

Joint Press Release

Mumbai Rises to Save Democracy

People's Manifesto
Against State Repression For Saving Democracy

India has witnessed a drastic rise in attacks on human rights activists, journalists, lawyers, farmers, adivasis, RTI activists, students, academicians, workers, protestors etc. opposing anti-people policies of the government and protesting human rights violations. The constitutionally guaranteed freedoms of speech and expression, association and assembly are under severe threat. Several people across the country have been criminalized in false and fabricated cases. RTI activists, journalists, rationalists, protestors have faced brutal assaults, even deaths. The objective of these attacks is to crush dissenting voices and any kind of opposition against the state and its policies. Immediate steps are required to be taken to arrest the ongoing attack on democracy, to stop the attacks on dissenting voices and to protect and reclaim the democratic rights and constitutional freedoms of the people.

To achieve these ends, Mumbai Rises to Save Democracy (MRSD), a campaign consisting of about 40 organisations who came together in the wake of arrests, criminalization and targeting of activists and workers across the country in connection with Bhima Koregaon violence case, proposes the following minimum actions –

Bhima Koregaon violence case related

1. Immediate arrest and prosecution of Ekbote, Bhide and others from their groups responsible for conspiracy, hate incitement and violence against Dalits, local residents, visitors to the 200 year commemoration of Bhima Koregaon on January 1, 2018
2. Closing FIRs and unconditional withdrawal of charges against dalits, activists and protestors, who participated in protests on January 2, 2018 against the violence against Dalits, visitors to the 200 year commemoration of Bhima Koregaon battle on January 1, 2018 by the Hindutva leaders and groups
3. Immediate release of activists and workers arrested and falsely criminalized in connection with the Bhima Koregaon violence case and withdrawal of criminal cases foisted against them

Repeal of draconian laws and legislative changes

4. Repeal of draconian Unlawful Activities Prevention Act (UAPA) law and release of all those falsely implicated under UAPA
5. Repeal of draconian Section 124 A of the Indian Penal Code, 1860 i.e. sedition law and release of all those falsely implicated under sedition law
6. Repeal of draconian National Security Act (NSA) and release of all those falsely implicated under NSA
7. Repeal of draconian laws such as Armed Forces (Special Powers) Acts (AFSPA), Disturbed Areas Act, Public Safety Act, Maharashtra Control of Organised Crime Act (MCOCA) and other such laws used to target dissenting voices and political opposition
8. Review and amend the provisions of the Indian Penal Code to ensure that they are in line with the best practices and international standards in the area of freedom of expression, repeal of provision for criminal defamation under Section 499
9. Make necessary amendments to the Right to Information Act, 2005 to strengthen and increase the scope of the Act to cover private companies and ensure access to information, increase accountability and ensure protection of RTI activists
10. Repeal or comprehensively amend the Foreign Contribution Regulation Act (FCRA), in line with the legal analysis of the former UN Special Rapporteur on Freedom of Association and Assembly, particularly sections that restrict the ability of civil society organisations to receive funds from foreign sources and the cumbersome reporting and administrative requirements for civil society organisations
11. Abolition of capital punishment and all forms of torture
12. Ratification of the United Nations Convention Against Torture (UNCAT), effecting of changes in domestic legislation to ensure compliance with the provisions of UNCAT and introduction of domestic law against torture and ill-treatment in line with the provisions of UNCAT
13. Introduce an act in the parliament, in compliance with international standards, to protect human rights defenders in the country
14. Introduce an act in the parliament to provide for comprehensive policy and programme on witness protection and rehabilitation
15. Introduce an act in the parliament to provide for protection of whistleblowers
16. Introduce legislation against Strategic Lawsuits Against Public Participation (SLAPP) suits filed to intimidate and silence critics of big businesses and anti-people measures

Attacks on freedoms of speech, expression, association, assembly, Right to dissent

17. Stop the attacks on constitutionally guaranteed freedoms of speech and expression, association and assembly
18. Stop the indiscriminate use of Section 144 of the Code of Criminal Procedure, 1973 and denial of permissions for protests, agitations and demonstrations

19. Stop the use of force on protestors and civilians including but not limited to firing, use of pellet guns, tear gas, water cannons, lathi charge etc. Ensure that security forces, including the police, abide by the United Nations basic principles on the use of force and firearms by law enforcement officials.

