

India: Free the five Dalit human rights defenders arrested in connection with Bhima Koregaon clash in Maharashtra

(Bangkok/Kathmandu, 8 June 2018) – The Asian Forum for Human Rights and Development (FORUM-ASIA) condemns the arrest of five Dalit activists, Adv. Surendra Gadling, Sudhir Dhawale, Prof. Shoma Sena, Rona Wilson and Mahesh Raut, under the draconian Unlawful Activities Prevention Act (UAPA). FORUM-ASIA believes the charges were fabricated to undermine their legitimate human rights work, and demands their immediate release.

On 6 June 2018, the Pune and Maharashtra Police arrested the five activists in different cities in India¹ based on a clash which happened in December 2017 between people belonging to dominant and marginalised castes in Bhima Koregaon of Maharashtra State, and charged them for the ensuing protests in January 2018.² The clash resulted in the deaths of two people and injured many. On 7 June, a Sessions Court remanded the arrested activists to police custody till 14 June.³

The detained five activists are prominent human rights defenders and have long been associated with several social movements. They work on a range of issues concerning human rights, democracy, civil liberties, the rights of Dalits and other marginalised communities. Surendra Gadling is the General Secretary of the Indian Association of People's Lawyers, and a prominent human rights lawyer. Rona Wilson is the public relations secretary of the Committee for the Release of Political Prisoners, and has campaigned against the Unlawful Activities Prevention Act (UAPA). Sudhir Dhawale is the editor of the Marathi magazine 'Virodhi' and a Dalit rights. Mahesh Raut is an anti-displacement activist and convener of the Visthapan Virodhi Jan Vikas Andolan (People's Movement Against Displacement). And Prof. Shoma Sen is the Head of the Department for English at the Nagpur University and a member of Women against Sexual Violence and State Repression. In an unconcealed effort to justify the arrests, the Maharashtra police have called the activists 'urban Maoist operatives', the outlawed communist party of India.⁴

In a court hearing on 8 June, Pune Police produced an email, which was allegedly seized from one of the activists that suggested plans to assassinate Prime Minister Narendra Modi, in 'another Rajiv Gandhi type incident'⁵ by 'targeting his road shows.'⁶ They claim to have recovered the email from the laptop of one of the accused, but have not produced any evidence of its originality.

¹ <https://www.livemint.com/Politics/fUBcFuolaTsgAjj4qBJtwN/Bhima-Koregaon-violence-Pune-police-arrests-5-Dalit-activis.html>

² <https://www.livemint.com/Politics/fUBcFuolaTsgAjj4qBJtwN/Bhima-Koregaon-violence-Pune-police-arrests-5-Dalit-activis.html>

³ <https://www.firstpost.com/india/bhima-koregaon-violence-pune-police-arrests-five-persons-for-inciting-hate-dalit-groups-plan-protest-4498193.html>

⁴ <http://www.thehindu.com/news/national/other-states/pune-police-say-arrested-activists-were-in-touch-with-top-naxals/article24103052.ece>

⁵ Rajiv Gandhi, served as the sixth Prime Minister of India from 1984-1989 before he was assassinated by the LTTE terrorists in 1991 <http://indianexpress.com/about/rajiv-gandhi/>.

⁶ <http://indianexpress.com/article/india/koregaon-bhima-violence-email-speaks-of-plan-for-another-rajiv-gandhi-type-incident-pune-police-tell-court-5208890/>

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Raids and searches of the homes of the activists on 17 April 2018, and the arrests on 6 June 2018, clearly indicate that the charges are politically motivated and have been undertaken to deter several human rights organisations and activists, who have been demanding the arrest of the leaders of Sangh Parivar organisations, Sambhaji Bhide and Milind Ekbote, who were responsible for the violence on 1 January.⁷ Their detention under the UAPA, has been carried out without any proof of their involvement either with the Maoist movement or the violence that erupted in Maharashtra in January,⁸ curtailing their fundamental rights guaranteed under Articles 14, 19 and 21 of the Indian Constitution.

FORUM-ASIA is concerned that the UAPA has several draconian provisions, one of which allows detention without filing of a charge-sheet for up to 180 days, which is a form of denying a fair trial. The UAPA negates all fundamental rights of human rights defenders and activists a genuine democracy should protect and promote.

FORUM-ASIA demands the release of the five Dalit human rights defenders. It urges the National Human Rights Commission to respond urgently. The Commission should, at the least, push for an inquiry into the alleged evidence of the planned assassination plot that has been produced by the Pune Police.

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

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⁷ <http://indianexpress.com/article/opinion/arrests-in-bhima-koregaon-case-show-rss-far-right-now-enjoy-impunity-5206854/>

⁸ <http://indianexpress.com/article/india/koregaon-bhima-violence-arrest-of-activists-lawyers-denounced-5207405/>