



## Human Rights Defenders Alert- India

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To,

**Justice (Retd.) H.L. Dattu,**

Chairperson,

National Human Rights Commission,

New Delhi

Email: [chairnhrc@nic.in](mailto:chairnhrc@nic.in)

***Sub: HRD Alert - India - Urgent Appeal for Action - Chhattisgarh - Mr. Rohit Singh Arya –Harassment and false charges by the police against Mr. Rohit Singh Arya in Jagdalpur District, Bastar area of Chhattisgarh – Regarding***

Dear Sir,

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 now writing to express our grave concern regarding harassment, threat given to Mr. Rohit Singh Arya by lodging false cases against him by the police in the Bastar area of Chhattisgarh state.

### **Source of Information on the Incident:**

- The Coordinator of HRDA for the East of India
- Media sources

**The Perpetrators:**

1. Mr. SRP Kalluri, Inspector General, Bastar Range, Chhattisgarh
2. Police personnel of Bodhghat Police Station, Chhattisgarh

**The Human rights defender:**

Mr. Rohit Singh Arya is an associate of Ms. Soni Sori, who is a tribal rights activist and a human rights defender working in the Bastar area of Chhattisgarh. He is the Bastar region coordinator of Aam Aadmi Party. The team under the leadership of Ms. Soni Sori had intervened in many police atrocity and cases of police excess in the Bastar region. They have also helped victims of rape to record their statements and filing FIR against police personnel against whom allegations were made in cases of sexual violence and fake encounters.

**Date of Incident:**

January 26<sup>th</sup>, 2017

**Place of Incident:**

Bodhghat Police Station, Jagdalpur, Chhattisgarh.

**Incident detail:**

On 26<sup>th</sup> January 2016 when Chief Minister of Chhattisgarh Mr. Raman Singh met academician and human rights defender Ms. Bela Bhatia and gave her assurance regarding her safety after continuous threat given to her and forceful eviction, Mr. Rohit Singh Arya was picked up forcefully while he was on his way to meet the Chief Minister. He was taken to Bodhghat Police Station and was threatened by the police officials who forced him to give in writing that he would not stage any protest in front of the Chief Minister.

A few days' earlier a press conference condemning attack on Ms. Bela was organized during which Mr. Rohit was threatened on phone by the local police officers. The local police now have filed a false case against him with charges of Scheduled Caste/ Scheduled Tribes (Prevention of Atrocities) Act, 1989.

**Appeal :**

We, therefore urge you to immediately take necessary steps to ensure that;

- Order an immediate, thorough, transparent, effective and impartial investigation into the above mentioned incident of harassment, intimidation by the local police to the human rights defender Mr. Rohit Singh Arya ;
- Guarantee in all circumstances the physical and psychological integrity and protection of the HRD who is still under risk of further reprisals from the perpetrators and provide a re-assurance of not engaging in such acts against HRDs;
- Take immediate action on the perpetrators for intimidation on the human rights defender by the local police using all provisions of law to ensure that the defender is not harassed or attacked in future and the FIR against all of them should be quashed immediately;
- NHRC should also take note of the repeated subversions of the criminal justice system by the Chhattisgarh Police, to implicate innocent persons for political ends and their continued violation of fundamental rights and human rights of tribals and others in Bastar area in particular and order a full fledged enquiry.
- Put an end to all acts of attack and harassment of human rights defenders in the State of Chhattisgarh to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Takes steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
  - Article 1, which 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 12.2, which provides 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”;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Chhattisgarh to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;

- Recommend urgently and speedily during the pendency of this complaint, the NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs..etc] to ensure that a coordinated strategy is developed within the State of Chhattisgarh for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Chhattisgarh in collaboration with the NHRC Focal Point on HRDs and the SHRC Chhattisgarh to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Chhattisgarh in collaboration with the SHRC, Chhattisgarh to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ... promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (Art.1 of the Declaration on Human Rights Defenders);
- 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 Chhattisgarh.

Looking forward for your action in this regard,

Yours sincerely,

Sd/-

***Henri Tiphagne***

National Working Secretary