

URGENT APPEAL - THE OBSERVATORY

IND 006 / 0811 / OBS 110

Assassination

India

August 24, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in **India**.

Description of the situation:

The Observatory has been informed by People's Watch of the killing of Ms. **Shehla Masood**, a civil rights and environmental rights defender in Madhya Pradesh.

According to the information received, on August 16, 2011, at around 11:00 a.m., Ms. Shehla Masood was shot dead by an unidentified person while she was in her car leaving her house in Koh-e-Fiza locality, in Bhopal. Nobody witnessed the shooting. The Bhopal Senior Superintendent of Police stated that the police have registered the case as "unnatural death" and started the investigations.

Ms. Shehla Masood was known for her activities against corruption and in favour of the enforcement of the 2005 Right to Information Act (RTI), as well as for her actions for wildlife protection and conservation of natural resources. She was engaged in denouncing an diamond mining project in Chhattarpur district, Madhya Pradesh, led by the transnational mining company Rio Tinto. The day of her murder, she was on her way to join a demonstration organised by her and other human rights defenders to support an anti-corruption campaign¹. She was planning to ask the people of Bhopal to write the name of the leaders who are corrupted on a 200 feet (60 meters) wide banner.

The Observatory recalls that several human rights defenders denouncing corruption by relying on the RTI have been victims of attacks and other acts of harassment². As the United Nations Special Rapporteur on Human Rights Defenders has stated "Right To Information (RTI) activists, who may be ordinary citizens, have increasingly been targeted for, among others, exposing human rights violations and poor governance, including corruption of officials"³.

The Observatory expresses its deepest concern about the killing of Ms. Shehla Masood which merely seems to aim at sanctioning her human rights activities.

Actions requested:

The Observatory urges the authorities of India to:

- i. Order an immediate, thorough, effective and impartial investigation into the killing of Ms. Shehla Masood, the result of which must be made public, in order to identify all those responsible, bring them before a civil, competent and impartial tribunal and apply to them the penal sanctions provided by the law;

¹ This anti-corruption campaign refers to a series of peaceful protests organised in various cities and towns of India by civil society to demand strong anti-corruption laws.

² See Urgent Appeals IND 003 / 0311 / OBS 044, IND 004 / 0411 / OBS 068, and IND 005 / 0611 / OBS 095, as well as People's Watch and RTI Group, *Register of Attacks on Activists in 2010 & 2011*, February 1, 2011.

³ See Statement of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, as she concludes her visit to India, January 21, 2011.

- ii. Put an end to acts of harassment and threats faced by all human rights defenders in India;
- iii. Conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:
 - its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”;
 - and its Article 12.2, which provides that “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”.
- iv. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by India.

Addresses:

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- Dr. P. Chidambaram, Union Minister of Home Affairs, Ministry of Home Affairs, 104-107 North Block, New Delhi 110 001 India. Fax: +91 11 2309 2979. Email: hm@nic.in
- Justice Kapadia, Chief Justice of India and RK. Raghavan, Chairman of the Special Investigation Team, Supreme Court, Tilak Marg, New Delhi -1, India. Fax: +91 11 233 83792, Email: supremecourt@nic.in
- Justice K. G. Balkrishnan, Chairperson of the National Human Rights Commission of India, Faridkot House, Copernicus Marg, New Delhi 110 001, India. Tel: +91 11 230 74448, Fax: +91 11 2334 0016, Email: covdnhrc@nic.in ; ionhrc@nic.in
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Please also write to the diplomatic representations of India in your respective countries.

Geneva-Paris, August 24, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, an OMCT and FIDH venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

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