



Human Rights Defenders Alert – India

National Coordination Office

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Shri A. K. Parashar

National Focal Point - Human Rights Defenders & Joint Registrar
National Human Rights Commission
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi – 110 023
Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India - Appeal for Action – Karnataka: Death threat issued to Professor K.S. Bhagwan, a retired professor from Mysore University who is a well known rationalist, writer and translator in Karnataka by a right wing Hindu fundamentalist group - Regarding

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavors 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 death threat issued to Professor K.S. Bhagwan by way of a letter. Professor Bhagwan is being targeted for holding critical views on Hindu religious scriptures. The anonymous letter warning to kill him came just few days after a “Facebook” post carried the warning to eliminate the rationalist Prof Bhagwan. Prof. Bhagwan has been a friend of professor MM Kalburgi, another rationalist and writer who was shot dead by unknown assailants in Dharwad district of Karnataka on 30 August 2015.

Source of Information on the Incident:

The Regional Coordinator of HRDA for South of India
Media Reports

Status of the Human Rights Defenders:

Professor K.S. Bhagwan is a free thinker and rationalist, writer, translator and a retired professor. In addition to writing in Kannada, he has translated works of renowned novelist William Shakespeare including Julius Caesar and Hamlet. He is a recipient of many awards including the Rajyotsava Award, Kuvempu Award and the Lokayuta Award. Professor Bhagwan was first threatened in 1985 for his staunch criticism of the philosophy of Sankaracharya in his scholarly work. His views were published in a book titled 'Shankaracharya and Reactionary Philosophy' which was released in the same year. His research showed that Shankaracharya far from being a social reformer was a strong advocate of the caste system. In months of February and April, 2015 Professor Bhagwan had been in the news for saying that he wanted to burn a copy of the Ramayana as it was "an extremely unholy, insulting and dangerous book". These comments lead to protests by the Bhartiya Janata Party's Yuva Morcha outside his house in Mysuru, Karnataka.

The Perpetrators:

The letter is alleged to have been posted by Bajrang Dal, (A Hindu fundamentalist group in Karnataka)

Date of Incident:

9th September 2015

Place of Incident:

The letter reached his residence at Udaygiri Road, KuvempuNagar, Mysuru, Karnataka

Incident detail:

According to sources on 9th September, 2015 the family members of Prof. K S Bhagwan received a letter by an anonymous sender threatening to kill him. The letter in English was delivered by the postman around 12.45 PM at Prof. Bhagwan's house on Udayaravi road, Kuvempunagar, Mysuru. The typewritten letter addressed Professor Bhagwan derogatorily and reads as follows: "Don't relax thinking you are safe. *Haavina dvesha* 12 years. 3 successful. Next you. Will never miss the target. No police security will save you when we come. We know how to do. Count your days".

According to a police source as reported in the media that the letter said '3 successful', which could be indicating the murders of Govind Pansare, Narendra Dhabolkar and MM Kalburgi. According to the police investigators, the letter may have originated from Bengaluru, as per the seal on the cover. The letter was duly handed over to Kuvempunagar police station, which have been guarding the house of Professor round-the-clock. Following professor and researcher M M Kalburgi's murder in Dharwad on August 30, a Hindu outfit leader had put a post on his "Face book" account warning Prof. Bhagwan as the next target. The police arrested the leader and provided gunman escort to Professor Bhagwan.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that the District Collector and District Magistrate and Commissioner of Police, Mysuru District:

- Orders an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of death threat and targeting of the scholar and human rights defender -Professor K S Bhagwan;
- Take immediate legal action on the perpetrators for issuing death threats, by arresting them and using all provisions of law to ensure that Professor K S Bhagwan's physical safety is ensured especially because it has come in the wake of recent murder of Professor MM Kalburgi in Dharwad district of Karnataka;
- Guarantee in all circumstances the physical and psychological integrity of the family members of Professor K S Bhagwan who are still under risk of further reprisals from the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensure provision of compensation, apology to Professor K S Bhagwan and his family members for the psychological sufferings they underwent because of the threat to the life of Professor K S Bhagwan;
- Along with local district officials puts an end to all acts of attack and harassment against all human rights defenders in general in the state of Karnataka to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;

- Takes steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
 - 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”;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Karnataka to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Karnataka to convene meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children etc] to ensure that a coordinated strategy is developed within the State of Karnataka for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Karnataka in collaboration with the NHRC Focal Point on HRDs and the SHRC Karnataka to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Karnataka in collaboration with the SHRC, Karnataka to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ...

promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (Art.1 of the Declaration on Human Rights Defenders);

- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms 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,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

(Henri Tiphagne)
Honorary National Working Secretary