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## **Update - India: Human rights defenders Anand Teltumbde and Gautam Navlakha facing imminent arrest**

On 8 April 2020, the Supreme Court of India granted a period of one week for human rights defenders Anand Teltumbde and Gautam Navlakha to surrender in connection with the Bhima Koregaon case. The human rights defenders and nine other human rights defenders currently in jail stand falsely accused of being responsible for violence that broke out in Bhima Koregaon on 1 January 2018. The Supreme Court has previously rejected the anticipatory bail applications filed by Anand Teltumbde and Gautam Navlakha. The latest order to surrender comes despite the COVID-19 pandemic, which carries specific risks to prison inmates, and especially for the two human rights defenders given their age and serious medical conditions.

[Anand Teltumbde](#) is an internationally renowned scholar and a leading public intellectual in India. He has written extensively on Dalit rights and the anti-caste movement in India. He is currently a Senior Professor and Chair of Big Data Analytics at the Goa Institute of Management (GIM), as well as a former columnist at the prominent social science journal *The Economic and Political Weekly*. He is actively involved in several organisations, including the Committee for Protection of Democratic Rights and the All India Forum for Right to Education.

[Gautam Navlakha](#) is a human rights defender and journalist. He was the Secretary of the People's Union for Democratic Rights, a non-governmental organisation committed to legally defending civil liberties and democratic rights by promoting and protecting fundamental rights guaranteed under the Constitution of India. He has also served as the convener of the International People's Tribunal on Human Rights and Justice in Kashmir.

On 17 March 2020, the Supreme Court of India rejected the anticipatory bail applications of Anand Teltumbde and Gautam Navlakha. Anticipatory bail is commonly used as a safeguard for individuals accused of, or anticipating arrest for, non-bailable offences. The decision is a major setback in a lengthy struggle for protection from arrest on fabricated charges. Nine other prominent human rights defenders Sudha Bharadwaj, Arun Ferreira, Vernon Gonsalves, Varavara Rao, Sudhir Dhawale, Surendra Gadling, Mahesh Raut, Shoma Sen, and Rona Wilson have been in jail for over a year under the regressive Unlawful Activities Prevention Act (UAPA), linked to the same case. Their bail applications have been routinely delayed and denied.

Following the Supreme Court order on 17 March, Anand Teltumbde and Gautam Navlakha were given three weeks to surrender. On 8 April, the court further extended this period by a week. In extending the period, the Court recognized that the defenders had been granted protection from arrest for a lengthy period. The decision however failed to consider the impact of the COVID-19 pandemic and the imminent risk to the two human rights defenders' health and safety. Both human rights defenders are over 65, a high risk age group for COVID-19, and have serious medical conditions including chronic asthma and spondylitis in Anand Teltumbde's case. The Supreme Court decision is alarming, in a context of global and national moves to reduce congestion in prisons, and the Supreme Court of India's own [directives](#) in this regard. The order to surrender does not, however, compel an arrest. The police, in the current context and taking into account the health considerations of the defenders, can refrain from making the arrest.

Front Line Defenders published an [appeal](#) condemning the arrest of the ten human rights defenders linked to the Bhima Koregan case in August 2018 and a further [appeal](#) on the threat of arrest facing Anand Teltumbde in April 2019. It also [raised](#) concerns against the transfer of the investigation to the National Investigation Agency in January 2020. The organisation saw this as a deliberate effort to undermine attempts by the newly elected State Government in Maharashtra to launch a fresh investigation, including into the targetting of human rights defenders linked to the case.

Front Line Defenders believes that the charges against Anand Teltumbde and Gautam Navlakha are a direct reprisal for their peaceful human rights work on behalf of the most marginalized communities. Criminalizing the defenders is aimed at punishing and deterring their work and that of other human rights defenders in the country. Front Line Defenders is deeply concerned about the two defenders and about those currently in jail in connection with the Bhima Koregan case. It strongly condemns the ongoing judicial harassment of Anand Teltumbde and Gautam Navlakha especially in a climate of serious threats to their health and safety in prison.

**Front Line Defenders urges the authorities in India to:**

1. Immediately drop all charges against Anand Teltumbde and Gautam Navlakha, as Front Line Defenders believes that they are solely motivated by their legitimate and peaceful work in defence of human rights;
2. Take all necessary measures to grant Anand Teltumbde and Gautam Navlakha protection from arrest, and guarantee their physical and psychological integrity and security;
3. Ensure an independent thorough and impartial inquiry into the Bhima Koregaon case and the targeting and false imprisonment of human rights defenders related to this case, free from all political interference;
4. Immediately and unconditionally release from jail Sudha Bhardwaj, Vernon Gonsalves, Varavara Rao, Arun Ferreira, Sudhir Dhawale, Rona Wilson, Prof Shoma Sen, Mahesh Raut and Surendra Gadling and return any property seized, as Front Line Defenders believes that the human rights defenders are being held solely as a result of their legitimate and peaceful work in the defence of human rights;
5. Immediately and unconditionally drop the charges against the nine human rights defenders;
6. Conduct an independent, thorough and impartial investigation into the widespread violence organised against human rights defenders, in the aftermath of the Bhima Koregaon commemoration;
7. Guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals and free from all restrictions.