



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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March 16, 2022

To,
Mr. Indrajeet Kumar,
Focal Point - Human Rights Defenders & Joint 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- Karnataka: FIR against journalist Ms. Rana Ayyub in Dharwad for comments in an interview to the BBC.

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 grave concern regarding the FIR against journalist Ms. Rana Ayyub by Karnataka police for her comments in an interview in the BBC World News where she allegedly described those heckling hijab wearing students in Karnataka as "*Hindu terrorists*".

Source of Information:

Media reports

Date of Incident:

March 04, 2022

The Perpetrators:

Police personnel of Vidyagiri police station, Dharwad

About the Human Rights Defender:

Ms. Rana Ayyub is an Indian journalist, author and columnist with The Washington Post. She has worked as an investigative journalist and is the author of the book "The Gujarat Files". Ms. Ayyub has received many awards for excellence in journalism.

Background to the Incident:

Ms. Ayyub has been subjected to online and offline harassment by the Indian far right groups for her reporting. In February 2022, several Karnataka colleges banned the students from wearing hijab inside the college, and saffron-clad men were heckling headscarf-wearing Muslim students at many schools and colleges in the state.

Details of the Incident:

On February 10, 2022, Ms. Ayyub in an interview to the BBC World News was quoted as , *"these girls have been wearing the hijab for a very long time, it is not for the first time. So why suddenly has this group of young Hindu vigilantes, Hindu terrorists for that matter, who are hoisting saffron flags in an education complex in Karnataka"*. The link to the video is as follows: <https://youtu.be/BPp0ihdp9y4>

On March 04, 2022, the Vidyagiri police station in Dharwad registered a complaint against Ms. Ayyub, under section 295 A of Indian Penal Code (deliberate and malicious acts intended to outrage religious feelings) following a complaint by Ashwath, a volunteer of a group called the Hindu IT Cell for calling the hecklers of hijab wearing girls as *"Hindu terrorists"*. They urged the police to register a case against Ms. Ayyub under IPC Sections 124A (sedition), 153A (Creating enmity and division), 295A and 298 (deliberate and malicious attempt to outrage religious feelings) and 504(intentional hurt to community).

We believe that the FIR against Ms. Ayyub are fabricated and a continuation of the pattern of targeting her for her writing in support of minority rights in India.

The right to freedom of speech and expression is enshrined in the Indian Constitution. Freedom to expression is crucial to the work of HRDs. The right to freedom of opinion and expression encompasses three different aspects: 1) the right to hold opinions without interference; 2) the right of access to information; and 3) the right to impart information and ideas of all kind. The UN Declaration on Human Rights Defenders also seeks to protect the monitoring and advocacy functions of defenders by recognizing their right to obtain and disseminate information relevant to the enjoyment of human rights.

Globally, human rights defenders face major risks as a result of their work both from the state and out of state actors. The protection of journalist like Ms. Ayyub, and ending impunity for attacks against them, is a priority for safeguarding freedom of expression. States are under an obligation to prevent, protect against, and prosecute attacks against human rights defenders.

UN Special Rapporteurs on free expression and human rights defenders had issued a public statement earlier in February 2022 expressing concerns on the targeting of Ms. Ayyub. They stated, *"The Government is not only failing in its obligation to protect Ms. Ayyub as a journalist, but through its own investigations of Ms. Ayyub, it is also contributing to and exacerbating her perilous situation. It is imperative that the authorities take urgent measures to protect her from the onslaught of threats and hate online and end the investigation against her"*.


Appeal:

We appeal to the NHRC to urgently –

- Direct the Director General of Police of Karnataka to initiate an immediate, independent, thorough, transparent, effective and impartial inquiry into illegal and un compounded charges on journalist Ms. Rana Ayyub by police personnel of Vidyagiri police station, Dharwad and submit a report to the NHRC.

- Direct the Director General of Police of Karnataka, on basis of the inquiry, to initiate urgent actions against the police personnel responsible for abuse of power and continued harassment of Ms. Rana Ayyub.
- Issue an urgent circular to the Chief Secretary of Karnataka reiterating that the fundamental right to freedom of speech and expression is an integral part of the Indian Constitution and laws must not be misused to criminalize the same.

Yours sincerely,

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

Henri Tiphagne
National Working Secretary