

URGENT ACTION

DALIT RIGHTS ACTIVIST STILL DETAINED WITHOUT CHARGE

Chandrashekhar Azad 'Ravan', a prominent Dalit rights activist, has been held in administrative detention since 3 November 2017. His current term of detention expires in May 2018. However, under the National Security Act, he is at risk of being detained for up to 12 months without charge or trial.

Chandrashekhar Azad has been held in administrative detention, without charge or trial, for the past six months. His current term of administrative detention was ordered by a non-judicial Advisory Board, which submitted a report to the Uttar Pradesh authorities stating that Chandrashekhar Azad should be detained for six months with effect from 2 November 2017.

On 3 November 2017, Chandrashekhar Azad, the founder of the Dalit rights organisation "*Bhim Army*", was arrested and placed under administrative detention under the National Security Act (NSA) on the order of the District Magistrate of Saharanpur. 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. It is a repressive law that has been used to target human rights defenders in India.

Hearings pertaining to Chandrashekhar Azad's administrative detention are currently underway before the relevant non-judicial Advisory Board. According to his lawyer, the state government remains adamant that Chandrashekhar Azad must be detained for up to six more months after his current term expires in May 2018.

The day before he was arrested under the NSA, Chandrashekhar Azad had been granted bail by the Allahabad High Court in relation to his arrest on 8 June 2017. The charges against him included; rioting, inciting violence and destroying public property, following clashes between protesting Dalits and dominant caste groups in Saharanpur district, Uttar Pradesh, India. 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. According to media reports, the judge who granted Chandrashekhar Azad bail, stated that the charges against him appeared to be politically motivated.

Please write immediately in English or your own language urging the authorities to:

- To immediately and unconditionally release Chandrashekhar Azad from administrative detention, and accord him a fair trial in accordance with international human rights standards;
- Pending his release, to ensure Chandrashekhar 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 21 MAY 2018 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. 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 248/17. Further information:

<https://www.amnesty.org/en/documents/asa20/7431/2017/en/>

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ADDITIONAL INFORMATION

Chandrashekhar Azad is the founder of the “*Bhim Army*”, a prominent Dalit rights organisation in Uttar Pradesh which campaigns against caste-based discrimination and violence. They also run about 300 schools for Dalit children in Uttar Pradesh.

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. The Supreme Court of India has described the system of administrative detention as “lawless”. 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.

Name: Chandrashekhar Azad

Gender m/f: m

Further information on UA: 248/17 Index: ASA 20/8191/2018 Issue Date: 10 April 2018