

## *Human Rights Defenders Alert - India*

National Coordination Office

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**May 9, 2010**

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](mailto:urgent-action@ohchr.org)

Dear Ma'am,

**Sub: HRD Alert - India - Urgent Appeal for Action - Human Rights Defender  
continually harassed by Gujarat Govt. - 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 continual harassment of Teesta Setalvad, Secretary, Citizens for Justice and Peace by the Govt. of Gujarat through its police.

**Issue:**

In a desire to intimidate rights defenders, social activists and legal rights groups supporting victims of the 2002 carnage the Gujarat Government, through its police, is continually harassing Teesta Setalvad, Secretary, Citizens for Justice and Peace. She is presently facing at least three fabricated criminal investigations forcing her to apply for multiple anticipatory bails. Now the latest appears to be a doctored charge-sheet. (Enclosed are copies of the summons served to Setalvad. Also Enclosed is the response by her to the Lunawada Police on their latest summons for May 9, 2011. After first seeking her views as witness under Section 160 of the CRPC, the Lunawada police is now making out that she is an absconding accused.

This intimidation comes at a time when finally after nine long years, the serious allegations against the chief minister Narendra Modi for masterminding the criminal conspiracy to commit mass murder have reached a pivotal stage. In a path breaking development the Supreme Court of India, in its order passed on May 5, 2011 has directed the amicus curiae to examine all evidence and meet all witnesses, including police officers and report back to the court whether an offence against the chief minister and 61 others is made out. Serving and retired IPS and IAS officers have testified to the illegal and unconstitutional instructions and governance by Narendra Modi post February 27, 2002 that allowed 19 districts of Gujarat to be targeted in brute mob violence that cost 2,500 precious lives of the minority. Daylight rape and mob attacks that continued for several hours from February 28, 2002 onwards led a Concerned Citizens Tribunal—Crimes Against humanity Gujarat 2002 to call “Narendra Modi is the sole architect of a state sponsored genocide.”

This specific attack of malicious slander combined with intimidation through fabricated cases began from September 2010 and was led by BJP Member of parliament, Chandan Mitra’s newspaper, *The Pioneer*. We urge that you look at the links at the following sites:

- 1) <http://www.cjponline.org/teesta.htm>
- 2) <http://www.cjponline.org/teesta/Human%20Rights%20Defenders%20Alert%20-%20India.pdf>
- 3) <http://cmpaul.wordpress.com/2011/01/01/christian-community-says-freedom-of-faith-and-human-dignity-cornerstones-of-indian-secular-democracy/>
- 4) <http://www.cjponline.org/teesta/PUCL%20Statement%20on%20Imminent%20Arrest%20of%20Teesta%20Setalvad%20%28Jan%20%202011%29.pdf>
- 5) <http://www.cjponline.org/teesta/mkss.htm>
- 6) [http://campaign.r20.constantcontact.com/render?llr=g56joqbab&v=001zsj4A0\\_3E1HCxG5kgBMNt1UcqH6maCf9KeziKkfhlAtBp2qnJejdoRQsiwQTkp5T1Uqi1DtYBSVCu3pHzPtdBFg2ZRC1eR4PcrYJSzBAUlfPciC3BzwiMO90DxyDL23ydaDirxkkyalkJMgrzWok8UjlzqcNmGA6x8frvnmBQJx9aZN\\_wADw](http://campaign.r20.constantcontact.com/render?llr=g56joqbab&v=001zsj4A0_3E1HCxG5kgBMNt1UcqH6maCf9KeziKkfhlAtBp2qnJejdoRQsiwQTkp5T1Uqi1DtYBSVCu3pHzPtdBFg2ZRC1eR4PcrYJSzBAUlfPciC3BzwiMO90DxyDL23ydaDirxkkyalkJMgrzWok8UjlzqcNmGA6x8frvnmBQJx9aZN_wADw)

**Other serving officers who have defied the Modi administration by obeying the law and the principles enshrined in the Indian Constitution have also suffered.**

1) RB Sreekumar denied promotion, chargesheeted for speaking the truth before the Nanavati Commission

<http://www.gujarat-riots.com/subvrPunOfficer.htm>

2) Rahul Sharma was served a show cause notice and attempts made to intimidate him

<http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Archive&Source=Page&Skin=TOINew&BaseHref=CAP/2011/02/11&PageLabel=12&EntityId=Ar01200&ViewMode=HTML&GZ=T>

3) Former Chief Minister Gujarat and Minister in Narendra Modi Cabinet in 2002, Sureshbhai Mehta served a Notice by the Gujarat Bar Council

<http://www.indianexpress.com/news/bar-notice-excm-says-his-law-licence-expired-long-ago/748761/>

4) IG Sanjiv Bhatt Confirms Illegal Instructions

<http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Archive&Source=Page&Skin=TOINew&BaseHref=TOIA/2011/03/22&PageLabel=3&EntityId=Ar00307&ViewMode=HTML&GZ=T>

<http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Archive&Source=Page&Skin=TOINew&BaseHref=TOIM/2011/03/17&PageLabel=15&EntityId=Ar01500&ViewMode=HTML>

[http://drop.ndtv.com/common/pdf/Sanjiv\\_Bhatt.pdf?from=NDTV](http://drop.ndtv.com/common/pdf/Sanjiv_Bhatt.pdf?from=NDTV)

5) Sanjiv Bhatt Harassed

Modi government trying to instil fear in witnesses: Sanjiv Bhatt

<http://www.hindu.com/2011/05/06/stories/2011050667961700.htm>

### **Slander and Malign Campaign Continues**

Meanwhile the desperate and malicious effort to malign both Teesta Setalvad and the organization she represents continues

<http://www.cjponline.org/gujaratTrials/teestayasmeenstat.htm>

### **About CJP**

*The Citizens for Justice and Peace (CJP) was the response of a group of citizens from Mumbai to the genocide in the Indian state of Gujarat. CJP's objectives are, among others, to promote communal harmony in India, to build public opinion on the need for justice as an essential step towards reconciliation and peace, to check threats to Indian democracy and the Rule of*

*Law, whether by governments or political parties or other organisations, groups or individuals, to make legal interventions in the Courts of Law through Public Interest Petitions or otherwise, to prosecute all those guilty of killing or maiming innocent citizens; and to assist others petitioning before the Courts for the redressal of grievances and to set up or assist in setting up any lawyer/team of lawyers to effectively intervene in government appointed commissions of inquiry probing the causes of communal conflict.*

## **Appeal**

We request you to ensure that the authorities in India

- Guarantee, in all circumstances, the physical and psychological integrity of Ms. Teesta Setalvad who is being subjected to constant harassment by the police
- Do not view these attempts in isolation but in the context of the recent developments in the criminal investigation into Narendra Modi and 61 others being monitored by the Supreme Court of India.
- Ensure that the attempts at intimidation and false implication in Criminal cases on Teesta setalvad is stopped
- Guarantee in all circumstances that human rights defenders are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions.

Looking forward to your immediate action in this regard,

Yours sincerely,

***Henri Tiphagne***

National Coordinator

Human Rights Defenders Alert - India