

India: Chhattisgarh should drop charges against Prisoners of Conscience Soni Sodi and Lingaram Kodopi and unconditionally release them

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India: Chhattisgarh should drop charges against Prisoners of Conscience Soni Sodi and Lingaram Kodopi and unconditionally release them

Amnesty International urges authorities in the central Indian state of Chhattisgarh to drop the false and politically motivated charges against Adivasi (Indigenous community) activists Soni Sodi and Lingaram Kodopi, who are Prisoners of Conscience, and immediately and unconditionally release them.

Soni Sodi, a 35-year-old school-teacher was arrested on 4 October in Delhi. Her 25-year-old nephew, Lingaram Kodopi, was arrested on 9 September in his native Sameli village in Dantewada district of Chhattisgarh. The Chhattisgarh police have charged Soni Sodi and Lingaram Kodopi with aiding Maoist armed groups; one of the charges against them is that they had acted as couriers and transferred funds amounting to 1.5 million Indian Rupees (US\$300,000) from a mining corporate firm, Essar, to the Maoists. Amnesty International believes that Soni Sodi and Lingaram Kodopi are prisoners of conscience as they have been arrested solely for criticizing human rights violations by the police and security forces in Chhattisgarh. The charges against them are false and politically motivated.

In October 2009, Lingaram Kodopi resisted an attempt by the state police to forcibly recruit him as a Special Police Officer to fight the Maoists. He was arbitrarily detained for 40 days in a police station and released only after a habeas corpus petition was filed in the courts. In April 2010, at a public hearing in Delhi he detailed violations committed by the security forces against Adivasis in Chhattisgarh, following which the state police announced that he was the prime suspect in a Maoist attack on a local Congress party leader's residence.

Lingaram Kodopi also highlighted the killing of three Adivasis by the Central Reserve Police Force and the state police during a confrontation in three villages – Tadmetla, Timapuram and Morpalli. During the attack, two persons went missing and at least five women were sexually assaulted. Lingaram Kodopi was eventually arrested in September on false charges of aiding the Maoists.

Soni Sodi, who was trained by a Gandhian peace organization, Vanvasi Chetna Ashram, has been

critical of the violations committed by the security forces. At the same time, both Soni Sodi and Lingaram Kodopi have also been outspoken critics of the Maoist pursuit of armed violence. While Soni Sodi's husband is in prison on the charge of aiding Maoists, her father was shot in the leg by the Maoists in June 2011.

Having opposed Lingaram Kodopi's arrest, Soni Sodi no longer felt safe in Chhattisgarh, left her three young children in the care of her relatives and trekked through the forests to the nearest town and managed, after a week, to reach Delhi to seek legal assistance. But she was arrested by the Chhattisgarh police and Delhi Crime Branch police from a bus stand.

On 7 October, a Delhi court rejected Soni Sodi's appeal against the state police move to transfer her to Chhattisgarh. Following this, she, accompanied by women police personnel, was in transit custody for two days when she was intensively questioned. On 10 October, the state police admitted her to a hospital in Dantewada with physical injuries after she reportedly fainted at a police station where she was questioned. Soni Sodi has alleged that she had faced mental torture at the hands of the police and that she would disclose later the details about the injuries she had sustained. Following this, a magistrate remanded her to judicial custody until 17 October. She was then sent to a hospital in neighboring Jagdalpur and, after treatment, is to be lodged in prison.

The Chhattisgarh police, during an intensive search for Soni Sodi last week, also raided the Jaipur residence of Kavita Srivatsava, national secretary of the People's Union of Civil Liberties (PUCL), one of India's foremost human rights organizations, and harassed members of her family questioning them about the whereabouts of Soni Sodi.

Kavita Srivatsava, who visited Chhattisgarh in March this year to secure the release of five security personnel taken hostage by the Maoists, informed Amnesty International that the state police force was trying to harass and intimidate her for being critical of its human rights violations.

Amnesty International calls upon the Chhattisgarh authorities to:

- * Drop all politically-motivated charges against Soni Sodi and Lingaram Kodopi and immediately and unconditionally release them;
- * Ensure a prompt, impartial, independent and effective investigation into the allegations of torture and ill-treatment of Soni Sodi. Those police officials suspected of involvement including persons with command responsibility should be prosecuted, in proceedings which meet international standards of fairness. Also, she must be awarded full reparations;
- * Immediately halt the harassment of Kavita Srivatsava and the crackdown on those defending human rights in Chhattisgarh and take all necessary measures to guarantee that human rights defenders are able to carry out their legitimate and peaceful human rights activities without fear of harassment and intimidation.

Background

More than 3,000 people, including Adivasis, Maoist insurgents, security forces and members of a state-sponsored civil militia, known as Salwa Judum, have been killed during the last six years of insurgency in Chhattisgarh and at least 35,000 Adivasis continue to remain displaced in the wake of the Maoist insurgency and the anti-Maoist operations. All the armed forces operating in the area, including the security forces, civil militias as well as the Maoists, have violated human rights laws.

A number of social and political activists and human rights defenders in Chhattisgarh have been imprisoned for highlighting the human rights situation. Among them are Dr Binayak Sen of the

PUCL, and Kartam Joga, an Adivasi leader of the Communist Party of India, both declared as Prisoners of Conscience by Amnesty International. Dr Sen spent more than two years in prison and was released on bail by India's Supreme Court in April 2011 after he was convicted of sedition and sentenced to life by a lower court. Kartam Joga is still in prison.

In July 2011, India's Supreme Court, acting on two petitions filed by Kartam Joga and others, ordered the state authorities to disband all anti-Maoist civil militias, following which the authorities issued an ordinance to ensure that all civil militiamen are absorbed into the state police as Special Police Officers.
