



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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**HRDA/NHRC-SM/SOUTH/TN/10/01/2024**

January 20, 2024

To  
Justice (retd.) Mr. AK Mishra  
Chairperson,  
National Human Rights Commission,  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA,  
New Delhi –110 023  
Email: [chairnhrc@nic.in](mailto:chairnhrc@nic.in)

Respected Justice Mishra,

***Subject: Requesting to initiate suo moto proceedings in the case of detention of 175 students and registration of FIR by the Salem police on January 11, 2024.***

We are writing to you to bring to your kind attention that on January 11, 2024, students of Salem Periyar University were detained by Salem police while they were protesting against Governor R N Ravi visiting Salem Periyar University and meeting the vice-chancellor of the university who is facing corruption charges, arrested and released on bail last year.

The students and various political parties organised a black flag protest against the governor, and Salem police detained 175 students. A case has been registered by Karuppur Police station against 178 persons, including cadres of the National Students Union of India, members of the Tamil Nadu Student Federation, CPM and DMK. The case has been registered for showing black flags against the Tamil Nadu Governor and for staging the protest. They were booked under the charges of illegal gathering, causing law and order issues.

The incident has been reported widely in the media, and a link is shared here for your reference - [Governor RN Ravi visits Periyar University in Salem amidst protests | Chennai News - Times of India \(indiatimes.com\)](#)

Media reference to this incident is shared for your reference - [Black flag protest against Tamil Nadu Governor RN Ravi: Salem police registers case against 178 people | Tamil Nadu News - News9live](#)

The Right to protest is recognized under several international instruments, including:

- I. The International Covenant on Economic, Social and Cultural Rights (Article 8),
- II. Article 5 (a) of the Declaration on Human Rights Defenders 1998 states that “For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, to meet or assemble peacefully”.

The Right to protest is an essential element of the right to participate in any democratic dispensation, and restrictions imposed on this right must be closely scrutinized with respect to their necessity and reasonableness (A/61/312, para. 56)

Human rights defenders play a pivotal role in ensuring that protest and criticism are expressed in a peaceful and constructive manner. States should legitimize and empower human rights defenders in this role and encourage defenders to take full ownership of this role (A/62/225, para. 102).

The right to exercise freedom of speech and expression is enshrined under Article 19 (a) of the Indian Constitution. The right to freedom of opinion and expression encompasses three different aspects:

- I. The right to hold opinions without interference;
- II. The right to access to information, and
- III. The right to impart information and ideas of all kinds.

We believe that detention and later registration of FIR against the student activist is a act of reprisal against participating in the protest.

We urgently appeal to you to exercise Section 12 (a) of the Protection of Human Rights (Amendment) Act, 2019, and take *suo moto* cognizance of this incident and initiate an independent inquiry through NHRC’s investigation wing.

We hope and expect that the NHRC will intervene in this case impartially and in a time bound manner.

Yours Sincerely,



(Henri Tiphagne)

National Working Secretary