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India: Human rights defender and Journalist Siddique Kappan denied bail

On 4 August 2022, the Allahabad High Court rejected the bail application filed by human rights defender and journalist **Siddique Kappan**. The human rights defender was arrested on 5 October 2020 by the Uttar Pradesh Police along with three others, while he was on his way to investigate the gang rape and murder of a 19-year-old Dalit woman in Hathras, and has been since detained at Mathura Jail. Siddique Kappan has been charged with serious offences under the Indian Penal code, including the stringent Unlawful Activities Prevention Act (UAPA). In November 2020, the Kerala Union of Working Journalists filed an affidavit before the Supreme Court of India, stating that Siddique Kappan had been subjected to physical and mental torture while in custody of the police.

[Siddique Kappan](#) is a human rights defender and journalist who reports extensively on human rights violations faced by religious and caste minorities in India. He is a regular contributor for the Malayalam news outlet *Azhimukham* and Secretary of the Delhi Unit of the Kerala Union of Working Journalists (KUWJ).

On 4 August 2022, the Allahabad High Court rejected Siddique Kappan's bail application. The court stated that the charges against the human rights defender in the charge sheet filed by the police appeared to be prima facie true and that he "had no work in Hathras". However, Siddique Kappan has had decades of experience in investigative reporting and was visiting Hathras to report on the brutal rape and murder of a Dalit woman by upper-caste men. Siddique Kappan had approached the High Court after a Mathura Court had rejected his bail plea in July 2021.

On 5 October 2020, the Uttar Pradesh Police arrested Siddique Kappan under Section 116 (6) of the Criminal Procedure Code which relates to causing breach of peace. However, charges under Sections 17 and 18 of the UAPA, sedition and criminal conspiracy were added on 7 October 2020. In the affidavit filed by KUWJ before the Supreme Court, they alleged that between 5 and 6 October 2020, Siddique Kappan was subjected to serious torture including beatings, sleep deprivation, denial of medication and mental torture. It is deeply concerning that charges of terrorism were added against the human rights defender after claims that he was tortured by the police in custody.

On 28 April 2021, the Supreme Court of India directed the Uttar Pradesh government to transfer Siddique Kappan to a hospital in New Delhi because he needed urgent medical treatment. The human rights defender tested positive for COVID-19 while in hospital. During the night of 6 May 2021, he was secretly taken back to Mathura Jail by the police, without informing his wife or lawyer.

According to the [India Press Freedom Report 2021](#) by the Rights and Risks Analysis Group, the state of Uttar Pradesh saw at least 23 targeted attacks on journalists and media organizations in the past year, ranking worst only after Jammu and Kashmir.

Front Line Defenders strongly condemns the prolonged incarceration of human rights defender Siddique Kappan and the repeated denial of his bail applications. It believes that the use of UAPA against human rights defender Siddique Kappan is deliberate and aimed at ensuring prolonged incarceration, without legitimate reason or evidence. Furthermore, Front Line Defenders is deeply concerned about the allegations of torture against Siddique Kappan and believes that he is being targeted due to his reporting on human rights issues and violence against minorities in India, which

is an extremely important contribution towards advancing human rights and ensuring accountability.

Front Line Defenders urges the relevant authorities in India to:

1. Immediately and unconditionally release human rights defender Siddique Kappan and drop all the charges filed against him;
2. Guarantee under all circumstances that Siddique Kappan is not subjected to torture and any other form of ill-treatment while in custody of Uttar Pradesh police and initiate an immediate and impartial inquiry into the allegations of torture against him, with a view to publishing the results and bringing the perpetrators to justice in accordance with international human rights standards;
3. Initiate a thorough judicial review of the Unlawful Activities (Prevention) Act in genuine consultation with independent civil society organisations and human rights defenders, with a view to aligning the laws with India's obligations under international human rights law and standards;
4. Guarantee in all circumstances that all human rights defenders and journalists in India are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions— including police and judicial harassment.

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