

To,
The Deputy Commissioner of Police (East)
Bengaluru City Police

June 6, 2024

Subject: Concerns regarding FIRs filed against concerned citizens aiming to spread awareness on the humanitarian crisis in Palestine and the assault by the police on them

Dear Sir,

We are a group of human rights activists and concerned citizens and students who would like to urgently draw your attention to a recent incident of police violence and violation of people's fundamental right to freedom of speech and expression.

On Sunday, 2nd June, a group of concerned citizens aimed to undertake an awareness campaign titled 'Bengaluru with Gaza' at 4.30 PM, near Frazer Town (poster attached). The citizens, including students, had gathered there with informational material. Before they could even gather and start the information dissemination, police arrived there and started violently dragging the citizens away, with no explanation. The citizens were dragged into vans and some of them were beaten by police officials in plain clothes in the van. There were no women police personnel present, yet, citizens including women were forcefully dragged away and manhandled by male police officials.

After this, two FIRs have been registered by the Pulakeshinagar Police station against the citizens:

1. Cr 177/2024 (Under sections 188, 290, 291 and for allegedly violating the HC order in WP 5781/2021 on protests)
2. Cr 178/2024 - (Under sections 506,34,504,332,353)

India's position on Palestine

After more than 250 days of airstrikes, forced evictions, illegal imprisonments and countless war crimes, almost 40,000 Palestinian civilians have died in the ongoing genocide led by the Israeli government. In total disdain of global opinion and public demand for an immediate permanent ceasefire, Israel has now launched its invasion of Rafah and has taken control of all the major crossing-points. Israel has weaponised starvation as a means to kill, exterminate, and ethnically cleanse the civilian population. Israel thus stands in gross violation of 'The Convention on the Prevention and Punishment of the Crime of Genocide, 1948'. Their agenda is to ethnically cleanse the entire Palestinian population from the Occupied territories of Gaza, the West Bank & East Jerusalem. Both the International Court of Justice & International Criminal Court have been investigating PM Netanyahu and other Israeli political & military leaders for war crimes. Meanwhile, the attacks on UN officers, offices and workers, especially that of United Nations Relief & Works Agency for Palestinian Refugees (UNRWA) have been unprecedented and pose a threat to the sanctity of international law, peacekeeping efforts and human rights endeavours of the global community for times to



come. This aggression cannot be allowed and needs to be immediately stopped by the international community.

We want to note that the Government of India across decades has continued to express its support for the people of Palestine and also expressed its support for a Palestinian state. Last week, a spokesperson of the Ministry of External Affairs described the killings in Rafah as heartless¹. In fact, India's position on Palestine "has been long standing and consistent. We have supported a negotiated two State solution, towards establishment of a sovereign, independent and viable State of Palestine within secure and recognized borders, living side by side in peace with Israel."²

The Indian freedom struggle against British colonialization continues to breathe life into our solidarity with the colonized Palestinians. The information dissemination campaign was only one such small effort of citizens concerned with preserving their own humanity by raising their voice against the brutal genocide of the Palestinians by Israel with the support of US and other European countries.

This attempt to shut down information dissemination to the people of is not only contradictory to our sovereign position but also in gross violation of the citizens fundamental right to know.

Wrongful FIRs and Police violence

The registration of these FIRs and the violence is an assault on the right to freedom of speech and expression, and on the dignity of citizens. On the question of Palestine and the expressions of people of Karnataka, the Hon'ble Chief Minister Shri Siddaramaiah had written a letter that assured that the government will not come in the way of expression in the line of the ideals of the constitution³. That being the case, it is inexplicable as to why the police tried to prevent an event that was about information awareness and additionally violently dragged the citizens who were planning to do so.

1. The FIRs mention the violation of the High Court order WP 5781/2021 as an offense. The gathering was not a protest in any form. It was neither announced nor intended as one. There was no action on the ground to indicate it was a protest. This being the case, why was the event treated as a protest? The slogans which were shouted, happened after the police started violently dragging the gathered citizens. The sloganeering was done so that the very purpose of the information drive to bring awareness to the citizens on the ongoing genocide can be fulfilled. Some of the citizens who gathered there, tried to record the incident, but the local police threatened to snatch their phones if they recorded. Why should citizens not record how the police grabbed people and dragged them?

Clause (viii) of Section 2 of the Licensing and Regulation of Protests, Demonstrations and Protest Marches (Bengaluru city) Order, 2021 defines 'Protest' as *the actions of congregation of one or more persons at one place, in a peaceful and lawful manner with the intention of showing dissent*

¹ <https://www.bhaskar.com/world/news/india-calls-killing-in-rafah-heartbreaking-reaffirms-palestinian-statehood-amid-european-move-101717070182394.html>

² <https://www.mea.gov.in/lok-sabha-jan-20/37516-QUESTION-NO-18-INDIAN-STAND-ON-PALESTINE#:~:text=of%20%26%20b%20India%27%20policy%20aide%20in%20press%20on%201%20Jan>

³ <https://www.deccanherald.com/india/karnataka/pro-palestine-cs-sub-wont-curt-free-dm-of-expression-says-ktna-cm-siddaramaiah-2793397>

or expressing opposition or objection to issue(s) including political, social, religious, cultural, farmers, workers or any other issues, but it does not include "assemblies" as defined in the Licensing and Controlling of Assemblies and Public Processions (Bangalore City) Order, 2009.

As per the Licensing and Controlling of Assemblies and Public Processions (Bangalore City) Order, 2009 assembly means a congregation of more than 250 persons assembling at one place with an intention of conducting meeting or protest, to hear a public speech including political, social, religious and cultural meetings to which the public have got free access. License/Permission is required only when more than 250 persons are there. Here in this case, there were not even 50 people, so it is not something that required any license/permission.

2. The FIR also speaks of Section 188 of the Indian Penal Code, 1860. For attracting the offense under Section 188 of the Indian Penal Code, there must be an order promulgated by a public servant lawfully empowered, to abstain from a certain act coupled with its disobedience which causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed or to human life, health or safety, or causes or tends to cause a riot or affray. However, in the instant case, the gathering of people at said spot is neither a protest, a protest march nor a protest rally but a peaceful assembly of residents of Bengaluru.
3. Similarly, other offenses mentioned are also not attracted. The second FIR alleges a violation of Section 302. No citizen there assaulted the police, rather police assaulted the citizens. We are shocked that this section has been invoked.

Sir, why is that the police are treating awareness about a critical global issue, about a genocide, such a crime? Do citizens not have the right to speak about global issues with each other? Why is the police treating any event around the ongoing humanitarian crisis in Palestine as a crime?

We demand that the police act as per the ideals of the constitutions and uphold our rights. We appeal to you to take immediate steps to assure citizens of Bangalore that we continue to live in a democracy where we can freely raise our voice against injustice without the police treating us like criminals.

1. Both the FIRs must be immediately withdrawn.
2. An inquiry into the police violence on June 2, 2024 (Sunday) must be conducted immediately.
3. Directives to be given to the police do not disrupt any information awareness campaigns on the issue of Palestine, such as film screenings and public engagement initiatives.

Yours sincerely,