



Human Rights Defenders Alert - India

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June 29, 2016

To,

Shri Srinivasa Kammath

National Focal Point - Human Rights Defenders & Deputy Registrar

National Human Rights Commission

Manav Adhikar Bhawan,

Block-C, GPO Complex, INA,

New Delhi – 110 023

Email: hrd-nhrc@nic.in

Sub: HRD Alert - India - Appeal for Action – Manipur: Brutal assault on women activists and women human rights defenders including the members of Kuki Women Union at the camp site of 35 Assam Rifles at Hengbung in Sardar Hills in Manipur/ denying them the rights to assemble freely and protest- 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 brutal assault on women activists and women human rights defenders including the members of Kuki Women Union coming from different parts of Sardar Hills of Manipur with sticks by the security personnel of 35 Assam Rifles at its camp in Hengbung in Sardar Hills in Manipur. Around 600 Kuki women agitators including members of Kuki Women Union from different parts of Sardar Hills were brutally beaten and harassed with abusive language when they were demanding unconditional release of four personal security officers (PSOs) of KNF president at the camp of 35 Assam Rifles at Hengbung in Sardar Hills of Manipur on June 21, 2016

Source of Information on the Incident:

The Coordinator of HRDA for the North East of India
Media Reports

The Perpetrators:

Personnel of 35 Assam Rifles posted in Manipur

Date of Incident:

June 22, 2016

Place of Incident:

35 Assam Rifle camp, Hengbung in Sardar Hills, Manipur

Details of the Incident:

According to sources on June 21, 2016, at 7.30 PM, around 600 Kuki women including members of Kuki Women Union were protesting in front of the 35 Assam Rifle at Hengbung in Sardar Hills in Manipur demanding unconditional release of four personal security officers (PSOs) of KNF president. Women were carrying fire woods and raising slogan, "Release our boys, nothing more nothing less" and sporadically confronting with the security personnel. The protest went on for 7 hours and at around 1.30 AM, the security personnel started beating up agitating women with the sticks being carried by protestors. Security personnel used abusive language while attacking them. Around 100 of them were injured, 47 of them were taken to hospital in the cities of Imphal and Kangpokpi. Several women sustained head injuries including many had their legs and hands fractured with bruise marks all over their bodies.

According to some of the injured women, the Assam Rifles personnel mercilessly thrashed them with woods and some of them used iron rods. Most of them suffered injuries in head, hands and backs leaving black scars and swellings. Four of the

women hospitalized in Imphal are still under treatment and investigations are going on.

Background Information

Two conglomerates of the Kuki tribal resistance groups mainly, the United Peoples' Front (UPF) and Kuki National Organization (KNO), held the first round of tripartite political talks with the State and Central Government in New Delhi on June 15, 2016. According to the apex traditional bodies of Kukis and various other Kuki civil bodies of Sadar Hills, top brass officials of UPF/KNF were attending the tripartite political dialogue with senior Indian government officials when the Assam Rifles personnel led by Major Gulati apprehended the four Personal Security Officers (PSOs) of the KNF president. The incident of arrest irritated the Kuki people. "Tripartite Political Dialogue" began on June 15, 2016 at the Indian capital between UPF/KNO and the Government was a landmark political development for Kuki community as well for Indian government after the signing of tripartite Suspension of Operation in 2008. The arrest was seen as an affront to the pride of Kuki nation which is a key a signatory or party to the tripartite political agreement. Many believe that Kuki political dialogue has significant political value and the current arrest by a graduate grade Major rank officer of the Indian army is clearly in complete disregard to the spirit and value of the agreement. When tripartite Suspension of Operation agreement was signed it was clearly indicated in the ground rules that operation on the part of both parties shall cease. The action of the part of Indian army officer is a violation of established ground rules where Suspension of Operation is in force.

Appeal:

We, therefore urge you to immediately take necessary steps to ensure that this Hon'ble Commission to urgently:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of brutal assault on women human rights defenders and denying the members of Kuki Women Union their rights to free

assembly and protest by the security personal of 35 Assam Rifles;

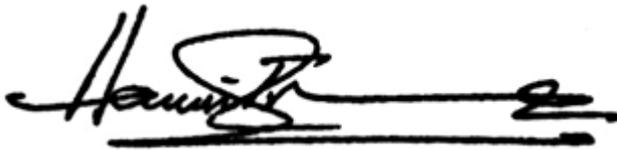
- Take immediate legal action on the perpetrators in this case security personal of 35 Assam Rifles for the brutal assault and denial of the right to assemble and associate freely and protest of the Kuki women HRDs who participated in the peaceful assembly and protest;
- Guarantee in all circumstances at the cost of the state, the physical and psychological integrity of the women defenders from the Kuki Women Union who are still under risk of further attacks from the perpetrators and give this assurance to the NHRC of India in writing immediately and urgently;
- Ensure provision of reparation, compensation, apology to each of the women defenders for the physical and psychological sufferings they underwent because of the harassment and ill - treatment and provide a re-assurance of not engaging in such acts against WHRDs such as the women defenders from Kuki Women Union;
- Put an end to all acts of harassment against all human rights defenders in general in Manipur to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;
- Guarantee under all circumstances the constitutional right provided under Article 19 (1) (b) of the Constitution of India which accords all citizens the right to assemble peaceably and without arms;
- Take steps to ensure the provisions contained in the Code of Conduct for Police in India under Sec 4 which says, 'In securing the observance of law or in maintaining order, the police should as far as practicable, use the methods of persuasion, advice and warning. When the application of force becomes inevitable, only the irreducible minimum of force required in the circumstances should be used.' The provisions should also be ensured in conformity with Art 4 and 5 of the UN Basic Principles on the use of force and firearms;

- Take 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, establish SHRC in Manipur and take necessary steps to establish a focal point for HRDs in Manipur in order to ensure that HRDs have a new protection mechanism for them;
- Recommend urgently and speedily during the pendency of this complaint, the NHRC to convene a meeting of all state human rights institutions in the state [the SHRC, the SCW, the SCPCR, the SCM, the SIC, State Commissioner for PWDs, etc.] to ensure that a coordinated strategy is developed within the State of Manipur for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint, the Government of Manipur in collaboration with the NHRC Focal Point on HRDs 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 Government of Manipur 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, ensure 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 Manipur.

Looking forward to your immediate action in this regard,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Henri Tiphagne', with a horizontal line underneath it.

(Henri Tiphagne)

National Working Secretary

Copies to:

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