

Human Rights Defenders Alert - India

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January 31, 2012

Hon. Justice Shri K.G. Balakrishnan

Chairperson

National Human Rights Commission of India

Faridkot House

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Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action -India / Tamil Nadu / Tirunelveli: Assault and stone-pelting on Koodankulam Nuclear Power Plant Protestors including women activists - 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 over the attack and stone pelting on the representatives of Peoples Movement against Nuclear Energy including 15 women.

Perpetrators: Goons and local Congress leaders

Place of incident: Tirunelveli, Tamil Nadu

Date and time of incident: 31st January, 2012 around 11.00 a.m.

Incident:

A civil group spearheading the protest against the Koodankulam Nuclear Power Project (KNPP) called off talks with the central government-appointed

experts' panel, after the former's members were assaulted in Tirunelveli District of Tamil Nadu on January 31, 2012 when they were on their way for the talks.

According to the information received, the Central government-appointed expert group was scheduled to have its fourth round of talks on 31st January 2012 (Tuesday) at 11.00 a.m. in the District Collector's office, Tirunelveli. The representatives of Peoples Movement against Nuclear Energy (PMANE) - Pushparayan and Jesuraj and 20 women accompanying them have been attacked by Goondas (hired thugs) near Tirunelveli Collocotrate on their way to attend talks with the Central Government Expert Panel. The women who tried to shield the PMANE representatives were also beaten up and they are in hospital now. The goons were said to have been hired by some local Congress leaders.

The activists came to meet the Central government-appointed expert group for the fourth round of talks but after stones were pelted at them, they decided to boycott the meeting.

The Koodankulam Anti Nuclear protest has stood out as a symbol of non-violent protest. This move of attacking movement leaders is a strategy of trying to create tension and turn the movement violent. The PMANE movement has withdrawn from the talks after the incident which gave clear indications of the Central Government's backdoor working. Protests are happening in Tirunelveli and other southern Tamilnadu districts condemning the attacks.

It is note-worthy that for the past three months the activists have been said to receive threats from the goons of Congress Party. On the eve of the crucial talks, anti-nuclear activists had said that their representatives would not engage in any dialogue, despite promising their attendance.

Additional Information:

The coordinator of the People's Movement Against Nuclear Energy (PMANE) stated "We have no faith in the talks. None of the questions we had asked were answered and the documents we had asked for were not furnished.

Meanwhile, our members have been assaulted when they had gone to participate in the talks. We are calling off the talks".

A representative of the protestors in the expert panel formed by the State Government said that they would go to the meeting but would not engage in any dialogue with them. They also demanded that they needed to talk to the people living within a radius of 30 km (around the Plant) and to the expert panel.

The anti-KNPP agitators' intensifying their stir, has come a day before the fourth and possibly, the final round of talks between the Department of Atomic Energy (DAE) nominated panel of experts and the state government's committee, slated to be held in Tirunelveli on Tuesday, as part of a long-drawn exercise to dispel local people's fears about KNPP.

It was expected that M Pushparayan, convener of Coastal People's Federation and M P Jesuraj would represent the anti-nuke protestors as part of the state panel in the talks with the Central panel headed by E Muthunayagam. PMANE had initially protested that they would boycott the talks, but changed the stance.

The previous three rounds of talks between the panels held on the 7th and 18th of November and 15th of December 2011 had failed to make any headway towards commissioning of the first unit at the KNPP as local people protesting against the project were not satisfied with the answers given by the expert group to their queries.

The Central Government Panel has failed to answer most of the questions raised by the movements own panel and whatever answers given, were all unsatisfactory. Moreover the central panel and central government have also refused to meet the movement's expert panel and have an open discussion.

The Indo-Russian joint venture ran into trouble with activists and local people going on protest citing safety concerns in the wake of the Fukushima Disaster in Japan early last year.

Simultaneously, pressure from various quarters including industry is mounting on Tamil Nadu government and the Central team to resolve the deadlock as the state's power situation is taking a turn for the worse.

We are concerned that the attack on the activists was pre-planned and aimed at suppressing their genuine voices of protest against the Koodankulam Nuclear Power Plant in Tamil Nadu.

Appeal

We, therefore, urge you to immediately take necessary steps to

1. Guarantee in all circumstances the physical and psychological integrity of all the activists of anti-Koodankulam Nuclear Power Plant Campaign who were protesting in a peaceful manner;
2. Initiate a departmental enquiry against the perpetrators who pelted stones and attacked the group of activists which included women and those behind them;
3. Conform to the provisions of the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:
 - its Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels";
 - and its Article 12.2, which states that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration";

4. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by India.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Hon. National Working Secretary,

Human Rights Defenders Alert - India