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India: Chhattisgarh authorities must stop torture and arbitrary arrests of peace activists and human rights defenders

Amnesty International urges authorities in the central Indian state of Chhattisgarh to immediately stop the torture and arbitrary arrest of peace activists and human rights defenders belonging to the Vanvasi Chetna Ashram (VCA) and drop all politically motivated charges against VCA member Kopa Kunjam, who was arrested on 10 December. The government must investigate reports of torture immediately, and bring those responsible to justice.

The VCA, a group professing the Gandhian ideology of non-violence, has been campaigning for the last four years against human rights abuses of Adivasi communities in the ongoing armed conflict in Chhattisgarh. The VCA also works for the return and resettlement of some 10,000 Adivasis who have been internally displaced by the conflict between the security forces and the Salwa Judum, a militia widely believed to be supported by the state government, and the armed opposition group the Communist Party of India (Maoist).

On 10 December, the Chhattisgarh state police arbitrarily arrested Kopa Kunjam and Alban Toppo, a lawyer working with the New Delhi-based Human Rights Law Network (NRLN) at Dantewada. They were taken first to the Dantewada police station and then to the Bhairamgarh police station in the neighbouring Bijapur district.

Alban Toppo reported that the police tortured him and Kopa Kunjam that night at the Bhairamgarh police station. They were beaten with thick bamboo sticks and rubber canes for 30 minutes. Toppo was forced to sign a letter stating that they had come to Bhairamgarh police station of their own accord. As a result of the torture, Toppo sustained injuries on his right elbow, biceps and back, causing severe pain and swelling. He could not move his hands and back because of the pain. Kopa Kunjam sustained serious injuries on his chest, back and leg, which left him unable to walk.

Although Toppo was released that night, he remained at the police station, as he had no means of returning home. Accompanied by police personnel, he was able to return the next morning. On 12 December, Kopa Kunjam appeared before a local court where he was charged, under Section 302 of the Indian Penal Code, with the murder of Punem Honga, a local leader and member of the Salwa Judum, who had been abducted by the Maoists on 2 June 2009.

Amnesty International believes that Kopa Kunjam is being targeted because he exposed human rights violations by the security forces, including the extrajudicial executions of 15 Adivasis at Singaram on 8 January and three Adivasis in front of the Matwada police station on 18 June 2009.

Amnesty International has received further reports that the Chhattisgarh police disrupted a peace march organized by the VCA on 14 December at Dantewada. On that day, the Kanker police prevented a group of 30 activists from proceeding to Dantewada and forced them to return to the state capital, Raipur, citing security problems. The VCA is now planning to hold the peace march on 25 December.

The arbitrary detention of the VCA activists clearly violates India's Supreme Court guidelines issued in the D. K. Basu vs State of West Bengal case and the International Covenant on Civil

and Political Rights (ICCPR), to which India is a state party. Article 9 of the ICCPR guarantees the right to liberty, which includes freedom from arbitrary detention.

Amnesty International calls upon the Government of Chhattisgarh to:

- drop all politically-motivated charges against Kopa Kunjam;
- ensure a prompt, impartial, independent and effective investigation into the allegations of torture and ill-treatment of Kopa Kunjam and Alban Toppo. Those suspected of involvement including persons with command responsibility should be prosecuted, in proceedings which meet international standards of fairness. Also, the two victims must be awarded full reparation.
- take all necessary measures to guarantee that human rights defenders are able to carry out their legitimate human rights activities without fear of torture and harassment.

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