

JOINT STATEMENT OF RIGHTS GROUPS AT PRESS CONFERENCE HELD ON 29TH AUGUST 2018 AT MUMBAI PRESS CLUB, CONDEMNING THE ARRESTS OF PROMINENT HUMAN RIGHTS ACTIVISTS FOLLOWING SIMULTANEOUS MULTI-CITY RAIDS BY POLICE ON 28TH AUGUST 2018.

On 28th August 2018, simultaneous raids were conducted by Police on the premises of prominent human rights and civil liberties activists and public intellectuals – Advocate Sudha Bharadwaj (National Secretary, PUCL) in Faridabad, Father Stan Swamy in Jharkhand, Senior Writer and Poet Varavara Rao, his two daughters – Anala and Pavana, ‘The Hindu’ journalist KV Kumaranath, English and Foreign Languages University (EFLU) Professor Satyanarayana, ‘Namaste Telangana’ journalist Kranthi Tekula – all in Hyderabad, Anand Teltumbde (General Secretary, CPDR) in Goa, Gautam Navlakha (founder member, PUDR) in Delhi, Arun Ferreira, Writer Vernon Gonsalves and Advocate Susan Abraham in Mumbai, and several of them have been arrested on false and fabricated charges under the draconian UAPA law.

WE the undersigned civil society organisations/ groups/ collectives, have jointly convened this urgent Press Conference to condemn the appalling state actions of reprisals against noted human rights activists and intellectuals, which are clearly politically motivated and an attempt to stifle voices of dissent. The unjustified raids on and arbitrary arrests of the above public spirited individuals who have tirelessly worked for the cause of the poor and marginalized sections of society, are nothing but an attack on Indian democracy and an attempt to undermine the democratic fabric of our society.

We, the undersigned organisations, strongly condemn the spate of raids and arrests on noted human rights activists and intellectuals, lawyers, academics and journalists across the country by the Pune police yesterday. Advocate Sudha Bharadwaj (National Secretary, PUCL) was detained at her residence in Faridabad, after a bizarre attempt by Pune police to disregard a clear order by the Punjab and Haryana High Court. Gautam Navlakha (founder member, PUDR) is under house arrest in Delhi, following stay granted by the Delhi High Court to the transit remand until today, when the habeas corpus petition is scheduled for hearing. Father Stan Swamy’s house was raided in Jharkhand allegedly in relation to the Bhima Koregaon case while he has not even attended the Pune event. In Hyderabad, 77-year old noted Writer and Poet Varavara Rao was arrested yesterday following raids at his residence and the residence of his two daughters – Anala and Pavana, their respective husbands - journalist KV Kumaranath and EFLU Professor Satyanarayana, and the raids on the residence of journalist Kranthi Tekula and his subsequent arrest. The residence of Anand Teltumbde (General Secretary, CPDR) in Goa was raided in his absence by the police, after procuring keys from the security guard. In Mumbai, the residences of advocates Arun Ferreira, Vernon Gonsalves and Susan Abraham were raided while the former two were arrested later in the day. Several of them have been arrested on false and fabricated charges under the draconian UAPA law. Meanwhile a petition has been filed in the Supreme Court by eminent public persons against the arrests, which is scheduled to be taken up at 3.45 p.m. today.

This appalling state action is ostensibly in connection with the outbreak of violence and attacks on dalit participants of the Elgaar Parishad, a public meeting held on December 31, 2017, in Pune, to commemorate the anniversary of Bhima Koregaon. Some news channels are alleging that the arrests are linked to claims of an alleged plot to assassinate Prime Minister Narendra Modi and Maharashtra Chief Minister Devendra Fadnavis. However, this is clearly a politically motivated reprisal against public spirited individuals who have tirelessly and courageously worked for the cause of the poor and marginalized sections of society, and against unjust state policies and actions, and unscrupulous corporates.

