



Human Rights Defenders Alert – India

National Coordination Office

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11th June, 2016

To

Shri Srinivasa Kammath

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 – Professor Narendra Nayak, President of Federation of Indian Rationalists Association received life threat online by the follower of Kashi Math in Mangaluru in the State 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 death threat given to Professor Narendra Nayak, President of Federation of Indian Rationalist Associations. Rationalist Professor Nayak was targeted online by the follower of Kashi Math in the district of Mangaluru in the Southern Indian state of Karnataka. Kashi Math is a spiritual organisation followed by some of the Goud Saraswat Brahmins of Karnataka. Professor Narendra Nayak has been targeted for campaigning to demand the arrest of murder suspects of RTI activist Vinayaka Panduranga Baliga who was hacked to death in Mangaluru city of Karnataka on March 21, 2016

Source of Information on the Incident:

- Reports from Media

Status of the Human Rights Defender:

Narendra Nayak is a well-known rationalist and most active anti-superstition activist from Mangaluru, Karnataka. He is a postgraduate in medical biochemistry and worked as an

Assistant Professor of Biochemistry at the Centre for Basic Sciences, Kasturba Medical College, Mangaluru until 25th November 2006. He quit his job to do full time work in the field of rationalist movement. He is the founder of Dakshina Kannada Rationalist Association and has been its Secretary since 1976. He is also the National President of the Federation of Indian Rationalist Association (FIRA), an apex body of more than 65 atheists, rationalists and humanist groups in India committed to the development of scientific temper and humanism in the country.

He also founded an NGO called 'Aid without Religion' in July 2011. He has extensively travelled all over the country conducting workshops to promote scientific temper and showing people how to debunk godmen and frauds. He has conducted over 2000 such demonstrations in India, including some in Australia, Greece and England. He is also a polyglot who speaks 9 languages fluently, which helps him when he is giving talks in various parts of the country. He has been a regular columnist in the newspaper 'Mangalore Today' since its inception and also serves on the editorial board of the 'Folks Magazine'. He has been physically targeted for his social activism in the past.

The Perpetrators:

- Mr. Shashank Shenoy, said to be a follower of Kashi Mutt
- The Goud Saraswat community members

Date of Incident:

May 9, 2016

Incident detail:

According to sources, on May 9, 2016 Rationalist Professor Narendra Nayak was threatened on a chat online. He has been campaigning for the arrest of murder suspects of RTI activist Vinayaka Panduranga Baliga, who was killed on March 21, 2016. It is alleged that a Kashi Math follower, Mr. Shashank Shenoy threatened Professor Narendra Nayak through Facebook messenger. The message in Kannada stated "Why do you intend to put your dirty hand in the mouth of a tiger? You cannot even imagine what will happen tomorrow. You can comprehend this way you like."

The Goud Saraswat community members also issued threat to Professor Nayak saying that he would be thrown out of the Goud Saraswat community. The person, who is said to be a follower of Kashi Mutt, asked Mr. Nayak not to speak against Kashi Mutt seer Samyamindra Tirtha and the Venkataramana Temple.

Professor Narendra Nayak filed a complaint with the Urwa Circle police station. In his complaint he stated that he was threatened by Shashank Shenoy during a chat session on Facebook who is said to be a follower of Kashi Mutt, and had asked Mr. Nayak not to speak against Kashi Mutt seer Samyamindra Tirtha and the Venkataramana Temple.

The Namu Brigade founder Naresh Shenoy is a prime suspect in the murder of RTI activist Mr. Vinayaka Baliga. But so far no arrests have been made in the case. Recently on May 2, 2016, a protest rally was organized from Kalakunjarea where Mr. Baliga was murdered, to the office of the Police Commissioner by Deshapremi Sanghatanegala Okkoota demanding the arrest of all the murder suspects. Professor Narendra Nayak had addressed the protesters in that rally.

Appeal:

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

- Order an immediate, independent, thorough, transparent, effective and impartial investigation into the above-mentioned incident involving life threats issued to human rights defender and rationalist Professor Narendra Nayak;
- Takes immediate legal action on the perpetrator for issuing threats by arresting them and using all provisions of law to ensure that Professor Narendra Nayak's safety is ensured;
- Guarantees in all circumstances the physical and psychological integrity of Professor Narendra Nayak as he 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;
- Ensures provision of reparation, compensation, apology to the defender for the psychological sufferings he has undergone because of the threats and provide a re-assurance of not engaging in such acts against HRDs such as Professor Narendra Nayak;
- Put an end to all acts of attack and harassment against all human rights defenders like Professor Narendra Nayak 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 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.

(Henri Tiphagne)

Honorary National Working Secretary