20. Uphold and guarantee constitutional freedoms and restore democratic spaces in the community for gathering and protest

21. Stop the crackdown on protestors, activists, civil society organisations, journalists, lawyers, students, academicians, workers, RTI activists, farmers, whistleblowers, adivasis, dalits, minorities etc. exercising their right to dissent and withdraw all actions, cases and proceedings filed against them across the country

22. Ensure implementation of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Protect Universally Recognised Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders). Explicitly recognize the right of everyone to protect and promote human rights and publicly support the important action of defenders, acknowledging their contribution to the advancement of peace, justice, equality, dignity, good governance and sustainable development. Ensure a safe and enabling environment in which human rights defenders are effectively protected and where it is possible to defend and promote human rights without fear of punishment, reprisal or intimidation.

23. Desist from imposing travel bans on human rights activists who intend to leave the country to engage with the human rights community, government and institutions abroad

24. Stop vilification of activists, dissenting voices and the distortion and manipulation of facts in an increasingly political and corporate controlled media

25. Promote free and independent media and ensure protection of media houses from vindictive action and vexatious litigations

26. Ensure unfettered access to online information resources by removing restrictions on access to national and international news websites and social media outlets and the websites of civil society organisations

27. Ensure that internet shutdowns and network blackouts are not undertaken to restrict people's peaceful protests

28. Refrain from censoring social and conventional media and ensure that freedom of expression is safeguarded in all forms, including the arts

Rule of law, access to justice and human rights mechanisms

29. Ensure the strictest adherence to the rule of law and immediately put a stop to all forms of torture by the police, custodial killings, extra judicial / encounter killings etc.

30. Remove requirement for sanction to prosecute police officers, military personnel and public officials from all laws and take strictest action against erring officers

31. Effectively counter and put an end to the rule of the mob, hate crime, lynching and strictly prosecute cases of mob related violence and attacks by non-state actors
32. Initiate investigations into the spate of attacks on human rights defenders across the country and initiate / pursue actions against the perpetrators
33. Provide security, protection to human rights defenders who are at risk and their families and also to provide compensation, rehabilitation to human rights defenders and their families
34. Develop and implement programmes on human rights education and public awareness campaigns on importance of human rights and constitutional freedoms
35. Ensure that human rights institutions, like the National Human Rights Commission, are autonomous and independent and are avenues of justice for human rights defenders and victims of human rights violations.

MRSD is a campaign consisting of about 40 rights and civil society groups collectively fighting against state repression, draconian laws and stifling of dissent in civil society. MRSD was formed following a joint press conference called by rights groups on the raids and arrests of activists on 29th August 2018 in the Bhima Koregaon violence case, responding to the need expressed by activists and civil society organisations in Mumbai to come together to uphold constitutional freedoms and democratic rights and stand united in the fight against increasing intolerance, atmosphere of fear and repression. MRSD has since held several programmes in Mumbai to address these concerns.

Groups supporting the manifesto :

*People's Union for Civil Liberties (PUCL)
Committee for Protection of Democratic Rights (CPDR),
Citizens for Justice and Peace (CJP)
New Trade Union Initiative (NTUI)
Trade Union Centre of India (TUCI)
Student Islamic Organisation (SIO),
Ambedkar Periyar Phule Study Circle (APPSC), IIT
Police Reforms Watch
National Confederation of Human Rights Organisations (NCHRO)
Bebaak Collective
Forum Against Oppression of Women (FAOW)
LABIA- A Queer Feminist LBT Collective
Jagrut Kamgar Manch (JKM)
Majlis
Indian Muslims for Secular Democracy (IMSD)
Women against Sexual Violence and State repression (WSS)
Bharat Bachao Andolan (BBA)*

Indian Social Action Forum (INSAF)
People's Commission on Shrinking Democratic Spaces (PCSDS)
Human Rights Law Network (HRLN)
Cause Lawyers Alliance
National Alliance of People's Movements (NAPM)
Kashtakari Sanghatna, district Palghar.
Sarvahara Jan Andolan, district Raighad
Shramik Mukti Sanghatna, district Thane.
Human Rights Defenders Alert (HRDA)
Innocence Network
Association for Protection of Civil Rights (APCR)
Students of St. Xavier's
Students of Tata Institute of Social Science (TISS)
FTII Alumni
Lawyers Collective
Awaaz-E-Niswaan
Bastar Solidarity Network (BSN)
Satyashodhak Feminist Collective
Indian Christian Women's Movement - Mumbai Chapter
Nivarra Hakk Suraksha Samiti
Jagrut Kashtakari Sanghatana, Raigad
Justice and Peace Commission
SOAS India Society and Others