



Human Rights Defenders Alert- India

National Coordination Office

6, Vallabai Road, Chokkikulam, Madurai 625 002

Tamil Nadu, INDIA

Tel: +91-9994368540 Email: hrda.india@gmail.com

August 16, 2016

To,

Justice (Retd.) H.L. Dattu

Chairperson

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex,

INA, New Delhi – 110 023

Email: chairnhrc@nic.in

Sub: *HRD Alert - India – Memorandum for Action – Karnataka: Seeking Hon'ble National Human Rights Commission's intervention in the case of Amnesty International India against whom Karnataka police have filed an FIR under sedition law to 'harass, criminalise and persecute' the reputed human rights organisation after it organised an event at United Theological College, Bangalore on August 13, 2016, titled 'Broken Families', as part of its campaign to seek justice for human rights violations in Kashmir –Regarding*

Human Rights Defenders Alert - India (HRDA) 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.

HRDA expresses its deep concern regarding Amnesty International India, a globally reputed human rights organisation, against whom Karnataka police have filed an FIR under sedition law to 'harass and persecute' the human rights organisation. This is the latest attempt in a series of actions where the State agencies have clamped down on civil society organisations and human rights groups critical of official policies. Amnesty International is a reputed global movement of people who are committed to defend the rights of those who are denied justice or freedom.

The Amnesty International India organised an event at United Theological College, Bengaluru on August 13, 2016, titled 'Broken Families', as part of its campaign to seek justice for human rights violations in Kashmir. The event involved discussions with families from Kashmir, who were featured in a 2015 report, who had travelled to Bengaluru to narrate their version of the human rights violations and atrocities allegedly committed by security forces. Representatives from the Kashmiri Pandit community were also invited at the event to speak about the human rights violations faced by members of the community.

According to sources, the complaint with the JC Nagar police was filed on August 15, 2016, by the right-wing, RSS-backed students' group, *Akhil Bharatiya Vidyarthi Parishad* (ABVP). A FIR was registered under IPC sections — 142 (being member of an unlawful assembly), 143 (whoever is a member of an unlawful assembly), 147 (rioting), 124A (sedition), 153A (promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony). The complaint alleged that event had raised anti-national slogans and made anti-India and anti-national speeches. It also alleged that the organisers, organised an anti-India, anti-national program. The Bengaluru Police was informed about the event well in

advance. It is alleged that towards the end of the event, some of those who attended, raised slogans some of which referred to calls for 'azadi' (freedom). The slogans were allegedly raised by a few students after their debate with Kashmiri Pandit leader and former journalist RK Mattoo.

Meanwhile, Amnesty International India, in a statement stated that as a matter of policy it does not take any position in favour of or against demands for self-determination. It considers that the right to freedom of expression under international human rights law protects the right to peacefully advocate political solutions that do not involve incitement to discrimination, hostility or violence. Further in the statement, Amnesty International India states that "The police were invited and present at the event. The filing of a complaint against us now, and the registration of a case of sedition, shows a lack of belief in fundamental rights and freedoms in India".

HRDA most respectfully appeals that this Hon'ble Commission –

- ✓ Urgently, through a public statement, condemn the act of Karnataka police for registering against Amnesty International India a case of sedition, rioting, unlawful assembly and promoting hatred. Given that in the recent past, sedition has been used against several HRDs (individuals and organisations), NHRC need to publicly condemn this and ensure that legitimate peaceful work of HRDs are not further challenged by State agencies.
- ✓ Urgently intervene in the matter referred above under section 12(d) of the Protection of Human Rights Act (1993), which empowers the NHRC to review the safeguards provided by or under the Constitution or any law for the time being in force for

the protection of human rights and recommend measures for their effective implementation;

- ✓ Intervene in the matter referred above under section 12(b) of the Protection of Human Rights Act (1993), which empowers the NHRC to intervene in any proceedings involving any allegation of violation of human rights pending before a court, with the approval of such court.

Looking forward to your immediate action in this regard.

Yours sincerely,

Sd/-

(Henri Tiphagne)

National Working Secretary

Human Rights Defenders Alert – India