



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

No.32, Besant Road, Chokkikulam, Madurai - 625 002, Tamil Nadu, India.
P: +91-452-2531874 & 2539520 Fax: +91-452- 2531874 Mobile: 99943-68540
E.mail: hrda.india@gmail.com Web: www.hrdaindia.org

Ref No:- HRDA/North/DL/4/8/2018

August 16, 2018

To

MR. 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

Dear Sir,

Subject: HRD Alert - India - Urgent Appeal for Action –New Delhi: Attack on student activist and human rights defender Umar Khalid– 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 assassination attempt on student activist, Umar Khalid on August 13, 2018, at the gates of the Constitution Club of India by an unknown armed assailant.

Source of Information on the Incident:

- Reports from Media
- Statement of HRD
- HRDs in the region

Status of the Human Rights Defender:

Umar Khalid is a Ph.D. scholar at Jawaharlal Nehru University (JNU), New Delhi. He was slapped with sedition charges in connection with an event to protest against the 'judicial killing' of Parliament attack convict Afzal Guru and Maqbool Bhat at JNU in February 2016. Umar Khalid and others faced arrest in the case and Umar Khalid was

released on bail after over three weeks under arrest. No chargesheet has been filed in the case till date.

Umar Khalid faced a vicious media trial¹ at the hand of the mainstream media following the incident, where he was falsely labelled an “anti-national”, jihadist and traitor. Although these charges were debunked by the investigating agencies², it greatly influenced public opinion against him. He has since been subject to various hate campaigns.

Umar Khalid is a student activist who has been actively involved in several human rights and secular campaigns and has been in the fore in the campaign for securing justice for the family of Najeeb Ahmed, a student who was disappeared from JNU in broad daylight in October 2016.

The Perpetrators:

One unidentified armed assailant

Date of Incident:

August 13, 2018 at about 2.30 p.m.

Place of Incident:

Outside Constitution Club of India, New Delhi.

Incident details:

On August 13, 2018, Umar Khalid was present at the Constitution Club of India to speak on mob lynching at an event – ‘**Khauf Se Azadi: Towards Freedom Without Fear**’, held by an organisation, ‘**United Against Hate**’. Around 2:30 p.m. before the programme was to start, Umar along with other friends stepped out of the venue to have tea. As per sources³, while he was returning to the venue, an unidentified assailant allegedly approached Umar, grabbed his neck from behind and threw him to the ground. Umar noticed that the assailant had a gun in his hand, seeing which Umar got scared and held the assailant’s hand which was holding the gun and tried to move it aside. Umar’s friends, Shariq and Banjyotsna Lahiri, who were present there for the event, tried to overpower the assailant and pushed him aside. The assailant got scared and started running away and after having travelled a distance,

¹ <https://scroll.in/article/805353/we-faced-a-trial-by-media-the-umar-khalid-and-anirban-bhattacharya-interview>

² <http://www.caravanmagazine.in/vantage/umar-khalid-surrender>

³ <https://indianexpress.com/article/india/umar-khalid-shot-constitution-club-of-india-delhi-unhurt-5304467/>

fired with the gun. When Umar heard the sound of the gunshot he ran and went inside the venue. Several eyewitnesses reported having heard a gunshot as the attacker ran away⁴.

The Delhi Police has registered a case under Section 307 (attempt to murder) of the Indian Penal Code, 1860 and Section 27 of Arms Act at Parliament Street Police Station. Police has also reportedly recovered CCTV footage of the attacker from a camera installed at the RBI building across the road and said he had dropped the gun as he escaped⁵ and has also been able to track part of the route taken by the assailant while escaping. The case has now been transferred to the Special Cell. The assailant has not been identified yet. While the Delhi police has stated that they are assessing Umar's security threat⁶, no police protection has been provided to Umar as of yet. Umar in the past had reported of the threats he had received and requested security but was ignored by the police.

Background:

This attack against Umar should be viewed against the backdrop of the vitriolic and communal hate campaign being run against him for two years now⁷. The attempt to murder him in broad daylight reflects the hate-filled propaganda spewed by the present government against those who criticise its policies and actions. Not only Umar but his fellow researchers at JNU have been receiving verbal flak from Hindutva supporters frequently. Despite repeated complaints however, the police have failed to take any action against these online offenders.

