

Dear Mr. Bamford,

I am writing to you on behalf of Amnesty International to bring to your notice the Indian government's unlawful practice of demolishing Muslim properties as a form of extra-judicial, collective and arbitrary punishment. It has carried out this practice in 5 states between the periods of April and June 2022, mainly using machines manufactured by company JCB. This finding is part of Amnesty International's companion reports titled **"If you speak up, your house will be demolished" – Bulldozer Injustice in India** and **"Unearthing Accountability – JCB's Role and Responsibilities in Bulldozer Injustice in India"**.

Amnesty International's research has documented the demolition of at least 128 properties between April and June 2022 in the states of Assam, Delhi, Gujarat, Madhya Pradesh and Uttar Pradesh. These demolitions adversely impacted more than 617 people, including men, women and children either rendering them homeless or deprived of their sole livelihood. In the months preceding the demolitions, protests and violence had been reported in all the states that suffered demolitions.

The communities most impacted by demolitions were those that had borne the greatest proportion of communal violence between Hindus and Muslims. This communal violence was a result of provocation by Hindu groups during Ramzan – a holy month of fasting before Eid-UI-Fitr between April and May 2022. Other communities most impacted were those that had been the location of protests by Muslims. These protests called for accountability for the custodial death of a Bengali Muslim fisherman and for discriminatory remarks made against Muslims by ruling BJP political leaders.

These demolitions cannot be viewed in isolation and need to be considered in the broader context of systemic discrimination against, and hatred and vilification of Muslims in India that has escalated since 2014. Popularly known as "bulldozer justice", punitive demolitions have now become a de facto state policy for many states in India which has been hailed and celebrated by political leaders and supporters of the ruling Bharatiya Janata Party.

Of the total 128 demolitions, Amnesty International investigated 63 demolitions in detail and found that they amounted to:

1. Forced Evictions

In all five states, the state authorities failed to follow due process safeguards laid down under international human rights law and domestic laws before and while carrying out the demolitions. This includes prior genuine consultation, providing reasonable and adequate notice, and alternative resettlement opportunities. They were also carried out without warning, sometimes at night, with the occupants given little or no time to leave their homes and shops and salvage their belongings. This amounts to forced eviction.

2. Intimidation and Use of Force

In at least 39 cases, the police authorities used intimidation or excessive force to carry out demolitions, to prevent the survivors from collecting their belongings, or in retaliation for asking the reasons for demolitions. In all cases, this was neither necessary nor proportionate, thus counter to international human rights law.

3. Discrimination

The municipal authorities specifically targeted Muslim-populated areas and discriminately demolished properties of Muslims, while the neighbouring Hindu properties were left untouched. Amnesty International verified this by visiting the sites of demolitions and found that properties owned by people of Hindu faith continued to stand erect. This pattern was distinctly visible in Madhya Pradesh and Gujarat.

4. Punitive demolitions

Twenty properties that were demolished were owned or rented by people who were either prosecuted for the preceding violence or protests or were related to such people. Amnesty International believes this selective targeting of Muslims was a punitive retaliation for the alleged involvement of some Muslims in protesting discriminatory laws and practices enforced by the Indian state.

5. Adverse impact

- *Women*
The loss of the safety of their homes put women in precarious positions, many of whom had to spend weeks living on the streets with their children while taking lower paid and daily wage jobs to make ends meet. Amnesty International also documented instances of demolitions of small kiosks owned and run for decades by widowed women in Delhi, setting them back financially by at least a decade and significantly impacting their long-term economic stability.
- *Children*
At least 24 children in the five states were compelled to drop out of or miss school due to financial losses. In cases where parents were arrested and detained by authorities, infant children were forced to either accompany their mothers to places of detention or were rendered homeless.

A year and a half later, the survivors of these punitive demolitions continue to wait for compensation and justice. The systemic human rights violations committed by the Indian government and the violations of Muslim people's rights to adequate housing, equality and non-discrimination, and fair trial, should prompt you to take a strong stand.

JCB bulldozers in India have now become a symbol of to punish Muslims in India. Political leaders in India are using the symbol of JCB bulldozers to persecute Muslims in the country.

The State is Illegally demolishing Muslim homes and shops using JCB bulldozers with impunity. Homes and shops owned by Muslims are being demolished as punishment for crimes they haven't committed. Beneath the rubble of many Muslim homes and shops now lies injustice.

JCB must not be used as a symbol of persecution of Muslims, therefore JCB needs to:

- 1. engage with the Indian government, third-party dealers and private contractors in a constructive dialogue to ensure that their machines are not used for advocating hatred and violence against marginalised groups by state authorities in India.**
- 2. identify and assess the human rights impacts of the company's products and services, especially when they are used in areas where documented evidence of marginalisation of a particular community is publicly available such as Assam, Delhi, Gujarat, Uttar Pradesh and Madhya Pradesh.)**
- 3. publicly condemn the use of its machinery to punitively demolish Muslim properties in India which is a blatant human rights violation.**
- 4. commit to respect human rights and create robust human rights due diligence policies and processes connected with the use of company products and services, including via its business relationships.**

Sincerely,