



Letter of Concern: Harassment and intimidation of prominent HRDs including lawyers, gender activists, writers in Andhra Pradesh and Telangana by the National Investigation Agency

HRD Alert India <hrda.india@gmail.com>

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HUMAN RIGHTS DEFENDERS' ALERT - INDIA

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April 07, 2021

To,
Chairperson and Members,
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi – 110023
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Hon'ble Chairperson and Members,

Sub: Letter of Concern: Harassment and intimidation of prominent HRDs including lawyers, gender activists, writers in Andhra Pradesh and Telangana by the National Investigation Agency.

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a forum of Human Rights Defenders for Human Rights Defenders in India. 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 regarding the recent raids by the National Investigation Agency (NIA) in Telangana and Andhra Pradesh on more than 25 Human Rights Defenders (HRDs) including lawyers, gender activists, and writers. The raids began on the afternoon of March 31, 2021 and continued till April 1, 2021. The NIA seized the phones, computers, laptops and some books and papers of most of the HRDs who were raided.

On November 23, 2020, an FIR (no 47/2020) was filed in the Munchingput Police Station, Vishakhapatnam. Draconian charges like IPC Sections 120 (B), 121, 121(A), 143, 144, 124 (A) r/w 149, UAPA Sections 10, 13 and 18, AP Public Security Act, Sections 8 (1) and 8 (2) and Arms Act Section 25 were levelled against the HRDs.

On November 24, 2020, a second FIR (606/2020) was filed in Piduguralla town police station in Guntur district. under IPC Sections 120 (B), 121, 121(A), 143, 144, 124 (A) r/w 149 and, UAPA Sections 16,17,18, 18(A), 18 (B), 20, 21, 38, 39 and 40.

Both the FIRs have been filed by police officers and 92 people were named in them including activists, lawyers, writers and gender activists. 27 were common in both the FIRs.

On March 7, 2021, the NIA Hyderabad took over the investigation of the Munchingput police station FIR and the FIR (RC-1/2021/ NIA/HYD) was lodged in Hyderabad.

In the afternoon of March 31, 2021, more than 25 HRDs were raided by the NIA and the raids continued till the next morning. Some of the prominent HRDs who were raided are:

1. Paani (Kurnool), Revolutionary Writers Association
2. Varalakshmi (Kadapa), Revolutionary Writers Association
3. Arun (Kurnool), Revolutionary Writers Association
4. Devendra, Chaitanya Mahila Sangam
5. Shilpa, Chaitanya Mahila Sangam

6. Swapna, Chaitanya Mahila Sangam
7. Rajeswari (Guntur), Chaitanya Mahila Sangam
8. Padma (Vishakhapatnam). Chaitanya Mahila Sangam
9. Raghunath (Hyderabad) Andhra Pradesh Civil Liberties Committee
10. Chilika Chandrshekhar (Guntur), Andhra Pradesh Civil Liberties Committee
11. Chitti Babu (East Godavari), Andhra Pradesh Civil Liberties Committee
12. Krishna (Vishakhapatnam), Human Rights Forum
13. Dappu Ramesh (Hyderabad), Prajakala Mandali
14. Anjamma (Prakasham), Prajakala Mandali
15. Sirisha (Prakasham), Amarula Bandhu Mitrula Sangham
16. Advocate KS Chelam (Vishakhapatnam)

These HRDs have been for decades raising and intervening in cases of human rights violations, often in the most difficult circumstances. NIA alleging them to be linked to anti-terror activities and sedition is strongly condemnable and a clear case of reprisals for their human rights work, which often include questioning the government and being critical of its actions and policies. NIA and other central agencies have misused legal provisions recently, specifically sedition and UAPA, to target HRDs and stifle dissent. These are acts of harassment which seem to be only aimed at punishing and intimidating the above-mentioned HRDs and NGOs for their legitimate human rights activities.

We write to you today in a situation where undertaking human rights work in India is increasingly getting criminalised. The above-mentioned instances are recent additions to cases of reprisals on HRDs through misusing provisions of anti-terror and security legislations and crackdown on civil society. Despite writ petitions pending before the High Court of Andhra Pradesh which seek the quashing of these FIRs, the NIA has conducted these raids.

It is our belief that this pattern of fabricated cases and harassment of HRDs is repeatedly seen in states like Andhra Pradesh and Telangana where a witch hunt is being carried against HRDs who speak up for people's rights. By targeting HRDs under draconian laws like UAPA and Sedition, the state is trying to repress the voices speaking for forest rights, environment rights, civil and political rights and cultural rights in Andhra Pradesh and Telangana. Furthermore transferring of cases to the NIA has become the modus operandi of states when it wants to intimidate and harass HRDs.

In addition to these specific concerns expressed above, we also wish to state that the state of compliance with the fundamental freedom of association, assembly, expression and opinion has greatly declined in the recent past. We wish to remind the NHRC that every NHRI has to be committed to implementing the Marrakech Declaration of the Global Alliance of NHRIs 2018 titled '*Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions*' and the Regional Action Plan on Human Rights defenders of the Asia Pacific Forum of NHRIs of March 2021. The task of protecting HRDs has also therefore to mean that such rights that are enshrined in the 1998 UN Declaration on HRDs and specially the state duties listed therein are carefully monitored by the NHRC as part of its regular routine mandate.

We urge you therefore to exercise your statutory powers, including powers of *suo moto* intervention, and vocally condemn the targeting of HRDs. This will go a long way in protecting democracy and constitution. In addition to these, we reiterate our long-standing appeal to the NHRC to exercise Section 12 (d) of the Protection of Human Rights Act and review the UAPA. This holds greater credence today with the UN Special Procedures expressing strong concerns over this law and its misuse to target HRDs.

Looking forward to your immediate action and response to us. As a member of human rights institutions' networks, it is expected that as an NHRI you are now mandated to not only to promote but also protect and strengthen HRDs as per the APF's recent 'Regional Action Plan on Human Rights defenders' of March 2021.

Yours sincerely,



(Henri Tiphagne)

National Working Secretary

For more information and sources related to HRDA visit www.hrdaindia.org
Facebook: <https://www.facebook.com/hrdefendersalert>

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4/23/2021

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