



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

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January 10, 2020

To

Mr. Debindra Kundra

National Focal Point - Human Rights Defenders & Assistant 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- Uttar Pradesh:
Custodial torture against social activist, Mr. Deepak Kabeer by
Uttar Pradesh police in Lucknow – 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 writing to express our deep concern over the arbitrary arrest, detention and torture of Social activist, theatre artist and human rights defender Mr. Deepak Kabeer by Uttar Pradesh police in police custody in Hazratganj police station in the state capital Lucknow. HRD Deepak Kabir was assaulted by half a dozen police officers who hit him with batons and rifle butts in police custody after his arrest on December 20, 2019.

Status of the Human Rights Defender

Social activist, theatre artist and human rights defender, Mr. Deepak Kabeer is 48 year old. He is known for his work on communal harmony and gender sensitization. For the past four years, he has been organising 'Kabir Festival' - a confluence of Sufi music, progressive theatre and poetry and lecture/discussion on communal harmony, women and Dalit empowerment – in Lucknow city. HRD Deepak Kabeer along with his wife Ms. Veena together run 'Dastak', a platform for youth to present their creativity with a social message.

The Perpetrators:

Police personnel of Hazratganj police station in Lucknow, Uttar Pradesh

Date of Incident:

December 20, 2019

Hazratganj police station, Lucknow, Uttar Pradesh

Details of the Incident:

According to the information received on December 20, 2019 Mr. Deepak Kabir was arrested when he had gone to Hazratganj police station in Lucknow to inquire about the whereabouts of his friends who had reportedly been detained by the police during the protest against Citizenship Amendment Act in Lucknow on December 19, 2019. Sources informed that in the First Information Report in which Deepak Kabir's name was scribbled in handwriting at the end of a list of accused persons who are booked under several criminal charges. He is accused of charges of rioting and preventing public servants from performing their duty. The police FIR shows his arrest on December 19, 2019 but he was arrested when he went to the police station to inquire about the missing protestors on December 20, 2019. Sources also informed that he was assaulted by half a dozen police officers who hit him with batons and rifle butts for trying to speak up for the arrested protestors. Deepak's wife claimed that his phone was snatched away, he was beaten up in the name of interrogation, and was sent to jail late on December 20, 2019 night. When she visited him in prison he told his wife that he was held only because he tried to make inquiries about the well-being of his friends at the Hazratganj police station in Lucknow. According to her statement, "Depeek's face was swollen, his long hair was dishevelled. He doesn't like medicines and will make many excuses to not take them even if that means a bad cough or fever will go untreated for months. He is totally against painkillers. But he asked me for painkillers." The police did not even give a certified copy of the FIR or the arrest memo in the case to the family. He was granted bail by Additional District Judge, Lucknow on 7 January, 2020 close to 19 days after his incarceration in Lucknow jail.

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 illegal arrest, detention, degrading inhuman treatment and torture of theatre activist and human rights defender Mr. Deepak Kabeer by the police personnel of Hazratganj police station in the state capital Lucknow;
- Take necessary steps to ensure that the cases filed against theatre activist and human rights defender Mr. Deepak Kabeer are withdrawn and defender is not harassed or intimidated or falsely implicated in future and give this assurance to the NHRC of India in writing immediately and urgently;
- Recommend strict and immediate legal action on the perpetrators in this case Police personnel of Hazratganj police station in the state capital Lucknow for filing criminal cases, illegal detention and physical torture of theatre activist and human rights defender Mr. Deepak Kabeer and give this assurance to the NHRC of India in writing immediately and urgently;
- Guarantee in all circumstances the physical and psychological integrity and security of theatre activist and human rights defender Mr. Deepak Kabeer who is still under risk of further reprisals from the perpetrators and provide a re-assurance of not engaging in such acts against HRDs;
- Ensure provision of reparation, compensation, apology to the defender for the physical and psychological sufferings he underwent because of the physical assault, ill-treatment and custodial torture and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Deepak Kabeer in Uttar Pradesh;

Looking forward to your immediate action in this regard,
Yours sincerely,



(Henri Tiphagne)
National Working Secretary