



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No: HRDA/North/UP/04/02/2020
February 05, 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:
Harassment and intimidation of social activist and Woman Human
Rights Defender Ms. Jagriti Rahi by Uttar Pradesh police -
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 the attempts to harass and intimidate social activist and woman human rights defender Ms. Jagriti Rahi by Uttar Pradesh Police of Varanasi and other non-state actors. A non-bailable warrant has been issued against her in case no: 09/2020 under sections 147, 148, 149, 188, 332, 353, 336, 114, 120 B of Indian Penal Code (IPC) and Section 7 of Criminal Law (Amendment) Act (CLA). A police FIR was filed in Chawk Police Station in Varanasi on January 23, 2020, naming 32 persons, and 500 to 600 unknown persons, accused for inciting violence and social disharmony during the protest dharna organised at Beniyabag on on January 23, 2020 in Varanasi. Ms. Rahi, though not named as an accused in the FIR and only limited to her name mentioned in the note, is also being targeted in a smear campaign by a media portal with the intention to harass and criminalise her legitimate peaceful human rights work.

About the Woman Human Rights Defender

Ms. Jagriti Rahi is a social activist and engaged on issues related to women and children at national and state levels for the last 20 years. She has been a member of

several regional/district level committees for protection of women and child rights in Uttar Pradesh. She is a member of Juvenile Justice Board for the last 3 years. She is also a member of National Alliance for People's Movement (NAPM) state committee and Sajha Sanskriti Manch working on environment issues such as Ganga and sister rivers. She also worked for the Gandhi 150 (150th birth anniversary of Mahatma Gandhi) with children and youth and was part of more than 40 Sadbhavna Sangams organised in eastern Uttar Pradesh against hatred and communal agenda.

Source of Information on the Incident:

- The Coordinator of HRDA for the North of India
- Communication with the woman human rights defender
- Media Reports

The Perpetrators:

- Uttar Pradesh Police, Varanasi
- Media portal 'Amritprabhat', Varanasi

Date and Place of incident:

- Non bailable warrant issued on January 29, 2020, by SCJM, Varanasi, Uttar Pradesh
- FIR filed on January 23, 2020, at the Chawk police station of Varanasi, Uttar Pradesh

Details of the Incident:

According to information received, on January 29, 2020, a non bailable warrant has been issued by the Special Chief Judicial Magistrate, Varanasi against Ms. Rahi in case no: 09/2020 registered under IPC sections 147, 148, 149, 188, 332, 353, 336, 114, 120 B and Section 7 of Criminal Law (Amendment) Act (CLA). On January 23, 2020, Uttar Pradesh Police filed a FIR in Varanasi's in the Chawk Police Station (case no: 09/2020) naming 32 persons and 500 to 600 unknown persons for protests on January 23, 2019. Though Ms. Rahi is not named as an accused in the FIR, the note in the FIR has her reference in relation to the anti-CAA/NRC protest. The note accuses Ms. Rahi for inciting violence and social disharmony during the protest dharna organised at Beniyabag ground earlier on December 19, 2019, in Varanasi. On January 24, 2020, Ms. Rahi came to know this through newspapers and administrative

sources that her name is also now being associated with the dharna programme organised on 23 January, 2020.

Ms. Rahi informed the HRDA that a media portal with the name 'Amritprabhat' also published her photograph in an attempt to spread alarming false rumour and perpetuate misunderstanding, claiming this to be a part of an organised conspiracy against her. Ms. Rahi also informed that she had no participation in either the protest demonstration held in Beniyabag, Varnasi on December 19, 2019 or in any its preparatory meetings. She has neither been named nor there is any reference of her participation in any FIR related to the December event. Her name has been referred in the note of the FIR filed on January 23, 2020, at the Chawk police station in Varanasi whereas on that very day she was present in her office till 5 pm.

Ms. Rahi had no connection whatsoever with the incidents of either on December 19, 2019 or incident of January 23, 2020. Ms. Rahi is being targeted by the police administration and other non-state actors in a smear campaign which is aimed at attacking her reputation, credibility and harass and criminalise her work. Reference of her name in police FIR and smear campaign against Ms. Rahi are an effort to slander the woman human rights defender in order to silence her. She is facing the threat of her arrest and judicial prosecution due to false charges being levelled against her by the Uttar Pradesh Police. After the non-bailable warrant issued on January 29, 2020, Ms. Rahi is facing the threat of her imminent arrest and detention.

Appeal:

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of harassment, intimidation and non-bailable warrant against woman HRD Ms. Jagriti Rahi;
- Take all necessary measures to guarantee the physical and psychological integrity and security of woman HRD Ms. Jagriti Rahi who faces the imminent threat of arrest and risk of further reprisals from the perpetrators and using all provisions of law to ensure that the defender is not harassed or intimidated or falsely implicated in future;
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings she is undergoing because of the charges levelled against her and provide a re-assurance of not engaging in such acts against woman HRD;

- Put an end to all acts of harassment and intimidation against all human rights defenders in general in Uttar Pradesh to ensure that in all circumstances they carry out their activities as defenders of human rights without fear of reprisals and free from 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, ensure 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,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

(Henri Tiphagne)

National Working Secretary