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31 August 2004

Dear Chief Minister,

**Open letter on human rights defenders attacked in West Bengal**

I am writing to express concern about an attack on at least thirteen human rights defenders in Greater Kolkata, West Bengal at approximately 4:30pm on 21 August 2004 and to urge your Government to fulfil its responsibilities to protect individual's rights to assemble peacefully by preventing future attacks against human rights defenders and taking timely action against the reported perpetrators in this incident.

We have received reports from reliable sources that members of the Association for Protection of Democratic Rights (APDR), a civil liberties organization, were attacked while holding a peaceful meeting in the street in front of the Jangipara Police Station in Hooghly, Greater Kolkata, West Bengal. The APDR members attacked include Sujato Bhadra, Amitadyuti Kumar, Sanjib Acharya, Bapi Dasgupta, Shankar Nandy, Sukumar Tiwari, Tushar Chakraborty, Bapi Das Gupta, Pradip Banerjee, Amal Roy, Gautam Munshi and other local activists.

A group of 50 to 60 people carrying red flags with emblems of a sickle and star, reportedly led by local leaders of the Communist Party of India (Marxists), approached and attacked these individuals during the meeting. The attackers kicked the human rights defenders, used *lathis* (long bamboo sticks) to beat them, and verbally abused and threatened them. When members of the ADPR went to the nearby Jangipara Police Station (located 50 meters away) to seek assistance, the attackers also went to the police station, set up a blockade preventing the human rights defenders from leaving the station and continued to threaten them verbally. It is also reported that the police did not stop the attack despite their close proximity and did not assist the victims when at the police station. After several hours, the attackers dispersed and only then did the police provide an escort vehicle to the victims. Some members of the ADPR sustained serious injuries but a local doctor, who was called to treat them, was too afraid to help them. Later they were treated at a local hospital.

Amnesty International wishes to remind the authorities in West Bengal of their clear responsibility to protect human rights defenders so that they can carry out their peaceful activities free from harassment and intimidation. Article 12 of the United Nations Human Rights Defenders Declaration outlines 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.”

National and international standards also protect the right to gather peacefully. The Indian Constitution guarantees the freedom of assembly as a fundamental right and Article 21 of the International Covenant on Civil and Political Rights (ICCPR) stipulates that, “the right of peaceful assembly shall be recognized”.

Amnesty International calls for the Government of West Bengal to uphold international human rights standards. We also urge that the attack be properly investigated, that those found responsible be prosecuted and that the authorities prevent any further such attacks, threats or harassment against human rights defenders.

We look forward to receiving your response to the issues raised in this letters.

Yours sincerely,

Catherine Baber  
Acting Director  
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