



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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March 24, 2021

To  
Mr. C.S 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](mailto:hrd-nhrc@nic.in)

Dear Sir,

***Sub: HRD Alert - India – Urgent Appeal for Action – Chhattisgarh: Abduction, illegal detention and arrest of WHRD Ms. Hidme Markam under fabricated charges by police, paramilitary and administrative officials.***

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 brutal crackdown on WHRDs commemorating International Women's Day in Chhattisgarh's Bastar region, and the abduction, illegal detention and arrest of Ms. Hidme Markam and other HRDs under fabricated charges by police, paramilitary and administrative officials.

### **About the Human Rights Defenders:**

Ms. Hidme Markam (28) is a member of the Chhattisgarh Mahila Adhikar Manch and is widely respected for her work as an environmental and anti-displacement activist in Chhattisgarh's Bastar region. She is also convenor of the Jail Bandi Rihai Committee (Committee for Release of Prisoners), which works for the release of thousands of innocent adivasis implicated and incarcerated in false cases. Ms. Markam has been demanding the release of arrested adivasis, an end to construction of para military camps in the region and halt to mining.

### **Source of Information:**

- Regional consultant for eastern region
- Communication with other HRDs in the region
- Media reports
- Social Media Posts

### **The Perpetrators:**

- Mr. Abhishek Pallav, Superintendent of Police, Dantewada
- Mr. Chandrakant Governa, Sub Divisional Officer of Police, Dantewada

- Sub Divisional Magistrate, Dantewada
- Tehsildar, Bade Bacheli
- Personnel from Kirandul and Aranpur police stations
- Personnel from Danteshwari Fighters, District Reserve Guard Force (DRGF) and Koya Commandos

**Date of Incident:**

March 09, 2021

**Place of Incident:**

Sameli village, Bade Bacheli Tehsil, Dantewada district

**Background of the Incident:**

The Jail Bandi Rihai Committee and Chhattisgarh Mahila Adhikar Manch organised a programme in Dantewada district's Sameli village on March 8, 2021, to mark International Women's Day. The venue was close to two recently-constructed memorials remembering two young Adivasi women who were assaulted and gangraped by security forces, and who subsequently died/ committed suicide, and the day-long peaceful programme included commemorating the deceased victims of sexual violence through songs, plays and dance. The organisers expected a turnout of 8,000-10,000 women from Dantewada, Sukma, Bijapur and Narayanpur districts, and intimated the District Collector, SP, and SDM and other officials about the programme.

**Details of the incident:**

On March 8, 2021, at around 8 AM, personnel from the all-women force Danteshwari Fighters arrived at the memorial for Ms. Bheeme Mandawi, who was allegedly raped and shot dead by DRGF in December 2020. They assaulted activists who were painting the memorial, and arrested the deceased's son, brother and another villager.

Organisers said police and paramilitary personnel from Kirandul and Aranpur Police Stations, DRGF and Koya Commandos set up pickets on roads and pathways leading to Sameli. They stopped, abused and assaulted hundreds of Adivasi women headed to the venue, and burst crackers to scare people away.

Since the organisers had all necessary permissions, and the SDM was scheduled to attend the programme, Ms. Markam, along with other well-known HRDs like Ms. Soni Sori visited several picketing points located within 10 km from Sameli and persuaded security personnel to allow participants to pass through. Yet, only 1500 women managed to reach and participate in the programme, whereas many of them decided to stay the night in Sameli to mark International Working Women's Day and deliberate over how best to respond to the police crackdown.

On March 9, at around 3 PM, around 50-60 armed personnel from the Kirandul and Aranpur Police Stations, DRGF and Koya Commandos accompanied by the Tehsildar of Bade Bacheli, Sub Divisional Officer of Police Mr. Chandrakant Governa, arrive where around 300 WHRDs were commemorating International Working Women's Day and recent victims of sexual violence. They surrounded the WHRDs from all sides, and when they spotted Ms. Markam, policewomen manhandled and dragged her by force into a police vehicle and took her with them. Throughout this, the Sub-Divisional

Magistrate of Dantewada who was present in the programme silently witnessed the proceedings.

