

Human Rights Defenders Alert - India

National Coordination Office

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Date: **11 February 2011**

Special Rapporteur on the situation of human rights defenders,
Mrs. Margaret Sekaggya
c/o Office of the High Commissioner for Human Rights - Palais Wilson
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland
Email: urgent-action@ohchr.org

Dear Ma'am,

Sub: HRD Alert - India - Urgent Appeal for Action - Human Rights Defenders faces increased harassment after representing before UN Special Rapporteur on Country Visit to India - Reg

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are now writing to express our grave concern regarding the increased harassment of the police on Mr. Julfikar Ali, a human rights defender who deposed before you at the consultation in Kolkata on 13 January 2011, following the said consultation.

Incident

In the Regional Consultation your goodself had with human rights defenders from Eastern States of India on the 13th of January 2011 at Kolkata, Mr. Julfikar Ali reported on the cases filed against him, as well as the harassment and threats of arrest he receives from the police who come to his house. The case he had reported on was that on 12 January 2008, Inspector Vikash Chandra of the Border Security Force (BSF) lodged a complaint against him at

the Ranninagar Police Station under sections 147, 148, 149, 186, 353, 307, and 326 of the Indian Penal Code. These sections are on: rioting; rioting armed with a deadly weapon; unlawful assembly; obstruction of public servants; assault to deter a public servant from discharge of his duty; attempted murder and grievous bodily harm by means of a dangerous weapon. A warrant of arrest has been issued based on this complaint. (The warrant names 4 persons, including Mr. Julfikar Ali, although his name was miswritten as Mr. Julfikar Shiekh)

He had also told the Special Rapporteur about the visit of the police to his house on 2 January 2011. FORUM-ASIA had sent a Case Fact Sheet to you, the UN Special Rapporteur on HRDs informing about the 2 January 2011 incident, when police visited the house of Mr. Julfikar Ali.

Days after Mr. Julfikar Ali reported to you, police visits to his home became more frequent. There was a marked increase and frequency of the visits after Mr. Julfikar Ali spoke at the Consultation. Police would seek him out in his village and knock on his door, asking his family about his whereabouts. Allegedly, the police would tell his family that there is a warrant out for the arrest of Mr. Julfikar Ali and that they will arrest him if they see him.

On the 11th of February 2011 Mr. Julfikar Ali, accompanied by Mr. Kirity Roy, Secretary of MASUM, went to the District Court to surrender. He felt the need to do this to settle the issue and continue work as a human rights defender.

Mr. Julfikar Ali filed a petition before the District Court for anticipatory bail and his petition was granted. A hearing is scheduled for 14 February 2011 (**Monday**) at the District Court to hear another petition filed by Mr. Julfikar Ali for anticipatory bail in another false case foisted on him.

Appeal

1. We, therefore, urge you to immediately take necessary steps to ensure that:
All necessary steps are taken to guarantee the professional and personal freedom and personal safety of Julfikar Ali;
2. The false cases against Julfikar Ali are immediately withdrawn.
3. In all circumstances it is guaranteed that human rights defenders in India are able to carry out legitimate human rights activities like interventions through UN Mechanisms without fear of reprisals, free of all restrictions including judicial harassment.
4. An enabling environment that ensures respect for the rights of individuals in West Bengal engaged in the peaceful promotion of respect for human rights be ensured

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

National Coordinator

Human Rights Defenders Alert - India