



Human Rights Defenders Alert - India

National Coordination Office

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March 21, 2016

Shri A. K. Parashar

National Focal Point - Human Rights Defenders
& Joint Registrar
National Human Rights Commission
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INA, New Delhi – 110 023
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Sub: HRD Alert - India – Urgent Appeal for Action: - Kerala – Ms. Dhanya Raman – Tribal rights activist and woman human rights defender Ms. Dhanya Raman physically assaulted with the intention to kill by unknown assailant at her house on March 12, 2016 in Thirumala Thachottukavu in Thiruvananthapuram (or Trivandrum), the capital of the southern Indian state of Kerala - Regarding

Dear Sir,

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 writing to express our serious concern on the physical assault tribal rights activist and woman human rights defender Ms. Dhanya Raman at her house in Thirumala Thachottukavu in Thiruvananthapuram (or Trivandrum), in the southern Indian state of Kerala. An unknown assailant forcibly entered into her house on March 12, 2016 morning with the intention to kill her. It is feared that the woman defender is

being targeted to raise complaint against the corruption involved in the allocation of funds meant for tribal welfare activities in Kerala.

Source of Information on the Incident:

- Communication with WHRD, Ms. Dhanya Raman
- Reports from Media

Status of the Human Rights Defender:

Thirty three year old woman human rights defender Ms. Dhanya Raman, is a tribal rights activist based in Thirumala Thachottukavu in Thiruvananthapuram, Kerala. She was born in the family of Mr. P K Raman, a Dalit leader of Kerala. She was involved in social activism right from her childhood. In the last 6 years she has travelled through more than 2500 tribal settlements throughout Kerala. She has been working on issues related to health, education and justice for child abuses and rape. She has been involved with the teaching of disconnected school children from dalit and tribal communities through Education Empowerment Programme (EEP). She has been associated with programmes for the tribals across the state extending them financial and legal assistance. She has brought up more than 1000 cases of rapes with the help of police department. She has been instrumental in securing convictions in 15 cases under the POCSO Act. In October 2015, she filed an RTI query in the state finance department to know about the allocation of funds for the tribal welfare programmes. The tribal department has been reporting the allocation of 1 lakh crore rupees for the welfare of the tribals in the state. The scam involving such a huge sum was exposed after her RTI queries and after that she approached the state police with her complaint.

The Perpetrators:

Unknown assailant

Date of Incident:

March 12, 2016 around 2 am

Place of Incident:

At her house in Thirumala Thachottukavu in Thiruvananthapuram, Kerala

Details of the Incident:

According to sources on March 12, 2016 around 2 AM, woman human rights defender Ms. Dhanya Raman was attacked by an unknown assailant while she was sleeping at her house located in Thirumala Thachottukavu in Thiruvananthapuram. The assailant forced himself in to the house by breaking the door of the house and entered her bedroom. He was carrying a knife like weapon along with a torch with the intention to physically harm her. Ms. Dhanya Raman woke up and realised some light coming on her face. The assailant caught her by the neck and she started shouting and crying. Hearing her cries her husband, an engineer by profession woke up and came to save her. He tried to catch the person but he managed to run away.

According to the defender, she was being followed by some unknown persons and six month before one unknown person came to her house and broke the electric wiring and water pump. It is important to note here that woman human rights defender Ms. Dhanya Raman has been fighting for the rights of the tribals and other marginalised communities including dalits in Kerala and she has been successful in securing the conviction of several persons after her interference in corruption case and cases of assaults and abuses against Adivasis. She has recently in the month of March, 2016 has filed a complaint with the office of Thiruvananthapuram range Inspector General of Police, Mr. Manoj Ibrahim about the fund embezzlement case related to the Tribal Department in the state of Kerala. It is feared that the attacker might be sent by the persons against whom she has filed complaint in a corruption case. A complaint has been lodged by her at the Malayenkeezhu police station and police are investigating the case. No arrest has been made so far.

Appeal:

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

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident of physical assault with the intention to kill the woman HRD Ms. Dhanya Raman;
- Take immediate legal action on the perpetrator by arresting him after identification for making an attempt on the life of woman human rights defender Ms. Dhanya Raman and using all provisions of law to ensure that Ms. Dhanya Raman's safety is ensured;
- Guarantee in all circumstances the physical and psychological integrity of Ms. Dhanya Raman as she continues to be under risk of further attacks by the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensure provision of reparation, compensation, apology to the woman defender for the psychological sufferings she has undergone because of this physical assault on her and provide a re-assurance of not engaging in such acts against WHRDs such as Ms. Dhanya Raman;
- Put an end to all acts of attack and harassment against all women human rights defenders like Ms. Dhanya Raman in the State of Kerala and ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Take 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 Kerala 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 NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs, etc.] to ensure that a co-ordinated strategy is developed within the State of Kerala for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Kerala in collaboration with the NHRC Focal Point on HRDs and the SHRC Kerala 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 Kerala in collaboration with the SHRC, Kerala 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, ensure 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 Kerala.

Looking forward to your immediate action in this regard,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a long horizontal flourish extending to the right.

(Henri Tiphagne)

National Working Secretary