

URGENT ACTION

ACTIVISTS HELD UNDER ADMINISTRATIVE DETENTION

G Thirumurugan Gandhi, D Arun Kumar, M Tyson, and Ilamaran were arrested on 21 May 2017 for attempting to stage a peaceful memorial for Tamils killed in the final stages of the civil war in Sri Lanka. Currently detained under a Tamil Nadu administrative detention law, they are at risk of being held without charge or trial for 12 months.

G Thirumurugan Gandhi, D Arun Kumar, M Tyson, and Ilamaran were arrested in Chennai, capital of Tamil Nadu State in South India, on 21 May 2017 after they attempted to stage a memorial on a beach in memory of Tamils killed in the final stages of the civil war in Sri Lanka. They were subsequently remanded in judicial custody on suspicion of offences including 'rioting' and 'criminal intimidation'.

On 29 May 2017, the Chennai police said that the men were being detained under an administrative detention law called the Tamil Nadu Prevention Of Dangerous Activities Of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates Act - popularly referred to as the Tamil Nadu Goondas Act. The Act is a 'preventive detention' law that allows authorities to detain an individual by executive order, denying them fair trial safeguards, to 'prevent him from acting in any manner prejudicial to the maintenance of public order'. According to G Thirumurugan's advocate, the police have not yet made available the executive order under which the men were detained.

At the same press conference on 29 May 2017, the police said that the activists did not have permission to hold a protest on the beach, and they had been detained for indulging in 'criminal activities' and 'disturbing public peace'. The police also told journalists that the four arrested men had several criminal cases registered against them.

G Thirumurugan's advocate claims that the men are being targeted for holding demonstrations against state policies. According to government data, the Tamil Nadu police detained more than 1250 people in 2015 under preventive detention laws.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Release G Thirumurugan Gandhi, D Arun Kumar, M Tyson, and Ilamaran from administrative detention or charge them with recognizable criminal offenses, and guarantee them a fair trial which meets international standards;
- Drop all charges against the men relating to peaceful demonstrations they had organized or participated in;
- End the use of administrative detention under the Tamil Nadu Goondas Act or any other legislation, and repeal all laws that facilitate the use of administrative detention;

Contact these two officials by 14 July, 2017:

Chief Minister of Tamil Nadu
Edappadi K Palaniswami
Chief Minister's Office Secretariat, Chennai 600009, Tamil Nadu, India
Email: cmsec@tn.gov.in or
cmcell@tn.gov.in
Fax: +91 44 25670930
Salutation: Dear Chief Minister

Ambassador H.E. Navtej Sarna, Embassy of India
2107 Massachusetts Ave. NW, Washington DC 20008
Phone: 202 939 7000
Fax: 202 265 4351
Contact Form: <https://www.indianembassy.org/pages.php?id=15>
Twitter: @IndianEmbassyUS
Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

[Click here](#) to let us know if you took action on this case! *This is Urgent Action 128.17*

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ADDITIONAL INFORMATION

In relation to the other charges pending against G Thirumurugan Gandhi, D Arun Kumar, M Tyson, and Ilamaran, the men were brought before a different magistrate on 31 May 2017 for a peaceful protest regarding an inter-state water sharing dispute they had conducted in September 2016. In addition, on 1 June 2017, they were brought before a third magistrate in relation to a protest in November 2016 on the central government's decision to ban certain high-denomination currency notes. The activists have all been remanded in judicial custody until 14 June 2017.

The continuing use of administrative detention laws in India to lock up persons without charge or trial violates the rights of both suspects and victims of human rights abuses. In 2015, Tamil Nadu state made the most arrests under these administrative detention laws. National Crime Records Bureau data show that as many as 1,268 suspects, including 21 women, were detained under the law in 2015. Human rights activists in the state have accused the government of using the act to silence those who are critical about the state.

Name: G Thirumurugan Gandhi, D Arun Kumar, M Tyson, and Ilamaran
Gender m/f: male

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