

To

The Chairperson,
State Human Rights Commission,
Maharashtra

Dear Sir,

This letter reaches you on the occasion of International Human Rights Day (December 10). As accused in the Bhima Koregaon (Elgar Parishad) case, it is our strong contention that the state has arrested and continues to imprison us due to our long-standing dissenting views as human rights defenders. By this incarceration of over 18 months, the Indian State seeks to create an environment of fear where all such voices critical of the government are warned that their human rights, especially those dealing with freedom of expression, ideology and association can be easily crushed under the grab of "national security".

Despite our expectations, our bail applications were recently rejected. The stringent provisions in the Unlawful Activities (Prevention) Act and Sedition Act, have made it easier for the prosecution to brush aside important questions on the authenticity, credibility and admissibility of the digital evidence thus prolonging the incarceration. These aspects of any digital evidence are crucial as recent advancements in digital technology, allow political rivals/adversaries to use fake content as an effective tool to attack, defame, criminalise and persecute each other.

'Deepfakes' for instance, is a new digital form of technology that has posed as serious challenge to the political environment in the US and Europe. In India, the Indian government and its IT minister

Shri Ravi Shankar Prasad is keen to curb the resale of fake news despite it becoming a regular phenomenon since 2014 as propaganda tool in elections. Lestingly, the same BJP government criticised the West Bengal government when their party worker was arrested for sharing a fake news of the Chief Minister on social media. However, this use of fakes becomes even more dangerous and sinister when used by the state against citizens. The revelation the spyware 'Pegasus' was being used by the government to access the phones of journalists and HR activists by fake whatsapp video calls is an example. Even IT Major Google has revealed that there have been government backed phishing emails (fake emails asking user details) on nearly 500 users in India between July and September this year. These examples of modes of surveillance and attacks are nothing short of a sort of "state-sponsored cyber terrorism".

The Bhima Koregaon case (Elgar Parishad) falls within this realm. The Pune Police claim that certain files (fake letters) were found on the computers of two of us accused. Since they deliberately chose to ignore proper procedures to digitally secure the electronic storage devices seized from our residences, they could easily plant such fake and fabricated letters in the hard disks. Based on these fake letters, which have no authentication of their source, the Pune Police are attributing criminal intent to every perfectly lawful act done by us.

On the occasion of International Human Rights Day we the political prisoners lodged at Yerwada Central Prison condemn this environment

of fear and criminalisation promoted by the state wherein the human rights of Indian citizens and especially those of HR Defenders ~~and~~ critical of state policies are under threat.

PUNE 4 DECEMBER 2019

- 1) Arun Ferreira Derecha
- 2) Sudha Bharadwaj Sudha Bharadwaj
- 3) Shoma Sen Shoma Sen
- 4) Vernon Goncalves Goncalves
- 5) ~~Savendra Gaekwad~~ (Savendra Gaekwad)
- 6) Mahesh Raut MK
- 7) Rona Wilson Rona Wilson
- 8) Sudhir Phawale Sudhir Phawale