

15 July 2019

## India: Disappeared human rights defender Mugilan found in custody of Railway Police

On 6 July 2019, human rights defender Shanmugam Thangasamy, better known as **RS Mugilan**, was seen by a friend in the custody of the Railway Police Force on Platform 1 of the Thirupathi Railway Station in Andhra Pradesh. RS Mugilan disappeared on 15 February 2019 on his way from Chennai to Madurai. He was last seen at the Chennai Egmore Railway Station after co-organising a press conference related to the killing of 13 protestors at a demonstration that took place in May 2018.

RS Mugilan is a human rights defender from Chennai and the Coordinator of the Tamil Nadu Environment Protection Committee. He has most recently been involved with the Anti-Sterlite Movement, which opposes a copper plant in Thoothukudi set up by the copper-smelting company Sterlite Industries (India) Limited (Sterlite), a subsidiary of the UK-based company, Vedanta Resources. The human rights defender was part of the fact-finding team investigating the violence that broke out during the anti-Sterlite protests in Thoothukudi on 22 May 2018, during which police shot and killed 13 persons.

RS Mugilan was last seen on 15 February 2019 at around 11.18 pm, at the Chennai Egmore Railway Station on Platform 2. The human rights defender had spoken at a press conference in Chennai earlier that day, during which he openly accused the police of conspiring with Sterlite to disrupt the peaceful protest and called for the arrest of police officers involved in the shooting. It is believed that Mugilan's disappearance the same day is linked to his activism and allegations against the police. At the time of his disappearance, Front Line Defenders issued an [appeal](#) calling for an immediate and thorough investigation into his whereabouts and expressing concern for his safety. A habeas corpus case relating to RS Mugilan's enforced disappearance was filed by human rights defender Henri Tiphagne before the Madras High Court, which is currently pending.

On 6 July 2019, at around 7 pm, RS Mugilan was seen by a friend, who recognised him on platform 1 of Thirupathi railway station in the custody of uniformed police officers. The friend immediately informed RS Mugilan's family and Henri Tiphagne. The latter, who received the information of RS Mugilan's sighting at around 7.45 pm, immediately informed the Director General of the Tamil Nadu Police about it and requested that the human rights defender be transferred to the custody of the Tamil Nadu police with immediate effect.

Subsequent media reports indicate that RS Mugilan was seen protesting at the railway platform of the Thirupathi Railways Station as early as 10.40 am on 6 July. There is no information on what transpired during the period between 10.40 am and 7 pm, when RS Mugilan was seen by his friend. Video footage of an extremely tired and ill-looking RS Mugilan is also being circulated, where he is seen to be shouting slogans on environmental rights in Tamil Nadu while being escorted by police in uniform. Accounts from his family and colleagues confirm that RS Mugilan is in ill health. There is no information on the source of this video or who shared it with the media.

On the night of 6 July 2019, RS Mugilan was transferred to the custody of the Crime Branch of the Crime Investigation Department (CB-CID) and produced before a magistrate the following day. RS Mugilan has requested and been granted immediate medical treatment. He remains in the custody of the CB-CID on account of a First Information Report that was filed several weeks after his disappearance that accuses him of committing rape and sexual violence.

Front Line Defenders is extremely relieved that Mugilan has been seen alive at the Thirupathi Railway Station on 6 July 2019, almost five months after his disappearance. However, we remain

seriously concerned for his safety, physical and mental well-being, and about the lack of transparency and due process relating to his custody by the Andhra Pradesh Railway Police Force and his current incarceration at the hands of the CB-CID of Tamil Nadu. We believe that RS Mugilan has been targetted due to his peaceful and legitimate work in defense of human rights.

**Front Line Defenders urges the authorities in India to:**

1. Take all necessary measures to guarantee Mugilan his physical and psychological security and integrity and provide him with the medical facilities, treatment, and time required for him to recover from his ordeal;
2. Ensure due process in the treatment of Mugilan, including providing him regular access to his family, colleagues, and legal representatives;
3. Carry out an immediate, thorough and impartial investigation into the disappearance of RS Mugilan, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
4. Guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 12 (2): *“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.”*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson  
Executive Director

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