



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No:- HRDA/North/UP/2/9/2018

September 4, 2018

To

**Shri Khaleel Ahmed,**  
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)

Dear Sir,

**Sub: HRD Alert - India – Urgent Appeal for Action – Uttar Pradesh: Case  
Ref: - 10824/24/0/2018-AFE, harassment and intimidation of human  
rights defender Mr. Akram Akhtar Chaudhary – 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 now writing to express our grave concern about the harassment and intimidation of human rights defender and activist Mr. Akram Akhtar Chaudhary on August 30, 2018, in Kandhla, Shamli, Uttar Pradesh. Mr. Chaudhary is one of the petitioners in case no. 10824/24/0/2018-AFE which is currently being enquired by the NHRC. This urgent action appeal should also be seen as a case of reprisal for submitting cases of extra-judicial killings with the NHRC.

Similarly, on July 5, 2018, Shri Rajiv Yadav, was harassed and intimidated by the UP Police in Azamgarh district of Uttar Pradesh. Mr. Rajiv Yadav is a human rights defender and journalist who is also one of the complainants in the above-mentioned Case No. 10824/24/0/2018-AFE. This is a clear pattern of harassment and intimidation by the UP Police of complainants and prominent defenders (Rajeev Yadav and Akram Akhtar Chaudhary) who are working closely to protect and support the victim families on the ground.

**Source of Information on the Incident:**

- The Regional Coordinator of HRDA
- Communication with the HRD
- Communication with HRDs in the region

**Status of the Human Rights Defenders:**

Mr. Akram Akhtar Chaudhary is a human rights defender and the head of Afkar India Foundation, a human rights organisation in Uttar Pradesh.

**The Perpetrators:**

- Satish Kumar claiming to be from the Office of Superintendent of Police, Shamli, Uttar Pradesh.
- Another unknown police official accompanying Satish Kumar

**Date of Incident:**

- August 30, 2018

**Details of the Incident:**

As per sources, Mr. Akram Akhtar Chaudhary was threatened on the phone by two officers claiming to be from the office of the Superintendent of Police, Shamli. The officers who were in plain clothes, had gone to the house of Mr. Chaudhary at around 6:00 pm on August 30, 2018. The officers spoke to Akram's father and inquired about Akram, his work and the land owned by the family. When Akram's father asked the officials to go and meet Akram in his office, the officials threatened his father and stated that they have received notices from superior authorities about Akram. The officials then called Akram from his father's mobile. During the conversation that transpired between Akram and one of the police officials, on Akram's insistence, he identified himself as Satish Kumar, from the office of the Superintendent of Police, Shamli. Satish Kumar further stated that he wanted to meet Akram regarding his organisation's work with Amnesty International. When Akram asked if the officials were from the Local Intelligence Unit, he got no response. Akram also asked Satish Kumar to come to his office in Kandhla to meet him and provided him with the office address. Thereafter, with an intention to threaten Akram, the police official on the phone repeatedly enquired about the time Akram would leave his office and disconnected the phone call.

It is shocking that inspite of the fact that the police authorities are already in possession of the address and contact details of Akram, the officials went to his house to meet him with an intention to threaten Akram and his family. The police officials were in plain clothes, with no identification badges, which is a violation of the rules in the police manual. Moreover, as per sources, the SP Shamli, on later inquiries, was not even aware about any officers being sent to Akram's house.

It is further important to note that Human Rights Defenders Alert – India (HRDA) had issued an urgent action petition on July 17, 2018, regarding the harassment and intimidation by the police, of Shri Rajiv Yadav, on July 5, 2018, in Azamgarh district of Uttar Pradesh. Mr. Rajiv Yadav is a human rights defender and journalist who is also one of the petitioners in the above-mentioned Case No. 10824/24/0/2018-AFE which relates to extra judicial killings in the state of Uttar Pradesh. On July 19, 2018, the Hon'ble Commission passed an Order directing its DG (I) to depute a team to visit Azamgarh district of Uttar Pradesh, to look into the allegations and submit a fact finding report to the Commission along with their report in Case No. 10824/24/0/2018-AFE.

HRDA strongly believes that threats to Mr. Akram Akhtar Chaudhary and Mr. Rajeev Yadav, both complainants in Case No. 10824/24/0/2018-AFE, are part of the efforts to create an environment of fear among the human rights defenders fighting against the extra-judicial killings in the State of UP. There are concerns about the safety and physical and mental well-being of Mr. Akram Akhtar Chaudhary his family and friends and other human rights defenders working in UP, particularly on the issue of extra-judicial killings.

**Appeal:**

We, therefore urge you to immediately take necessary steps and:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of threat and intimidation of Mr. Akram Akhtar Chaudhary and demand immediate suspension of Mr. Satish Kumar and his accomplice during the investigation

- Take immediate action on the perpetrators and demand removal of Mr. Satish Kumar from the cases probing into extra-judicial killings to ensure impartiality.
- Based on the independent investigation, order for legal proceedings against Mr. Satish Kumar for misusing his powers and threatening and intimidating Mr. Akram Akhtar Chaudhary.
- Ensure provision of reparation, compensation, apology to Mr. Akram Akhtar Chaudhary and his family and guarantee in all circumstances the physical and psychological integrity of the defender and his family from further reprisals from the perpetrators and using all provisions of law to ensure that they are not harassed or intimidated in future.
- Put an end to all acts of attack and harassment and attempt on the life of all human rights defenders like Mr. Akram Akhtar Chaudhary and in the State of Uttar Pradesh and to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances.
- Issue an Order to the DGP of UP Police and to the SPs of all the districts where killings are being investigated, that no person supporting/working with victim families are to be harassed/intimidated/wrongly or inappropriately contacted by any police personnel.
- 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”;

- 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,



**(Henri Tiphagne)**

Honorary National Working Secretary