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India: Human rights defender Hany Babu denied medical treatment in Taloja Jail

On 11 May 2021, family members of jailed human rights defender **Hany Babu** appealed to Indian authorities to provide him with immediate access to medical treatment. In early May 2021, the human rights defender developed a severe eye infection, which has already impaired his vision in his left eye, and has now spread to his cheek, ear and forehead. The human rights defender is in extreme pain, and continues to be denied access to basic facilities including clean water and treatment. Family members fear that the infection, given the rate it has already spread, may impact his vital organs. Hany Babu has been jailed without trial since July 2020 in the Bhima Koregan case. The case, which is linked to the violence that took place in Bhima Koregan on 1 January 2018, has targeted several human rights defenders and accused them of conspiring to incite the violence, 16 of whom have been imprisoned to date.

[Hany Babu](#) is a human rights defender, an academic and a campaigner for the rights of Dalit and marginalized communities. At the time of his arrest, the human rights defender was an associate professor in the English department of Delhi University, specializing in social justice, marginalized languages and linguistic identity. In July 2020, he was [arrested](#) in connection with the Bhima Koregan case, and detained at Taloja jail under the regressive anti-terrorism law, the Unlawful Activities Prevention Act (UAPA).

The human rights defender first began experiencing pain and swelling in his left eye around 3 May 2021, resulting in impaired vision and severe pain. Hany Babu was denied immediate medical treatment and on 7 May, following an intervention from his lawyers, was eventually taken to a government hospital. Taloja jail is severely congested and experiences water shortages, resulting in a lack of access to clean water for detainees. As a result, Hany Babu is unable to wash his wound and is forced to dress it himself with soiled towels. At the hospital, the human rights defender was prescribed medication and advised to return for follow-up treatment in two days. Despite his condition deteriorating severely and being in extreme pain, the Taloja jail authorities failed to take him back to the hospital for the follow-up treatment, citing an alleged lack of escort staff.

Lawyers and family members of Hany Babu have repeatedly appealed to the jail authorities to provide the human rights defender with treatment and basic facilities to avoid further damage to his eyes, and his health and well-being. On 10 May 2021, at least eight phone calls from Hany Babu's lawyer to the Superintendent of Taloja jail went unanswered. At the time of writing, the human rights defender remains in jail, in excruciating pain without medical treatment or clean water and even if provided with adequate medical treatment at a later date, the damage already done to his eye is irreparable.

Hany Babu's condition is not unique, and is indicative of the suffering of inmates including human rights defenders held in Indian prisons, during the COVID-19 pandemic. The suffering of inmates such as Hany Babu and their families, is a reminder of what human rights defender [Varavara Rao](#) had to undergo in jail, despite being seriously ill, and testing positive for COVID-19.

Multiple applications for bail for those detained in the Bhima Koregan case, on medical grounds, and in light of the heightened risk to prisoners during the COVID-19 pandemic have been denied and/or are routinely delayed. Prison conditions and treatment of prisoners violates the most basic

standards of dignity and humanity. The treatment of Hany Babu, and other Bhima Koregan prisoners, highlights the conditions that so many prisoners including human rights defenders are forced to suffer. Families are denied access and basic information regarding the health and fate of their loved ones. Despite the pandemic, treatment, basic sanitation, and test results are delayed and/or denied. In the case of Hany Babu, the delay of more than a week to obtain necessary medical treatment due to alleged staff shortages has placed the human rights defender at further and unnecessary risk.

Front Line Defenders is seriously concerned for the health and well-being of Hany Babu and believes that the failure of the authorities of Taloja Jail to provide him with prompt adequate medical care and basic facilities whilst detained has subjected the human rights defender to further risk and suffering, leading to a deterioration of his condition. Front Line Defenders condemns the treatment and detention without trial of Hany Babu, which the organisation believes is directly linked to his peaceful and legitimate human rights work.

Front Line Defenders urges the authorities in India to:

1. Immediately grant medical bail to Hany Babu in light of his deteriorating health condition and the risk posed by the spread of COVID-19 in Taloja jail;
2. Provide Hany Babu with medical treatment at a hospital with a specialist from the ophthalmology department, as a matter of urgency to safeguard his health and prevent further damage to his organs;
3. Grant the family of Hany Babu access to the human rights defender, which would enable them to obtain a second medical opinion in consultation with the defender, on his diagnosis and treatment;
4. Ensure that the treatment of Hany Babu 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;
5. Pending his release, ensure that the family and legal counsel of Hany Babu be granted regular access and provided with all information regarding his medical condition and treatment.