



## Human Rights Defenders Alert - India

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April 11, 2016

To,

**Shri A. K. Parashar**

National Focal Point - Human Rights Defenders  
& Joint Registrar  
National Human Rights Commission  
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***Sub: HRD Alert - India - Urgent Appeal for Action – Odisha: Mr. Prafulla Samantara, a noted anti-displacement and tribal rights activist, writer and human rights defender, President of Lok Shakti Abhiyan, Odisha was manhandled and intimidated by goons supported by the mining company Vedanta Aluminium Limited (VAL) in Koraput district of Odisha - Regarding***

Dear Sir,

**Greetings from Human Rights Defenders Alert - India!**

HRD Alert - India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are writing to express our grave concern over the attempt to manhandle, kidnap and physically attack prominent social activist, anti-displacement crusader and human rights defender from the eastern State of Odisha Mr. Prafulla Samantara, President of *Lok Shakti Abhiyan* by Vedanta mining company supported goons in Koraput district of Odisha. The defender was targeted by the anti-social elements on his way when he was returning after addressing a public meeting in village Masiput in Koraput district

of Odisha. Mr. Prafulla Samantara had gone to express his support and solidarity with the ongoing struggle launched by the people of five villages who have been opposing mining at Danga Deulo hills in Koraput district by Vedanta Aluminium Limited.

**Source of Information on the Incident:**

- The Regional Coordinator of HRDA for East of India
- Communication with the HRD

**Status of the Human Rights Defender:**

Mr. Prafulla Samantara is a well-known Odisha-based anti-displacement activist, columnist and writer. For almost over a decade he has been raising his voice against the forceful displacements of innocent tribal villagers in Odisha due to mining projects and other extractive industrial activities. Mr. Prafulla Samantra is currently president of an organisation called *Lok Shakti Abhijan (LSA)*. Under the banner of LSA, Mr. Samantara approached the Supreme Court of India against the bauxite mining by Vedanta Alumina Limited (VAL) in Niyamgiri Hills of Kalahandi district of Odisha in 2012. He challenged the arbitrary order of the state government allowing VAL to carry out mining activities in the Niyamgiri hill ranges situated in the districts of Kalahandi and Rayagada in Odisha without the consent of Gramsabhas (village councils) or local adivasis. Mr. Samantara has been at the forefront of the struggle for village communities mainly tribal people in Odisha fighting to save their lives and livelihood from the land mafia, multinational companies and corporate sector.

**The Perpetrators:**

1. Shri Charan Singh Meena, SP Koraput district, Odisha
2. Mr. Somnath Kar and others villagers.

**Date of Incident:**

April 6, 2016.

**Place of Incident:**

On the way while returning from Masiput under Koraput Notified Area Council (NAC), district Koraput, Odisha

**Incident detail:**

According to sources, on April 6, 2016 at about 11AM, Mr. Prafulla Samantara addressed a gathering of local villager at Masiput village, under Koraput NAC on the issue of bauxite excavation activities in Dangadeula hills which has been allotted to the mining company VAL. The organisation LSA under Mr. Samantara has been demanding conservation of bauxite reserves in Koraput and Rayagada districts of Odisha state for future use by public sector companies like NALCO rather than letting it to be misused by private companies. After addressing the gathering he along with his two associates from Patangi area were returning on a two wheeler. They were chased by the VAL supported goons coming in a group. The group first stopped and manhandled them. They even tried to kidnap Mr. Samantara from the place. But one of Mr. Samantara associates luckily escaped as both the group were engaged in discussion and he telephoned the other villagers. A group of villagers rushed to the spot to help them. Seeing a larger group of villagers, the assailants ran away from the spot.

After the incident, Mr. Samantara went to Koraput town and tried to organise a press briefing at the Atithi Bhawan at Koraput town. By the time a group of the VAL supported group came inside the hall and threatened Mr. Samantara for organising a press briefing. Meanwhile VAL supported group started misbehaving with the media representatives present there and as a result of that Mr. Samantara was forced to leave the place and went back to Bhubaneswar.

**Appeal:**

We, therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police, the District Collector and District Magistrate of Koraput District:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of harassment and intimidation of social activist and human rights defender Mr. Prafulla Samantara;
- Take immediate action on the alleged perpetrators as mentioned above by arresting them for harassing and threatening the human rights defender, Mr. Prafulla Samantara and using all provisions of law to ensure that his physical

safety is ensured and give this assurance to the NHRC of India in writing immediately and urgently;

- Along with local district officials guarantee in all circumstances the physical and psychological integrity of Mr. Prafulla Samantara, who is still under risk of further reprisals from the perpetrators;
- Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he has undergone because of his undue harassment and threat and provide a re-assurance of not engaging in such acts against HRDs such as Mr. Prafulla Samantara;
- Put an end to all acts of attack and harassment against all human rights defenders like Mr. Prafulla Samantara in the State of Odisha to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Takes steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
  - Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels;
  - Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Odisha to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;

- Recommend urgently and speedily during the pendency of this complaint, the SHRC in Odisha to convene meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children, etc.] to ensure that a coordinated strategy is developed within the State of Odisha for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Odisha in collaboration with the NHRC Focal Point on HRDs and the SHRC Odisha to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;
- Recommend urgently and speedily during the pendency of this complaint, the State Government of Odisha in collaboration with the SHRC, Odisha to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ... promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (Art.1 of the Declaration on Human Rights Defenders);
- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India is strictly adhered to in the state of Odisha.

Looking forward to your immediate action in this regard,

Yours sincerely,



**(Henri Tiphagne)**

National Working Secretary

**Copies to:**

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