



Human Rights Defenders Alert – India

National Coordination Office

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar

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 - Appeal for Action – Rajasthan: Physical assault and life threats to social activist and human rights defender Mr. Ajmer Singh for providing legal help to a rape victim and her family by anti-social elements in Sri Ganganagar, Rajasthan - 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 regarding the physical assault and threats to life of social activist and human rights defender Mr. Ajmer Singh by anti- social elements for helping the family of a rape victim in registering the case with Sri Ganganagar police, Rajasthan.

Status of Human Rights Defenders:

Mr. Ajmer Singh is a resident of village Dullapura Keiri, police station Hindumal Kot, district Ganganagar, Rajasthan. He is a social activist and human rights worker who has been raising his voice against any social injustice, unlawful activities and human rights violations in his area.

Date of incident:

October 6, 2015

Place of incident:

Hindumal Kot Police Station, District Sri Ganganagar, Rajasthan

Source of Information on the Incident:

- Regional Coordinator of HRDA for North
- Communication with human rights defender and lawyer Mr. Tarachand Verma

The Perpetrators:

Mr. Jagdish, alias Jagga

Mr. Sajwar Singh

Mr. Kalwat Singh

Mr. Gaura Singh

Mr. Manjeet Singh

Mr. Trilok Singh

Mr. Suresh Singh

Mr. Lakhman Singh

Incident detail:

According to the sources, Mr. Ajmer Singh was helping a rape victim to file a First Information Report (FIR), as the police had refused to file when the woman and her family approached them in a rape incident which took place on April 15, 2015.

Instead of filing an FIR or taking action on the victim's complaint, the police intimidated Mr. Jagdish, the main accused in this case, about victim approaching them and demanding action against the perpetrators. After this, the accused Mr. Jagdish began to harass and threaten the woman and her family.

When the police inaction was brought to the notice of Mr. Ajmer Singh, he assisted the victim and her family and got an FIR registered on July 2, 2015. The police had not even noted the victim's testimony before this. In the meantime, the perpetrators got to know about Mr. Ajmer Singh's intervention and began to intimidate and harass Mr. Ajmer Singh, they even gave him life threats.

On October 6, 2015, when Mr. Ajmer Singh was going to his fields for daily work, the perpetrators came in a group, caught hold of him on the way and beat him badly. They even tried to pressurize him to withdraw the complaint; they threatened to kill him and his family by saying that if he and the rape victim's family do not do

so. After this, Mr. Ajmer Singh approached the police to register his complaint against the perpetrators for intimidating and threatening him. Yet again, police did not take any action on his complaint. This encouraged Mr. Jagdish and others to organize themselves. They again went to the house of Mr. Ajmer Singh and beat his whole family there.

The local police of Sri Ganganagar have not taken any action against the perpetrators yet, either in the rape case or in the case of Mr. Ajmer Singh and his family being beaten up. Police attitude is encouraging and in fact supporting Mr. Jagdish and other perpetrators to do what they please, they continue to threaten and pressurize Mr. Ajmer Singh and rape victim's family to withdraw their case.

Appeal:

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

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned event of physical attack and life threats given to human rights defender Mr. Ajmer Singh;
- Take immediate action on the perpetrators for making life threatening assault and issuing threats to kill Mr. Ajmer Singh and using all provisions of law to ensure that the defender is not attacked in future;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Ajmer Singh who is still under risk of further attacks from the perpetrators;
- Ensure provision of reparation, compensation, apology to the defender for the physical psychological sufferings he underwent and medical expenses he incurred in his medical treatment and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Ajmer Singh;
- Put an end to all acts of attack and harassment against all human rights defenders like Mr. Ajmer Singh in the state of Rajasthan to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- 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”;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Rajasthan to take necessary steps to establish a state focal point for HRDs in order that HRDs have a new protection mechanism in their own state;
 - Recommend urgently and speedily during the pendency of this complaint, the SHRC in Rajasthan to convene a meeting of all state human rights institutions in the state [women, minorities, right to information, disability, children etc] to ensure that a co-ordinated strategy is developed within Rajasthan for the protection of the rights of human rights defenders;
 - Recommend urgently and speedily during the pendency of this complaint, the State Government of Rajasthan 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 Rajasthan 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 the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in the state of Rajasthan.

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