

PRESS RELEASE

Five human rights defenders, including three women, arrested on false charges in Tamil Nadu after enquiring about a torture case

New Delhi, 17 August 2010 – A group of five human rights defenders, including three women, were arrested on false charges in the middle of the night on 15th August in Veeravanallur Police Station, Tirunelveli district, Tamil Nadu. The group had gone to the police station as part of a fact-finding mission enquiring about the torture case of Dalit youth Suresh, involving the serving Sub-Inspector of the same police station.

This illegal arrest was carried out in violation of many of the procedural safeguards provided by the Constitution, the code of criminal procedure and the Supreme Court's DK Basu guidelines. One of the most glaring procedural irregularities is the violation of section 46 (4) of the criminal procedure code, which prohibits the arrest of any woman after sunset and before sunrise except in "exceptional circumstances".

The group of five aged 22 to 40 (Ms. Bharathi Pillai, Ms. Niharga Priya, Ms. Sudha, Mr. Gnana Diraviam and Mr. Anandan,) were taking part in a training programme on Dalit human rights monitoring. The programme was organized by the Institute of Human Rights Education of People's Watch – an internationally recognized NGO actively working on the protection and promotion of human rights in India since 1995 – for the Dalit Foundation, an organization working towards the eradication of caste-based discrimination and atrocities.

The human rights defenders, who had gone to the Veeravanallur Police Station on Sunday to ask police officials about their version of the torture case, never went back home as they suddenly found themselves booked under the false charges of: (1) personating a public servant; (2) assault or criminal force to deter public servant from discharge of his duty ; (3) cheating by personation ; and (4) criminal intimidation. Mr. Henri Tiphagne, Executive Director of People's Watch and member of WGHR, has also been identified as an "absconding accused" by the police in the same criminal case.

The Working Group on Human Rights in India and the UN (WGHR) condemns in the strongest possible terms the illegal arrest under trumped-up charges of these five human rights defenders. WGHR demands their immediate release, the withdrawal of all charges against those arrested and Mr. Henri Tiphagne, and the initiation of strict action against the police officers involved in the illegal arrest.

Alarming, this is one case among many in the country and WGHR notes with serious concern the targeting of human rights defenders by the state. For Miloon Kothari, Convenor of WGHR:

"The illegal arrest of three women and two men in the middle of the night on Independence Day exposes the length to which Tamil Nadu police can go to cover up their own misdeeds. Alarming such an incident is yet another instance of the hostile climate faced by human rights defenders across the country. The State must be held accountable for such abuses of power and for the deliberate assault on everyone's right to defend human rights."

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The Working Group on Human Rights in India and the UN – a national coalition of fourteen human rights organisations and independent experts – works towards the realisation of all civil, cultural, economic, political and social human rights in India and towards holding the Indian government accountable to its national and international human rights obligations. For information on WGHR, please visit: www.wghr.org