

**FIDH recommendations to the EU regarding the Joint Communication on a new Strategic EU-India
Agenda**

May 2025

Background

The International Federation for Human Rights (FIDH) regrets the lack of EU action to date in response to the grave and deteriorating situation of human rights in India. In February 2025, FIDH and 11 other NGOs [urged EU leaders](#) to step up their engagement with their Indian counterparts on human rights issues, in advance of the College of Commissioners' visit to India. The letter referenced, among other issues, the most recent human rights dialogue between the EU and India, held in January 2025, which was followed by a vaguely worded joint press release that failed to mention, among many other issues, the situation faced by human rights defenders (HRDs) and minorities.

Regrettably, the EU's lack of public expression of concern over the grave human rights situation in India has been long standing. The EU's failure regarding India is more apparent in light of its more frequent public expressions of concern on human rights violations in other Asian countries, including India's neighbors.

Under current Prime Minister Narendra Modi and the ruling Bharatiya Janata Party (BJP), India has experienced a sharp rise in human rights violations, accompanied by a relentless repression of civil society. Driven by a Hindu nationalist agenda, Modi's government has pursued policies that have substantially undermined human rights protections, eroded the independence of various institutions, including the judiciary, and targeted minority communities. Many of these policies – such as the enactment of the [Citizenship Amendment Act, 2020](#) – have been accompanied by rhetoric that demonizes and marginalizes minorities and marginalized groups, particularly Muslims.

Human rights defenders and civic space: Indian authorities have engaged in systematic repression of civil society. Since 2016, Indian authorities have revoked, suspended, or refused to renew the licenses to thousands of civil society organizations (CSOs) under the Foreign Contributions (Regulation) Act (FCRA). Authorities have also used a range of draconian laws relating to counter-terrorism and national security to harass, threaten, and silence HRDs and CSOs. Criticism of the government and its policies has been systematically called “anti-national” or “secessionist.”

Jammu & Kashmir: After decades of extreme militarization, repression and state violence resulting in widespread and grave human rights violations without accountability, Kashmiris saw their autonomy and special status stripped away without any consultation in August 2019. Five years after the abrogation of statehood, the situation in Jammu & Kashmir remains fraught with violations of human rights, including arbitrary detentions, extrajudicial killings, and severe restrictions on freedoms of assembly, association, and expression. Amid increased militarization, surveillance, and repression of civil society, the fear and anger among the local population is palpable. Moreover, the abrogation of Jammu & Kashmir's statehood

on 5 August 2019 set into motion a series of drastic changes for the region. These legal and policy changes have had a disastrous impact on the human rights of Kashmiris, particularly regarding [land and related human rights issues](#).

Assertions by the Indian government that the policy changes imposed in 2019 resulted in “normalcy” and greater peace and stability in Kashmir, including reduced militancy, and that the situation in the region had returned to “normal,” were contradicted by the terrorist attack on 22 April 2025, which resulted in the deaths of at least 26 tourists. Jammu & Kashmir remains a region in crisis with grave consequences for human rights, and international peace and stability.

Deterioration of institutions and the rule of law: State institutions, including the judiciary, have done little to stem the tide of abuses and provide remedy to victims. Instead, investigative agencies, prosecutors and the judiciary have played a key role in the targeting and persecution of HRDs, journalists, dissenters and marginalized groups. HRDs have often been targeted with terrorism charges, which result in diminished due process and legal rights, severely limit opportunities for timely release or even bail, and result in prolonged, multi-year pre-trial detentions.

The National Human Rights Commission of India (NHRCI) has [failed](#) to address the majority of cases brought before it and has not fulfilled the criteria provided for by the UN Principles relating to the Status of National Institutions (the Paris Principles). In April 2025, the Sub-committee on accreditation of the Global Alliance of National Human Rights Institutions (GANHRI) [recommended](#) downgrading the NHRCI from an “A” status to a “B” status due to the institution’s failure to demonstrate independence and effectiveness.

