



## **Human Rights Defenders Alert - India**

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**June 11, 2016**

To,

**Shri Srinivasa Kammath**

National Focal Point - Human Rights Defenders

& Deputy Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

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***Sub: HRD Alert - India - Appeal for Action: Karnataka – Harassment and Intimidation of Mr. Sannakumar, Treasurer of the Taluk level Dalit Sangharsh Samithi (DSS) under a false case filed by the Mysuru (Mysore) police with the support of the upper caste groups in Mysuru district of Karnataka -- 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 grave concern regarding Mr. Sannakumar, Treasurer of the Taluk level Dalit Sangharsh Samithi (DSS) of Mysuru district in Karnataka. A false case of sexual harassment has been filed against him in H.D. Kote Police station, Mysuru after caste violence broke out between upper caste and lower caste groups during a village festival.

**Source of Information on the Incident:**

- A communication from the HRD
- Reports from Media
- The Regional Coordinator of HRDA for South of India

**Status of the Human Rights Defender:**

Mr. Sannakumar is a residence of Kattemanuganahalli village, H.D. Kote taluk, Mysuru District of Karnataka. He is the Treasurer of the Taluk level social organisation Dalit Sangharsh Samithi (DSS). Mr. Sannakumar is a human rights activist who has been fighting to defend the rights of dalit community living in the region.

**The Perpetrators:**

- Mr Chinnaswamy, a member of Gowda community
- Village members of Kattemanuganahalli village, H.D. Kote taluk, Mysuru
- Police personnel of H. D. Kote Police Station, Mysuru

**Date of Incident:**

March 21, 2016

**Incident details:**

According to sources on March 13, 2016 two caste groups in the Kattemanuganahalli village, H.D. Kote taluk, Mysuru held a meeting together to celebrate the Village Jatra (Fair) of God Kamma. It was decided in the meeting that celebration will be held on due date and both groups will be allowed to decorate statues of Ambedkar and Basavanna in the respective village. Village fair celebrations to commemorate Kamma god took place on March 21, 2016. On the same day at the time of the fair, the other caste group led by Mr. Chinnaswamy (from Gowda community), a resident of the same village forcibly prevented

the scheduled caste community members trying for the decoration of the statue of Dr. Ambedkar. After the festivities were over, a fierce quarrel broke out between two caste groups. Meanwhile police were called from the nearby police station and police men advised both the communities to settle the matter at the village level. But the dispute could not be resolved and the whole matter once again brought to the police station. At the H.D. Kote Police station, the police refused to register the complaint being forwarded by the members of schedule caste community. Instead of doing that the members of scheduled caste community were threatened by the police and the other dominant caste people. To intimidate and harass the whole community, a false case has been filed against the HRD Mr. Sannakumar under the charges of sexual harassment and torturing a girl from the dominant caste community.

**Appeal:**

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

- Order an immediate, independent, thorough, transparent, effective and impartial judicial enquiry against the police for refusing to register a complaint from members of scheduled caste community and filing a false case with mala fide intentions against Mr. Sannakumar;
- Take immediate action on the perpetrators, in this case the Inspector of Police and other police personnel of H.D.Kote Police Station for issuing threats, intimidation, and refusal to receive and register complaint of atrocity against the members of scheduled caste community;
- Takes steps to ensure that all the false cases filed against the human rights defender Mr. Sannakumar are immediately withdrawn;
- Guarantee in all circumstances the physical and psychological integrity of Mr.Sannakumar who is still under risk of further reprisals from the perpetrators and using all provisions of law to ensure that the defender is not harassed or intimidated in anyway in future and give this assurance to the NHRC of India in writing;

- Ensure provision of reparation, compensation, apology to the family of the defender for the psychological sufferings they are undergoing because of the threat, harassment and false case filed against Mr. Sannakumar;
- Put an end to all acts of attack and harassment against all human rights defenders like Mr Sannakumar 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 also takes 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 in collaboration with the SHRC, Karnataka 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 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)**

National Working Secretary