

URGENT ACTION

PROTESTERS BEING HELD IN ADMINISTRATIVE DETENTION

Five protesters have been held under administrative detention since 10 June after participating in protests demanding the closure of a copper plant in southern India. Under the repressive National Security Act (NSA), people can be detained for up to 12 months on loosely defined grounds of maintenance of public order. The NSA has been used to target protesters and human rights defenders in India.

Kaliloor Rahuman, along with his adult sons Mohamad Anas and Mohamad Irasath, and two others, Kottaiyan and Velmurugan (also known as Murugan), have been held in administrative detention under the National Security Act (NSA) since 10 June 2018. They are currently being held in Thoothukudi District Jail in Tamil Nadu, a state in southern India.

On 22 May, the 100th day of the protests by local communities in Thoothukudi demanding the closure of the Sterlite copper plant over health and environmental concerns, the police used excessive force on the protesters. The police opened fire on thousands of largely peaceful protesters. 13 people were killed and hundreds were injured.

Kaliloor Rahuman, Mohamad Anas, Mohamad Irasath and Kottaiyan were arrested on 26 May 2018 and Velmurugan was arrested on 27 May 2018. They were arrested on allegations including unlawful assembly, rioting and assaulting or using criminal force to deter a public servant from discharging his duty under the Indian Penal Code, and 'committing mischief in respect of property' under the Tamil Nadu Property (Prevention of Damage and Loss) Act. The five persons were placed in judicial custody and their cases are under investigation. No information about when their cases will be heard has yet been provided by the authorities.

Two weeks later, on 10 June, the District Collector and District Magistrate of Thoothukudi passed an order under the NSA, placing these five persons in administrative detention. The detention orders state these persons must be held in administrative detention because if they are released on bail, they will commit acts that may endanger public order and the security of the state.

The NSA is a repressive law that permits administrative detention without charge or trial for up to 12 months on loosely defined grounds of national security and maintenance of public order. It has been used to target protesters and human rights defenders in India.

1) TAKE ACTION

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

- Immediately release Kaliloor Rahuman, Mohamad Anas, Mohamad Irasath, Kottaiyan and Velmurugan (also known as Murugan) from administrative detention unless they are charged with recognizable criminal offences;
- Pending their release, ensure that the men are not subjected to torture or other ill-treatment;
- End the use of administrative detention under the National Security Act or any other law in force.

Contact these two officials by 14 August, 2018:

Chief Minister of Tamil Nadu
Edappadi K. Palaniswami
Chief Minister, Tamil Nadu
Secretariat,
Fort St. George,
Chennai 600009,
Fax: +91 442 567 0930
Email: cmup@nic.in
Salutation: Dear Chief Minister

Ambassador Navtej Sarna,
Embassy of India
2107 Massachusetts Ave. NW
Washington, DC 20008
Phone: 202 939 7000 | Fax: 202 265 4351
Email: amb.washington@mea.gov.in
Contact Form: <https://www.indianembassy.org/pages.php?id=15>
Twitter: @NavtejSarna
Facebook: <https://www.facebook.com/IndiaInUSA>
Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

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ADDITIONAL INFORMATION

The protest in Thoothukudi on 22 May 2018 was the culmination of 99 days of protests by local communities demanding the closure of a copper plant over health and environmental concerns. The copper plant is owned by Sterlite Industries, a subsidiary of Vedanta Resources, which is headquartered in the United Kingdom. The recent protests were against a move to build a new copper smelter that would double the capacity of the plant. The National Environmental Engineering Research Institute (NEERI) and the Tamil Nadu Pollution Control Board have found evidence that the Sterlite Copper plant has caused contamination of groundwater, air and soil. In April 2018, the Tamil Nadu Pollution Control Board rejected Vedanta's license to operate the smelter saying the company had failed to comply with local environmental laws.

Administrative detention laws allow for people to be detained without charge or trial. Under international law, administrative detention is only permitted in exceptional circumstances and when subjected to stringent safeguards. In India, administrative laws such as the NSA have often been used to detain individuals on vague grounds, ignoring regular criminal justice safeguards. In the India mission report to the UN Human Rights Council in 2012, the UN Special Rapporteur on the situation of Human Rights Defenders called for the repeal of the NSA. The Supreme Court of India has described the system of administrative detention as "lawless."

Amnesty International opposes all systems of administrative detention.

Name: Kaliloor Rahuman, Mohamad Anas and Mohamad Irasath, Kottaiyan and Velmurugan Murugan
Gender m/f: m

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