

Mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association

Ref.: AL IND 12/2026

(Please use this reference in your reply)

18 August 2026

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights to freedom of peaceful assembly and of association, pursuant to Human Rights Council resolution 59/4.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received in the context of the recent youth-led protests held in Delhi as part of the Cockroach Janta Movement.

Special Procedures mandate holders have previously expressed concern to your Excellency's Government about restrictions of fundamental freedoms in the context of protests, including undue restrictions on peaceful protests and arbitrary arrest of peaceful protestors ([IND 13/2024](#)), arbitrary detention of activists and human rights defenders under terrorism charges and for their participation in protests ([IND 5/2026](#), [IND 10/2020](#)), and attacks and ill-treatment including by law enforcement against activists ([IND 3/2026](#)). I thank your Excellency's Government for your response to IND 10/2020, dated 31 July 2020, and regret not having received a response to the other communications listed above. Given recent developments in connection with youth-led protests in New Delhi, I wish to express renewed concern regarding the protection of the rights to freedom of peaceful assembly and of association, as well as other fundamental freedoms.

According to the information received:

Following remarks made by the Chief Justice of India during a Supreme Court hearing on 15 May 2026, comparing unemployed youth to "cockroaches", a youth-led movement under the name of the "Cockroach Janta Party" (hereafter "CJP") was formed, in a mock reversal of the insult. Although the Chief Justice later clarified that his remarks were directed against those using fraudulent degrees and not at unemployed youth in general, the CJP's movement gained thousands of members and millions of online followers within days. In June 2026, alleged irregularities in the administration of the National Eligibility Entrance Test (NEET) – a national test for admission into medical colleges – led to protests and a demand for accountability in the education sector.

The NEET, taken by students on 3 May, was cancelled on 12 May after a considerable overlap was allegedly discovered between practice papers and actual exam questions, suggesting a leak. New examinations were scheduled to take place at the end of June. The cancellation of the NEET had a devastating impact on students, whose future often depends on the outcome of these exams, with reports linking up to 22 student suicides to the crisis and its aftermath. Concerns were raised regarding the NEET examination procedures, particularly

in relation to intrusive security protocols such as strip searches, the allocation of examination centers far from candidates' residences, and a lack of institutional flexibility for students. Furthermore, the stark imbalance between the 1 to 2.5 million candidates competing for less than 1 per cent of allocated admission seats underscores severe systemic pressure and raises significant human security and welfare concerns.

Throughout July 2026, thousands of students and young people organised peacefully across the country, to demand accountability for the NEET examination paper leak, including the resignation of the Minister of Education.

On 19 July, thousands of protesters, including students, their families and teachers, began gathering at Jantar Mantar in New Delhi, before the peaceful demonstrators attempted to march towards Parliament on 20 July. However, they were denied permission and found their way blocked by police barricades, such as a truckload of stones of undisclosed origin in Jantar Mantar and damaged vehicles in the vicinity, which prevented people from entering or leaving the location. The closure of 16 metro stations and heavy police deployment also prevented protesters from reaching the Parliament. Localized internet disruptions were allegedly implemented in areas surrounding the demonstrations, significantly restricting communication among protesters, journalists, lawyers, and emergency responders. The police issued a notice declaring the protest illegal under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (India's post-2023 replacement for Section 144 of the Code of Criminal Procedure), while government officials publicly referred to peaceful student protesters as terrorists and anti-nationals.

Security forces – including the Delhi Police and the Rapid Action Force (a specialized anti-riot unit under the Central Reserve Police Force) – allegedly responded to the protests with disproportionate and severe force. Reports include young protesters being struck on their heads, arms, and legs with lathis, as well as female students being man-handled, dragged by their hair and clothing, and even assaulted by male and female officers. Some peaceful student protesters reported having raised their hands saying “please don't hit us”, before being beaten regardless.

Moreover, and allegedly without warnings of dispersion, security forces deployed stones, tear gas, water cannons, electric shock batons, pellet guns, and other “less lethal” weapons against peaceful protesters in order to disperse the crowds, resulting in widespread injuries, including eye injuries, and severe harm to over 100 students.

Concerning the use of metal pellet-firing shotguns, India's Supreme Court has questioned the continued use of such pellet guns for crowd control and called upon the Government to explore less harmful alternatives following widespread and permanent injuries caused during protests, including in Indian administered Jammu and Kashmir.

