



To  
Hon'ble Justice (Retd.) H.L. Dattu  
Chairperson  
National Human Rights Commission of India  
New Delhi  
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Cc  
Mr. C. S. Mawri  
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Cc  
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November 27, 2020

**Re: Request to raise serious concerns over the ongoing crackdown on human rights defenders in India**

Dear Justice (Retd.) Dattu,

We, the undersigned international and regional non-governmental organisations, are concerned by the ongoing crackdown by the State agencies on human rights defenders in India. It is in this context that we are writing to request you to raise these concerns and take the necessary measures within your mandate.

On October 28 and 29, 2020, the houses and offices of several human rights defenders, human rights groups and journalists in Srinagar and Bandipora (Jammu and Kashmir), Bengaluru (Karnataka), and Delhi were raided by National Investigation Agency (NIA) officials. These raids were said to be undertaken to investigate the use of funding for “carrying out secessionist and separatist activities” in Kashmir. The raided premises included the houses and offices of several well-known human rights defenders, including: Ms. **Parveena Ahangar**, Chairperson of the Association of Parents of Disappeared Persons (APDP) and 2017 laureate of the Rafto Prize; Mr. **Khurram Parvez**, Coordinator of the Jammu and Kashmir Coalition of Civil Society (JKCCS) and Chairperson of the Asian Federation Against Involuntary Disappearances (AFAD); other JKCCS members; and the independent daily newspaper *Greater Kashmir*. The raids were also conducted in Bengaluru at the residence of Ms. **Swati Sheshadri**, and in Delhi at the residence of Mr. **Zafarul Islam Khan**, Chairperson of the NGO Charity Alliance and former Chairperson of the Delhi Minorities Commission. Documents and electronic devices, including hard disks containing sensitive information such as victims' personal data and testimonies, were seized during these raids. The individuals and groups affected by these actions have been at the forefront of the human rights movement in the country for decades, and these raids appear to be an attempt to silence them and to hamper their important human rights work. We are extremely concerned regarding the blatant misuse of the counterterrorism law, the Unlawful Activities (Prevention) Act (UAPA), against these defenders.

On October 8, 2020, Mr. **Stan Swamy**, an 83-year-old Jesuit priest and prominent Adivasi rights activist based in Ranchi (Jharkhand), was arrested without any warrant by NIA officials from his residence. On October 9, 2020, he was transported to Mumbai (Maharashtra), where he was remanded in Taloja jail. His age and the fact that he is suffering from advanced Parkinson's disease is putting him at an increased vulnerability of contracting COVID-19. Mr. Swamy was arrested for his alleged involvement in the “Bhima Koregaon case”, in connection with caste-based violence that broke out during the Elgar Parishad at Bhima Koregaon (Maharashtra), on January 1, 2018.

As many as 15 other prominent human rights defenders across the country, known for their human rights and civil liberties work on behalf of the most marginalized communities in India, have been detained in the Bhima Koregaon case under the UAPA. Some of them have been detained since June 2018. The 15 are: Mr. **Varavara Rao**, Ms. **Sudha Bharadwaj**, Mr. **Vernon Gonsalves**, Mr. **Gautam Navlakha**, Mr. **Arun Ferreira**, Mr. **Sudhir Dhawale**, Mr. **Rona Wilson**, Ms. **Shoma Sen**, Mr. **Anand Teltumbde**, Mr. **Mahesh Raut**, Mr. **Surendra Gadling**, Mr. **Hany Babu**, Mr. **Sagar Gorkhe**, Mr. **Ramesh Gaichor**, and Ms. **Jyoti Jagtap**. Their bail applications have systematically been rejected.

Since December 2019, the police have also arrested human rights defenders who peacefully protested against the discriminatory Citizenship Amendment Act (CAA), and filed charges of sedition, murder, and terrorism. Those arrested and currently imprisoned include Ms. **Devangana Kalita**, Ms. **Natasha Narwal**, Mr. **Umar Khalid**, Ms. **Gulfisha Fatima**, Mr. **Meeran Haider**, Mr. **Shifa-ur-Rehman**, Mr. **Sharjeel Imam**, Mr. **Asif Iqbal**, Ms. **Ishrat Jehan**, Mr. **Khalid Saifi**, and Mr. **Akhil Gogoi**. Charges also remain pending against anti-CAA activists, Ms. **Safoora Zargar** and Dr. **Kafeel Khan**, who were granted bail recently. We also remain concerned over pending legal proceedings against anti-CAA activists in Uttar Pradesh and several prominent human rights defenders in Delhi who have been repeatedly questioned.

As human rights defenders in India are being targeted for their legitimate human rights activities, our organisations urge the National Human Rights Commission of India to intervene immediately.

We respectfully call upon the National Human Rights Commission of India to carry out independent and impartial investigations into the above-mentioned cases through the

provisions of the Protection of Human Rights Act, 1993, in conformity with its mandate to protect human rights, including freedoms of expression, peaceful assembly, and association.

Most of these human rights defenders remain detained, some of them in serious health conditions. We therefore urge the National Human Rights Commission of India to intervene with the concerned courts and the Government of India and demand their immediate release.

We also call upon the National Human Rights Commission of India to undertake trial observations in the above-mentioned cases.

We thank you for your attention to this important matter.

Respectfully,

**Signatories:**

Asian Forum for Human Rights and Development (FORUM-ASIA)

CIVICUS: World Alliance for Citizen Participation

FIDH, in the framework of the Observatory for the Protection of Human Rights Defenders

Front Line Defenders

Human Rights Watch (HRW)

International Commission of Jurists (ICJ)

International Service for Human Rights (ISHR)

Minority Rights Group (MRG)

South Asians for Human Rights (SAHR)

World Organisation Against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders