



Human Rights Defenders Alert – India

National Coordination Office

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6th May, 2016

To

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 - Urgent Appeal for Action – Karnataka: Journalist and human rights defender Mr. K.Ramesh assaulted, threatened and issued death threats for reporting on illegal activities such as illegal mining in the region by anti-social elements in Uttara Kannada district of Karnataka– 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 writing to express our grave concern regarding the assault and death threats issued to journalist and human rights defender Mr. K.Ramesh who has been reporting news and writing articles against illegal activities such as illegal mining and other issues of social concern in Uttara Kannada district of Karnataka.

Source of Information on the Incident:

- Media Reports

The Human Rights Defender:

Mr. K.Ramesh is a young reporter of a vernacular daily named '*KaravaliMunjaavu*' in Karwar, Uttara Kannada district, Karnataka. The daily was founded as a print edition and later it also started an online website edition. Mr. K.Ramesh has been covering

largely issues of social importance from Karnataka as well as from the state of Goa. Journalist and HRD Mr. K. Ramesh has been a reporter of Ankolataluka but at the same time he has been actively participating in social activities and responding to issues of public importance from the whole of state.

The Perpetrators:

- Mr.Gopalakrishna Hammanna Nayak alias Gopu Adloor resident of Adloor Janta Colony
- Mr.Manjunatha Hammanna brother of Mr.Gopalakrishna Hummanna Nayak alias Gopu Adloor
- Mr.Ramesh
- Mr.Mayur R.Nayak
- Mr.Rajesh Ramachnadra Nayak

Date of Incident:

March 22, 2016 at around 8:00 p.m.

Place of Incident:

At the residence of Mr.MayurR.Nayak's 'ARAMANA" located in K.C.Road in Uttara Kannada district in the state of Karnataka.

Details of the Incident:

According to the sources, on March 22, 2016, the HRD Mr. K.Ramesh was invited by Mr.Mayur R.Nayaks to visit his house 'ARAMANA" situated on K.C.Road at about 8:00 pmt to discuss issues published in the newspaper. Mr. K. Ramesh reached the place by 7.30 pm. At that time Mr. Adour, a Janta Colony resident Mr.Gopalakrishna Hammanna Nayak alias Gopu Adloor and his brother Mr.Manjunatha Hammanna and one Mr. Ramesh were present at the house. Mr.Gopalakrishna Hammanna Nayak alias Gopu Adloor and his brother Mr.Manjunatha Hammanna and their accomplice Mr. Ramesh verbally abused Mr. K. Ramesh. They attacked him and pushed him on the floor and stamped. They also beat up the HRD with logs.

It is learnt later that all the accused had assembled at the house of Mr. Nayak after getting the information that Mr. K. Ramesh was expected to come there at 8pm.

They all pre-planned to carry out the assault. Mr. K. Ramesh has filed a complaint at the Ankola Police station, Uttara Kannada district. The police had registered a case but it was informed that later all the accused availed bail. But they still continue to threaten Mr. K. Ramesh and say that they would murder him. Further on March 24, 2016, Mr. K. Ramesh had gone for *panchanama* with the Sub Inspector Mr. Kumar Hadkar in whose presence the above mentioned persons threatened him and said that he would be killed by running a vehicle over him and term it as an accident.

Several writers, journalists and activists of Uttara Kannada, Ankola Taluk, held protest on March 31, 2016, condemning the attack and threats to the life of Journalist K. Ramesh and also sought action on the perpetrators. Mr. K. Ramesh has been writing on issues of social importance in the district of Uttara Kannada and some of the issues were related to the illegal mining.

Appeal:

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

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned events of assault and threats to the life of journalist and human rights defender, Mr. K. Ramesh;
- Take immediate legal action against the alleged perpetrators as mentioned above for assaulting and threatening the defender and using all provisions of law to ensure that the defender is not attacked in future and give this assurance to the NHRC of India in writing immediately and urgently;
- Guarantee in all circumstances the physical and psychological integrity of journalist and human rights defender Mr. K. Ramesh as he continues to be under the 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 defender for the physical and psychological sufferings he underwent because of the assault

and threats and provide a re-assurance of not engaging in such acts against HRDs such as Mr. K.Ramesh;

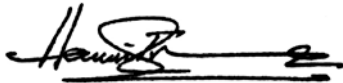
- Put an end to all acts of harassment and attacks against all human rights defenders in the State of Karnataka to ensure that in all circumstances they carry out their activities as journalists, writers and defenders of human rights without any hindrances;
- Takes steps to conform to the provisions 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 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 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 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