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India: Authorities in Tamil Nadu must release five activists campaigning against torture and drop false charges against them

Authorities in the southern Indian state of Tamil Nadu must release five arrested human rights defenders, drop the false charges against them and hold the state police accountable for harassment and intimidation, Amnesty International said today.

The five human rights defenders - Bharathi Pillai, Niharga Priya, Sudha, Gnana Diraviam and Anandan – who were part of a human rights training programme conducted by People's Watch, Madurai, were arrested on the night of 15 August on false charges. They had gone to Veeravanallur police station for a fact-finding exercise as part of the field training programme to inquire about the lack of investigation in the torture of a Dalit youth, Suresh, allegedly by a police officer there. Earlier, they were detained at the police station for six hours.

The five activists have been charged with section 170 of the Indian Penal Code (impersonating a public servant), section 353 (assault or criminal force to deter public servant from discharge of his or her duty), section 416 (cheating by impersonation) and section 506 (criminal intimidation) and lodged in prison. The police also declared Henri Tiphagne, Director of People's Watch, Madurai, as an "absconding offender" in the case. This was on the basis of a complaint from one of the police officials that the five activists, claiming to be public officials, had apparently tried to threaten them.

Fact-finding exercises are commonly held globally and in India, as a way of probing allegations of human rights violations and seeking accountability. There was no attempt by the fact-finding team to impersonate public officials and the team had informed the Veeravanallur police in advance about the purpose of its visit.

Amnesty International is concerned that the arrests and the filing of charges appear to be politically motivated, as a result of their work as defenders of human rights raising issues of torture and impunity. The police charges of impersonation against Henri Tiphagne and the five arrested human rights defenders appear to be an attempt to silence the victims of police torture by criminalizing a legitimate form of protest by human rights defenders.

Amnesty International calls on the Tamil Nadu government to:

- drop the false charges against the six human rights defenders and immediately release the five persons.
- hold the State police accountable for such harassment and intimidation and ensure an independent investigation into the allegations of torture by the police of the Dalit youth.

The Tamil Nadu authorities should also create an enabling environment and ensure respect for the rights of individuals in Tamil Nadu engaged in the peaceful promotion of respect for human rights, including the right to seek, obtain, receive and hold information about respect for human rights.

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