

15 October 2019

## India: Attacks and harassment of human rights defenders working on indigenous and marginalized people's rights

On 5 October 2019, Soni Sori was arrested by the Dantewada Police under Preventive Sections 151, 107 and 116 of the Indian Code of Criminal Procedure. The arrest is believed to be linked to the human rights defender's public campaign for the rights of persons languishing in jails in the State. Soni Sori was charged with "failing to obtain the necessary permission to organise a demonstration". She was released on bail by the local court that same day.

On 16 September 2019, the Chhattisgarh police filed a First Information Report (FIR) against **Soni Sori** and human rights defender **Bela Bhatia**. This FIR is believed to be a reprisal against the two human rights defenders for their participation in a protest and their filing of a complaint in the Kirandul police station demanding that an FIR be lodged against the police and security forces for the killings of human rights defenders, Podiya Sori and Lacchu Mandavi.

[Soni Sori](#) is a human rights defender who advocates for the rights of indigenous people in India, with a focus on women's rights. She works in Chhattisgarh, where the long-term conflict between Maoists and government security forces has greatly affected the indigenous people in the area. Alongside other human rights defenders, she has uncovered human rights violations committed by both sides of the conflict. In 2018, Soni Sori was the regional winner of the [Front Line Defenders Award](#) for human rights defenders at risk. [Bela Bhatia](#) is a human rights defender, lawyer, and independent researcher who lives and works in Bastar with indigenous people and other marginalised communities. A former honorary professor at Tata Institute of Social Sciences, Mumbai, the human rights defender has participated in the preparation of many fact-finding reports and served on a panel appointed by the Planning Commission to examine challenges to governance in areas affected by the Maoist rebellion. Both Soni Sori and Bela Bhatia have been formerly [threatened](#) and [harassed](#) by police and State authorities on account of their human rights work.

Podiya Sori and Lacchu Mandavi are community leaders of GumiyaPal village in Dantewada district of Bastar division, south Chhattisgarh. They have been actively involved in the local anti-mining movement and in securing the land rights of affected communities. Specifically, the human rights defenders have campaigned against the illegal acquisition of protected lands for the proposed iron-ore mining operations by Adani Group, a multinational conglomerate headquartered in Gujarat. Adani Group recently announced its plans to set up a new mine at Nandaraj mountain in Kirandul, which is considered sacred by the local adivasis, or indigenous people. Since June 2019, adivasis have gathered in their thousands to protest against these proposed mining operations.

On the night of 13 September 2019, Podiya Sori, Lacchu Mandavi, and a third individual Ajay Telam were picked up by police officers and taken to the forest. While Ajay Telam was taken into police custody the same night and released a few days later on 17 September 2019, Podiya Sori and Lacchu Mandavi were killed. On 15 September 2019, the Chhattisgarh police filed an FIR about their encounter with Podiya Sori, Lacchu Mandavi, and Ajay Telam, in which they alleged that the local leaders had opened fire against them and were incidentally killed during the exchange of gunshots.

On 16 September 2019, human rights defenders Bela Bhatia and Soni Sori went to the Kirandul police station to lodge a complaint against the police regarding the killings of the community leaders, the arrest of Ajay Telam, as well as to call for an investigation into the killings. About 200

adivasis marched peacefully alongside the two human rights defenders to express their dissatisfaction with the police's version of the killings, which they believe was fabricated. However, when the police received the complaint from Soni Sori, Bela Bhatia and the other protesters, instead of registering it as an FIR, the police filed their own FIR against the two human rights defenders and all individuals who participated in the peaceful protest. In addition to filing the charges under section 188 of the Indian Penal Code for "disobeying an order promulgated by a public servant", the police also asserted that the protest was in violation of recently enacted Section 144 Criminal Procedure Code, which prohibits an assembly of more than four persons.

Front Line Defenders condemns the extra judicial killing of two human rights defenders and community leaders Podiya Sori and Lacchu Mandavi. Front Line Defenders is also deeply concerned about the repeated charges filed against Soni Sori and Bela Bhatia, as it believes that this is solely motivated by their peaceful and legitimate work in defence of human rights.

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

1. Immediately drop all charges against Soni Sori, Bela Bhatia, and the 150-200 adivasis who have been charged under Section 188 of the Indian Penal Code;
2. Carry out an immediate, thorough, and impartial investigation into the killings of Podiya Sori and Lacchu Mandavi, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
3. Guarantee in all circumstances that all human rights defenders in India, especially those advocating for indigenous rights, 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 5 (a): "*For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: (a) To meet or assemble peacefully,*" and to Article 9 (5): "*The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.*"

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

Yours sincerely,



Andrew Anderson

Executive Director