



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No: HRDA/North/DL & JK/10/10/2019

October 24, 2019

To

Mr. Khaleel Ahmad

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,

Sub: HRD Alert - India - Urgent Appeal for Action – New Delhi – Kashmiri journalist and human rights activist Bilal Bhat stopped by immigration officials at the Indira Gandhi International Airport and arbitrarily barred from boarding flight to Malaysia to represent India at the Children and Youth Assembly, organised by UN-ESCAP – 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 regarding Kashmiri journalist and human rights defender Mr. Bilal Bhat who was stopped by immigration officials at the Indira Gandhi International Airport, New Delhi on 13 October, 2019. Mr. Bilal Bhat was barred from flying in an international flight to Kuala Lumpur, capital of Malaysia to participate as an Indian delegate at the Children and Youth Assembly being organised by UN-Habitat and the UN-ESCAP.

About the Human Rights Defender:

Mr. Bilal Bhat is a Kashmiri journalist and human rights activist based in Srinagar, Jammu and Kashmir. He was recently awarded by the Indian Health Ministry for inviting more than 100 delegates from 20 countries to speak on SDGs (sustainable development goals) at an International Youth Forum in Chennai, Tamil Nadu.

Source of Information on the Incident:

- The Coordinator of HRDA for the North of India
- Media Reports

The Perpetrators:

Immigration authorities at Indira Gandhi International Airport New Delhi

Date and Place of incident:

13 October, 2019

Indira Gandhi International Airport, New Delhi

Details of the Incident:

According to sources, on 13 October, 2019 Kashmiri journalist and human rights defender Mr. Bilal Bhat was stopped from boarding an international flight to Kuala Lumpur, capital of Malaysia by immigration authorities at the Indira Gandhi International Airport in New Delhi. Mr. Bilal Bhat was due to visit Malaysia to represent India at the Children and Youth Assembly, organised by UN-ESCAP. The Indian immigration authorities stamped his passport saying that his visa was “cancelled without prejudice.” Sources informed that Mr. Bilal Bhat was selected as a delegate and was representing India at the Children and Youth Assembly, organised by UN-Habitat, UN Economic and Social Commission for Asia and the Pacific (UN-ESCAP), Urbanice Malaysia and UN Major Group for Children and Youth in association with the 7th Asia-Pacific Urban Forum (APUF-7).

When the defender reached the immigration counter at the airport around 8 pm on 13 October, 2019, he was first asked if he was a Kashmiri and then enquired about the purpose of his visit. The immigration officials asked him a few more questions and then asked him to produce further documents to verify his age. The officials then took his driver’s licence, visa and some other documents and asked him to wait outside the office. He spent nearly six hours at the airport, first trying to understand why he was prohibited from flying abroad and then to get his baggage, which was offloaded from his Air Asia flight to Kuala Lumpur. The defender was not given any reason for not allowing him to travel abroad.

Kashmiri journalist and human rights defender Mr. Bilal Bhat is not the only case of authorities barring prominent Kashmiris from flying abroad. At least two other high-profile Kashmiris – bureaucrat-turned-politician Shah Faesal and Journalist – author and human rights defender Mr. Gowhar Geelani – have also been prevented from travelling abroad after the August 5 decision of government of India to dilute Article 370 and revoke Jammu and Kashmir’s special status. Mr. Shah Faesal was detained at New Delhi’s international airport 14 August 2019 and then sent back to Kashmir while journalist Gowhar Geelani was stopped at New Delhi’s international airport on

31 August 2019 from travelling to Germany to attend an advanced training programme. Faesal has sharply criticized New Delhi's abrogation of Jammu and Kashmir's special status under Article 370.

It is once again pointed out to the Commission that interception of Kashmiri journalist and human rights defender Mr. Bilal Bhat and barring him to fly to Kuala Lumpur, Malaysia to represent India at the Children and Youth Assembly, organised by UN-ESCAP by immigration authorities at the Indira Gandhi International Airport in New Delhi amounts to curtailment of Right to Liberty along with Freedom of Movement as guaranteed by the International Human Rights Law, International legal standards and the Indian Constitution.

Appeal

We, therefore urge you to immediately take necessary steps to ensure that this Hon'ble Commission to urgently:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above mentioned incident of violation of the right to liberty of movement and freedom of assembly and association of journalist and human rights defender Mr. Bilal Bhat by the immigration officials at the IGI Airport, New Delhi;
- Take immediate and appropriate action against those who are responsible for the violation of the right to liberty of movement of journalist and human rights defender Mr. Bilal Bhat and using all provisions of law to ensure that the defender is not subjected to any kind of harassment or ill-treatment in future and provide a re-assurance of not engaging in such acts against HRDs;
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he is undergoing because of the harassment and denial of his right to liberty of movement and give this assurance to the NHRC of India in writing immediately and urgently;
- Guarantee in all circumstances the physical and psychological integrity of Mr. Bilal Bhat who is still under risk of further reprisals from the perpetrators and provide a re-assurance of not engaging in such acts against HRDs;

- Puts an end to all acts of attack and harassment of all journalists and human rights defenders like Mr. Bilal Bhat in the country to ensure that in all circumstances they carry out their legitimate human rights activities as journalists, writers and human rights defenders without fear of reprisals and free of all restrictions;
- Conform in any circumstances with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 1 and 12.2;
- 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.

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