



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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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 – Harassment, intimidation, of Mr. Omar Rashid in Lucknow, Uttar Pradesh – 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 over harassment, intimidation, cruel and inhuman treatment of journalist and human rights defender Mr. Omar Rashid of 'The Hindu' newspaper by Uttar Pradesh police in state capital Lucknow on December 20, 2019. The journalist was picked up from a tea shop in Lucknow and taken to Hazratganj police station first and then to Sultanpur police outpost. He was badly abused and subject to extremely humiliating and degrading treatment and issued dire threats by the police personnel.

About the Human Rights Defender:

Journalist and Human Rights Defender Mr. Omar Rashid belong to Kashmir. He is based in Lucknow and works as state correspondent for the national English daily 'The Hindu'.

Source of Information on the Incident:

- The Coordinator of HRDA for the North of India
- The Coordinator of HRDA for Uttar Pradesh, India

The Perpetrators:

Police personnel of Hazratganj police station in the state capital Lucknow

Date and Place of Incident:

20 December, 2019

Hazratganj police station in the state capital Lucknow

Details of the Incident:

According to sources on December 20, 2019 around 6.45 pm in the evening Mr. Omar Rashid was picked up by four men in plain clothes (in a police jeep) along with social activist Mr. Robin Verma from an eatery near the state BJP headquarters in front of the Assembly. Journalist and HRD Omar Rashid kept telling the police personnel that he was a journalist showing them his press card, ID card and voter ID. Omar Rashid was told a senior officer wanted to talk to them, and they were taken to Hazratganj police station. He was continuously questioned. They were then taken to a police outpost in Sultanpuri where the questioning continued.

According to the statement by Omar Rashid published by media, "They locked us up in a room. They took away all my belongings including my phone. They beat up my friend brutally. They questioned him and linked him to the violence. They also linked me to the violence saying I am a key conspirator in the violence. They were asking me questions about certain Kashmiris coming here and participating in the violence. Each time I was trying to ask them something they asked me to shut up. They used expletives and said you can put your journalism elsewhere, we don't care about it. They told me they had proof against me. They put us in a jeep again and took us to an outpost. Another police officer used a lot of communal slurs against me and said he would tear my beard."

Sources informed that the police threatened to book Omar Rashid under 120-B. They hurled choicest expletives (abuses) pointing to his Kashmiri identity and kept asking him about 'other Kashmiris,' who the police claimed were in Lucknow to organise protests against the Citizenship (Amendment) Act and the National Register of Citizens. He was warned that he would be thrashed and all his beard would be torn apart if he didn't answer the questions by the police satisfactorily. He was then taken to the office of the Circle Officer, Hazratganj where again a similar round of 'questioning' took place. Omar Rashid was forced to stand in queue with other detainees, made to hold a placard bearing his name and photographed, as is the practice when a suspected criminal is arrested. Omar Rashid was released at 8.40 pm after some journalists learnt about his detention and called the office of chief minister

Yogi Adityanath to ask whether it was a crime to be a journalist. It appears that no case has been registered against Omar. According to HRD Omar Rashid, he was badly abused and subject to extremely humiliating treatment and issued dire threats by the police.

Appeal:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the Incident of harassment, intimidation, cruel and inhuman treatment of Journalist and Human Rights Defender Mr. Omar Rashid by Uttar Pradesh police in Lucknow;
- Take immediate legal action against the perpetrator as mentioned above for harassing, intimidating and treating inhumanly the Journalist and Human Rights Defender Mr. Omar Rashid;
- Guarantee in all circumstances the physical integrity of Journalist and Human Rights Defender Mr. Omar Rashid who still face the risk of further reprisals and using all provisions of law to ensure that journalist and defender is not harassed and intimidated in Uttar Pradesh in future and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensure provision of reparation and apology to the defender for the psychological suffering he underwent because of the humiliation and ill treatment while performing his legitimate work and provide a re-assurance of not engaging in such acts against journalists and HRDs;
- Put an end to all acts of harassment and attacks against all journalists and human rights defenders in general in the state of Uttar Pradesh to ensure that in all circumstances they carry out their activities as journalists, writers and defenders of human rights without any hindrances;
- 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 is strictly adhered to in the state of Uttar Pradesh.

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



(Henri Tiphagne)
National Working Secretary