

Human Rights Defenders Alert - India

National Coordination Office

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Special Rapporteur on the situation of human rights defenders,

Ms. 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 - India/ Madhya Pradesh - Update on the detainment of human rights defenders Dr. Sunilam and Daya Mani Barla - 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 continued grave concern regarding the detainment of human rights defenders Dr. Sunilam and Daya Mani Barla. This appeal is intended as an update to prior appeals that we submitted to your respected office on June 27th, 2011.

Incident

Dr. Sunilam has provided invaluable contributions to the Indian People's Movement against WTO and anti-corruption movement in the country. As a socialist leader and outspoken human rights defender, he has been instrumental in challenging an increasingly authoritarian state and the big business interests that it serves. On the 26th of June, 2011, Dr. Sunilam was

arrested by Madhya Pradesh's Chhindwara Police when he was going to the project site where tribal people were protesting a proposed thermal power plant and irrigation project that would have taken away their land. Since his arrest, Dr. Sunilam has been convicted and sentenced to life in prison under the utterly false charges of murder, arson, and other offenses.

In a similar case, Daya Mani Barla, a journalist turned anti-displacement activist who fights on behalf of tribal people and women, has been detained in Jharkand on numerous occasions under false accusations. In the latest incident, Ms. Barla was granted bail by a local court in Ranchi on October 18, 2012, but was arrested yet again on a separate case when friends and colleagues went to the jail to receive her. The jail officials however would not release the details of the case under which she had been rebooked. We believe that these intimidation and arrest tactics are being employed against Daya Mani because of her success in leading a mostly peaceful (except once when police opened fire on villagers) struggle against the acquisition of fertile land at Nagari, a village situated at few kilometers from the state capital and where government wants to build IIM, IIT and National Law School. The government is desperately trying to crush the movement.

These cases point to a larger trend of human rights defenders in India facing constant police harassment and detention under the pretext of false cases

Appeal

We, therefore, urge you to immediately take necessary steps to ensure that:

1. The aforementioned human rights defenders are released immediately and unconditionally. Furthermore, all charges against them should be dropped, as it is believed that these measures have been taken against them solely as a result of their human rights activities;
2. The treatment of the aforementioned human rights defenders, whilst in detention, adheres to all those conditions in the "Body of Principles for the

Protection of All Persons under Any Form of Detention or Imprisonment”, adopted by UN General Assembly Resolution 43/173 of 9, December 1988;

3. Concerned national and international authorities carry out an immediate, impartial and thorough investigation into the arrest and detention of the aforementioned human rights defenders, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;

4. All concerned governmental and non-governmental parties guarantee the respect of human rights defender and the fundamental freedoms in accordance with national laws and international human rights standards;

5. All concerned governmental and non-governmental parties ensure that all such human rights defenders can freely conduct legitimate activities promoting and protecting human rights without fear of reprisals, in accordance with the UN Declaration on Human Rights Defenders.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Honorary National Working Secretary

Human Rights Defenders Alert - India