

10 April 2020

## **India: Arbitrary detention and judicial harassment of human rights defenders Soneshwar Narah and Pranab Doley in Assam**

On 7 April 2020, human rights defenders **Soneshwar Narah** and **Pranab Doley** of the organisation Jeepal Krishak Shramik Sangha were arbitrarily arrested by officers of the Bokhkhat Police Station in Golaghat, Assam. The defenders were summoned to the police station on the pretext of inquiring into a complaint filed by them on 6 April. Instead, they were arrested, based on a First Information Report (FIR) filed 2 years prior, in June 2018. They are currently in Golaghat jail.

[Soneshwar Narah](#) is the convenor of [Jeepal Krishak Shramik Sangha](#) (JKSS), a farmers' rights organisation in Assam. [Pranab Doley](#) serves as its Secretary. The human rights defenders have been vocal advocates for the rights of peasant and indigenous communities in Assam. They have struggled for social justice and to hold government authorities, including police and local government authorities, accountable for violations and deprivations against the local indigenous community. In the context of the global COVID-19 pandemic, which has disproportionately affected poor and marginalised communities, their human rights work is critical. It ensures local peasants' and indigenous peoples' access to the essentials necessary to preserve life.

On 6 April 2020, the human rights defenders filed an official letter of complaint on behalf of JKSS with the Chief Minister of Assam regarding the illegal siphoning by the authorities of approximately 800kg of rice from the public distribution system through local cooperatives, in the context of the COVID-19 pandemic. They also registered a FIR in this matter in the Bokhkhat Police Station on 6 April.

On 7 April, Soneshwar Narah and Pranab Doley were summoned to the Bokhkhat Police Station on the pretext of inquiring into their complaint filed the previous day. There was no official summons served on the human rights defenders. However, at the police station, Soneshwar Narah and Pranab Doley were arrested, based on an FIR filed in June 2018, nearly two years prior, on which no action had been taken so far and regarding which the human rights defenders had no prior information. On 8 April, the Sub Divisional Magistrate Court denied the defenders' bail application. The next hearing is scheduled for 18 April 2020.

The sudden arrest of the two human rights defenders based on a 2-year-old case, of which they had no prior information, raises serious concerns regarding the protection of their due process rights, especially since they were summoned to the police station under false pretence. The conduct of government authorities and the police is clearly aimed at punishing and deterring the human rights defenders for their peaceful human rights work in exposing criminal corruption in the distribution of supplies to marginalised communities. In this context, the right to question, seek information and hold public officers and elected authorities accountable is critical to the peaceful work of human rights defenders. Criminalising their work and targeting them through the selective application of the law sets a dangerous precedent for the safety of human rights defenders and the community they serve.

The arrest of Soneshwar Narah and Pranab Doley is especially alarming in the context of the COVID-19 crisis. The threats of contagion in prisons are well documented and there are national measures undertaken, including through the Indian Supreme Court, to decongest prisons during the pandemic. The arrest of the defenders runs counter to global and national best practice and

amounts to a deliberate attempt to target and place the defenders in increasingly harmful conditions.

Front Line Defenders is concerned about the targeting of human rights defenders in the region, and has issued urgent appeals regarding threats and legal persecution against members of the [Youth's Forum of the Protection of Human Rights](#) and [Dr. Debabrata Roy](#) in Manipur.

Front Line Defenders condemns the arbitrary detention and judicial harassment of Soneshwar Narah and Pranab Doley, as it believes that they are a direct reprisal against the human rights defenders' peaceful human rights work. Front Line Defenders is extremely concerned about the safety of Soneshwar Narah and Pranab Doley as they remain incarcerated in the context of COVID-19.

### **Front Line Defenders urges the Indian authorities to:**

1. Immediately and unconditionally release Soneshwar Narah and Pranab Doley, cease all acts of intimidation and reprisal against them, and withdraw the FIR of June 2018 which forms the basis of their arrest;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of the human rights defenders and their families at this difficult time;
3. Ensure that the treatment of the human rights defenders, while in detention, adheres to the conditions set out in the '*Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
4. Carry out an immediate, thorough and impartial investigation into the conduct of the Bokhkhat Police, whose actions in summoning the defenders to the police station under false pretences and arresting them on the basis of a FIR which has been pending for over two years, clearly indicate an intention to punish the defenders for their complaint of 6 April 2020, and violate their due process rights. Ensure that any such investigation is carried out with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
5. 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 including judicial harassment.