

URGENT ACTION

DALIT RIGHTS ACTIVIST HELD WITHOUT CHARGE

Chandrasekhar Azad, a prominent Dalit rights activist from Uttar Pradesh, India, has been held in administrative detention since 3 November 2017, the day after he was granted bail following over four months in prison. Under the National Security Act, he is at risk of being detained for up to 12 months without charge or trial.

Chandrasekhar Azad was arrested on 8 June 2017 for allegedly being involved in rioting, inciting violence and destroying public property, among other offences, following clashes between protesting Dalits and dominant caste groups. The unrest followed the killing of two Dalit men and the burning of at least 50 Dalit homes in Shabbirpur village, Saharanpur district, Uttar Pradesh, by men from a dominant caste in April and May 2017.

Chandrasekhar Azad remained in detention for over four months, before he and 14 other arrested Dalit activists were granted bail on 2 November by the Allahabad High Court. Newspaper reports quoted the court stating that the cases against Azad appeared to have been politically motivated. The next day, before he was released from custody, Chandrasekhar Azad was arrested again on the same grounds under the National Security Act (NSA), an administrative detention law.

Chandrasekhar Azad is the founder of the "Bhim Army", a group of Dalit activists who campaign against caste-based discrimination and violence, and run about 300 schools for underprivileged Dalit children in Uttar Pradesh. Villagers in Shabbirpur have commenced a hunger strike demanding Chandrasekhar Azad's release.

The NSA states that a non-judicial Advisory Board must submit a report to the Uttar Pradesh authorities with its opinion on whether there is sufficient cause to continue detaining an individual within seven weeks of his detention. Depending on what the report recommends, authorities may continue to detain Chandrasekhar Azad for up to one year without charge or trial.

Please write immediately in English or your own language calling on authorities in Uttar Pradesh:

- To immediately and unconditionally release Chandrasekhar Azad from administrative detention, and accord him a fair trial in accordance with international human rights standards;
- Pending his release, to ensure Chandrasekhar Azad is not subjected to torture or other ill-treatment;
- To end the use of administrative detention under the National Security Act or any other law in force.

PLEASE SEND APPEALS BEFORE 22 DECEMBER 2017 TO:

Chief Minister of Uttar Pradesh

Yogi Adityanath
Chief Minister, Uttar Pradesh
Room No.- 306, (Third Floor)
Lal Bahadur Shastri Bhawan,
Lucknow, Uttar Pradesh 226001
Fax: +91-522- 2239234
Email: cmup@nic.in

Salutation: Dear Chief Minister

Director General of Police, Uttar Pradesh

Sul Khan Singh
Police Headquarters, Rana Pratap Marg,
Dalibagh Colony, Butler Colony,
Lucknow, Uttar Pradesh 226001
Email: dgpcontrol-up@nic.in

Salutation: Dear Sir

Copies to:

Deputy Registrar (Law) and Nodal Officer,
Focal Point for Human Rights Defenders,
National Human Rights Commission.
Shri Srinivasa Kammath
Manav Adhikar Bhawan, Block-C,
GPO Complex, INA
New Delhi, India
Fax: +91-112- 4651329
Email: dr1.nhrc@nic.in

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR YASHVARDHAN KUMAR SINHA, Office of the High Commissioner for India, India House Aldwych WC2B 4NA, 020 7836 8484, Fax 020 7836 4331, info.london@hclondon.in, www.hclondon.in, salutation: Your Excellency

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The National Security Act (NSA) permits administrative detention for up to 12 months on loosely defined grounds of national security and maintenance of public order, and has used to target human rights defenders in several states. In her India mission report to the UN Human Rights Council in 2012, the UN Special Rapporteur on the situation of Human Rights Defenders called for the repeal of the NSA. The Supreme Court of India has described the system of administrative detention as “lawless.”

Administrative detention laws allow for people to be detained without charge or trial. Under international law, administrative detention is only permitted in exceptional circumstances and when subjected to stringent safeguards. In India, administrative laws such as the NSA have often been used to detain individuals on vague grounds, ignoring regular criminal justice safeguards. Amnesty International opposes all systems of administrative detention.

The caste system in India is based on ascribed group identities. Dalits, or so-called ‘untouchables’ are at the bottom of the caste system and frequently face caste-based discrimination and violence by members of dominant castes. In 2015, more than 45,000 crimes against Dalits were reported across the country. Dalits in several states are often denied entry into public and social spaces, and face discrimination in accessing public services.

UA: 248/17 Index: ASA 20/7431/2017 Issue Date: 10 November 2017