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### India: Woman human rights defender Teesta Setalvad arrested

On 25 June 2022, prominent woman human rights defender **Teesta Setalvad** was arbitrarily detained by the Anti-Terrorism Squad (ATS) of Gujarat Police on charges under the Indian Penal Code including forgery, fabricating evidence and criminal conspiracy. ATS officers forcibly entered her home in Mumbai, and detained the woman human rights defender without producing a warrant or complaint. This action comes a day after the Supreme Court of India dismissed a petition seeking justice and accountability for the 2002 Gujarat riots filed by Teesta Setalvad and Zakia Jafri, the widow of a person killed in the riots. Teesta Setalvad was driven to Ahmedabad (State of Gujarat) in the intervening night of 25 June 2022 and 26 June 2022, and was formally arrested on the morning of 26 June 2022 at around 10:30 AM by the Ahmedabad Crime Branch. She was presented before the Metropolitan Magistrates Court in Ahmedabad, and has been remanded for five days in the custody of the Ahmedabad Crime Branch.

[Teesta Setalvad](#) is a woman human rights defender, activist and journalist. She is the co-founder and Secretary of Citizens for Justice and Peace (CJP), an organization formed in 2002 to advocate for justice for the victims of the Gujarat Riots in 2002. CJP has litigated in Indian courts seeking justice and accountability for victims of the riots, and to hold those in power accountable, including then Gujarat Chief Minister, and current Prime Minister of India, Narendra Modi. Teesta Setalvad has spoken out on behalf of victims and families despite severe pressure and reprisals including multiple legal cases brought against her and CJP.

On 25 June 2022, at around 3 PM, ATS officials from the Gujarat Police forcibly entered Teesta Setalvad's residence and detained her without a warrant. At around 1 PM, the woman human rights defender's office landline received a call from a person claiming to be from the Central Industrial Security Force (CISF) Noida, who was asking questions regarding the personnel employed for the security of the woman human rights defender. Shortly after this call, two armed officers from CISF arrived outside Teesta Setalvad's residence and aggressively started asking the same question. Around 8-10 Gujarat police's ATS officials barged into her residence within minutes of this development, forcibly detained her and took her to the Santa Cruz police station in Mumbai. On the same day, around 5:30 PM, Teesta Setalvad filed a complaint at the Santa Cruz police station regarding her wrongful detention. She accused ATS officials of being aggressive and assaulting her when she demanded to speak with her lawyer, as a result of which her left hand was badly bruised. She also stated that the police did not show her the First Information Report (FIR) until her lawyer arrived and that she feared for her life in the custody of Gujarat Police's ATS. Forcing a woman human rights defender to undertake an 8 hour journey from the State of Maharashtra to the State of Gujarat during the night is an extremely concerning action taken by the ATS. Front Line Defenders is also concerned by reports of abuse and ill-treatment of the woman human rights defender while in custody including a bruise on her forehead.

The FIR against Teesta Setalvad, filed on the basis of a complaint by a police inspector in the Ahmedabad police's crime branch, covers alleged offences over a period of 22 years and includes sections 468 (forgery for the purpose of cheating), 471 (using a forged document or electronic records as genuine), 120(B) (criminal conspiracy), 194 (giving or fabricating false evidence with the intent to procure conviction of capital offence), and 211 (false charge of offence made to injure) of the Indian Penal Code. Two former Indian Police Service (IPS) officers from Gujarat, Sanjeev Bhatt and R.B. Sreekumar who had also made formal submissions related to Narendra Modi's alleged involvement in the Gujarat violence of 2002, have also been accused in the FIR along with other

unnamed persons. It is believed that the purpose of the FIR and the action against Teesta Setalvad is a reprisal for her pursuing justice and to present her campaign as a conspiracy to harm the current Prime Minister.

Shortly before a FIR was filed against Teesta Setalvad, Union Home Minister, Amit Shah, in a media interview, openly named the woman human rights defender and accused her of providing baseless information about the Gujarat riots and misleading Zakia Jafri to file the petition by feeding her this false information. This is not the first case of reprisal faced by Teesta Setalvad. On 31 December 2016, the Central Bureau of Investigation (CBI) filed a charge sheet to the Mumbai special court against Teesta Setalvad, her husband and human rights defender **Javed Anand**, and their publishing company Sabrang Communications and Publishing Private Limited (SCPPL) for an alleged violation of the Foreign Contribution Regulation Act (FCRA). On 16 June 2016, the Indian Ministry of Home Affairs (MHA) issued a notice to cancel the registration of Sabrang Trust under the FCRA. Teesta Setalvad's office has previously been subjected to raids by the CBI and other forms of judicial harassment.

In March 2013, a FIR was filed against Teesta Setalvad for allegedly embezzling funds intended for the construction of a memorial to the victims of the 2002 Gujarat riots. On 11 August 2015, the Bombay High Court granted anticipatory bail to the woman human rights defender and ruled that the actions of the woman human rights defender did not pose a threat to the sovereignty and integrity of the state, nor to its security, strategy or economic interest.

Front Line Defenders is extremely concerned for the safety of Teesta Setalvad. Her detention, arrest, and treatment since 25 June 2022 is in violation of her rights, and purports to punish the woman human rights defender for her human rights work. In a climate of oppression, especially against minorities, human rights defenders such as Teesta Setalvad are an important source of support to victims of the 2002 Gujarat riots and their families in holding those responsible to account, and deterring further violence. Teesta Setalvad is paying for her commitment to justice with her freedom. Targeting her in this manner sends a chilling message to human rights defenders and victims, especially those who seek justice through the courts by exercising and defending their constitutionally guaranteed rights. We stand in solidarity with Teesta Setalvad and all Indian defenders promoting and protecting human rights in India in this climate.

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

1. Immediately and unconditionally release woman human rights defender Teesta Setalvad and drop all charges filed against her;
2. Guarantee under all circumstances that Teesta Setalvad is not subjected to torture and any other form of ill-treatment while in custody;
3. Initiate an immediate and impartial inquiry into the complaint filed by woman human rights defender Teesta Setalvad regarding the violation of arrest procedures and physical assault by the ATS officials of the Gujarat police, with a view to bringing those responsible to justice in accordance with the law;
4. Guarantee in all circumstances that all human rights defenders in India are able to carry out their human rights activities without fear of reprisals and free of all restrictions, in line with India's international human rights obligations and commitments.

