



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/NHRC-SM/NE/MPR/07/01/2024

January 09, 2024

To
Justice (retd.) Mr. AK Mishra
Chairperson,
National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex, INA,
New Delhi –110 023
Email: chairnhrc@nic.in

Respected Justice Mishra,

Subject: Requesting to initiate suo moto proceedings in the case of detention of senior journalist Dhanabir Maibam by the Manipur Police on January 4 2024.

We are writing to you to bring to your kind attention that on January 5, 2024, a senior journalist, Mr. Hueiyen Lanpao, the editor of Dhanabir Maibam, a local Manipuri vernacular daily paper, was arrested for his report on “Deteriorating law and order in Moreh following attacks by armed groups on forces”.

The journalist had written and published the article against the backdrop of SDPO's death and injuries to nine commandos in a spate of attacks in the town of Moreh since October 31. The HRD was charged with promoting enmity on the grounds of religion and race (505(1)(b)/505(2), Criminal conspiracy (34) and violating various clauses of the Official Secrets Act, 1923 and was remanded in police custody for three days and is presently in detention. This has triggered outrage among the media.

The incident has been reported widely in the press, and a link is shared here for your reference – [2nd Manipur editor held in a week after Moreh report | India News - Times of India \(indiatimes.com\)](#)

We believe that the registration of FIR and the arbitrary arrest of the journalist is a reprisal against the journalist for his work.

The right to exercise freedom of speech and expression is enshrined under Article 19 (a) of the Indian Constitution. The right to freedom of opinion and expression encompasses three different aspects:

- 1) The right to hold opinions without interference;
- 2) The right to access to information and
- 3) The right to impart information and ideas of all kinds.

Every person has a right to life and liberty enshrined under Article 21 of the Indian Constitution 1950, Article 3 of the Universal Declaration of Human Rights 1948, and Article 6 of the International Covenant on Civil and Political Rights 1966. The Right to life includes the right against harassment and threats. The targeted attack on the HRD by the police amounts to a violation of life and liberty.

The United Nations Declaration on Human Rights Defenders 1999 states the following:

- Article 12 (2) and (3) "*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. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.*"
- Article 9 (1): "*In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights*".

The Declaration on Human Rights Defenders 1999 also seeks to protect the monitoring and advocacy functions of defenders by recognizing their right to obtain

and disseminate information relevant to the enjoyment of human rights. According to Article 11 of the United Nations Declaration on Human Rights Defenders 1999, “Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession”.

We urgently appeal to you to exercise Section 12 (a) of the Protection of Human Rights (Amendment) Act, 2019, and take *suo moto* cognizance of this incident and initiate an independent inquiry through NHRC’s investigation wing.

We hope and expect that the NHRC will intervene in this case impartially and in a time-bound manner.

Yours Sincerely,

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

(Henri Tiphagne)
National Working Secretary