

URGENT ACTION

PRASHANT RAHI PLACED IN PRE-TRIAL DETENTION

Journalist and human rights activist Prashant Rahi, who was arrested on 1 September 2013 on suspicion of having links with a banned organization, has been placed in pre-trial detention in Nagpur Central Jail, Maharashtra state, India, and is awaiting trial.

52-year-old **Prashant Rahi**, also known as Prashant Sanglikar, is a freelance journalist and activist from the state of Uttarakhand. He has been actively working to secure legal aid for people arrested on suspicion of having links with the Communist Party of India - Maoist (CPI – Maoist), a banned armed group fighting for more than a decade to overthrow elected governments in several Indian states.

On 20 September Prashant Rahi was remanded in pre-trial detention in Nagpur Central Jail by Aheri court. His trial is now pending.

Prashant Rahi is being held under India's principal anti-terror legislation, the Unlawful Activities Prevention Act (UAPA), for allegedly being involved in unlawful activities, and being a member of and supporting a terrorist organization. The police also suspect Prashant Rahi of involvement in criminal conspiracy.

Prashant Rahi had been arrested in 2007 in Uttarakhand on similar charges, and allegedly tortured in detention by police officers. He was released on bail in 2011 after three years in prison. The allegations of torture during that detention have not been investigated.

Prashant Rahi is no longer at immediate risk of torture or other ill-treatment. However, parts of the UAPA, under which he has been arrested, do not meet international human rights standards and could lead to violations of his right to a fair trial. The UAPA allows detention without charge for up to 180 days, which is far beyond international standards. It also contains no provisions for adequate pre-trial safeguards against torture and other ill-treatment.

Please write immediately in English or your own language

- Urging the authorities to ensure that Prashant Rahi is given a fair trial;
- Urging them to investigate the alleged torture of Prashant Rahi in police custody in 2007, and prosecute suspects, including those with command responsibility, in fair trials.

PLEASE SEND APPEALS BEFORE 6 NOVEMBER 2013 TO:

Prison Superintendent of Police

K. Mahure
Nagpur Prison
Wardha Road, Nagpur
Maharashtra 440015
India
Fax: +91 712 2242225
Email: spjail_nagpur@rediffmail.com
Salutation: Dear Sir

Deputy Inspector General of Police (Prison)

Shashikant Shinde
Nagpur Prison
Wardha Road, Nagpur,
Maharashtra 440014
India
Fax: +91 20 26125878
Email: digprisonseast@gmail.com
Salutation: Dear Sir

And copies to:

Home Minister, Maharashtra
R.R Patil
Home Department
7th Flr, World Trade Centre,
Cuffe Parade, Mumbai 400005
India
Fax: +91 22 22029742
Email: min.home@maharashtra.gov.in
Salutation: Dear Sir

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 241/13. Further information: www.amnesty.org/en/library/info/ASA20/038/2013/en

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ADDITIONAL INFORMATION

The Maharashtra police stated that they arrested Prashant Rahi in Gondia, Maharashtra, on 1 September, while he was heading to meet a senior member of the CPI (Maoist). However, Prashant Rahi's family say that he was arrested in Raipur, Chhattisgarh, while on his way to meet a lawyer. He had been remanded in police custody in Aheri Police Station, Maharashtra, till 20 September, being held under sections of the UAPA (Unlawful Activities Prevention Act).

Human rights groups in India have highlighted several instances where the UAPA has been abused, with the use of fabricated evidence and false charges to detain activists defending the rights of Adivasi and Dalit communities and peacefully exercising their rights to freedom of expression and association.

Parts of the UAPA do not meet international human rights standards and are likely to lead to human rights violations. Amendments to the Act in 2008 extended the minimum period of detention of suspects from 15 to 30 days and the maximum period of such detention from 90 to 180 days. These amendments also avoided adequate pre-trial safeguards against torture and other cruel, inhuman or degrading treatment or punishment of detainees, they reversed certain evidential burdens of grave crimes and required, in certain circumstances, the accused persons to prove their innocence.

Since 2005, a number of socio-political activists and human rights defenders around central India have faced false charges and imprisonment for highlighting the human rights situation in the region.

Among them are Binayak Sen of the People's Union for Civil Liberties; Kartam Joga, an Adivasi leader of the Communist Party of India; and Soni Sori and Lingaram Kodopi, Adivasi activists.

Name: Prashant Rahi

Gender m/f: m

Further information on UA: 241/13 Index: ASA 20/039/2013 Issue Date: 25 September 2013