

Targeted Violence in Jamia

NFIW Fact Finding Report on the Events of 10 February, 2020

On the evening of 10th February 2020, students of Jamia Millia Islamia University, Delhi, much like many other civil society groups in the city, decided to take a peaceful march with with banners and placards to the Parliament House to continue their ongoing protest against the Citizenship Amendment Act, National Register of Citizens and National Population Register (CAA, NRC and NPR).



By 6 PM, the crowd swelled, as many local residents and supporters joined the protest. The police began to put up barricades to stop the protestors from moving forward. The protestors stopped and declared their decision to stage a peaceful sit-in at the barricades. Notwithstanding, the police swung into action, and without any warning or announcement to disperse, started attacking the protestors. This was the third time in a short span of three

months that the anti-CAA/NPR/NRC protestors had to face violent reprisals on campus, but this was the most violent attack the protestors had faced.

This fact finding by the National Federation of Indian Women (NFIW) has been compiled after talking to victims, other students, teachers, activists, medical professionals, administrative staff, and legal professionals reports on the gruesome violence that was perpetrated on the protestors.

The students and teachers of Jamia have highlighted two critical issues,

- a. use of chemical gas on peaceful protestors; and
- b. targeted sexual violence on women



What is striking about the narratives and testimonies is the role of both the police as well as those in plain or fake uniforms (suspected goons affiliated to RSS) in the attack. As was seen in previous campus attacks in JNU and Jamia itself, there were police personnel without name plates and badges. Also, some of the attackers wore jeans, non-police helmets and vests over their civilian clothes. The vehemence and sense of vindictiveness of the attackers was extra-ordinary. After listening to the stories of the victims, we would rather call them survivors of violence. The inhuman manner and the ferocity of the assault, was apparently to drive home the point that the anti CAA protestors are enemies of the State.

To get a complete picture of what happened on the evening of 10th February 2020, we need to understand the pattern of attack, the nature of injuries suffered by the survivors and the aftermath.

After talking to survivors, doctors, nurses, activists, legal professionals and other stakeholders, we were able to narrow down a number of about 70-80 persons who have suffered violence, in an age range of 15-60 years. Those who suffered grievous injuries include 30-35 men and 15-17 women.

Pattern of Attack

Eyewitnesses told us that at about 6:30 PM, a misty air was visible from a distance. On reaching closer they discovered that an odourless spray was being used on the protestors.

Chemical Attack

The spray was not tear gas as no one complained of tears or irritation to the eyes. What the protestors did complain about was immediate immobility, drowsiness and severe headaches. They also experienced choking and muscle pain. Most were unable to stand for hours after being sprayed on. A few students, who moved away from the area where the gas was being sprayed also complained of nausea, headaches and muscle pain that made it difficult for them to move. When they tried to get back to the barricades to help others, they were either beaten up or sprayed on again rendering them incapable of any movement. It is evident that spray was a chemical with serious health implications.

When teachers, activists and students asked about the Police about this toxic gas, the police declined to give any clear answer. They have categorically denied using any chemical gas or torture techniques on the students. They claimed it to be mosquito fumigation spray that had drifted to the barricades from Holy Family Hospital. That claim is totally false as the hospital in question was nearly a kilometer away from the barricades. Moreover, activists, teachers and students were told by the hospital administration that no such fumigation activity was carried out in the evening or during the entire week. The police claim also gets countered by the fact that fumigation for mosquitoes does not lead to the kind of reaction that the survivors faced.

During our investigations we also discovered that the complaints of choking, vomiting and limited mobility continued for over a week after the attack. Patients were checking in with symptoms of palpitations, muscle atrophy and spasms at different medical centres and hospitals in the vicinity.



Doctors were treating symptoms, but refused to comment on the problem or the long term repercussions of the chemical inhaled. Although some of these

symptoms may be ascribed to the severe injuries that some received on their genitals and stomach, but these were also seen in those who had not been attacked physically, but were in the vicinity of the barricades from where the spraying was being carried out. Those in the crowd, who stood far from the barricades were not similarly affected.

Nearly two weeks after the attack, we were still getting reports of students who, having inhaled the gas, were complaining of breathlessness, lack of energy, inability to walk or move properly. Here we would like to point out that there were no tissue samples or blood samples taken to identify the toxin that was used. No doctor that we talked to conducted a blood test or a urine culture test of the patients. *The doctors and nursing staff told the patients that even if they got any test done, the chemical would not be identifiable. It was a chemical that left behind no residue.* Initially we were surprised at this response of the Doctors. Over time most survivors we talked to, as well as the administrative staff of different hospitals and clinics told us that the doctors were apparently intimidated by policemen in plainclothes to not conduct any tests. From public hospitals to private set ups, most medical professionals in the area were obeying the unwritten instructions of not conducting tests as well as not talking to people who were trying to enquire. That was the main reason why survivor after survivor was convinced into not seeking a blood test. No doctor was ready to put the issue down on their prescription pads.

