

Human Rights Defenders Alert - India

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Dr. K.G.Balakrishnan,
Hon'ble Chairperson
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi – 110 023
Email: covdnhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Urgent Appeal for Action – Karnataka: Human Rights Defender arrested by police on false charges – 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 arrest of human rights defender Parashuram on charges of caste abuse and intimidation based on a false complaint by a woman in an act of vendetta.

Source of Information on the Incident:

- Communications from the Coordinator of HRD Alert – India for the South of the country

About the Human Rights Defenders under attack:

Parashuram @ Parashu is one of the director's of Odanadi Seva Samsthe, an NGO, working for the welfare of distraught women. Along with one Mr. Stanley, Parshu based in Mysore District of Karnataka state is involved in fighting human trafficking.

He is also a member of the Child Welfare Committee (CWC) under the JJ Act in Mysore District of Karnataka State.

The Perpetrators:

Ms. Vanajakshi @ Chandrika and her husband Manjunath alias 'Santro' Ravi who is allegedly involved in human trafficking and had been arrested earlier by Yelwal Police Lakshmipuram Police

Date and time of Incident:

Late in the night on the 29th of June 2014

Place of Incident:

Periyapatna in the Mysore District of Karnataka

Incident

According to the information received, on the basis of a false complaint by a woman called Vanajakshi, charging Parashuram of abusing her inside court premises recently, a police team from Lakshmipuram, led by Assistant Commissioner of Police (K.R Sub-division) Ms. B.T.Kavita, arrested Parashuram and took him into custody late in the night on June 29, 2014 at Periyapatna by the Lakshmipuram police. Vanajakshi is the wife of K.S. Manjunath also known as 'Santro Ravi', a trafficker who had been arrested and released earlier.

Background

Another human rights defender Stanley and Parashuram had helped the police bust a human trafficking racket a couple of months ago. Parashuram, who was deposing before a court here, as witness in the case, had been allegedly restrained by Vanajakshi and her husband Manjunath alias 'Santro' Ravi from appearing as witness in the case. Ravi, who is a proclaimed offender facing several charges as a pimp had been arrested by Yelwal police earlier.

It was due to the concerted efforts of the police and the NGO Odanadi that Ravi had been arrested and after walking out of jail in April he had allegedly hatched a conspiracy seeking revenge against Stanley and Parashuram.

Odanadi organisation also states that Vanajakshi is a fictitious name and that Ravi's wife is known by the name Chandrika.

NGO activists suspect the unholy nexus between the police and Ravi behind the arrest of Parashuram and have termed Parashuram's arrest as illegal since he is also a member of the Child Welfare Committee (CWC) and is vested with the powers of a First Class Magistrate.

It is alleged that the police blatantly violated the law to accomplish their task but the Deputy Commissioner of Police (Law and order) Mr.A.N.Rajanna has denied any breach of law stating that CWC as a body has magisterial powers, while the members do not enjoy it.

Parashuram complained of uneasiness after he was taken into custody and was admitted to the emergency ward at K.R.Hospital. On the 3rd of July, 2014, the court granted him bail.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that The Mysore District SP orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of trafficking and also of targeting of the human rights defenders, and bring the perpetrators Vanajakshi @ Chandrika, Ravi and the erring police to book by another senior police independent officer;

- Based on the said speedy investigation that the SP recommends withdrawal of the case if the investigation makes out the charges to be based on false charges against Parashuram; Determine whether in the circumstances of the case there was any need for the HRD to be arrested and if the special reasons for the arrest of the HRD were ever made known;
- That the local district officials guarantee in all circumstances the physical and psychological integrity of Mr. Parashuram as he continues be under risk of further attacks by the perpetrators;
- Provide reparation and compensation to Parashuram for the physical and psychological sufferings he underwent because of this illegal arrest
- Put an end to all acts of harassment against all human rights defenders in Karnataka to ensure that in all circumstances they carry out their activities without any hindrances and ensure that the state human rights

institutions in the state, especially the SHRC, the SCW, the SCPVCR, the SCM, the SIC etc take immediate steps to establish mechanisms to handle speedily and with urgency cases against HRDs that are preferred to it;

- Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially within the state of Karnataka and ensure that the Chief Secretary and the DGP give an assurance to immediately take steps to translate the same in Kannada and then ensure that it is made available in all Karnataka Government web sites and is included as a compulsory in service training subject; -
 - 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”
 - Article 12.2, which provides 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”;
- More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in the state of Karnataka.

Looking forward to your immediate action in this regard,

Yours sincerely,



Henri Tiphagne

Honorary National Working Secretary