

13 June 2019

India: Stan Swamy's home raided by police

On 12 June 2019, eight police officers of the Maharashtra police raided human rights defender **Stan Swamy's** home in Namkum, Ranchi city. The police did not produce a search warrant and did not allow Stan Swamy's lawyer to be in the room during the raid, which lasted for three and a half hours.

[Stan Swamy](#) is an indigenous people's rights defender. He is the founder of Vistapan Virodhi Janvikash Andolan (VVJA), an all-India platform for different movements that are campaigning against human rights violations caused by displacement of adivasi people, dalits, and farmers from their lands. The platform has supported vulnerable communities faced with displacement from extractive industry projects in securing their land rights and proposing sustainable development models instead. Stan Swamy has also actively dissented against government policies and laws that discriminate against adivasi people and infringe on their land rights.

On 12 June 2019, at around 7.15am, eight police officers from the Maharashtra police raided Stan Swamy's home in Namkum on the outskirts of Ranchi city in the state of Jharkhand. The raid was conducted on the pretext of "gathering more evidence" on the human rights defender's alleged involvement with the violence that broke out in Bhima Koregaon and Maoist links. The police did not allow Stan Swamy's lawyer to be in the room during the raid, for which no search warrant was produced.

During the raid, which lasted for three and a half hours, the police searched through all of Stan Swamy's belongings and forced him to provide them with the passwords to his social media and email accounts before taking over the accounts and changing the passwords. They also confiscated his hard disk and modem before leaving.

Following the raid, the Maharashtra police said that the human rights defender will not be arrested, and that the raid was conducted to collect more evidence for the ongoing investigation into the violence that broke out in Bhima Koregaon. They also said that no search warrant was produced because Stan Swamy already has charges filed against him under the Unlawful Activities (Prevention) Act (UAPA).

The violence in Bhima Khoregaon broke out on 31 December 2017 during the Elgar Parishad, an event held to commemorate the 200th anniversary of a battle won by the Dalits over the Peshwars (upper caste rulers). The state has since used this incident as a pretext to crackdown on human rights defenders advocating for minority and indigenous rights in the country. In June and August 2018, 10 human rights defenders (Sudha Bharadwaj, Arun Ferreira, Vernon Gonsalves, Gautham Navlakha, Varavara Rao, Sudhir Dhawale, Surendra Gadling, Mahesh Raut, Shoma Sen, and Rona Wilson) were arrested based on false charges in relation to the Bhima Koregan cases, nine of whom remain in police custody to date, while another human rights defender, Anand Teltumbde, has been [facing imminent arrest](#) since October 2018 and is out on anticipatory bail.

This is the second time that police have raided Stan Swamy's home in the past year. On 28 August 2018, the Maharashtra police [raided his home](#) as part of a coordinated crackdown across multiple cities in India on human rights defenders who were critical of the government. Laptops, mobile phones, cameras, memory cards, and music tapes were all seized from the human rights defender's home.

Previously, Stan Swamy also faced retaliation from the authorities for his involvement in the

Pathalgadi movement, which set out to enlighten the adivasi people about the Panchayats (Extension to Scheduled Areas) Act, 1996, by erecting stone plaques with provisions pertaining to tribal autonomy carved onto them. On 26 July 2018, a [false sedition case](#) was lodged against him in Jharkhand state for being critical of the Jharkhand State Government. He was accused of “manipulating the innocent and uneducated villagers” and spreading anti-national propaganda on social media.

Front Line Defenders is deeply concerned about the repeated intimidation and harassment of Stan Swamy, as we believe that they are directly motivated by his peaceful and legitimate human rights work. Front Line Defenders recognises this as part of an effort to clamp down on dissent, specifically against human rights defenders fighting for minority and indigenous rights in India.

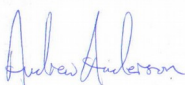
Front Line Defenders urges the authorities in India to:

1. Immediately cease all further intimidation and harassment of Stan Swamy, and return the property seized from his house, as Front Line Defenders believes that the raid carried out was solely a result of his legitimate work in defence of human rights;
2. Immediately and unconditionally release and drop all charges against the human rights defenders who have been charged and/or arrested in relation to the violence that broke out in Bhima Khoregaon, including Stan Swamy;
3. Refrain from any further harassment and intimidation of human rights defender Stan Swamy;
4. Guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals and free from all restrictions.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 6 (b and c): “*Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters,*” and to Article 12 (2): “*The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.*”

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson
Executive Director