



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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December 13, 2021

To,  
Mr. CS Mawri,  
National Focal Point - Human Rights Defenders & Assistant Registrar,  
National Human Rights Commission,  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA, New Delhi –110023  
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Dear Sir,

***Sub: HRD Alert-India – Urgent Appeal for Action – Manipur: Death threat to four RTI activists by armed group for exposing corruption in public funds by government officials in Imphal.***

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 extreme danger to the lives of four RTI activists (Mr. Kh. Inoch, Mr. P. Johnson Samo, Mr. S.P. Benjamin and Mr. P.R. Amose) who exposed the corruption of public funds by government officials in Manipur and are now facing threats by the NSCN (IM).

**About the Human Rights Defenders:**

RTI activists Mr. Kh. Inoch, Mr. P. Johnson Samo, Mr. S.P. Benjamin and Mr. P.R. Amose hail from different villages of Senapati district in Manipur. They have been monitoring development works and different schemes undertaken by the Government of Manipur in different villages of Manipur.

**Source of the Information:**

Communication from the HRDs  
Communication from the other HRDs in the region  
Media Reports

**The Perpetrators:**

- NSCN(IM) [National Socialist Council of Nagaland (Isaac/Muivah)] – an armed group which is in peace talks with the Government of India.
- Mr. Khapudang, the Chief Executive Officer (CEO), Autonomous District Council (ADC) of Senapati district, Manipur.

- Other members of the Autonomous District Council (ADC) of Senapati district, Manipur, namely Mr. P. Veini, Mr. Kh. Sapunii, Mr. R.K. Thorei, and R.K. Holison.
- Mr. L.M. Khaute, Director General of Police, Manipur.

**Date of Incident:**

December 9, 2021

**Place of Incident:**

Senapati District, Manipur

**Background:**

On September 28, 2019, Mr. P Johnson Samo filed a RTI application seeking information on various funds sanctioned and other development works carried out under various schemes in his village at Senapati district. This was followed by 3 more RTI applications filed by Mr. Kh. Inoch, Mr. S.P. Benjamin and Mr. P.R. Amose in different villages of Senapati district.

However, instead of providing information on the RTIs, Mr. Khapudang, the Chief Executive Officer (CEO), Autonomous District Council (ADC) of Senapati district, challenged before the High Court of Manipur the decision of the Manipur Information Commission directing him to furnish the required information.

Immediately after this, the NSCN (IM) started threatening all the four RTI applicants to withdraw their RTI applications. On March 16, 2020, August 10, 2020 and September 07, 2020, warning letters were sent to all the four RTI activists to withdraw their RTI applications demanding accountability of public funds.

The people living in the Naga habitat areas have been prohibited from using RTI and Lokayukta by the Government of the People's Republic of Nagalim (GPRN), office of the Central Administrative Officer, Shepoumaramth Region, through a directive issued on September 7, 2020.

Since the HRDs received no response on their RTI applications, they filed three complaints with the Lokayukta of Manipur to investigate the said public money.

**Details of the Incident:**

On January 12, 2021, late at night some people claiming to be members of NSCN (IM) came to arrest Mr. Samo. However Mr. Samo was hiding at a friend's house anticipating the threat. Next day early morning, Mr. Samo sent off his family including his wife and three children in his vehicle to hide in Imphal. He himself hid in a friend's home.

On the way to Imphal, a Bolero vehicle with four male passengers closely followed his family's vehicle for several kilometres and intimidated them by looking inside their vehicle to see if Mr. Samo was inside. After they left, Mr. Samo's wife called him informing him about the incident.

On the same afternoon Mr. Samo left for Imphal by hiding in his friend's vehicle. Later that evening, he joined his family. He has not yet dared to return to his home in

Senapati. From September 2019 (the month he first filed RTI petition) till November 2021, Mr. Samo has received over 40 direct and indirect threats. The latest threat was on December 9, 2021, was aimed at his son whose wedding is on December 21, 2021, and he has been told no wedding can take place till the RTI is withdrawn.

