



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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February 14, 2022

To,
Mr. Srinivas Kamath,
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 - Urgent Appeal for Action- Kerala: Ban on broadcast of Malayalam news channel MediaOne and denial of security clearance by the Government of India.

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 Ministry of Information & Broadcasting of the Government of India cancelling the broadcast license granted to the Malayalam news channel MediaOne without any detailed reasons. MediaOne TV is an Indian Malayalam-language news television channel operated by the Madhyamam Broadcasting Limited. The channel and its representatives have won several awards for its reports.

Source of Information:

Media reports

Date of Incident:

January 31, 2022

The Perpetrators:

Ministry of Information & Broadcasting, Government of India

Details of the Incident:

In May 2021, MediaOne company had applied for permission to uplink and downlink television programmes to be renewed for 10 years. On December 29, 2021, it was denied security clearance. On January 5, 2022, MediaOne was reportedly sent a show-cause notice by the government asking why the government should not revoke MediaOne's license, considering "national security and public order."

MediaOne responded by saying that it wasn't aware of the reasons of denial of security clearance and wanted the opportunity to be heard. However, on January 31, 2022, The Ministry of Information and Broadcasting barred its telecast citing "security

reasons". The order did not explain which of the channel's activities were considered a threat to national security.

We believe that this case is one more in the increasing pattern of suppressing and criminalizing the right to dissent and free speech in India of journalists and media who are critical of government policies. It's an alarming trend choking the freedom of press and right to speech. If any TV channel in India broadcasts a program which is critical of the government, the government may forbid the channel by merely citing security reports and not giving any reasons for banning the media.

Our Constitution gives journalists the right to exercise freedom of speech and expression under Article 19(a) of the Indian Constitution which is crucial to the work of HRDs, including journalists. The right to freedom of expression encompasses three different aspects: 1) the right to hold opinions without interference; 2) the right of access to information; and 3) the right to impart information and ideas of all kind. Banning a channel without giving the reasons or a chance to explain its side, is arbitrary and a violation of freedom of speech laws nationally and internationally.

The Declaration on Human Rights Defenders seeks to protect the monitoring and advocacy functions of defenders by recognizing their right to obtain and disseminate information relevant to the enjoyment of human rights. If journalists are muffled up their reporting on facts when they criticise politicians and public officials, seldom journalists will dare to take a stand and the fourth pillar of the democracy will be crushed further.

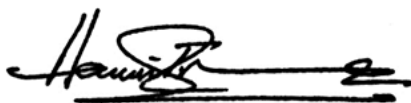
Globally, journalists who are human rights defenders as well face major risks as a result of their work both from the state and out of state actors. The protection of journalists and human rights defenders, and ending impunity for attacks against them, is a global priority for safeguarding freedom of expression. States are under an obligation to prevent, protect against, and prosecute attacks against journalists and human rights defenders. A free press and active civil society are essential to ensure the public's right to know, so that governments and institutions are held accountable.

Appeal:

We urge the Hon'ble Commission to immediately intervene in this matter and:

- Issue a notice to the Ministry of Communications and Information Technology for the copy of the notice banning MediaOne.
- Independently analyze the contents of the videos within the framework provided by the Supreme Court on free speech and expression on numerous occasions and according to the provisions of international law.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line drawn underneath it.

Henri Tiphagne
National Working Secretary