Reports also emerged alleging targeted violence against journalists who had clearly identified themselves as such, as well as intimidation and physical and

sexual assault directed at women, girls and children, with injuries being reported in children below the age of 12. The Delhi police also reported that more than 100 police personnel were injured.

Several injured peaceful protesters, including those who had suffered suspected fractures and other serious physical injuries, were reportedly left without immediate medical assistance for a period of time. The extent of medical care eventually provided to all affected persons remains unclear. Reports received also indicated that doctors, who were not part of the protest but were treating the injured, were likewise beaten by police, even after identifying themselves and stating that they had not participated in the protest.

Many officers deployed during the operation allegedly did not display visible nameplates or badge numbers, while men in plainclothes supported by police forces also attacked demonstrators.

Several students also report being detained, including individuals who were attempting to leave the protest site after the dispersal had commenced. Law enforcement allegedly failed to provide formal arrest warrants, did not state the legal basis or official grounds for detention, and denied immediate access to legal counsel, or family notification. To seek domestic remedies, student representatives, legal volunteers, and civil society advocates immediately approached local police station authorities and submitted formal administrative representations to senior police officials and local magistrates demanding the release of the detained youth and medical relief. Delhi's Lieutenant Governor ultimately invoked emergency powers under India's National Security Act (NSA), thereby allowing police to hold people in administrative detention without procedural guarantees, for up to 12 months. Allegedly, some detainees were held in isolation and were not permitted regular access to relatives, friends, or their personal doctors after being arrested.

From 21 July onwards, large peaceful protests continued to take place on the streets of Delhi and other Indian cities. On 28 July, the Supreme Court heard a batch of petitions regarding police excesses during the protests and observed that the police had not followed established procedures and underscored the need for an independent investigation.

Law enforcement furthermore appears to have utilized an extensive and coordinated surveillance apparatus to record the peaceful assemblies and identify individual participants. This network comprised of unmanned aerial vehicles (drones), closed-circuit television (CCTV), officers equipped with portable recording devices, and surveillance vans featuring 360-degree camera technology. All captured footage and data were allegedly transmitted to and monitored by centralized Police Mobile Command and Control vehicles, for the purposes of identifying people involved in the 20 July protest and isolating individuals with criminal records.

Following the law enforcement response to student-led peaceful protests in Delhi, a global wave of solidarity peaceful assemblies sparked across multiple cities in India and internationally. Members of student movements and allied

social groups mobilized through peaceful protests, marches, vigils, and encampments to express solidarity with the affected students and to denounce the disproportionate use of force and crackdown on civic space.

On 25 July, the Government made assurances that all First Information Reports (FIRs) against protestors would be withdrawn – with the exception of those accused of grave crimes – and that compensation to the families of suicide victims in the context of the NEET examination will be provided. However, to date, it remains unclear how many protesters remain detained and to what extent FIRs have been withdrawn.

After the resignation of the Minister of Education, the peaceful protests ended. Yet, there are also reports of increasing online hate campaigns against protesters – especially women protesters, movement members and leaders – including doxxing and even threats of physical violence.

Without wishing to prejudge the accuracy of the information received, I am gravely concerned about the conduct of police and other law enforcement entities in the context of the “Cockroach Janta Protests”. The reported use of excessive force against individuals participating in peaceful assemblies to protest the cancellation of NEET exams and wider issues in the country’s education system appears to be at odds with India’s obligations under international human rights law, including the right to life (article 6 ICCPR, ratified by India on 10 April 1979, and article 3 of the Universal Declaration of Human Rights [UDHR]); the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment (articles 7 and 10 ICCPR; article 5 UDHR); the right to liberty and security of the person (article 9 ICCPR; article 3 UDHR); the right to freedom of peaceful assembly and of association (article 21 ICCPR; article 20 UDHR); and the right to freedom of opinion and expression, including freedom of the press to report on events without intimidation or harassment (article 19 ICCPR and article 19 UDHR).

Article 21 ICCPR protects the right to freedom of peaceful assembly. I wish to recall that States have the obligation to respect, protect, and ensure this right and that, while restrictions can occur, they must be justified by law, serve a legitimate aim, and be necessary and proportionate in a democratic society. Any use of force by security forces must furthermore comply with the fundamental principles of legality, necessity, proportionality, precaution and non-discrimination and must be strictly regulated in accordance with applicable international standards. Based on the information received, I am concerned that law enforcement’s response to the widespread peaceful protests do not satisfy these requirements.

