

Free Binayak Sen Coalition Activists Welcome Supreme Court Bail Decision

Remain Vigilant for Campaign Battles that Lie Ahead

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We celebrate the suspension of the sentence and the release on bail of Dr. Binayak Sen ordered by the Supreme Court of India. The Supreme Court agreed with Dr. Sen's counsel, supporters and 'Free Binayak Sen' activists all over the world that the charge of sedition against Dr. Sen was ridiculous. We, as a global solidarity network of more than 50 civil society groups, welcome the Supreme Court's order as one step towards justice, and demand that the government of Chhattisgarh release Dr. Sen immediately, without imposing onerous bail conditions. We anticipate this to only be a first victory and a stepping stone to the day when all the charges against Dr. Sen are dismissed outright and the sentence permanently revoked.

The judgment delivered by the Supreme Court is a welcome step, but we continue to be gravely concerned about the dysfunctional state of the lower courts in Chhattisgarh, and the lack of independence of the state-level judiciary. Dr. Sen was convicted on outlandish charges based on flimsy evidence after a deeply flawed judicial process by a trial court in Chhattisgarh. The sentence of life in prison with hard labor, pronounced by the sessions court on December 24, 2010, was outrageous even if the charges had been true, especially against a man who had been imprisoned earlier for two years while the police and prosecution worked to put together their case. This pattern of harassment and 'punishing by trial' of innocents appears to have become the official culture of the Chhattisgarh administration. We

We reiterate our over-arching demands for which Dr. Sen's case has become a symbol. We will continue to fight for the release of tribal rights activists and political prisoners and the safety of journalists and human rights activists in Chhattisgarh and elsewhere. Falsely accused of offences under draconian laws, these victims of state power include Dr. Sen's co-accused, Piyush Guha and Narayan Sanyal, and others such as Kopa Kunjam, Sukhnath Oyami, Sodi Sambo, Kartam Joga and Asit Kumar Sengupta, to name only a few among the hundreds held as prisoners by the state of Chhattisgarh alone.

The observation by the Supreme Court that mere possession of Naxal literature makes a person neither a Naxalite nor guilty of sedition, just as one who possesses Mahatma Gandhi's autobiography does not automatically become a Gandhian, along with the apex court's ruling of February 4th, that mere membership of a banned organisation does not make a person criminal unless he or she resorts to violence or incites people to violence, are most profound, and we hope, will provide relief to many of the human rights activists, journalists, adivasis and others lodged in different jails across the country under draconian acts. It is our firm resolve to continue raising public awareness to demand scrapping of draconian laws like UAPA, CSPSA, AFSPA and the Sedition Law, which cannot coexist with freedom and democracy, and which place undue power in the hands of the State to further

marginalize vulnerable communities and to suppress democratic voices of dissent.

The Chhattisgarh Government has had a dismal record of human rights violations. As recently as March 11th and March 13th, 300 houses were burned, women raped and men killed in the Dantewada district of the state by Koya Commandos (an offshoot of Salwa Judum, the state-sponsored armed vigilante group, whose record of violence was first documented and exposed by a team led by Dr. Sen and his colleagues at the People's Union for Civil Liberties and other organizations). Recent restrictions on the movement of journalists and tribal activists are a further matter of concern. (See, for example, this news report of the Supreme Court directive to the Chhattisgarh government.) Therefore, we demand that the police administration in the state of Chhattisgarh be completely revamped. The police personnel responsible for human rights violations must be held responsible. The Salwa Judum and its offshoots must be disbanded as ordered by the Supreme Court. The state must also implement rehabilitation programs for the people who have been victims of vigilante violence.

This moment today has bolstered our spirits and our campaign will continue its struggle along our core demands aimed towards restoring a life of dignity, peace, justice and democracy in Chattisgarh and elsewhere. A televised statement by the Law Minister, Veerappa Moily, today, commenting that the outdated Sedition law needs to be revisited, is a positive note and we hope the Law will be repealed, in the true spirit of upholding our collective democratic aspirations. And that this would be the first step in repealing all such draconian laws.

Zindabad!

Free Binayak Sen Coalition

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