still, **the Indian authorities continue to restrict the rights of human rights defenders and the activities of non-profit organizations using vague and overly broad laws** and to cancel their licenses to receive foreign donations under the FCRA. In the last ten years, more than 20,600 NGOs have had their licenses [cancelled](#), with nearly 6,000 of these cancellations occurring since the beginning of 2022.

In multiple instances, the authorities also continue to use the UAPA, the country's draconian anti-terrorism law, against human rights defenders, journalists, activists and academics. This includes 16 prominent activists who promoted the rights of persons from India's most marginalized communities and were accused of inciting violence during a meeting in January 2018 in Bhima Koregaon, Maharashtra state. Six still remain detained without trial, nine eventually were granted bail, while 84-year-old Father Stan Swamy, a Jesuit priest and prominent tribal rights activist, [died in custody](#) in July 2021. India's courts have repeatedly [questioned](#) the evidence against them.

The **Indian government uses technology as part of this broadening crackdown on the rights to freedom of expression, association and peaceful assembly.** India continues to [impose the largest number of internet shutdowns](#) globally, often to shut down protests or criticism of the government. India has also been **implicated in using Pegasus**, the spyware produced by the Israel-based company NSO Group, to target [journalists](#) and [human rights defenders](#), including those working on the case of the Bhima Koregaon activists.

In February 2021, the government enacted the [Information Technology \(Intermediary Guidelines and Digital Media Ethics Code\) Rules, 2021](#), which target internet intermediaries, including social media services, digital news services and curated video streaming sites. While the government said its actions are aimed at curbing the spread of “fake news,” this policy effectively allows greater governmental control over online content including to curb legitimate criticism, weaken encryption and seriously undermine the rights to privacy and freedom of expression online. Three UN human rights experts have [said](#) the rules did not conform with international human rights law and standards. In September 2024, the Bombay High Court [struck](#) down rule 3 which empowers the government to form Fact-Check Units (FCUs) to identify false or fake news related to the government on social media and online platforms.

The Indian government continues to enact discriminatory laws and weaponize existing laws against religious minorities. The Citizenship Amendment Act (CAA) 2019, that came into effect in March 2024, discriminates against Muslims, making religion the basis for citizenship. The CAA, coupled with the Indian government’s push for a nationwide citizenship verification process through a National Population Register and a proposed National Register of Citizens aimed at identifying “illegal migrants,” has heightened fears that millions of Indian Muslims could be stripped of their citizenship rights and disenfranchised.

The Freedom of Religion Act (also known as “anti-conversion laws”) are enforced in twelve of India’s 28 states, forbidding forced religious conversion. These laws have been used by the authorities to intimidate and harass religious minorities, especially Christians from Dalit and Adivasi communities, and have emboldened vigilante violence. Many states in India are also using these laws to crack down on inter-faith marriages. These laws broadly declare marriages performed after one spouse converts as invalid through vaguely defined factors such as coercion, “allurement”, “undue influence” or fraudulent means.

[Passed](#) in July 2024, the Uttar Pradesh Prohibition of Unlawful Conversion of Religion (Amendment) Bill, 2024, provides for 20 years’ imprisonment or life sentence if a conversion is found to have taken place under threat, promise of marriage or conspiracy and places this offence in the category of most serious crime under the Bill.

In addition to misusing laws, the **Indian authorities also resort to various extra-judicial means to punish Muslims.** Various state governments led by the BJP have adopted [punitive demolitions](#) as a *de facto* state policy which was [condemned](#) by the Supreme Court of India in November 2024. Despite the Supreme Court of India [saying](#) that “citizens’ voices cannot be throttled by a threat of destroying their properties” and urging the government to follow due process, there continue to be reports of homes and shops belonging to Muslims being demolished in violation of the Supreme Court ruling.

At the same time, **there has been a [significant increase](#) in hate speech by officials and ruling party leaders,** incitement to violence against marginalized groups and attacks against religious minorities, even as the authorities have failed to effectively bring to justice those suspected to be responsible.

The situation in Muslim-majority Jammu and Kashmir remains repressive, with journalists and human rights defenders regularly detained under the UAPA and the PSA and facing systematic restrictions on their right

to freedom of movement both within and outside the country. Human rights defender Khurram Parvez, coordinator for the Jammu Kashmir Coalition for Civil Society (JKCCS), was arrested in November 2021 under the UAPA and [remains in jail](#) today. On 20th March 2022, journalist Irfan Mehraj was arrested under the UAPA and faces multiple politically motivated charges including “sedition” and “funding terror activities” along with Khurram Parvez. In June 2023, United Nations experts [expressed](#) serious concerns regarding the arrest and charges against Irfan Mehraj and Khurram Parvez, stating that their continued detention is “designed to delegitimize their human rights work and obstruct monitoring of the human rights situation in Indian-administered Jammu and Kashmir.”

Since the last Roadmap, India has been the subject of two reports, in [2018](#) and [2019](#), from the UN Office of the High Commissioner for Human Rights (OHCHR) on the situation of human rights in Kashmir. Both reports called on the Indian authorities to respect international human rights obligations in the region, repeal or amend repressive laws, end restrictions on journalists and investigate all blanket bans or restrictions. Instead of meaningfully engaging with the OHCHR, the Indian authorities [called](#) the reports “false, with a motivated narrative” and accused the human rights body of “legitimizing terrorism.”

Over two years since the start of ethnic violence in Manipur state, the BJP-led Union government and Manipur state government have utterly failed to end the violence and displacement and to protect human rights in the state. As a result, at least [260 people have died in Manipur](#) as of 31 March 2025. In the aftermath of this ethnic violence, over 50,000 internally displaced people (IDPs) are living in 281 relief camps in Manipur, in inhumane conditions with lack of access to food, sanitation and adequate health care. The government of India has yet to consult with key stakeholders in the state to formulate a rehabilitation package to help those IDPs who wish to return to their homes.

The National Human Rights Commission of India (NHRCI) has [failed](#) to effectively address the escalating human rights violations in the country. As a result, the Global Alliance for National Human Rights Institutions (GANHRI) [deferred](#) the NHRCI’s re-accreditation for the second consecutive time in 2024, until it is brought fully in line with the criteria laid down by the UN Principles relating to the Status of National Institutions (The Paris Principles).

ⁱ European External Action Service (EEAS), [11th India - EU Human Rights Dialogue](#), 8 January 2025; [10th EU-India Human Rights Dialogue](#), 15 July 2022; [9th EU-India Human Rights Dialogue](#), 12 April 2021. https://www.eeas.europa.eu/delegations/india/9th-eu-india-human-rights-dialogue_en.

ⁱⁱ [India: UN experts urge corrective action to protect human rights and end attacks against minorities in lead up to elections](#), 7 March 2024; [India: UN experts alarmed by continuing abuses in Manipur](#), 4 September 2023.