

## *Human Rights Defenders Alert - India*

National Coordination Office

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**Shri A. K. Parashar**

Focal Point - Human Rights Defenders

National Human Rights Commission

Faridkot House, Copernicus Marg

New Delhi-110001

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Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action - India/Gujarat/Godhra: -  
Activist Shabnam Hashmi and 5 others detained by Kheda Police- 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 arrest and detention of activist Ms. Shabnam Hashmi and five others as they organised a programme 'In Search Of Justice', parallel to Modi's fast.

### **Incident**

**Name of the Perpetrators:** Kheda police, Gujarat

**Place of incident:** Mohammedi Colony, Godhra, Gujarat

**Date and time of incident:** 20<sup>th</sup> January 2012, Morning 10.00 a.m

According to the information received, Shabnam Hashmi, the founder trustee of NGO Anhad and five other activists were detained by Gujarat police on January 20, 2012 (Friday) when they tried to enter Godhra, where chief minister Narendra Modi is camping for his 23rd Sadbhavana fast.

Hashmi's NGO had organised a programme 'In Search Of Justice', parallel to Modi's show in Godhra, the ground zero of Gujarat riots of 2002. Hashmi had organised the programme to protest Sadbhavana fast.

Even as Modi's sat on the day-long fast, Hashmi's vehicle was intercepted on Ahmedabad-Godhra highway about eight kilometres from Godhra near Doctor na muvaada area at 10 am. The six activists were taken to Kheda police station later. The activist had sent out SMSes to media persons late on Thursday night expressing apprehensions of her possible arrest.

Hashmi was supposed to address a gathering in Mohammedi Colony in Saatpool area on 20<sup>th</sup> January 2012 morning. Her supporters had expected that the cops would detain her. But they had gathered near the spot of the programme. The Godhra special operation group police inspector M V Kikani said that Hashmi and her supporters were detained on highway and taken to Kheda police station.

Hanif Saiyyad Kalandar, Hashmi's supporter who was later detained by the police stated "Is this what Modi calls Sadbhavana? People in Gujarat don't even have right to register their protest. We are being targeted. The cops have been harassing us since morning and asking us to cancel the event. My brother along with one more person was detained by cops on Friday morning. This is not democracy".

A huge cache of policemen swooped in on Mohammedi Colony on Friday morning to ensure that the protestors are detained. Tense atmosphere prevailed at the spot as people gathered in large numbers. However, the onlookers dispersed soon after some supporters were detained.

### **Background Information:**

The Gujarat Chief Minister Narendra Modi began his 23 Sadbhavna Mission fast on Friday at State Reserve Police (SRP) Ground in Godhra which is about 25 kms from Ahmedabad in Panchmahal district. At the same time activist Shabnam Hashmi and five others had planned to hold a paralled 'sammelan' to Modi's fast. Six people including Shabnam Hashmi have been arrested.

The 'harmony mission' comes nearly a month before the 10th anniversary of Godhra carnage where 59 people, mostly karsevaks, were killed when a coach of the Sabarmati Express train was burnt on February 27, 2002.

The local BJP leaders expected a crowd of over 50,000 to attend the event. However, Congress members in the state and some NGOs are protesting against Modi's fast. Incidentally, the turnout of people from minority community at Modi's fast venue at the SRP ground here was low, contrary to the estimation by local BJP leaders.

Panchmahal SP Sachin Bhadshah said that over 1,600 policemen have been deployed along with 50 specially trained Chetak commandos and other unarmed jawans across the town. He added that security has been tightened in every part of the town. Also, a three-layer security has been put in place at the fast venue and CCTV cameras have been installed at the ground and sensitive locations.

According to the reports, over 10,000 people have registered themselves to fast along with the chief minister.

Modi arrived at the fast venue here at 11 AM where he was greeted by his cabinet colleagues, local MPs and MLAs, besides BJP leaders and priests from various religions. A huge crowd had gathered at the venue from all sections of society.

