



## Human Rights Defenders Alert- India

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30 March 2017

To,

**Shri Srinivasa Kammath**

National Focal Point - Human Rights Defenders & Deputy Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

Email: [hrd-nhrc@nic.in](mailto:hrd-nhrc@nic.in)

***Sub: HRD Alert - India – Urgent Appeal for action against local police filing false FIR against activist and human rights defender in Arang, Raipur District, Chhattisgarh – Regarding***

Dear Sir,

### **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 harassing human rights defender by lodging false cases against them in Arang Panchyat District of Raipur.

### **Source of Information on the Incident:**

- The Coordinator of HRDA for the East of India
- Media sources

### **The Perpetrators:**

1. Dr Sanjeev Shukla (IPS), Superintendent of Police, Raipur district
2. Chief Executive Officer, Arang Janpad Panchyat, Arang,
3. Mr. Baidhan Sahu, Station officer in charge, Arang

4. Mr. Rajababu Mishra, Liquor Shop Owner.

**The Human rights defender :**

Mr. Ravi Tode is a resident of village Bhansoj in Arang developmental block. He with other youths, initiated a De-addiction Movement (*Nasa Mukti Abhiyan*) for raising voice against the ongoing sale of illicit liquor in the Arang development block. Due to this movement, there have been remarkable fall in the sale of illicit liquor in his village.

**Date of Incident:**

10<sup>th</sup> March 2017.

**Place of Incident:**

Arang panchyat, Raipur District

**Incident detail:**

As per the source, Mr. Ravi Tode along with other village youth had initiated a De-addiction movement against the sale of illicit liquor in his village area. Irked by the loss incurred, the shop operators filed FIR on false charges against Mr. Tode while he was absent in the village on 10 March 2017. Mr. Tode was in student's movement of Chhattisgarh Dental Doctors College at Rajnandgaon. Mr. Tode alleges that one Mr. Rajababu Mishra, a liquor shop operator along with the station house officer of Arang planted two boxes of liquor at his house and informed police to raid.

**Appeal :**

We, therefore urge you to immediately take necessary steps to ensure that

- Order an immediate, thorough, transparent, effective and impartial investigation into the above mentioned incident of harassment by the local police to human rights defenders;
- Take immediate action on the perpetrators for intimidation on the human rights defender by the local police using all provisions of law to ensure that the defender is not harassed or attacked in future and the FIR against all of them should be quashed immediately;

- Put an end to all acts of attack and harassment of human rights defenders in the State of Chhattisgarh 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 Chhattisgarh 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 Chhattisgarh for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Chhattisgarh in collaboration with the NHRC Focal Point on HRDs and the SHRC Chhattisgarh 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 Chhattisgarh in collaboration with the SHRC, Chhattisgarh 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 Chhattisgarh.

Looking forward to your immediate action in this regard,

Yours sincerely,

Sd/-

**(Henri Tiphagne)**

National Working Secretary