



Human Rights Defenders Alert – India

National Coordination Office

No. 6 Vallabai Road, Chokkikulam, Madurai-625002, Tamil Nadu, INDIA

Tel: +91-9994368540 Email: hrda.india@gmail.com

18 September, 2015

Shri A. K. Parashar,
National Focal Point - Human Rights Defenders,
National Human Rights Commission,
Manav Adhikar Bhawan, Block-C, GPO Complex, INA,
New Delhi – 110 023
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Delhi: Abusive comments and threats issued online on Twitter against former journalist, minority rights activist and Human Rights Defender Mr. John Dayal by suspected Hindu right wing activists – Regarding

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 over the Abusive comments and threats issued online on Twitter.com against former journalist, minority rights activist and Human Rights Defender Mr. John Dayal by suspected Hindu right wing activists. Mr. John Dayal has been regularly facing attacks on social media for holding and articulating independent views on issues of social and political concern.

Source of Information on the Incident:

- Coordinator of HRDA for the North of India
- A Communication with the HRD, Mr. John Dayal
- Media Sources

Status of the Human Rights Defender:

Mr. John Dayal, a well-known journalist, author, minority rights activist and human rights defender based in New Delhi. During his journalism career as War Correspondent, Foreign Correspondent and Editor, he served in the Middle East, North Africa, South Asia and Europe. He is a member of the National Integration

Council (NIC) of India, Secretary- General of the All India Christian Council and a past president of the All India Catholic Union. Mr. John Dayal is one of the founders of the ecumenical All India Christian Council (AICC) and the United Christian Forum for Human Rights.

He wrote a book on the Indian Emergency titled “For Reasons of State: Delhi Under Emergency” which covers the period (1975-77) when the Constitution was all but suspended. The book has a detailed account of the atrocities suffered by people living in many impoverished parts of Delhi during emergency period. Mr. John Dayal has worked on issues of displacement of tribals, the Dalit Christian movement, the anti-nuclear weapon network, forced disappearances and fake encounters and impunity. He has also been involved in civil society movements and national organisations, concerning Human rights, specially freedom of faith, right to education and rights of Dalits and indigenous people. He has been part of many Civil Society Fact finding committees and Peoples Tribunals. In December 2007 he was one of a five member Fact Finding Team that visited Phulbani area of Kandhamal district in Odisha to investigate violence against minority Christians. In September 2008 Mr. John Dayal won the Maanav Adhikaar Paaritaushik (Human Dignity Award) in memory of Professor M. M. Gupta. He regularly contributes his commentaries and analysis in print and on national TV and Radio.

The Perpetrators:

Suspected activists of Hindu Right Wing Rastriya Swayam Sewak Sangh (RSS).

Date of Incident:

Unprovoked and large scale vilification, verbal abuse and threats from 12th September, 2015 onward. Mr. John Dayal is a subscriber of the website twitter.com and uses the medium to communicate and interact with people.

Place of Incident:

On the social networking site Twitter.com

Incident Details

According to sources, the campaign of vitriolic abuse, vilification and threats against Mr. John Dayal was launched on 12th September, 2015 on social networking site Twitter.com after he tweeted on the arrest of the principal of St. Xavier’s School in Mumbai, Maharastra. The sudden, unprovoked and large scale attack was directed at Mr. John Dayal and the members of his community. He was being trolled (used for

online harassment in internet) by the suspected right-wing activists for his comments on the social media. Within a few hours 'shame on john dayal' started trending. Twitter 'trend' indicates an activity or phrase that a large number of people are using and become popular for a while, Screen shots of the pages reveal that Twitter handles (A Twitter handle is a username selected by anyone using Twitter) such as @smartindianhere @tsukinorayko @vsreeniwas @sarcaism are some of them which have shamelessly abused Mr. Dayal. @abdullah_0mar's tweet claimed that he endorses rape. Some handles even tweeted messages of threats to his life and liberty. People tweeting from handles such as @ajaykamath1981 @dwivedi_ji12 tweeted saying that he must die, with the latter tweeting that the person who shoots Mr. John Dayal will be a patriot. People tweeting from the handles @damodarshenoy92 @kaandmasti @joydeep1985 incited people to be violent with Mr. John Dayal. His personal telephone number was posted on twitter and the world at large was invited to threaten and abuse him on the phone. Soon after the release of his phone number he began receiving threatening and abusive phone calls. Mr. Dayal has been regularly facing attacks on social media. His views against the meat ban further enraged the trolls who resorted to a personal attack, comparing him to pedophiles. During the nation-wide debate on death penalty for Yakub Memon, Bollywood singer Mr. Abhijeet had tweeted that Mr. John Dayal deserved to be physically assaulted for demanding reprieve for the 1993 blasts convict. Mr. John Dayal has submitted a written complaint to Delhi Commissioner of Police Mr. B.S Bassi regarding the fears and threats he faces to his life and liberty and especially a criminal conspiracy to destroy religious harmony in the country.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the Commissioner of Police, Delhi

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of targeting of the human rights defender Mr. John Dayal;
- Takes immediate legal action on the perpetrators for posting abusive comments and issuing death threats, by arresting them and using all provisions of law to ensure that Mr. John Dayal's safety is ensured;

- Guarantees in all circumstances the physical and psychological integrity of Mr. John Dayal as he continues to be under risk of further attacks by the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensures provision of reparation, compensation, apology to the defender for the psychological sufferings he is undergoing because of the threats and provide a re-assurance of not engaging in such acts against HRDs such as Mr. John Dayal;
- Puts an end to all acts of harassment against all human rights defenders in general in Delhi to ensure that in all circumstances they carry out their activities without any hindrances;
- Conform with 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”;

- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Delhi to be established and then to also take necessary steps to establish a focal point for HRDs in Delhi in order that HRDs in Delhi have a new protection mechanism for them;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Delhi to be established and then to convene a meetings of all state level human rights institutions in Delhi [women, minorities, right to

information, disability, children etc] to ensure that a co-ordinated strategy is developed within Delhi for the protection of the rights of human rights defenders;

- Recommend urgently and speedily during the pendency of this complaint, the Government of Delhi in collaboration with the NHRC Focal Point on HRDs to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommend urgently and speedily during the pendency of this complaint, the Government of Delhi 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, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in Delhi.

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