As a result, we had patients being treated for symptoms based on physical injuries alone. As the nature of the chemical is not known, it would be difficult to treat the patients accordingly. Importantly, its long term impact or effects will not be known.

We do not know if it is possible to determine the composition of the chemical used weeks after the assault – no such test had been carried out. We would like to point out that using chemicals on unarmed civilian populations is a criminal act and has been declared illegal in various UN Conventions. Moreover, there is no constitutional loophole that the police or any armed force can claim for validating their action.

Excessive Beating

All medical personnel we talked to made the same observation: this was the most gruesome and inhuman assault on protestors they had ever witnessed. Some doctors admitted that the symptoms were different from what would normally be seen after usual physical assault. The beatings were more severe as were the traumas that the survivors suffered. The doctors in the area were treating for cracked and fractured ribs, ankle and bones. So, a major point that needs to be made here is the fierceness of the assault on the victims.

The attack varied according to gender. Men were hit on their knees and when they fell on the ground, they were sprayed on with a mild liquid that rendered them immobile. They were also attacked on their genitals. Many were unable to speak, and the choking and headaches also rendered them unconscious.

The attack on women was slightly different. The women were sprayed on first, and as they collapsed, they were beaten. Nearly all complained of attempted sexual assault, as discussed in the next section.

The attacks were made with blunt objects, so there were no sharp injuries. The instruments used for beating were batons, leather boots, elbows, knees and knuckles. It took the patients days to discover the extent of the injuries as there was no visible bleeding or scars. Nearly all injuries were internal. It was only later that through X-rays the fractures and other injuries were identified.

All injuries were mostly on four specific spots: chest, navel, groin and feet. Apart from these, many also took beating on their head and neck. Most survivors complained about the ferocity of the attacks. It was as if the police were trying to maim them, fracture their skulls or paralyze them by targeting the spine. One of the male students who was attacked told us that his spleen had ruptured due to which there was swelling and pain in the stomach, and the joints of the toes had dislocated and slid under the feet rendering him incapable of walking. *A lot of girls also told us how the police were trying to use rods and boots to crush their feet.* We are not talking of beatings on the sole of the feet, but pounding the feet from the top so that the survivors would suffer joint dislocations or fractured feet.

In scenes reminiscent of the JNU attack, here too the handicapped and disabled were not spared. They were beaten as ruthlessly as every other protestor.



All victims also pointed to the abusive language and anti-Muslim slurs used by the policemen while attacking, such as Pakistanis and Mullas. Also, during the attack, the attackers were instructing each other on how and where to hit. “Gaand mei maar”, “chuut mei ghusa de”, “maar chuut mei randi ke”, were oft repeated abuses

Sexual Assault

We were able to find out about 15 women and 30 men being assaulted in their private parts.

Women were molested by the male policemen, who attempted to tear their clothes, punched their breasts or stomped on them with their boots, as well as tried to insert their batons into the vaginas. At least 15 women who were stomped on in their private parts, and they suffered injuries in their vaginas. We met a few women whose vaginas were torn due to the blunt end of the baton being inserted. The pain, pus and blood rendered them bed ridden for weeks after the assault. Women, as young as 16 and as old as 60, were sexually assaulted, many of who are suffering now from serious gynaecological complications. A woman who had previously been operated for a cesarean delivery kept pleading for the beatings to stop, but the assault continued till the cop was pulled back.

As we could not get access to the MLCs, we have to rely on information given to us by the survivors themselves. Here we were helped by the medical students who tried to explain the statements given by survivors. We would like to reiterate that our report is based on testimonies given to us by survivors, their spokespersons, medical practitioners, legal and medical advisors. We could not, and did not, coerce any doctor or lawyer to break their oaths of confidentiality. We took their opinions and tried to validate it with stories given by survivors.

Along with women, we also came across men who suffered injuries in their sexual organs. The sexual assault on men was equally severe. The attack on groin and rectum resulted in severe injuries. The heinous and common feature of the attacks on both the genders was an attempted demonstration of the unlimited power of the police over the protestors.