Even before the fast meant to promote peace, harmony and brotherhood could begin, social activist Shabnam Hashmi and five others of NGO Anhad were detained for organising a convention 'In search of Justice'.

Also, former BJP leader Nalin Bhatt who was to participate in an anti-Modi rally organised by the Deen Dayal Seva Sangarsh Samiti founded by him was detained from his house in Vadodara early this morning, as he had planned to take out a rally in Godhra against Modi. Bhatt had quit the BJP before the 2007 assembly elections and formed his own outfit.

Few representatives of minority community were seen at the venue while couple of religious priests from Muslim communities like Gachis and Bohars was sitting on the stage besides Modi.

Godhra was transformed virtually into a police base camp ahead of the fast. Over 1,600 policemen have been deployed along with 50 specially trained Chetak commandos and other unarmed jawans across the town.

Police said six activists were detained as they wanted to hold a public function despite permission being denied to them.

Shabnam has stated that "They have stopped and arrested us. We just want to go ahead with our convention. I don't understand what are they afraid of? What are we saying?"

In a democracy, everyone has the right to voice their opinion or to express their dissent in freedom and without fear.

This detention of Ms. Hashmi and others who were protesting peacefully far away from the site of the 'Sadbhavna tamasha' is indicative of the fascism that is prevalent in Gujarat State.

Delivering his judgement with regard to the Lokayukta, Justice V.M. Sahai of the Gujarat High Court on January 18<sup>th</sup> 2012, very strongly states that, "*the pranks of the CM.....demonstrates deconstruction of our democracy...*"

Taking a cue from this, all right thinking citizens, from across the board, should come out fearlessly to protest the fact that human rights are being violated and that democratic traditions are being severely eroded in Gujarat.

## **Appeal**

We, therefore, urge you to immediately take necessary steps to

1. Ensure the immediate release of Ms. Hashmi and other 5 Human Rights Defenders;
2. Conduct an independent inquiry into the circumstances leading to the detention of Ms. Hashmi and others on false charges and fabricated evidence and that responsible official is held accountable;
3. Ensure democratic space for peaceful dissent in the State;
4. Immediate intervention of the police administration, necessary legal action be taken and perpetrators be brought to book;

5. The authorities must take all necessary measures to guarantee that human rights defenders and other social activists are able to carry out their legitimate and peaceful activities without fear of harassment and intimidation;

6. Put an end to acts of harassment and threats faced by all rights activists and human rights defenders in India and the Indian federal and state authorities have to ensure that human rights activists throughout the country are protected;

7. Conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:

- Its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”;

- and its Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”.

8. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by India.

Looking forward to your immediate action in this regard,

Yours sincerely,

*Henri Tiphagne*

Hon. National Working Secretary,

Human Rights Defenders Alert - India

**Useful Links:**

- i) <http://m.economictimes.com/PDAET/news/politics/nation/Activist-Shabnam-Hashmi,-5-others-detained-as-Narendra-Modi's-'Sadbhavana'-fast-begins/articleshow/11567075.cms>
- ii) <http://timesofindia.indiatimes.com/india/Activist-Hashmi-5-others-detained-in-Godhra-as-Narendra-Modis-Sadbhavana-fast-begins/articleshow/11566700.cms>
- iii) <http://humanrightsindia.blogspot.com/2012/01/statement-condemning-detention-of-ms.html>
- iv) <http://dailypostindia.com/news/9941-Modi-takes-Sadbhavna-mission-to-Godhra.html>
- v) <http://www.aajkikhabar.com/en/news/689595/689595.html>
- vi) <http://www.hindustantimes.com/News-Feed/gujarat/Modi-begins-fast-in-Godhra-activist-Hashmi-5-others-detained/Article1-799655.aspx>
- vii) <http://www.anhourago.in/show.aspx?l=52547202>
- viii) <http://www.ndtv.com/article/india/godhra-narendra-modi-arrives-for-his-sadbhawna-fast-168789>