The use of means of force such as stones, lathi charges, tear gas, water cannons and electric shock batons and pellet guns appears particularly excessive and unnecessary. I wish to recall that the use of these “less lethal” weapons in the context of peaceful protests may even amount to torture and inhuman treatment, especially when misused or directed against vulnerable individuals such as children. I therefore express particularly grave concern that injuries apparently stemming from such means of force were observed in children below the age of 12.

In relation to the use of metal pellet guns for crowd control, I underscore that their use in public order management is not in line with international human rights law. The wide radius of the spreading metal shot makes this combination of firearm and ammunition inherently indiscriminate when deployed in the presence of large numbers of people. They can also not be considered ‘less-lethal’ given that the pellets penetrate the human body, meaning they will often prove to be deadly. They may also cause blinding and other serious injuries with long-term consequences. I am concerned that at least four individuals were subject to injuries from the use of metal pellet guns during the protests.

In note that India's Supreme Court has previously questioned the continued use of pellet guns for crowd control and called upon the Government to explore less harmful alternatives following widespread and permanent injuries caused during protests, raising questions as to why such means of force appears to have been deployed against protestors in the current context. In this regard, it is regrettable that, on 30 July 2026, the Supreme Court did not pronounce itself on their unsuitability for public order management pending the elaboration of a comprehensive protocol governing their use during crowd-control settings.

The reported widespread use of intrusive means of surveillance in the context of the protests is a further cause for serious concern, as such measures may constitute a violation of both the right to peaceful assembly and the right to privacy, enshrined in article 17 of the ICCPR. The systematic capturing, cross-referencing, and processing of live biometric data, as allegedly occurred over the course of the protests particularly in the vicinity of Janta Mantar, may amount to mass indiscriminate surveillance incompatible with these rights. In this regard, I am also concerned about the severe chilling effects generated by such pervasive, pre-emptive surveillance, as the fear of criminalization and arbitrary targeting is likely to deter youth and student activists from exercising their rights to freedom of peaceful assembly and of association without State interference. I wish to refer your Excellency's Government to my most recent report presented at the Human Rights Council (A/HRC/62/45), which reiterates that “protests should not be seen as opportunities for surveillance or the pursuit of broader law enforcement objectives through the use of digital technologies” (A/HRC/55/60).

Additionally, I wish call to the attention of Your Excellency's Government the impact of reported hostile rhetoric and smear campaigns from high-level officials. Labelling peaceful protesters as “terrorists” has devastating consequences for their individual well-being, social cohesion and the free exercise of rights. This severe vilification inflicts deep psychological trauma, triggering severe anxiety, depression, and widespread self-censorship out of a constant fear of physical violence, arbitrary arrest, or digital harassment. I am deeply concerned that the chilling effect created by such rhetoric may isolate activists from their communities, damage their moral and professional reputations and disrupt their academic trajectories, which have already been negatively affected by the cancellation of NEET exam results.

Lastly, India's obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) add a further dimension. Article 13 recognises the right to education, and article 2(1) obliges the state to progressively realise these rights, which together underscore the state's obligation to ensure that students can peacefully

advocate for educational justice and accountability, in this case over alleged examination irregularities, without fear of violence or repression.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide the precise legal and factual grounds for the prohibition of the youth protest reported in New Delhi on 20 June. Please explain how this measure complies with the strict criteria of legality, necessity in a democratic society, and proportionality under article 21 ICCPR, including India's positive obligation to facilitate peaceful assemblies.
3. Please provide detailed information on the total number of individuals injured, detained, or arrested in connection with these demonstrations. Please specify the exact legal basis for any detentions or criminal charges, whether due process and fair trial guarantees were respected, and the current legal status of all ongoing proceedings.
4. Please provide detailed information regarding any independent administrative or judicial investigations initiated into allegations of excessive, indiscriminate, or unlawful use of force by law enforcement officials – including the use of kinetic impact projectiles, pellet guns or other “less lethal” weapons. Please identify the competent oversight authorities conducting these inquiries and outline any disciplinary or criminal sanctions imposed to date.
5. Please explain the legal framework authorizing the reported slowdowns or shutdowns of internet and telecommunications access during the aforementioned protests. Please demonstrate how these measures satisfy the stringent requirements of necessity, proportionality, and non-discrimination under articles 19 and 21 of the ICCPR.
6. Please provide information on the specific operational measures adopted to ensure that all law enforcement officials policing public assemblies remain individually identifiable (e.g., displaying visible, non-removable name tags or identification numbers) and fully accountable for their conduct throughout the deployment.
7. Please outline the concrete legislative, administrative, and protective measures implemented to guarantee that students, human rights defenders, journalists, doctors, lawyers, and civil society actors can exercise their fundamental rights to freedom of peaceful assembly,

association, and expression without fear of physical violence, online harassment, arbitrary arrest, or official reprisals.

