



## IAPL CONDEMNS ABDUCTION OF PROFESSOR GN SAIBABA AND OTHER ACTIVISTS BY INDIAN STATE

May 10th, 2014

The International Association of People's Lawyers, as an international group of human rights lawyers from various countries, especially those where exploitation and state repression is most severe, has received information that the Professor of Delhi University was abducted by Maharashtra Police on May 9th, from the vicinity of Maharashtra Sadan, Kasturba Gandhi Marg, in the capital New Delhi in India.

Prof Saibaba is a lecturer in Delhi University where he teaches English literature. Prof. Saibaba is a prominent civil liberties and social justice activist in India. He has drawn attention to many cases of disappearances and extra judicial killings by the Indian state and the conditions of political prisoners in India in a context where their numbers in Indian jails has increased exponentially. He has also drawn attention to land grabs and displacement issues. Prof. Saibaba is recognized internationally as a civil liberties campaigner.

According to information, Professor Saibaba was returning home from the University (Daulat Ram College), when plain-clothed agents of Maharashtra Police, a different state, blindfolded him, pushed him into a vehicle and abducted him on a plane to the state of Maharashtra. The professor is 47 years old, suffers 90% of disability and is on a wheelchair. The incident came to light when his wife received a mysterious call informing he was being taken to Gadchiroli, a remote part of the state, by the Maharashtra police. There was no official intimation from the police about his arrest or charges against him. His driver and the car also were missing for several hours after that. This notwithstanding the fact that Prof. Saibaba has made himself available for any questioning by the police if conducted in accordance with law following proper legal procedures. Prof. Saibaba has suffered harassment by the Indian state in the past. Earlier his residence was raided and computers and books taken away on September 12th, 2013, and January 7th, 2014.

The arrest of Prof Saibaba follows a pattern of detention of political activists in India by the Indian state. False charges are foisted on activists and they are detained without trial for several years, often decades. Trials in India can continue for anywhere between eight to twenty years which effectively demobilizes the activists from pursuing social justice and civil liberties issues. At the end of prolonged detentions, charges are seldom proved and the activists are acquitted.

Three days prior of Prof Saibaba's arrest another activist from the northern state of Uttarakhand, Mr. Jeevan Chandra, was similarly abducted on May 5th, 2014.

Arrest by abduction is a flagrant violation of International Human Rights Law and basic standards of due process. The arrest comes in the backdrop of national elections where far Right militant Hindu parties are expected to lead the next government. Indian civil liberties activists have forewarned the international community of their apprehensions



about the increased suppression of political dissent in India if the election predictions were to come true.

India is a signatory to the International Covenant on Civil and Political Rights (ICCPR), which it ratified on April 10th, 1979. The Article 9 of the Covenant protects every individual from arbitrary arrests and detention, their right to be informed of charges against them and fair and speedy trial. Article 7 says “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”; articles 18 and 19 protects the freedom of thought, conscience and expression of ideas; article 26 protects everyone against discrimination.

Under these facts and legal context, the International Association of People's Lawyers urges the Government of India to:

1. Release Prof. Saibaba and Mr. Jeevan Chandra immediately.
2. Inform them of the charges against them.
3. Produce them before a proper court.
4. Desist from torture, physical or psychological.
5. Allow medical attention and disabilities support for Prof. Saibaba.
6. Allow access to lawyers.
7. Ensure fair and speedy trial.

***International Association of People's Lawyers***

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