The raids and arrests are a targeted crackdown on civil liberties and democratic rights activists across the country. Such a systematic and pre-meditated crackdown on human rights activists is reminiscent of the midnight knock on the eve of the Emergency in 1975 in India, and it is a matter of immense shame that the BJP government has unleashed all its powers to do exactly the same, 43 years later!

The raids and arrests, as well as statements by Pune police that more raids will follow are naked and concerted attempts to intimidate and stifle voices of dissent. These unjustified and illegal raids on and arrests of these human rights activists are nothing but an attack on Indian democracy and an attempt to undermine the democratic fabric of our society.

Certain media houses who, in collusion with the state and its law enforcing authorities, have indulged in an incredible attack on these human rights activists, defaming them and profiling them as “Urban Naxals/Maoists” and calling them anti-national. Their nightly news bulletins have been irresponsible and inflammatory.

These arbitrary arrests of human rights activists, taken in conjunction with the absolute disregard of the same Pune police to take any serious action against the real culprits of the violence that broke out in Bhima Koregaon on Jan 1, 2018, also exposes the state’s real intent. It is incredible that both Sambhaji Bhide, founder of the Shivpratishtan Sanghatana, and Milind Ekbote, executive president of Samasta Hindu Aghadi, are charged under sections 153 (a) (Giving provocation with intent to cause riot), 120 (b) (criminal conspiracy) and Sections 117 (Abetting commission of offence by the public or by more than 10 persons), all under the Indian Penal Code, 1860 whereas the current spate of arrests of activists are under the much more draconian provisions of the Unlawful Activities (Prevention) Act, 1967, which has been used as a tool to stifle political dissent and opposition.

Already, in the investigations of the same outbreak of violence, the police had arrested a number of dalit activists and academics – Dr Sudhir Dhawale, activist-lawyer Surendra Gadling, Nagpur University professor Shoma Sen, Gadchiroli-based activist Mahesh Raut and research scholar from Delhi, Rona Wilson – and is yet to make out any credible case against them.

The UAPA is a repressive piece of legislation that flies in the face of all democratic norms. It empowers the government to ban ‘unlawful organisations’ and ‘terrorist organisations’ and membership of such organisations, which attracts a punishment of upto life imprisonment. Those charged under it are denied bail for upto six months, and, as lawyers and free speech commentators have said, ‘Section 43D(5) of the UAPA is effectively a warrant for perpetual imprisonment without trial!’

The arrests also come in the midst of an unprecedented investigation by the Maharashtra ATS against the Sanatan Sanstha for the killings of anti-superstition activist Prof Narayan Dhabolkar, senior activist and CPI leader Govind Pansare, as well as Prof Kalburgi and journalist Gauri Lankesh. As the noose tightens on this organization, the arrests for the Bhima Koregaon violence are perhaps a cynical ploy to divert attention from this investigation.

In the light of the above, we the undersigned organisations -

- 1. Demand the immediate and unconditional release of human rights activists, Sudha Bharadwaj, Gautam Navalakha, Anand Teltumbde, Varavara Rao, Arun Ferreira, Kranthi Tekula and Vernon Gonsalves and the withdrawal of the false and fabricated case against all the human rights activists;**
- 2. Reiterate our demand for the immediate and unconditional release of all other activists arrested earlier in connection with the same case, including Prof. Shoma Sen, Advocate Surendra Gadling, Rona Wilson, Mahesh Raut and Sudhir Dhawale, and all other human rights activists charged under the draconian UAPA in false cases;**
- 3. Seek the urgent intervention of the National Human Rights Commission (NHRC) to ensure the release of the human rights activists and to order an immediate, transparent, effective and impartial investigation into the simultaneous multi-city raids and arbitrary arrests of the human rights activists by the state and the police on false and fabricated accusations and charges;**
- 4. Demand that the Press Council of India and the News Broadcasting Standards Authority take suo moto action to direct media houses to desist from all forms of ‘fake news’ and in particular stop this false and baseless allegations and criminalisation of human rights activists, who are working tirelessly against the state’s anti-people actions and policies, in an attempt to malign them and influence public sentiment.**
- 5. Demand that the speedy investigation and trial of the real culprits of the violence in Bhima Koregaon including right wing leaders Sambhaji Bhide and Milind Ekbote, be effected immediately and they be taken under arrest.**
- 6. Demand that the Maharashtra Chief Minister Devendra Phadnavis speak out and distance himself from his ‘mentor’, the prime accused in the Bhima Koregaon violence, Sambhaji Bhide.**
- 7. Demand that the State and Police immediately desist from using the draconian UAPA law against human rights activists and public intellectuals, and that the same be repealed with immediate effect.**

