

Solitary Confinement

In the Biggest show-case of democracy, human rights activists are being increasingly subjected to inhumane treatment. The authorities identify civil liberties movement with naxalite cause and those who raise voice against illegal detention are treated accordingly. The way some human rights activists were wiped out in Andhra in yester years is history. Maybe the BJP-ruled Chattisgarh government has been measuring the depth of public anger by illegally keeping Dr Binayak Sen, one of India's finest public spirited health and human rights activists behind bars. Dr Sen has been in solitary confinement in Raipur Central Jail, Raipur, Chattisgarh since March 15, 2008.

To keep Dr Sen in solitary confinement not only violates the Indian Penal Code but also all principles of justice and fairplay.

Dr Sen, an internationally renowned humanitarian activist, has been kept in prison for the past eleven months on false charges under the Chattisgarh State Public Security Act, a law that violates the basic provisions of the Indian Constitution. To further subject him to solitary confinement is nothing but a sign of vengefulness on the part of the Raipur Jail and Chattisgarh police authorities and an obvious attempt to break his morale.

Such treatment is completely unwarranted as Dr Sen is an undertrial and not convicted of any crime.

It is well established that confinement of any prisoner carries the risk of serious mental and physical harm and can amount to cruel, inhuman and degrading treatment. The imprisonment of a person in total isolation is not acceptable under international human rights standards.

The impact of such solitary confinement on the physical and mental health of Dr Sen, a heart patient, who during the course of his imprisonment has already lost over 15 kilograms in weight may be fatal.

The authorities will remain responsible for any harm that may befall Dr Sen during his detention, a deliberate act of blatant victimisation. Even convicted persons are protected by law from such cruel and unusual punishment. Dr Binayak Sen has not even been tried! The unlawful abuse could be the straw that breaks his fragile mental and physical health. □