September 27, 2008
Berkeley, California

To: Mr. Vishwa Ranjan
Director-General of Police, Chhattisgarh

We, concerned members of university and college faculties, write to condemn the ongoing violations of the human and civil rights of its citizens by the state of Chhattisgarh, primarily through the agency of your department, the Chhattisgarh police force. These violations include the arbitrary arrest and indefinite detention of hundreds of people, including Dr. Binayak Sen, an internationally respected provider of medical services to Chhattisgarh’s tribal communities, threats and assaults against civil liberties activists, lawyers and journalists, and most egregious of all, the growing depredations of the state-sponsored violent militia known as the Salwa Judum. We regret to note that not only have you been unsuccessful in halting these violations of human rights, but you have actively justified them and accused anyone opposing them as "demoralis[ing] the state machinery."

In a report released this past July, Human Rights Watch (HRW) has documented in detail the human rights abuses committed by the Salwa Judum against civilians in Chhattisgarh. HRW’s report gives the lie to your oft repeated claim that the Salwa Judum is a *spontaneous unarmed peaceful anti-Naxalite movement* by documenting eyewitness accounts of “police participating in violent Salwa Judum raids on villages – killing, looting, and burning their hamlets.” Similar to earlier investigative reports by the People’s Union of Civil Liberties (PUCL) and People’s Union for Democratic Rights, among others, the HRW report also documents the arbitrary detentions and torture of villagers by the Chhattisgarh police. Reporters without Borders noted with concern that “[journalists] are prevented from reporting and investigating by corrupt politicians, police and Salwa Judum members, many receiving harassment, intimidation and beating ... Currently journalists report from press releases produced by the government or risk their life and career by reporting objectively both sides of the struggle.”

Perhaps the best-known case of a non-violent dissenter being arrested and jailed in Chhattisgarh is that of Dr. Binayak Sen, a prominent and early critic of the Salwa Judum and of state violence. Dr. Sen, a physician serving the poorest and most marginalized communities in the

1 http://www.hrw.org/english/docs/2008/07/14/india19345.htm
interior and tribal areas of Chhattisgarh for more than 25 years, has been a guiding light for peace and community health. He has won many awards for his work, including the Paul Harrison Award in 2004 from CMC Vellore, his alma mater, from which he had been graduated over 30 years ago following a most distinguished academic career, and most recently the Jonathan Mann Award from the Global Health Council in May 2008. Binayak Sen appears to have earned the government’s ire by being a vocal critic of the high-handed and illegal ways adopted by the state in the name of suppressing the Maoist insurgency in Chhattisgarh. For instance, Dr. Sen’s and PUCL’s investigations had exposed that 12 alleged Maoists, killed by the police in Santoshpur village in a supposed gunfight on March 31, 2007, were unarmed tribals executed at close range. The State Human Rights Commission took note of this investigation, and ordered the bodies of the victims exhumed. Shortly afterward, Dr. Sen was arrested.³ Not only have you and the state prosecutor failed to present any legally valid evidence against Dr. Sen, the responsible police officers appear to be blatantly concocting fables and planting false evidence.⁴

Other citizens who have been harassed by the police include: Amarnath Pandey and DP Yadav, two lawyers who had filed lawsuits regarding the ‘encounter killing’ of one Narayan Khairwar and the custodial rape of one Ledha Bai; filmmaker Ajay TG, a member of the State Executive Committee of the Chhattisgarh Unit of PUCL, and journalist Sai Reddy, both of whom had to be released on bail when the police failed to file a chargesheet even after ninety days; Himanshu Kumar of the Vanvasi Chetna Ashram, an NGO that implements government programs on health, nutrition, and education, for the “crime” of assisting fact-finding teams investigating human rights abuses; journalists Santosh Poonyem and Kamlesh Paikra for daring to write about the violence committed by Salwa Judum; and even the participants at the third annual meeting of Chhattisgarh Net (www.cgnet.in), an online citizen journalism initiative.

It bears noting that such actions by the law enforcement machinery of any state are not only in violation of the laws of India, but also run counter to India’s international treaty obligations. The

⁴ http://www.phmovement.org/cms/en/node/751
International Covenant on Civil and Political Rights (CCPR), which India acceded to in 1979, declares in relevant part that:

- All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. (Article 1.1)
- Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life. (Article 6.1)
- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. (Article 7)
- Everyone has the right to liberty and security of person. (Article 9.1)
- Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation. (Article 9.5)
- All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. (Article 10.1)

We strongly urge you, as the highest police official in the state of Chhattisgarh, to:

- Follow in letter and spirit, the values enshrined in the Indian Constitution and the CCPR.
- Stop encouraging an all-out civil war in Chhattisgarh in the name of Salwa Judum, an organization whose violent activities are so distasteful and blatant that the Supreme Court of India recently noted that support of Salwa Judum by the state amounts to abetment of murder by state officials, and whose excesses as documented in a recent NHRC report were deemed “very painful to read” by the Chief Justice of the Supreme Court of India.
- Drop all charges against political prisoners, including Dr Binayak Sen, filmmaker Mr. Ajay TG, journalist Mr. Sai Reddy, release them unconditionally, pay compensation for the harassment and loss of liberty they have suffered due to their unwarranted detention, and arrest and prosecute all police officers involved in arresting and holding all these political prisoners.

• Stop victimizing dissenters in Chhattisgarh;
• Ensure a just and honest governance that improves the lives of millions of desperately poor people in Chhattisgarh.

Signed,

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