



Human Rights Defenders Alert – India

National Coordination Office

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20th March , 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 - Appeal for Action – Maharashtra: Ambedkarite and film actor Mr. Vira Sathedar allegedly apprehends threats to his life from the right wing Hindu groups after a campaign in the media in Maharashtra - 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 writing to express our grave concern over Mr. Vira Sataedar, a well known Ambedkarite and film actor based in Maharashtra who apprehends threats to his life from the Maharashtra based right wing Hindu groups after his photograph with JNU student Mr. Umar Khalid was circulated many times in the national media and other social media platforms. The media campaign is alleged to threat and harm him through generating ill-will against him endangering his and his family's safety.

Source of Information on the Incident:

- The Regional Coordinator of HRDA for South of India.
- Reports from Media

Status of the Human Rights Defender:

Mr.Vira Sataedar is a radical Ambedkarite activist born in Nagpur city in the state of Maharashtra. He is known as a poet, writer, singer and lyricist in the state. He is also

the Editor of a Marathi language Magazine 'Vidrohi'. Mr.Vira Sathidar is the lead actor in the movie "The Court", which has been India's official entry for the Oscars this year and he rose to prominence after his movie received international acclaims.

The Perpetrators:

- Unknown person allegedly the Police
- Unknown Members of the Hindu right wing RSS

Date of Incident:

February 19 2016 onwards

Incident details:

According to sources, Mr.Vira Sataedar claimed that a photo of him with JNU student Mr.Umar Khalid was circulated in the national media and other social media platforms to dent his credibility. The media campaign against him started on February 19, 2016 wherein some local newspapers and one national English daily carried reports that his links with terrorists and Maoists stand exposed.

The campaign is still on, with only one reporter till now calling him for his reaction, whereas other TV channels who had recorded his version were not showing it in their reports.

As reported in the media, Mr. Vira has alleged that it is the police and the Hindu right wing group RSS who seem to be behind it and he was informed by a friend that some WhatsApp groups of the RSS and its members had discussed him being a big threat to the nation. The campaign is said to have started to show his links with Umar Khalid, a JNU student who was booked on sedition charges by Delhi police, with whom he has a photo clicked.

According to Mr. Vira, the photo with Umar Khalid was clicked when had gone to meet JNU student Mr. Hem Mishra who was released from jail. At that time Mr. Umar Khalid and his friends, who were Mr. Hem's batch mates, were also present and a lawyer friend had clicked the photo and uploaded it on the Facebook site. This was the first and last time that Mr. Sathidar had met Umar and after that met him only once in the office of a lawyer in the district court.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the Commissioner of Police, the Deputy Commissioner and District Magistrate of district Nagpur:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of threats to the life of Mr. Vira Sataedar;
- Guarantee in all circumstances the physical and psychological integrity of the HRD Mr.Vira Sathedar and his family members from further reprisals from the perpetrators and using all provisions of law to ensure that the defender is not harassed or threatened in future;
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he is undergoing because of the apprehensive of threat to his life after the media campaign against Mr.Vira Sataedar;
- Put an end to all acts of attack and harassment against all human rights defenders like Mr. Vira Sataedar in the State of Maharashtra and 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 Maharashtra 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 Maharashtra for the protection of the rights of human rights defenders;

- Recommend urgently and speedily during the pendency of this complaint, the State Government of Maharashtra in collaboration with the NHRC Focal Point on HRDs and the SHRC Maharashtra 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 State Government of Maharashtra in collaboration with the SHRC, Maharashtra 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 Maharashtra.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

Honorary National Working Secretary