



June 13, 2014

The Honorable President Shri Pranab Mukherjee
Republic of India
Rashtrapati Bhavan, Gate 35
Prakash Vir Shastri Avenue
New Delhi, India 110 004
secy.president@rb.nic.in

Justice KG Balakrishnan, Chairperson
National Human Rights Commission
Republic of India
Manav Adhikar Bhawan Block-C, GPO Complex, INA
New Delhi, India 110023
covdnhrc@nic.in; sgnhrc@nic.in

Dear Mr. President and Justice Balakrishnan,

The Advocates for Human Rights writes to express its support for internationally recognized human rights defender Teesta Setalvad. We encourage you to consider the request from Citizens for Justice and Peace to take over the investigation of criminal charges brought against Ms. Setalvad and her colleagues so as to ensure that criminal charges are not used to harass and intimidate Ms. Setalvad and other human rights defenders.

The Advocates for Human Rights is deeply concerned about the risks that human rights defenders face in India. At the conclusion of her 2011 visit to India, the UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, reported that she had “heard numerous testimonies about male and female human rights defenders, and their families, who have been killed, tortured, ill-treated, disappeared, threatened, arbitrarily arrested and detained, falsely charged, under surveillance, forcibly displaced, or their offices raided and files stolen, because of their legitimate work in upholding human rights and fundamental freedoms.” We share her “particula[r] concer[n] at the plight of human rights defenders working for the rights of marginalized people,” including religious minorities, “who face particular risks and ostracism because of their activities.”

With this context in mind, The Advocates for Human Rights is profoundly troubled by reports of false criminal charges being brought against Teesta Setalvad and her colleagues who have been advocating for justice for the victims of the communal violence in Gujarat in 2002. Such advocacy is a critical component of ending impunity and ensuring that the perpetrators of the violence are held accountable.

Human rights defenders working on behalf of other religious minorities face similar risks. For example, after testifying before the Tom Lantos Human Rights Commission in 2000, John

Dayal, Secretary General of the All India Christian Council, returned to India to face charges of treason for his testimony. The charges were ultimately dropped, but his experiences demonstrate how criminal charges can be used to harass and intimidate human rights defenders advocating on behalf of religious minorities in India.

The Advocates for Human Rights hopes that India's new leadership and the NHRC will take prompt, effective action to ensure that all people recognized as human rights defenders in India are protected from harassment and intimidation. The Advocates for Human Rights urges the new administration and the NHRC to uphold constitutional protections for free speech and freedom of association, and to ensure that India is an inclusive society respectful of freedom of religion for all.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robin Phillips', written over a light blue horizontal line.

Robin Phillips
Executive Director