



Human Rights Defenders Alert - India

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar

National Human Rights Commission

ManavAdhikarBhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

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Dear Sir,

Sub: HRD Alert - India - Appeal for Action – /Haryana: Death threats issued to Social Activist-Swami Agnivesh-reg

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavors 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 death threats issued to Swami Agnivesh, founder chairperson of Banded Labour Liberation Front of India by the Haryana State President of Hindu Mahasabha (right wing Hindu outfit) by offering a reward of 500,000 Indian Rupees to execute him by cutting off his head. Swami Agnivesh was also castigated by Hindu Mahasabha for being an anti national for joining in and supporting a protest march called by Jammu & Kashmir Liberation Front in central Kashmir against the proposal to create separate settlements for Kashmiri migrant Pandits.

Source of Information on the Incident:

- The Regional Coordinator of HRDA for North of India
- Media reports

The Human Rights Defender:

Swami Agnivesh is the winner of the Alternative Nobel Peace Prize (the Right Livelihood Award), 2004. Swami gave up his entire individual, social and birth based identities to adopt the life of a 'Swami' or renunciate, and began his life's crusade for social justice and compassion. Seventy five-year-old Swami Agnivesh was appointed the Chairperson of the UN Trust Fund on Contemporary Forms of Slavery. He is better known across the globe in general and India in particular for his campaigns against bonded labor, and is founder-Chairperson of the BandhuaMuktiMorcha (Bonded Labor Liberation Front). He established the Movement for the Freedom of Bonded Labour (BandhuaMuktiMorcha). He was elected as the President of the World Council of AryaSamaj (SarvadeshikAryaPratinidhiSabha) in 2004. For over four decades Swami Agnivesh has campaigned for the rights and dignity of 'bonded labour' or inter-generational slaves, and child labour, and restored their freedom through path-breaking new legislation. Swami Agnivesh is one of the very few people who have seriously taken up the responsibility to fight for the poor and the underprivileged.

The Perpetrators:

Mr. DharampalSivach, Haryana State President, Hindu Mahasabha, Haryana issued the death threat.

Date of Incident:

23rd of April, 2015

Place of Incident:

PWD Rest House, Jind Town, District Jind, Haryana

Incident detail:

According to sources the Haryana State unit of right wing Hindu outfit the Hindu Mahasabha called a press conference in the PWD Rest House in Jind town of Indian state of Haryana on 23rd April, 2015 at 12 PM to honor a Hindu girl student who has spoken about the dress code for girl students. During the press conference the Haryana state President of Hindu Mahasabha, Mr. DharampalSivach issued the statement which said that Hindu Mahasabha of Haryana would offer a reward of 500,000 Indian Rupees

to anyone who beheads Swami Agnivesh. Around 10 officials of Hindu Mahasabha were present at the press conference. Hindu Mahasabha has been critical of Swami Agnivesh calling him anti national. On April 18, 2015 Swami Agnivesh participated in the 30-hour hunger strike in Kashmir gainst the proposal to create separate settlements for Kashmiri migrant Pandits organized by Mr.Yasin Malik of Jammu & Kashmir Liberation Front (JKLF). Swami Agnivesh also joined the march taken out by JKLF toward Narbal in central Kashmir's Budgam district where a youth was killed in firing by security forces during a protest.

Swami Agnivesh says he has received two threatening phone calls from Hindu right wing organizations operating in western Indian state of Maharashtra. After the latest death threats Professor Sheotaj Singh, secretary general of his organisation has written letter to Indian Home Minister Mr. Rajnath Singh for taking action against the culprits. He has also spoken to the Chief Minister of Haryana for taking action against the SHO of Jind police station for not taking into cognizance such a serious matter. The organization also met the police officials in Connaught Place, New Delhi. Delhi police has given them the receipt of their complaint but has so far not filed the FIR in the matter. Swami Agnivesh says the statement of Hindu Mahasabha was carried by Hindu dailies like DainikBhaskar, DainikJagran and Punjab Kesari. He has written to these news papers but no one has sent their apologies for publishing libelous item which is a violation of professional journalistic ethics with the intention to harm public interest and harmony.

Appeal :

We, therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police and the District Collector and District Magistrate of Jind District:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of the targeting of the human rights defender – Swami Agnivesh.

- Take immediate legal action on the perpetrators for issuing death threats, by arresting them and using all provisions of law to ensure that Swami Agnivesh safety is ensured.
- Guarantee in all circumstances the physical and psychological integrity of Swami Agnivesh who is still under risk of further attacks from the perpetrators at the cost of the state.
- Ensure provision of reparation, compensation, apology to the defender for the physical and psychological sufferings he underwent because of the threats and provide a re-assurance of not engaging in such acts against HRDs such as Swami Agnivesh;
- Put an end to all acts of harassment against all human rights defenders in the State of Haryana to ensure that in all circumstances they carry out their activities as social activists without any hindrances;
- Ensure fundamental rights of free speech and association guaranteed by Article 19 and right to life and personal liberty granted by Article 21 of the Indian Constitution.
- Takes steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
 - 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
 - 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”;
- The SHRC in Haryana to recommend urgently and speedily during the pendency of this complaint and to also take necessary steps to establish a state focal point for

HRDs in order that HRDs in the have a new protection mechanism in their own state.

- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Haryana to convene a meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children etc] to ensure that a coordinated strategy is developed within the State of Haryana for the protection of the rights of human rights defenders.
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Haryana in collaboration with the SHRC Haryana to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others promote[s] and strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (art.1 of the Declaration on Human Rights Defenders).
- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the UniversalDeclaration of Human Rights and with international human rights instruments ratified by India.

Looking forward to your immediate action in this regard,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

(Henri Tiphagne)

Honorary National Working Secretary