

Human rights lawyers, activists unhappy with Doval's exclusive class for SC judges

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Human rights lawyers and activists are up in arms over National Security Adviser Ajit Doval's exclusive paathshala for 25 Supreme Court judges on 'national security and threats of global terrorism' during their three-day retreat beginning Thursday in Madhya Pradesh.

Shooting off a letter to Chief Justice TS Thakur, these lawyers and activists, under the umbrella of 'Campaign for Judicial Accountability and Reforms', said if Doval is being heard on the issue, they too must be invited to the closed-door session and allowed to give their version on these sensitive issues and cases "many of which reach the courts for adjudication". They have gone to the extent of saying that it will be inappropriate for the Judges to be briefed only by NSA Doval in the absence of representatives from human rights organisations offering an alternative perspective from the point of view of how the actions of security agencies impact human rights.

Bhushan has said Chief Justice Thakur has not yet responded to the letter he sent on April 11. "We wish to bring to your kind attention that traditionally there has been a conflict between the perspectives offered by the security agencies and those that are offered by human rights organisations, around the legitimacy of many actions of security agencies, some of which constitute a violation of human rights. Many of such cases reach the courts for adjudication, where both sides are heard. With this in the backdrop we think it may be inappropriate for the judges to be briefed only by the NSA in the absence of representatives from human rights organisations offering an alternative perspective from the point of view of how the actions of security agencies impact human rights," reads the letter.

"We therefore urge that for a more holistic understanding around these issues of national security and human rights, representatives from human rights organisations and human rights lawyers also be invited to brief the Judges," says the letter to chief justice Thakur. Many credible human rights organisations like the People's Union for Democratic Rights, Human Rights Law Network, People's Union for Civil Liberties, etc. and noted human rights lawyers like Colin Gonsalves, Kamini Jaiswal, Nitya Ramakrishnan, Vrinda Grover and others, may also be considered, to be invited to this briefing of judges on national security and implications for human rights, said the letter.

'Campaign for Judicial Accountability and Reforms' has in its list of patrons names like Arundhati Roy, noted lawyer Shanti Bhushan and Justice PB Sawant. Prashant Bhushan is in its Executive Committee and is also its convenor. Starting April 14, the judges' retreat which will have eight sessions, is being organised at the National Judicial Academy spread across 63 acres in the outskirts of Bhopal.

The venue also has recreational facilities including a fully-equipped gymnasium, swimming pool, sauna, tennis court, billiards besides a 280-seater, state-of-the-art auditorium and conference and seminar rooms. Besides Doval, Reserve Bank of India Governor Raghuram Rajan will be addressing a session on economic growth and globalisation. Giving the judges an overview of the world will be experts from the fields of business and education. President Pranab Mukherjee will be addressing the concluding session on April 16. There is also a session dedicated to climate change and key environmental challenges. The Supreme Court used the extended weekend for holding the retreat. The three-day retreat comes at a time when there is a standoff between Supreme Court collegiums and the government over memorandum of procedure for appointment of judges to the Supreme Court and High Court.

While there are seven vacancies in Supreme Court, nearly 400 vacancies of high court judges also have to be filled. Doval incidentally became one of the key speakers at the retreat when the higher judiciary is against a controversial clause proposed in the Memorandum of Procedure framed by the government where the latter has reserved the right to reject any recommendation made by the collegium on the grounds of national security.

<http://indiatoday.intoday.in/story/rights-lawyers-activists-not-happy-with-dovals-exclusive-class-for-sc-judges/1/642419.html>