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India: Chhattisgarh authorities must immediately release Prisoner of Conscience Kartam Joga

Amnesty International has been closely following the case of Kartam Joga, an adivasi (Indigenous) political activist who has been imprisoned in the central Indian state of Chhattisgarh. 40-year-old Kartam Joga has been in Dantewada district jail since 14 September 2010.

Amnesty International considers Kartam Joga to be a Prisoner of Conscience and that the charges brought against him are politically motivated and a pretext to detain him on account of his political activism which has never involved the use or advocacy of violence. The organization believes that the authorities in Chhattisgarh decided to imprison and charge him in response to the Supreme Court criticism

The organization believes that the real reason for Kartam Joga's imprisonment is his peaceful political activities as an activist of the Communist Party of India (CPI) and an elected member of a local self-government body and his defence of human rights of adivasi communities.

In 2007 he had participated in petitioning India's Supreme Court regarding human rights violations in Chhattisgarh and impunity for security forces and Salwa Judum, widely held to be a state-supported militia who were involved in operations against the armed Maoists in the Bastar region of the state since 2005.

The charges against him include collaborating with the Maoists in ambushing and killing 76 Central Reserve Police Force (CRPF) personnel on 6 April 2010, murdering a leader of the ruling Bharatiya Janata Party (BJP) Budhram Sodi in May 2010, killing the father of a special police officer attached to the CRPF in August 2010, and ambushing a truck and killing four persons on 7 December 2009.

Kartam Joga's arrest and the bringing of these charges came after India's Supreme Court, on 31 August 2010, criticized the Chhattisgarh government for being "wholly vague and indefinite" while replying to several questions raised by two petitions filed three years ago seeking an end to impunity and violations by the Salwa Judum and the security forces engaged in operations against the armed Maoists in Chhattisgarh since 2005. The first of the two petitions had been filed by Kartam Joga and two other CPI activists, and the second, by sociologist Nandini Sundar, historian Ramachandra Guha, and E.A.S. Sarma, a former civil servant.

The charges against him and his imprisonment are another glaring example of how the authorities in Chhattisgarh target those who have sought to consistently defend the human rights of the adivasi communities since 2005.

Two other human rights defenders in Chhattisgarh – medical doctor Dr Binayak Sen and cinematographer TG Ajay – spent two years since 2007 and three months in 2008 respectively in jail on charges of collaborating with the Maoists before they were released on bail. In May 2009, another human rights defender Himanshu Kumar, and some staff of his organization, Vanvasi Chetna Ashram, which continued to document the violations and abuses against the adivasi communities, had to flee the Bastar area after persistent harassment by the police and district authorities.

Kartam Joga underwent medical treatment and an operation for injuries he received when he was attacked by members of the Salwa Judum's militia in 2005. Since then, he has been in the

forefront of documenting and exposing human rights abuses against adivasis, including more than 500 unlawful killings and instances of sexual assault, rape and burning down of adivasi hamlets and houses and the displacement of more than 30,000 adivasis during the conflict in Chhattisgarh since 2005.

Acting on the petitions filed by Kartam Joga and others, the Supreme Court, in April 2008, directed India's National Human Rights Commission to ascertain the veracity of the allegations; eight months later, an NHRC report confirmed some of the allegations and said there was a need for further investigation into the complaints of violence perpetrated by the Salwa Judum, the security forces and Maoists. Three months later, the Supreme Court asked the Chhattisgarh authorities to list the measures it had taken to disband the Salwa Judum militia, register and investigate complaints of violent acts during the conflict, and compensate and rehabilitate the victims.

The Supreme Court has now asked the Chhattisgarh government to file a comprehensive affidavit in response to the allegations made in the petitions. In On a specific point made by the petitioners that the Salwa Judum militiamen were acting as part of a new organization, Dandakaranya Shanti Sangharsh Samiti, the state authorities have claimed that the Salwa Judum "no longer exists" and that the investigations into its violence were hampered by difficult terrain, inaccessibility of villages, inclement weather and hostility from the Maoists. A further hearing in the case is due on 18 November.

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