



Human Rights Defenders Alert – India

National Coordination Office

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21 February, 2016.

To

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 - Urgent Appeal for Action – Killing of a journalist and Human Rights Defender Mr. Karun Mishra of a Hindi daily “Jan Sandesh Times” by soil mining mafia in district Sultanpur, Uttar Pradesh - Regarding.

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 writing to express our deep concern over journalist and human rights defender Mr. Karun Mishra of Hindi daily “Jan Sandesh Times” in district Sultanpur, Uttar Pradesh who was shot dead by the hired goons of soil mining mafia operating in the region. The journalist was targeted allegedly for exposing some local contractors involved in illegal soil mining activities around the Gomati river in Sultanpur district of Uttar Pradesh in his newspaper.

Source of Information on the Incident:

The Coordinator of HRDA for the North of India

Media reports

Communication with local journalists

Status of the Human Rights Defender:

Mr. Karun Mishra aged 28 years was a resident of Tarauli village under Hansvar police station in district Ambedkar Nagar, Uttar Pradesh. He started his career in journalism 2 years back when he joined a weekly Hindi paper called "*Hamlawar*" as a reporter. Six months before he joined Group 5 Samachar being published from Lucknow. Recently about 15 days back he joined "Jan Sandesh" a Hindi newspaper published from Lucknow as a bureau chief. He fearlessly reported about the illegal soil mining activities going on around Gomati river in the region and published many reports in his newspaper. His murder was planned by a local businessman, whose illegal soil mining business was adversely affected because of his reports.

The Perpetrators:

Mr. Rahul Singh s/o Mr. Satish Singh

Mr. Pawan Singh s/o Mr. Bahadur Singh

Mr. Ajay Singh s/o Mr. Narendra Singh

Mr. Sandeep Singh s/o Mr. Daya Shankar

Mr. Haider Abbas s/o Mr. Saidul Hassan

Date of Incident:

13 February, 2016

Place of Incident:

Near Sultanpur city, Uttar Pradesh

Incident detail:

According to sources journalist Mr. Karun Mishra was going towards Ambedkar Nagar from his house. He was going in a car which is being driven by his cousin Mr. Abhishek. They moved barely 15 kilometers when three motorcycle-borne men stopped the car and fired indiscriminately at the journalist with .9MM pistol. He was rushed to the hospital after being shot but could not make it and succumbed to bullet injuries. According to the Uttar Pradesh Journalist Union, Mishra was potentially

targeted for his writings about illegal black market activities in Uttar Pradesh, sometimes referred to as the 'mud mafia'. The UP police on 18 February, 2016 arrested five persons for the murder of journalist Mr. Karun Mishra in Sultanpur and revealed that he was killed by mining mafia. According to the Uttar Pradesh police two contractors, Mr. Rahul Singh and Mr. Pawan Singh had given Rs. 1 lakh to a group of five criminals to kill journalist Mr. Karun Mishra. Both the contractors and three shooters, Mr. Ajay Singh, Mr. Sandeep Singh and Mr. Haider Abbas were nabbed in a joint operation by the STF and Sultanpur police, Uttar Pradesh.

Appeal:

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

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of the killing of journalist and human rights defender Mr. Karun Mishra;
- Take immediate action on the perpetrators for the killing of journalist and human rights defender Mr. Karun Mishra by arresting all of them and other accused and using all provisions of law to ensure that the witnesses are not harassed or threatened in the case;
- Along with local district officials guarantee in all circumstances due compensation to the family of the deceased and give this assurance to the NHRC of India in writing immediately and urgently;
- Put an end to all acts of attack, harassment and killing of all human rights defenders and journalists in Uttar Pradesh to ensure that in all circumstances they carry out their activities as writers, journalists and 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 Uttar Pradesh to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;
- Recommend urgently and speedily during the pendency of this complaint, the NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs, etc.] to ensure that a coordinated strategy is developed within the State of Uttar Pradesh for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the UP SHRC, State Government of Uttar Pradesh 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 Uttar Pradesh 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 Uttar Pradesh.

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 drawn underneath it.

(Henri Tiphagne)
Honorary National Working Secretary