In June 2018⁸, Umar who has been at the receiving end of death threats and online abuse since the incident in February 2016, had filed a complaint seeking police protection perceiving danger to his life, having received death threats from a man who identified himself as a fugitive gangster Ravi Pujari. However no police

⁴ <https://www.thehindu.com/news/cities/Delhi/jnus-umar-khalid-shot-at-escapes-unhurt/article24677378.ece>

⁵ <https://indianexpress.com/article/cities/delhi/umar-khalid-attack-case-delhi-police-transfers-probe-to-special-cell-5306391/>

⁶ <https://www.thehindu.com/news/cities/Delhi/umar-khalid-shooting-attempt-police-obtain-cctv-footage/article24692033.ece>

⁷ <https://www.thehindu.com/news/national/the-real-culprits-are-the-ruling-party-spokespersons-tv-channels-says-umar-khalid/article24686238.ece>

⁸ <https://indianexpress.com/article/india/two-months-ago-umar-khalid-wrote-to-police-danger-to-my-life-am-on-hit-list-5305282/>

protection had been granted pursuant to the complaint. Umar has renewed his application for security once again after the incident.

In a public statement⁹ released by Umar on social media, he stated that the fact that two days before Independence Day in one of the most “High Security Zones” of the national capital, an armed assailant could dare to attack him in broad daylight only goes to show the brazen impunity people feel they enjoy under the present regime. Umar has also blamed the political leaders who have been breeding hate, bloodlust and fear and providing impunity to assassins and lynchers, and the spokespersons of the ruling party and media who spread lies and misinformation about him and incited hate thereby rendering his life vulnerable, for the incident. He also reiterated his demand for police security especially in light of the incident.

HRDA strongly believes that student activist and Human rights defender Umar Khalid’s life has been gravely endangered by the systematic hate campaign and the lies, misinformation spread against him at the hands of the mainstream media and encouraged by the government and its right wing organisations. Following this serious incident which Umar has miraculously survived, there is no shred of doubt that Umar is in need of security and police protection which has not been provided to him to date even in the indisputable facts of the case, for reasons not known. Umar has been consistently reporting threats to his life in the past which were conveniently ignored by the authorities and is the direct reason that the incident could even take place and Umar was exposed to such grave danger.

This assassination attempt on Umar is also an attempt to silence the entire student community and a warning to student leaders, activists and those voicing their dissent against the government, of severe consequences which could befall them. This is an attack on the constitutional freedoms and democratic rights of the entire academic community and the people at large.

It is pertinent that Umar is provided sufficient security and police protection on an urgent basis and it is ensured that no harm or injury is meted on him, his family and friends. It is further pertinent that the vitriolic hate campaign against Umar is immediately put to a stop. Strict and exemplary action should be taken against the

⁹ <https://www.firstpost.com/india/umar-khalid-issues-statement-a-day-after-attack-in-delhi-says-they-cant-scare-us-into-silence-4961741.html>

online abusers and trolls indulging in threats and intimidation online and media clarifications are issued in respect of the lies and misinformation being spread against Umar, with a public apology from the media channels who have indulged in the misinformation. At the same time, it is important that the entire student community is assured of its safety and security from the communal and violent hate forces and that the academic freedoms on campuses are safeguarded.

Appeal:

Hon'ble Commission is duty bound to protect human rights defenders and especially in this situation when they are being targeted across the country through a set narrative. HRDA urges the Hon'ble Commission to acknowledge the urgency of the situation and immediately take urgent actions through the powers enshrined by the Protection of Human Rights Act 1993 and:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the criminal complaint filed in respect of the above-mentioned incident of the attempt to murder student activist and human rights defender Umar Khalid, and to ensure that the absconding perpetrator is arrested at the earliest.
- Ensure and order immediate, sufficient and proper security and police protection to Umar Khalid and ensure that no harm or injury is meted on him, his family and friends.
- Ensure provision of reparation, compensation, apology to the family of the defender for the psychological sufferings they are undergoing because of the above mentioned incident of the attack on Umar Khalid.
- Pass appropriate orders and/or directions to end the vitriolic hate campaign against Umar Khalid and ensure that it is immediately put to a stop, and that strict and exemplary action is taken against the online abusers and trolls indulging in threats and intimidation online.
- Pass appropriate orders and/or directions to the state officials and the mainstream television and print media to issue prominent clarifications in respect of the lies and misinformation being spread against Umar Khalid and

to further direct the media channels and companies that have indulged in misinformation against Umar Khalid to issue a public apology to him.

- Ensure that the entire student community is assured of its safety and security from the communal and violent hate forces and that the academic freedoms on campuses across the country are safeguarded.
- Put an end to all acts of attack and harassment of human rights defenders, scholars, students and the entire academic community in campuses across the countries to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Take 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;
- 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.

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)