

UA 87/01

Fear for

**INDIA Rahul Banerjee, activist working with adivasis
Adivasis in Dewas district of Madhya Pradesh**

Rahul Banerjee, an activist working with *adivasis* [tribal people] in the Dewas district of Madhya Pradesh, has been arrested. Amnesty International fears that his life might be in danger.

Rahul Banerjee was arrested in Indore in Western Madhya Pradesh on 3 April. The authorities initially refused to reveal his whereabouts, and he was not brought before a magistrate within 24 hours, as required by law. On 5 April he was brought before a magistrate and remanded to police custody until 7 April. Later that evening, armed police took him to his workplace near Indore. They searched his office and seized his computer and some booklets he had produced for training *adivasis* about their rights. He has reportedly been accused of training *adivasis* to use weapons, and has apparently been charged with inciting *adivasis* to attack police and forest officials, and with attempted murder in connection with a recent confrontation between the police and *adivasis*.

Shortly before his arrest, Rahul Banerjee had contacted a number of other activists in India to inform them of the situation in the area. He expressed his fear that there would be further violence, and had indicated that activists were going into hiding for fear of arrest.

Tension in the area has been increasing in recent weeks. About one month ago, the District Collector, who was present at the 3 April confrontation, reportedly said that the *adivasi* movement would be crushed. On 28 March armed police began to enter the area in large numbers. Since then, forestry guards and police have reportedly destroyed and looted homes in several villages in an attempt to force *adivasis* to leave the area. Several *adivasis* have reportedly been arrested.

On 3 April police opened fire on *adivasis* near Bagli in Dewas district, killing four people, including an eight-year-old child, after accusing them of stealing forest produce. The police claim they and forest officials were attacked by *adivasis* armed with bows and arrows. The *adivasis* deny this, and reports indicate that the police firing was unprovoked. A heavily armed police force is reportedly preventing people from entering or leaving the area. Since the confrontation, many activists have gone into hiding, and thousands of *adivasis* have reportedly fled into the jungle. The Government of Madhya Pradesh have ordered a magisterial inquiry into the firing incident.

BACKGROUND INFORMATION

For many years, *adivasis*, who have lived in forest areas in Western Madhya Pradesh for generations, have been demanding rights to permanent landholding. They have also protested against abuses of their rights by district administrative and forestry officials through corruption, exploitation and violence. The local administration has attempted to silence their protests by arguing that they, and those who support them, are destroying the forests.

Amnesty International has previously expressed concern that those defending the rights of *adivasis* in Madhya Pradesh have been harassed. The organization has been particularly concerned that the activities of human rights defenders

have been criminalized by the authorities, who have filed false criminal charges against individuals as a means of harassment.

In September 1997 an activist with the *Adivasi Mukti Sangathan* [Tribal Liberation Movement], was killed while in the custody of police. The same year, an inquiry carried out by the Madhya Pradesh Human Rights Commission found evidence of bias in the way that the police and local administration had dealt with violent incidents in the area.

In recent months, there has been a drought in the area, which has worsened the *adivasis'* economic situation and led to further unrest.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- urging the authorities to guarantee the safety of Rahul Banerjee, and asking for him to be granted immediate access to relatives and a legal representative
- expressing concern about the situation in Western Madhya Pradesh, where at least four *adivasis* have reportedly been killed, and where large numbers of armed police remain present;
- welcoming the fact that the Government of Madhya Pradesh has ordered an inquiry into the police firing on 3 April, and urge it to ensure that the inquiry is fully independent and impartial, and that its findings are made public in full;
- urging the authorities to clearly instruct law enforcement officials to abide by international standards for law enforcement, including the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
- urging the authorities to guarantee the right to freedom of expression and peaceful assembly, as well as the social and economic rights of *adivasis*.

APPEALS TO:

Mr Digvijay Singh
 Chief Minister of Madhya Pradesh
 Office of the Chief Minister
 Vallabh Bhavan
 Bhopal
 Madhya Pradesh
 India

Telegrams: Chief Minister, Bhopal, India
Faxes: + 91 755 551 781/551 521
E-mail: cm@mpchiefminister.com or cs@vallabh.mp.nic.in
Salutation: Dear Chief Minister

District Magistrate, Dewas
 [Postal address is unavailable]
E-mail: dmdewas@bom4.vsnl.net.in
Salutation: Dear Sir

COPIES TO:

Mr Lal Krishna Advani
 Minister of Home Affairs
 Ministry of Home Affairs
 North Block
 New Delhi 110 001, India

and to diplomatic representatives of India accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 May 2001.