

Human Rights Defenders Alert - India

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Shri A. K. Parashar

Focal Point - Human Rights Defenders
National Human Rights Commission
Faridkot House
Copernicus Marg
New Delhi-110001
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Tamilnadu-Ootacamund: Arrest and detention of a human rights defender on false and and fabricated charges allegedly for raising his voice against an eve teasing incident by two policemen-Reg

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are now writing to express our grave concern regarding the situation of Mr. Kingston who was arrested under false and fabricated charges by the Ootacamund police for raising his voice against an eve teasing incident that occurred on a moving bus.

Name of the perpetrators:

1. Two policemen in plain clothes.
2. Mr. Poulouse, Sub-Inspector b1 town police station, Ootacamund, Tamilnadu.

Date and time of incident: March 8th 2013.

Place of incident: On a moving bus owned by the Tamilnadu State Cooperation plying between Coonoor and Ootacamund.

About the activists:

Mr. Kingston (32) has been employed as a First Aid Trainer in an NGO called St. Johns Ambulance Services and volunteered for more that 12 years. He has served the needy in his locality from his early childhood.

Incident:

On 8.2.2013, Mr. Kingston was traveling on a bus owned by the Tamilnadu State Transport Corporation from Coonoor to Ootacamund where he witnessed two policemen in plain clothes teasing girls in the bus. When Mr. Kingston raised concern over the incident they resisted and continued their act, thus creating havoc in the bus. By the time the bus reached the ABT bus stop the other passengers in the bus became furious and started to attack the two miscreants. On seeing the commotion, staff members of the Regional Transport Officers office which was close to the ABT bus stop informed the police. Mr. Kingston who was witnessing all the chaos started narrating the incidents to the police when they arrived at the scene. The police officer requested him to come to the police station directly to file a First Information Report. But on the contrary Mr. Kingston was arrested under fabricated charges foisted against him by the B1 town police station Sub inspector Mr. Poulose. Following are the charges foisted against him in C R No: 104/13: Sections 294[6], 323, and 506[1], IPC. Mr. Kingston alleged that the policemen after confiscating his mobile phone beat him brutally and mercilessly during his 2 days of judicial custody in Ooty Sub Jail without informing his whereabouts to his family members. Due to severity of the physical torture he had to be admitted in the Convicts Ward of the Government Hospital for immediate treatment. (Reports are still awaited). Mr. Kingston stated that he was handcuffed even when he was admitted in the hospital. Later on the 15th Mr. Kingston was discharged on Conditional Bail.

Appeal:

We, therefore, urge you to immediately take necessary steps to ensure that:

1. The aforementioned human rights defender is released immediately and unconditionally. Furthermore, all charges against him should be dropped, as it is believed that these measures have been taken against him solely as a result of his human rights activities i.e. defending young women who were subjected to teasing in public.
2. The treatment of the aforementioned human rights defender, whilst in detention, adheres to all those conditions in the “Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment”, adopted by UN General Assembly Resolution 43/173 of 9, December 1988;
3. Concerned authorities carry out an immediate, impartial and thorough investigation into the arrest and detention of the aforementioned human rights defender, with a view to publishing the results and bringing those responsible to justice in accordance with law.
4. To ensure both physical and psychological safety and integrity of the affected Defender Mr.Kingston.
5. To guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment.

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne

Honorary National Working Secretary
Human Rights Defenders Alert - India