



Human Rights Defenders Alert- India

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7th April 2017

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

Email: hrd-nhrc@nic.in

Dear Sir,

Sub: HRD Alert - India – Urgent Appeal for Action: Mangaluru - Karnataka: Attempt on the life of rationalist Prof Narendra Nayak - 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 attempt on the life of rationalist and human rights defender Prof. Narendra Nayak in Mangaluru district of Karnataka

Source of Information on the Incident:

- The Regional Coordinator of HRDA for South of India.
- Colleagues in the sector
- Reports from Media

Status of the Human Rights Defender:

Prof. Narendra Nayak is a well-known rationalist, skeptic, and godman debunker from Mangalore, Karnataka, India. He is a postgraduate in Medical biochemistry and worked as an Assistant Professor of Biochemistry at the Centre for Basic Sciences, Kasturba Medical

College, Mangalore until 25 November 2006 when he quit the job took voluntary retirement full time his work in the field of the rationalist movement.

He is the founder of Dakshina Kannada Rationalist Association and has been its Secretary since 1976 and is also the National President of the Federation of Indian Rationalist Associations (FIRA), an apex body of more than 65 atheist, rationalist 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 tours 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 travels across the country and abroad exposing 'miracles' and bringing awareness of the need to develop a scientific temper, has won the Lawrence Pinto Human Rights Award. He has been featured on National Geographic's television show 'Is It Real?'. He has also appeared on the Discovery Channel. He has been a regular columnist at the newspaper Mangalore Today since its inception and also serves on the editorial board of the Folks Magazine.

He has admitted to have been attacked for his activism a few times. He has also stated that his scooter's brake wires were once found severed, after an astrologer predicted his death or injury.

The Perpetrators:

The unknown accused in the murder of another human rights defender Mr. Vinayak Baliga.

Date of Incident:

15 March 2017

Incident detail:

According to sources, on Wednesday 15 March 2017 at 6.25 am, eminent rationalist Prof. Narendra Nayak was heading towards Ladyhill from Lalbagh towards the Mangala Swimming Pool for a swim, when two strangers who were on a bike halted in front of his car and told Prof. Nayak that his car tyres were punctured. Prof. Nayak, who had checked the tyres before starting, sensed something was amiss and drove away without alighting, thus defeating the ploy of the miscreants.

Prof. Nayak, who is facing a threat to life since he took up the Baliga murder case and has been provided a gunman for his protection. Incidentally, Prof. Nayak had prior information of a possible attack on him. However, the miscreants were aware that the gunman was not with Prof. Nayak during that time. He has lodged a complaint with Barke police and the case has been entrusted to the CCB police.

Following the incident, Prof. Nayak has been provided 24-hour protection by police gunmen. It is to be noted that last year, on 9 May 2016, Prof. Nayak had got a similar life threat on a chat online after the killing of RTI activist Panduranga Baliga alleged from a Kashi Math follower, Mr. Shashank Shenoy. HRDA has issued an Urgent Appeal in this case.

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 of attempt on the life and targeting activist and rationalist Prof. Narendra Nayak;
- Takes immediate legal action on the perpetrator for the attempt by arresting them and using all provisions of law to ensure that Prof. Narendra Nayak's safety is ensured;
- Guarantees in all circumstances the physical and psychological integrity of Prof. 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 she has undergone because of the threats and provide a re-assurance of not engaging in such acts against HRDs such as Prof. Narendra Nayak;
- Put an end to all acts of attack and harassment against all human rights defenders like Prof. Narendra Nayak in the State of Karnataka and 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 SHRC in Karnataka to convene a meeting of all state human rights institutions in the state [women, minorities, right to information, disability, children 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,

Sd/-

(Henri Tiphagne)
National Working Secretary