When Ms. Sori questioned the Tehsildar about an arrest warrant before taking Ms. Markam, he said Ms. Markam was being arrested for involvement in old cases of Maoist violence, but did not provide any details of cases or charges. Police also did not show any arrest warrant, or disclosed where they were taking Ms. Markam. When Ms. Sori and other HRDs called MLA Mr. Lakhma Kawasi, Dantewada SP Mr. Abhishek Pallav asking about Ms. Markam and the charges against her, they were not provided any clear answers. For three hours nobody knew about the whereabouts of Ms. Markam.

While the police initially identified Ms. Markam as a member of an unarmed women's group, the FIRs said she was a 'vardidhari bandukdhari' (uniformed and armed) Maoist. Shockingly, she has been named under four fabricated FIRs, FIR Nos. 7/2016, 9/2016, 3/2020, 4/2020 at Aranpur Police Station, Dantewada. The FIRs have been registered under Indian Penal Code Sections 147, 148, 149, 307, 294, 102(B), 323, 506, 364, 302, Arms Act Sections 25 and 27, Explosive Substances Act Sections 3, 4 and 5 and UAPA Sections 13, 23, 38(2), and 39(2). The police falsely claims that Ms. Markam has been absconding. She has been publicly active in all human rights issues and this is a case of reprisals for intervening in cases of sexual assault by security forces on young Adivasi women.

It is our firm belief that the abduction and arrest of Ms. Markam under fabricated charges is a reprisal for her efforts to highlight sexual violence by security forces and other injustices through a peaceful, day-long programme in Sameli on the occasion of International Women's Day.

It is also important to note that the four FIRs the police claimed to have against her referred to Ms. Hidme Kawasi and not Ms. Hidme Markam. Furthermore, while picking up Ms. Markam illegally from a peaceful demonstration without any arrest memo, due procedure, information to her family, or information to a lawyer, the police violated multiple sections (Guidelines 2, 3, 5, 7, and 10) of the DK Basu Guidelines of arrest procedures.

The right to exercise freedom of speech and expression is enshrined under Article 19(a) and the right to assemble peacefully under Article 19(b) of the Indian Constitution. The Human Rights Council resolution 15/21 adopted in October 2010 reaffirms that everyone has the right to freedom of peaceful assembly free of restrictions that is subject only to the limitations permitted by international law, in particular international human rights law;

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)

When a well-known WHRD Ms. Markam who has been working entirely in the public eye, including meeting Chhattisgarh Chief Minister Mr. Bhupesh Baghel in October 2019 to press for the release of innocent tribals from jails, is abducted, illegally detained and arrested in violation of all established procedures, these rights are grossly violated.


**Appeal:**

We appeal to the Hon’ble Commission to protect human rights defenders, especially in this situation where they were exercising their Constitutional rights. We thus urge the Hon’ble Commission to:

- Initiate an immediate, independent, thorough, transparent, effective and impartial investigation through its investigative wing into the abduction and arrest of Ms. Markam and attempts to implicate her in fabricated cases.
- Depending on the result of the inquiry, direct the DGP of Chhattisgarh to take stern action against those guilty of abducting, illegally detaining and framing Ms. Markam in fabricated cases, and those issuing misleading, defamatory statements about her in the media, including Dantewada SP Mr. Abhishek Pallav.
- Direct the concerned officials to withdraw all fabricated cases against Ms. Markam and other HRDs, including charges under UAPA, and release them forthwith.
- Provide immediate, adequate compensation to Ms. Markam and other arrested HRDs for abduction, wrongful confinement and psychological distress.
- Order the state government to institute an independent, high-level inquiry into incidents of sexual violence by police and paramilitary personnel against Ms. Pande Kawasi and Ms. Bheeme Mandawi and other young women leading to their killing.

Looking forward to your immediate action in this regard.

Yours sincerely,



**Henri Tiphagne**  
National Working Secretary