



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/NHRC-SM/South/KL/02/01/2024

January 06, 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 use of lethal force by the Kerala police on the Students of KSU resulting in 15 arrests and serious injuries.***

We are writing to you to bring to your kind attention that on December 21, 2023 the Kerala police used brutal force on the students of Kerala Students Union (KSU) in front of office of Director General of Police, Kerala. The protest was organised condemning the alleged attacks on KSU and Democratic Youth Federation of India (DYFI) members.

The police used water cannons to disperse the protestors and then used brutal force on protesting KSU students which resulted in injuries 15 students out of which 3 students requiring hospitalisation were also arrested by police. MLA Mr. Mathew Kuzhalnadan, who had been present since the beginning of the protest attempted to stop the police action and was also beaten up by the police.

The incident has been reported widely in the media and a link is shared here for your reference - [Kerala: Protest march by KSU turns violent \(msn.com\)](https://www.msn.com/india/kerala-protest-march-by-ksu-turns-violent)

We believe that brutal lathi charge by the police and arrest of the student activists is against the Constitution. The Right to protest is also recognized under international

instruments, including the International Covenant on Economic, Social and Cultural Rights (Article 8).

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:

- 1) The right to hold opinions without interference;
- 2) The right to access to information, and
- 3) The right to impart information and ideas of all kinds.

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)

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