

TIME RECEIVED August 8, 2013 10:26:43 AM GMT+02:00	REMOTE CSID 0041229068696	DURATION 78	PAGES 2	STATUS Received
08/08/2013 10:16 permanent mission of India		(FAX)0041229068696		P.001/002



**PERMANENT MISSION OF INDIA
TO THE UNITED NATIONS OFFICE
9, RUE DU VALAIS
1202 GENEVA
Tel. : 022-9068686
Fax : 022-9068696**

NV. 71/2013

8 August 2013

The Permanent Mission of India to the Office of the United Nations and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to refer to its communication No. UA G/SO 218/2 G/SO 217/1 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (56-23) G/SO 214 (107-9) G/SO 214 (33-27) G/SO 214 (53-24) IND 24/2012 dated 28 September 2012, jointly signed by the Chair-Rapporteur of the Working Group on Arbitrary Detention, the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on the promotion and protection of the right to freedom of peaceful assembly and of association; the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment regarding the **new acts of harassment** of members of the Peoples Movement Against Nuclear Energy (PMANE) in protest of the Koodankulam Nuclear Power Project (KNPP) and other human rights defenders.

The High Court of the State of Tamil Nadu examined the circumstances surrounding the agitations near the Koodankulam Plant under various cases and has commented that, while citizens have the right to protest on any public issue, the manner of protest should be peaceful without disturbing law and order. The Court also observed that the protestors resorted to damage of public properties, threatened people to close down their business establishments and caused damage to vehicles and forced general public to yield to their view.

The police action on the protestors near the Koodankulam Plant was aimed at restoring law and order in the area. The High Court of the State of Tamil Nadu had also

examined the allegations of excessive force used by police and found that the principle of proportionality was respected. These allegations were thus dismissed by the High Court.

In the light of above, the Permanent Mission of India would like to state that the allegations contained in the Joint Urgent Appeal are baseless.

The Permanent Mission of India requests that the response of the Government of India be presented in full to Special Rapporteurs.

The Permanent Mission of India to the Office of the United Nations and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



**Office of the High Commissioner for Human Rights
(Attn: Special Procedures Branch)
Palais des Nations
1211 Geneva (Fax: 022 -917 9008)**