8. Please provide detailed information on the legal basis and authorization procedures for any digital surveillance tools deployed prior to, during, or following these assemblies – including facial recognition technology, biometric systems, aerial drones, or communications interception.
9. Furthermore, please inform about the scope and nature of personal and biometric data collected from individuals during or in connection with the protests, the number of individuals identified, and a breakdown of these records disaggregated by the specific legal basis, offense type, or criminal record category under which their personal data was catalogued or linked, as well as the safeguards governing its retention, processing, and sharing, and the mechanisms available for affected individuals to seek effective remedy for unlawful surveillance or privacy violations.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, I urge that all necessary interim measures be taken to prevent the re-occurrence of such alleged violation and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of my highest consideration.

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, I would like to draw your attention to the applicable international human rights norms and standards, as well as authoritative guidance on their interpretation. These include the following:

Article 21 ICCPR stipulates that the right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others. Peaceful assemblies are protected wherever they take place: outdoors, indoors and online; in public and private spaces; or a combination thereof. Such assemblies may take many forms, including demonstrations, protests, meetings, processions, rallies, sit-ins, candlelit vigils and flash mobs. They are protected under article 21 whether they are stationary, such as pickets, or mobile, such as processions or marches (CCPR/C/GC/37, para. 6).

I further wish to highlight that States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association, but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards (A/HRC/17/27, para. 66; and A/HRC/29/25/Add.1). This means ensuring that the rights to freedom of peaceful assembly and of association are enjoyed by everyone, without discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (A/HRC/41/41, para. 13).

Similarly, The Human Rights Council has emphasized that States have the obligation to respect and fully protect these rights online as well as offline (A/HRC/RES/38/7). Many activities associated with protests happen online or otherwise rely upon digital services, and such activities are also protected under article 21 ICCPR. States parties must not, for example, block or hinder Internet connectivity in relation to peaceful assemblies (CCPR/C/CMR/CO/5, para. 41).

States furthermore have an obligation not only to refrain from violating the rights of individuals involved in an assembly, but to ensure the rights of those who participate or are affected by them, and to facilitate an enabling environment (A/HRC/31/66 para. 13). We further recall that the UN Human Rights Committee, in its general comment No. 37, emphasized that peaceful assemblies enjoy a presumption of legality and that law enforcement authorities must facilitate, rather than suppress, peaceful assemblies. The Committee further underscored that force may only be used where strictly necessary and proportionate, and that indiscriminate or punitive uses of force against peaceful demonstrators are incompatible with article 21 of the Covenant.

I further wish to reiterate that the use of force by law enforcement officials should be exceptional, and assemblies should ordinarily be managed with no resort to force. Any use of force must comply with the principles of necessity and proportionality. The necessity requirement restricts the kind and degree of force used to

the minimum necessary in the circumstances (the least harmful means available), which is a factual cause and effect assessment. Any force used should be targeted at individuals using violence or to avert an imminent threat. The proportionality requirement sets a ceiling on the use of force based on the threat posed by the person targeted. This is a value judgement that balances harm and benefit, demanding that the harm that might result from the use of force is proportionate and justifiable in relation to the expected benefit (A/HRC/31/66, paras. 57 and 58). We particularly wish to draw the attention of your Excellency's Government to a report of the Special Rapporteur on Torture which explains that "(a)ny extra-custodial use of force that does not pursue a lawful purpose (legality), or that is unnecessary for the achievement of a lawful purpose (necessity), or that inflicts excessive harm compared to the purpose pursued (proportionality) contradicts established international legal principles governing the use of force by law enforcement officials and amounts to cruel, inhuman or degrading treatment or punishment (A/72/178, para. 62(c)).

