



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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October 04 , 2021

To
Mr. CS Mawri,
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: Eight farmer protestors killed by union minister’s son’s vehicle during a peaceful protest.

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 horrific incident of eight farmer protestors being killed, run over by the car of Mr. Ashish Mishra, son of Union Minister of State (MoS) for Home Affairs Ajay Mishra, in Lakhimpur Kheri when the protestors reached to show them black flags.

About the Human Rights Defenders:

The farmers have been protesting for the last eleven months against the three farm laws passed by the Government of India.

Source of the Information:

Media Reports

The Perpetrators:

1. Police officials of Lakhimpur Khiri
2. Mr. Ajay Mishra, Minister of State of Home Affairs
3. Mr. Ashish Mishra, Son of Mr. Ajay Mishra Teni.

Date of Incident:

October 03, 2021

Place of Incident:

Lakhimpur Khiri, Uttar Pradesh

Background:

About 20 days ago, the MP of Lakhimpur, Mr. Ajay Mishra, Minister of State of Home Affairs, gave a speech in which he brushed off the farmer protests, saying it was a protest of "10-15 people and it would take just two minutes to make them fall in line". After his speech, the farmers have been protesting against him.

Details of the Incident:

On October 3, 2021, thousands of protesting farmers had gathered in Tikunia peacefully to register their protests against the three farm laws in an event where the Deputy Chief Minister of Uttar Pradesh Mr. Keshav Prasad Maurya was to be the chief guest.

According to reports, Mr. Ashish Mishra, the son of the Union Minister of State for Home Affairs Mr. Ajay Mishra, reached the venue by his car to welcome the Deputy CM. The farmers have alleged that one of the cars in which the minister's son was in, intentionally ran over and crushed farmers in which eight farmers were killed.

The farmer organisation, SKM has alleged that as per their knowledge, one of the deceased farmers, *"was shot dead by the son of the Union MoS Ajay Mishra"*. Farmer leader Mr. Tikait has said that, *"the returning farmers were attacked by vehicles and were fired at. As far as we know, many people have lost their lives and we are now leaving for Lakhimpur"*. One of the farmer leader Mr. Tejwinder Singh Virk has been seriously injured.

The UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, 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 1). 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". (Article 12.2).

Appeal:

Thus we appeal to the NHRC to urgently to:

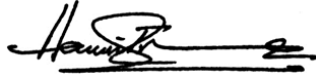
- Initiate urgently, an immediate, independent, thorough, transparent, effective and impartial investigation through its investigative wing into the incident of intentionally driving over farmer protestors and allegations of firing and killing the farmers.
- Direct the Superintendent of Police of Kheri to register an FIR of murder against the accused and report periodically to the NHRC on the developments in investigation.
- Depending on the results of the inquiry, direct the Director General of Police of Uttar Pradesh to file an FIR against the policemen involved in the firing as

violations of national and international law and take stern action against them.

- Direct the Chief Secretary of Uttar Pradesh to immediately provide compensation to the families of the killed protestors.

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