Assault in the Bus

The horror and terror of the attacks did not stop at the barricades. About 30 boys (students and protestors) were picked up to be taken to the police station. In the approximately 40 minute bus drive to the station, the boys were constantly beaten in the bus, their groins kicked at with boots. Most of this was told to us by relatives and friends of the survivors, as the doctors and lawyers cannot reveal details due to patient confidentiality. It was told that the boys were unable to move when they were released from the police custody, and how they collapsed with pain on their release, The shame and fear of people finding out about the details of their injuries was also a reason why their doctors were reluctant to talk about it. Also, the more severely hurt students were sent back home within a span of 48 hours so that they may not have to answer too many questions.

It is important to remember that we were dealing with cases that kept coming in, in different hospitals over a period of 3-4 days, beginning with the night of the attack. For the next 3 days, hospitals and doctors were treating injury cases. As most injuries were to students who are not local residents, they were shifted by relatives/local guardians/friends/teachers to their hometowns where they are still undergoing treatment.

Key Points

Our investigation revealed some details that we would like to highlight in this report.

1. Firstly, we would like to clarify that the investigations and collection of testimonies took a lot of time as the survivors, their relatives (or spokespersons), and related persons had faced direct and indirect threats from uniformed and plainclothes policemen about talking to outsiders. The fear of talking to us on phone was also evident from the fact that they sent indirect messages about virtual surveillance that they were facing.
2. As women, we were able to communicate about injuries to private parts with women. However, the men were reluctant to share details about their injuries. Their injuries, we found over time, were as severe as those that the women suffered. As no doctor will give a comparative statement, and as the details of the injuries are available only in the MLCs that the court/enquiry commission can access, we have relied on the testimony that some of their friends, lawyers and medical professionals we consulted
3. There has been no semblance of accountability from the police regarding the brutality of its forces. The Jamia Teachers' Association (JTA), in their press release on the 11th of February, sought answers regarding the unprofessional manner in which the crowds were handled. The unprecedented brutality was shocking for all, and the JTA sought action against those who were responsible for the situation hurtling out of control.
4. While the police has denied use of any gas, the witnesses and collectives like the Jamia Coordination Committee were able to gather evidences regarding the use of some chemical substance being used. We too were able to gather testimonies and eye witness accounts about chemical gas being used on unarmed civilians.
5. Hospitals have refused to officially give statements.

Demands

NFIW CATEGORICALLY CONDEMNS THIS VIOLENT SUPPRESSION OF DEMOCRATIC PROTEST and demands the following:

- a) The Ministry of Home give a white paper on the events of the 10th February, from the setting up of barricades to the detaining of students in the police station. The selective detention and assault on students on the way to the police station, which would come under the section of custodial torture, merits a separate white paper.
- b) The government institute a special judicial enquiry to investigate the heinous nature of the crimes perpetrated by men in uniform.
- c) Apart from retired judges, we would also like a team of doctors to investigate and submit a public report on the use of chemicals on the protestors, and the nature of injuries of the survivors.
- d) We would like to remind the police and judicial authorities that NO FIR HAS BEEN FILED till date regarding the injuries suffered by the unarmed protestors. Intimidation of survivors and related groups needs to be noted immediately. The harassment and threats need to stop. Access to justice is a right that should be available to all. We are aware of the political narrative that is seeking to link all anti-CAA/NPR/NRC protests with women, particularly muslim women. The fact that the media has called all such protests as women led, particularly muslim women led protests, and tried to justify violence perpetrated on them as valid, is false and dangerous.
- e) As the crimes and excesses committed by the men in uniform do not see the light of day, we ask for not only a policy of police reforms, but also the implementation of the sections of the Justice Verma Committee Report, that have been conveniently overlooked by successive governments. The committee recommended bringing sexual violence against women by members of the armed forces or uniformed personnel under the purview of ordinary criminal law; taking special care to ensure the safety of women who are complainants and witnesses in cases of sexual assault by the armed forced; and setting up special commissioners for women's safety and security in the country.
- f) It is not only the brutality exercised by the polic,e but the Islamophobic ideology that the police forces have been indoctrinated with needs be addressed on an urgent basis. Our police is supposed to serve the people, follow the constitution to safeguard the rights of all persons irrespective of religion, class, caste, religion, etc. We cannot have a police force that treats a section of the population as enemy and violates their human rights.
- g) Lastly, we demand compensation to the survivors for the injuries suffered. In a democracy, no one should have to suffer the kind of brutalities that the peaceful protestors have suffered.

Aruna Roy (President, NFIW), Annie Raja (General Secretary, NFIW), nfiwdelhi@gmail.com