I emphasize that any use of force must also be in accordance with other applicable international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement. The use of less-lethal weapons must be restricted to situations of necessity and in proportion to the associated risks. In other words, the force used must be the very minimum required under the circumstances at hand. We warn against the risk that the use of such weapons may amount to torture or ill-treatment if it is not proportionate to the aim pursued, namely, to disperse a nonpeaceful gathering and depending on the resulting injuries.

Where the presence of law enforcement officials is required, the policing of an assembly should be planned and conducted with the objective of enabling the assembly to take place as intended, and with a view to minimizing the potential for injury to any person and damage to property. Clear command structures must exist to underpin accountability, as must protocols for recording and documenting events. Superior officers should be held accountable "if they know, or should have known, that law enforcement officials under their command are resorting, or have resorted, to the unlawful use of force and firearms, and they did not take all measures in their power to prevent, suppress or report such use." We wish to reiterate that law enforcement officials should seek to de-escalate situations that might result in violence. They must exhaust all non-violent means before and give prior clear warning if the use of force becomes absolutely necessary. Only in exceptional cases may an assembly be dispersed, when, for instance, it is no longer peaceful, or if there is clear evidence of an imminent threat of serious violence that cannot be addressed by more proportionate measures. When the decision to disperse is taken, force should be avoided. Where that is not possible, only the minimum force necessary to that objective may be used. Where law enforcement officials are prepared to use of force, or violence is considered likely, authorities must also ensure that adequate medical facilities are available.

I further wish to recall to the attention of your Excellency's Government that less-lethal weapons should not be used in situations of crowd control, especially in situations involving the exercise of the right to peaceful assembly. Such weapons should be used only as a measure of last resort, following a verbal warning, and with adequate opportunity for assembly participants to disperse. Besides, extra precautions are needed to protect from harm individuals and groups in situations of vulnerability when using

any force in the context of protests. This can include, for instance, giving additional considerations when using less-lethal weapons in the proximity of children, pregnant women, older persons, persons with disabilities, and persons under the influence of drugs or alcohol. We stress that it is not always possible to draw a clear line between lethal and non-lethal weapons, and that less-lethal weapons may have indiscriminate effects.

Regarding restrictions on the freedom of protesters, the former Special Rapporteur on the rights to freedom of peaceful assembly and of association indicated that in the context of assemblies, “neither preventive detention nor preventive identity controls, including stop and search, should be used to create a chilling effect on the right to freedom of peaceful assembly or to criminalize protesters” (A/HRC/47/24, para. 51). He added that those who violently disperse public assemblies through excessive use of force should be held accountable and face criminal and disciplinary sanctions (A/HRC/47/24, para. 52).

As indicated in the report by the Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/HRC/62/45), the deployment of a synchronized, multi-tiered surveillance apparatus furthermore represents a severe interference with fundamental human rights. Pre-emptive surveillance frameworks fundamentally erode the presumption of innocence and violates the core principles of legality, necessity, and proportionality. Under international standards, biometric recognition systems must never be deployed for mass, indiscriminate surveillance, as doing so fails to meet the strict criteria of being the least intrusive measure necessary in a democratic society. Furthermore, as analyzed in the same report, such pervasive monitoring generates severe chilling effects that extend far beyond the right to privacy, inflicting compound harms across interconnected rights. The real-time identification and retrospective tracking of demonstrators strip individuals of their anonymity, deterring public participation, fostering hypervigilance, and inducing a state of "desocialization" that undermines collective movement-building and civic engagement.

Lastly, we wish to note that article 21 ICCPR requires States to uphold their responsibility to investigate all allegations of serious human rights violations related to associations and assemblies. The former Special Rapporteur on freedom of peaceful assembly and of association has recalled that adequate, impartial and differentiated investigation is key to ensuring the collection of evidence and delivering accountability to victims (A/HRC/53/38, para. 27). We underline that any allegation of unlawful use of force or other violations by law enforcement officials in the context of assemblies, must be investigated effectively, impartially and in a timely manner. Victims must be involved and kept updated on the status of such investigations and effective remedies to seek and obtain redress, including adequate compensation, as appropriate, must be made available to them. Those using force, and their commanding officers, must be accountable for each use of force. Any use of force by law enforcement officials should, in fact, be recorded and reflected promptly in a transparent report. Where injury or damage occurs, the report should contain sufficient information to establish whether the use of force was necessary and proportionate by setting out the details of the incident, including the reasons for the use of force, its effectiveness and the consequences of it (CCPR/C/GC/37, para. 91).