

# Foreword

This timely report highlights several familiar and alarming themes, including how Human Rights Defenders standing in defence of human rights of minorities often bear the brunt of restrictions and targeting. Lawyers in Pakistan defending cases of blasphemy particularly against minority religions and sects, and all those NGOs and HRDs speaking for rights and freedoms of minorities, face threats to their work. Authorities in Nepal target NGOs hiring Christian staff. In Afghanistan, HRDs remain under threat from state and non-state actors. In Bangladesh, the cybercrime law enables the targeting of HRDs. In India, HRDs and religious minorities protesting discriminatory laws and practices have faced restrictions, violence, criminal defamation, detention and harassment. And in Sri Lanka, there has been worsening environment for HRDs, including Sri Lanka's withdrawal in February 2020 from Human Rights Council Resolutions 30/1 and 40/1, meant to promote reconciliation, accountability and human rights in the country.

High Commissioner for Human Rights Michelle Bachelet rightly describes civic space as 'the lifeblood of any healthy democracy and society'. But civic space is under attack all over the world, with core civic freedoms of expression, association, peaceful assembly widely denied. Restrictive legislative and administrative provisions have been hallmarks of repression, with Human Rights Defenders often the prime targets. There is no more direct threat to civic space than the targeting of HRDs.

This important report reminds us all that South Asia, home to a fourth of humanity, mirrors these global trends. A recent report claimed 97 per cent of the region's population lives in condition where civic space is 'repressed', just a tier better than 'closed'. Throughout the region, states are increasingly resorting to censorship, imposition of restrictive laws, criminal defamation,

harassment and detention of protesters, and the targeting of HRDs to suppress peaceful protests.

Despite protections enshrined in international law and national constitutions, people continue to be excluded on the basis of their identities, with minorities suffering disproportionately. These trends are rooted in backsliding of democracy and the rule of law and a surge in populism.

South Asia Collective's *South Asia State of Minorities Report 2020: Minorities and Shrinking Civic Space*, exposes how this erosion is taking place across the region—with a focus on trends and consequences for South Asia's sizeable minorities, religious as well as ethnic, linguistic and caste. The findings of the report are sobering. We will do well to dwell on them.

The report notes that while some states—including Bhutan—have yet to see much civic space emerge, the general trend across the region is of constitutional guarantees of freedoms of association, assembly and expression being diluted over the past decade. This includes the increased regulation of NGOs and their access to foreign funding. Another common trend—seen for example in Afghanistan, Pakistan and India—is to deny NGOs registration or renewal of licenses.

Other recent legislation limits freedom of opinion and expression, in the guise of preventing disharmony and disaffection. Authorities are resorting to Internet shutdowns, including in India, Pakistan, Sri Lanka, and in Bangladesh specifically against Rohingya refugees.

As elsewhere in the world, the Covid-19 pandemic has provided a pretext for limiting freedoms, with authorities introducing further restrictions on HRDs, and securitisation of laws in the name of combating the pandemic and undertaking emergency response.

Most South Asian nations constitutionally guarantee freedoms of association, assembly and expression. All South Asian countries (except Bhutan) have also ratified the International Covenant on Civil and Political Rights (ICCPR), and other instruments that guarantee 'basic freedoms'. But restrictions on these freedoms are widespread in the region, and growing. The targeting of HRDs is becoming more common.

We need to rethink how societies can better function during and after the pandemic. HRDs must be at the centre of these discussions. Healthy civic spaces can help build strong, healthy democracies in the region. And the South Asia Collective can have a key leadership role in this by continuing its documentation and advocacy, and by continuing to press for the protection of HRDs.

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