Shockingly one of the RTI applicants, Mr. Inoch was reportedly abducted and tortured by the faction of NSCN (IM) and was not allowed to go outside from the village without their permission. He is still under house arrest. The other two RTI activists namely Mr. Benjamin and Mr. Amose also escaped to Imphal from their homes to save their lives and are still in hiding.

Activists allege that these threats are being made since the development works sanctioned by the public funds have not been carried out by the ADC. They also allege that the public funds which were meant for the development of the hill areas have been diverted illegally by the CEO of ADC in collusion with the other ADC Members (namely Mr. P. Veini, Mr. Kh. Sapunii, Mr. R.K. Thorei, and R.K. Holison) and that the threats by NSCN (IM) are being carried in collusion with corrupt officials to stop the investigation of siphoning of public funds.

On February 08, 2021, the Chief Information Commissioner of Manipur wrote a letter to the DGP of Manipur to take action to protect the lives of the four RTI activists but no necessary action was taken by the DGP. On May 15, 2021, another letter was sent to the DGP of Manipur to take action to save the lives of the activists but again no response was received from the DGP of police.

It is also shocking to note the extreme indifference of the Director General of Police of Manipur on the letters written to him by the RTI activists. The CIC of Manipur has also not responded to letters stating extreme danger to the lives. Furthermore, an armed group prohibiting the HRDs from approaching the Lokayukta or RTI amounts to a gross violation of their fundamental rights.

Mr. Dalounii, another RTI user along with 28 other villagers of Phuba village, also filed a joint application under RTI Act to the CEO, ADC Senapati in support of the previous RTI applications. He too was abducted and was forced to surrender with heavy fine for seeking information through RTI.

HRDA is also shocked by the extreme danger and death threats to the RTI activists by armed groups in Manipur for exposing corruption of public funds. We also believe that there is a possibility of collusion of government officials with armed groups to hide instances of corruption.

Article 12 of the Declaration on Human Rights Defenders enshrines that “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks”. Therefore in compliance of Article 12 of the Declaration, the Commission is urged to direct for immediate police protection to human rights defenders.

It is to be noted NSCN(IM) is under ceasefire agreement with India since 1997 and a peace accord has been in place with the Government of India since 2015. In addition,

Ceasefire Monitoring Group and Ceasefire Supervisory Board (CFMG/CFSB) under the Ministry of Home Affairs since 2001 and a Parliamentary Committee has been formed by the Government of Nagaland to facilitate the ongoing peace talk since 2021. This clearly marks the accountability of NSCN (IM).

Further in the context of human rights violations by third parties, the obligation to protect, first, involves ensuring that defenders do not suffer from violations of their rights by non-State actors. Failure to protect could, in particular circumstances, engage the State's responsibility. Even acts and omissions committed by non-State actors under the instructions, control or direction of the State, under certain circumstances, give rise to State responsibility.

Therefore, it is paramount that prompt and full investigations are conducted and perpetrators brought to justice. Failure by States to prosecute and punish such perpetrators is a clear violation of Article 12 of the Declaration on Human Rights Defenders.

**Appeal:**

We, therefore urge you to immediately take necessary steps to:

- Direct the investigative wing of the NHRC to undertake an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of death threats to RTI activists.
- Direct the Director General of Police of Manipur to provide protection to the four RTI activists and ensure their physical safety and their families' who are still under the threat from the perpetrators; and guarantee in all circumstances the physical and psychological integrity of the RTI activists and their families without hampering their freedom to operate as activists and whistle blowers.
- Direct the Government of Manipur to intervene urgently with appropriate authorities to resolve and protect the life of four RTI activists from the threats and intimidation of NSCN (IM).

Looking forward to your immediate action in this regard.

Yours sincerely,



**Henri Tiphagne**

National Working Secretary