We call upon democratic minded citizens of India to condemn the unprincipled manner in which human rights activists are being targeted and oppose such insidious and collusive attempts by State agencies and media outfits to silence human rights activists against vindictive State policies and actions.

With regards,

- (1) PEOPLE'S UNION FOR CIVIL LIBERTIES (PUCL) – MAHARASHTRA,
- (2) COMMITTEE FOR PROTECTION OF DEMOCRATIC RIGHTS (CPDR),
- (3) WOMEN AGAINST SEXUAL VIOLENCE AND STATE REPRESSION (WSS),
- (4) FORUM AGAINST OPPRESSION OF WOMEN,
- (5) LABIA – A QUEER FEMINIST LBT COLLECTIVE,
- (6) AWAAZ-E-NISWAAN,
- (7) BEBAAK COLLECTIVE,
- (8) AKSHARA WOMEN'S RESOURCE CENTRE
- (9) POLICE REFORMS WATCH,
- (10) AMBEDKAR PERIYAR PHULE STUDY CIRCLE (APPSC) – IIT BOMBAY
- (11) NEW TRADE UNION INITIATIVE (NTUI)
- (12) BHARAT BACHAO ANDOLAN
- (13) CITIZENS FOR JUSTICE AND PEACE (CJP)
- (14) PEOPLE'S COMMISSION ON SHRINKING DEMOCRATIC SPACES (PCSDS)
- (15) HUMAN RIGHTS DEFENDERS ALERT (HRDA) - INDIA
- (16) INDIAN CHRISTIAN WOMEN'S MOVEMENT
- (17) SATYASHODHAK, MUMBAI
- (18) JAGRUT KAMGAR MANCH (JKM)
- (19) MAJLIS
- (20) ADVOCATE SURENDRA GADLING DEFENCE COMMITTEE
- (21) INDIAN SOCIAL ACTION FORUM (INSAF)
- (22) CAUSE LAWYERS ALLIANCE
- (23) NATIONAL ALLIANCE OF PEOPLE'S MOVEMENTS (NAPM)
- (24) LAWYERS COLLECTIVE
- (25) NIVARA HAKK SURAKSHA SAMITI
- (26) ALL INDIA DEMOCRATIC WOMEN'S ASSOCIATION (AIDWA)
- (27) HUMAN RIGHTS LAW NETWORK (HRLN)
- (28) TRADE UNION CENTRE OF INDIA
- (29) JANSANGHARSH MANCH
- (30) GUJARAT TRADE UNION FRONT AHMEDABAD
- (31) THE BOMBAY CATHOLIC SABHA
- (32) JUSTICE AND PEACE COMMISSION, MUMBAI
- (33) INDIAN MUSLIMS FOR SECULAR DEMOCRACY
- (34) AMNESTY INTERNATIONAL INDIA
- (35) CO-ORDINATION OF SCIENCE AND TECHNOLOGY INSTITUTE'S STUDENT ASSOCIATION (COSTISA)
- (36) INNOCENCE NETWORK
- (37) ASSOCIATION FOR PROTECTION OF CIVIL RIGHTS (APCR) & OTHERS