Discrimination and violence against minorities: Laws and policies, such as the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC), have explicitly targeted and increased discrimination against minorities in India, and particularly Muslims. [Violence against Muslims](#) and other religious minorities had only increased under the BJP: in the first quarter of 2025, at least 50 instances of violent assaults by Hindu extremist groups and individuals were documented, as well 11 cases of extrajudicial killings of Muslims. Local authorities have increasingly used punitive demolitions and evictions to target Muslims, in defiance of Supreme Court orders. Moreover, indigenous HRDs who campaign on issues related to land rights, environmental rights, and systemic violations against Dalit and Adivasi communities have been targeted with legal action, including arbitrary detention.

Recommendations

The Joint Communication for a new Strategic EU-India Agenda is a critical opportunity for the EU to defend its principles and values by mainstreaming human rights into its strategic approach to India. It is essential to ensure that strengthened EU-India ties across all areas of mutual interest contribute to the promotion and protection of human rights. Leaving human rights and compliance with international law out of the Strategic EU-India Agenda, or treating them as secondary, will further erode the rules-based international order at a critical time, while further emboldening human rights abusers and entrenching violations. This would be against the EU’s strategic interests, including from a trade and defense standpoint.

1) Mainstream human rights in all aspects of the Strategic Agenda

All areas of cooperation between the EU and India must be underpinned by human rights principles. Concrete steps and actions to protect and promote human rights must be incorporated in all elements of

the joint communication, including (but not limited to) defense, trade, and technology cooperation. Proposed actions under each priority area should include specific references to the protection of human rights and mitigation measures to ensure that human rights are not negatively impacted by these actions.

2) Incorporate human rights benchmarks in all aspects of the EU-India relationship

Precise, measurable, time-bound, and public benchmarks for fulfilling India's obligations under international law must be incorporated into the strategic plan. Such benchmarks should be based on recommendations made by United Nations (UN) human rights mechanisms, which include, but are not limited to: 1) [key recommendations](#) made by the UN Human Rights Committee in July 2024 following its review of India's implementation of the International Covenant on Civil and Political Rights (ICCPR); and 2) [Universal Periodic Review \(UPR\) recommendations](#) made during India's latest review in November 2022. Benchmarks should also refer to [commitments made by India](#) ahead of its election as UN Human Rights Council member in October 2021.

3) Create effective mechanisms to guarantee the meaningful engagement of civil society in the development and implementation of EU-India bilateral engagements

Civil society must be meaningfully consulted in the development and implementation of all aspects of the EU-India Strategic Agenda. This is particularly important given the severe restrictions on civic space and the rights to freedom of expression, association, and assembly in India under the BJP government. For example, the EU must include appropriate clauses and mechanisms to ensure civil society monitoring of the implementation of the future EU-India Free Trade Agreement (FTA), through the creation of independent Domestic Advisory Groups (DAGs) and of an independent complaint mechanism to raise trade-related human rights concerns. The EU must also ensure meaningful consultation with civil society, both in the EU and in India, at all steps of the process, including prior to bilateral engagements with India, such as high-level visits to the country, EU-India summits, and the annual human rights dialogue. Consultations with civil society must be more than a checkbox exercise and inputs from civil society should be duly considered and used in all relevant interactions with Indian authorities.

4) Publicly express concern in response to serious human rights violations in India

Over the past decade, EU's public statements on India have failed to reflect the gravity of the country's human rights situation. Joint statements between the EU and the India have repeatedly asserted their joint commitment to "shared values of democracy, rule of law and human rights" without qualifying those assertions or providing nuance. Meanwhile, grave instances of human rights abuses – such as, for example, the 2022 death in custody of human rights defender [Stan Swamy](#) or the unchecked increase of hate speech in recent years – have been met by a resounding silence by the EU. This silence has not only emboldened Indian authorities to commit human rights abuses but also deprived Indian civil society of much-needed support and solidarity. Moving forward, EU's public statements on India should reflect the human rights challenges on the ground and serve as a tool to hold human rights violators accountable.