

12 July 2019

Update – India: Ongoing intimidation and harassment of Lawyers Collective and its founders, Indira Jaising and Anand Grover

On 11 July 2019, the Central Bureau of Investigation (CBI) conducted a raid on the office of Lawyers Collective and residence of senior advocates **Indira Jaising** and **Anand Grover**. The raid started at around 8 am and lasted for several hours.

[Lawyers Collective](#) is a Delhi-based human rights organisation founded by [Indira Jaising](#) and [Anand Grover](#). It comprises a group of dedicated human rights lawyers who represent and advocate for the rights of the most marginalised sectors of society. In a context where human rights in India are being systematically eroded, and human rights defenders are routinely targeted due to their work, Indira Jaising, Anand Grover and the Lawyers Collective team, have been resolute in their vocal criticism against executive excess and human rights violations including by powerful members and officers within the Indian government. Their peaceful struggle to defend constitutional principles and the rights enshrined therein have resulted in a powerful and violent backlash against the organisation and its founders.

At around 8 am on 11 July 2019, officers from the CBI arrived at the offices and residences of Indira Jaising and Anand Grover in Delhi and Mumbai. The raid lasted for several hours and was linked to the First Information Report (FIR) filed against Lawyers Collective and Anand Grover by the CBI on 13 June 2019. The documents confiscated by the CBI during the raid were the originals of documents that the Lawyers Collective had already submitted to the CBI.

In practice and under law, the CBI is entitled to summon the persons named in an FIR and request that all relevant documentation be submitted to the inquiry officer. Had the CBI requested Indira Jaising and Anand Grover to submit the relevant documents, the human rights defenders would have given their full cooperation to assist with the inquiry. The CBI's raid on their work and home premises to obtain those documents was an excessive and disproportionate response, and does not appear to be an effort to further the inquiry, but rather to target and further tarnish the credibility of Indira Jaising, Anand Grover, and Lawyers Collective.

The FIR linked to the raid was filed based on a 2016 report by the Ministry of Home Affairs that resulted in the cancellation and failure to renew the Foreign Contribution Regulation Act 2010 (FCRA) license for Lawyers Collective. Lawyers Collective filed a legal challenge against the cancellation and non-renewal of its FCRA license. The case is currently pending before the High Court of Mumbai. Despite the case being *sub-judice*, the lack of any material evidence, and the complete silence and inaction on the case for nearly three and a half years, the CBI filed the FIR of 13 June 2019 in the immediate aftermath of the parliamentary election.

The FIR includes serious offences under the Indian Penal Code, FCRA and Prevention of Corruption Act, 1988 (PC), many of which carry minimum prison sentences. The provisions of the FCRA have been widely condemned within and outside India as regressive, and Lawyers Collective is one of many human rights organisations that have been targeted under the Act.

In a previous [Urgent Appeal](#), Front Line Defenders raised concerns regarding the filing of false charges against the Lawyers Collective and Anand Grover. It called on the authorities in India to ensure their rights and safety, including providing them protection from legal persecution and false charges as a result of their peaceful human rights work. In a [Joint Statement](#), Front Line Defenders and nine other human rights organisations condemned the targeting of Lawyers Collective and Anand Grover and the use of repressive laws to silence their work in defence of human rights.

The human rights defenders are prominent figures whose integrity and commitment to human rights is beyond doubt. The raid on the office and residence of Lawyers Collective, Indira Jaising, and Anand Grover was carried out despite the matter pending before the High Court of Mumbai and despite a lack of credible evidence or basis for a case against them.

Front Line Defenders is extremely concerned about the intimidation and targetting of human rights defenders through legal or other means. It is believed that the raid, which comes a month after the FIR was filed, is part of an ongoing campaign of threats and intimidation aimed at silencing the voices and undermining the peaceful and legitimate work of Lawyers Collective, Indira Jaising, and Anand Grover.

Front Line Defenders urges the authorities in India to:

1. Immediately revoke the FIR and drop all charges against Lawyers' Collective and Anand Grover, pending the decision of the Bombay High Court;
2. Refrain from misusing the provisions of law, including the FCRA, against human rights defenders in India. In the specific case of Lawyers Collective, we urge the criminal charges to be immediately withdrawn pending the decision of the High Court of Bombay;
3. 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 of all restrictions.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 9 (3)(c): "*everyone has the right, individually and in association with others, inter alia: (c) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms*", and to Article 12 (2): "*The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.*"

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director