



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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HRDA/UA/NE/MPR/03/09/2024

September 26, 2024

To,
Mr. Indrajeet Kumar,
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

Dear Sir,

Sub: Repeated threats & intimidation to HRD Babloo Loitongbam and his family over his alleged ties to the Kuki community & human rights work in Manipur.

Ref : The previous NHRC Case No: 2/14/4/2024

Greetings from Human Rights Defenders Alert!

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 concern regarding the threat on HRD Babloo Loitongbam and the intimidation of his family by Meitei Leepun over his alleged ties to the Kuki community.

About the Human Rights Defender:

Mr. Babloo Loitongbam, is a prominent human rights defender and lawyer from Manipur, India. He serves as the director of Human Rights Alert, an organisation dedicated to monitoring, investigating, and reporting human rights violations, including attacks on human rights defenders. Over the years, Mr. Babloo has been a key advocate for victims of persecution and has provided crucial support to human rights defenders facing reprisals. He is known for his outspoken criticism of state policies that discriminate against local communities in Manipur and across other north-eastern states of India. Since the beginning of the ethnic violence in Manipur, he has

consistently condemned the escalating violence and held the state government responsible for its handling of the crisis. He has also been raising alarms over the influence of radical groups in the state. Mr. Babloo Loitongbam had also [spoken publicly](#) about the emergence of certain groups such as Meiti Leepun in the state, and the increasing far-right ideology being instilled in the Meitei community by these groups, and about how they have been responsible for attacks against minority communities, including the dismantling of churches across the state, since the violence began. He also publicly demanded the resignation of Chief Minister Biren Singh for not taking adequate actions to contain the violence in the state.

Source of Information:

- In Communication with the HRD
- Media Reports

Perpetrators:

- M. Pramot Singh, the leader of Meitei Leepun, (ML), a radical cultural organisation of Manipur
- Yumlembam Prabinchandra, and Tenggol Puba of Kakching of the Meitei Leepun

Date of Incident:

September 22, 2024

Place of Incident:

Manipur Press Club

Background:

In July 2023, Mr. Babloo Loitongbam had represented the Extrajudicial Execution Victim Families Association (EEVFAM) and Human Rights Alert (HRA) at the United Nations Human Rights Committee in Geneva. His presentation brought attention to the ongoing human rights abuses in Manipur, particularly commemorating the 20th anniversary of Anti-Repression Day, which protests against the Armed Forces Special Powers Act (AFSPA). Mr. Babloo criticised the continued use of AFSPA, remarking that even when substantial prosecutable evidence is presented by India's leading investigative agency, the Union Home Ministry consistently denies prosecution approval.

In his address, Babloo had also highlighted the deadly violence in Manipur that had begun in May 2023 and is yet to be brought under control. Babloo urged the UN committee to declare AFSPA incompatible with international human rights standards, both in law and practice, and to recommend actions aligned with India's international legal obligations.

Through his UN briefing, Babloo had brought much-needed international attention to the crisis in Manipur, pushing for accountability and action to address the escalating human rights abuses in the region. He emphasised the ongoing human rights violations in Manipur, stating, "*The basic rights of Manipur's citizens—regardless of their gender, age, religion, or ethnicity—have been stripped away, as the Indian government systematically abdicated its Responsibility to protect the population.*"

Details of the Incident:

On October 5 2023, shortly after Meitei Leepun's call to boycott him, Babloo's home in Kwakeithel Thiyam Leikai, Imphal West, [was attacked by approximately 30 unidentified individuals](#) who arrived in two vehicles. They vandalised his property around 6 PM while Babloo was reportedly out of town at the time of the attack. HRDA has sent an Urgent Appeal to the NHRC regarding the attack on Mr. Loitongbam

NHRC Case No: 2/14/4/2024

On September 22, 2024, at the Manipur Press Club, the Meitei Leepun (ML), a radical cultural organisation of Manipur, reportedly issued a stern warning to Mr. Babloo Loitongbam, accusing him of ongoing collaboration with the Kuki community and acting against the interests of the Meitei people. Yumlembam Prabinchandra, Tenggol Puba of Kakching, alleged that human rights activist Babloo was involved in harbouring the commander of the Women's Wing of the People's Defence Force (PDF) from Myanmar in 2023, prior to the beginning of the ethnic conflict in Manipur. It was alleged that the commander was reportedly given refuge in Imphal, where she was involved in monitoring local developments. ML claimed that Babloo facilitated her accommodation and travel, which they said further escalated tensions. Furthermore, ML urged the public to distance themselves from Babloo, cautioning that they would not be held responsible for any repercussions. They also claimed to have evidence of financial dealings between Babloo and the Kuki community.

In addition, ML criticised HRD Babloo for filing a case against the community in the Supreme Court. They alleged that Mr. Babloo had travelled to a European country and Vatican City, where the Kuki community had organised meetings with church leaders and NGOs to secure foreign funding. ML claimed that these funds were being used to purchase drone bombs and issued a warning to the advocate to stop such activities.

ML is also claiming that an upcoming peace initiative being organised by the Manipur Meitei Association in Bangalore in collaboration with the Kuki community. The conference reportedly accuses the Meitei of committing genocide and blames them for starting the conflict. ML called for the immediate cancellation of the event, alleging that foreign funds from churches and NGOs were being used to organise it.

On the morning of 23 September 2024, after the press conference the previous day, about fifty young men came to his house and threatened his family that if he comes out in any public domain then his family will face consequences.

HRDA is deeply concerned with the threats to HRD Babloo Loitongbam and his family and the danger they are in. We strongly believe that the targeting of Babloo Loitongbam and his family is an act of reprisal against his human rights work. This amounts to violation of multiple Constitutional rights that include freedom of speech and expression (Article 19(1)(a)), freedom of assembly (Article 19(1)(b)), freedom to carry his profession as a human rights activist (Article 19(1)(g) and right to life and liberty (Article 21) without any fear of intimidation and harassment.

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.

The Declaration of 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 United Nations Declaration on Human Rights Defenders 1999 *“Everyone has the right, individually and in association with others, to the lawful exercise their freedom of association and assembly”*.

The United Nations (UN) has expressed significant concern over the threats, violence, and vandalism targeting human rights defenders (HRDs). These individuals, who advocate for the protection of human rights, often face serious risks, including attacks on their property and lives. The UN Declaration on Human Rights Defenders emphasizes that states have a duty to protect HRDs from any threats or harm. This includes safeguarding their property and ensuring that any acts of vandalism or intimidation are properly investigated and those responsible are held accountable. The UN has appointed a **Special Rapporteur on the situation of human rights defenders**, whose mandate includes monitoring and reporting on threats against HRDs.

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.*"

The Supreme Court of India in the case of **S. Rangarajan v. P. Jagjivan Ram (1989)** held that: "*The freedom of expression is a legitimate constitutional right and cannot be compromised by intolerant groups. Freedom of expression is the rule and it is generally taken for granted. Everyone has a fundamental right to form his own opinion on any issue of general concern. He can form and inform by any legitimate means. Democracy is government by the people via open discussion. The democratic form of government itself demands its citizens and active and intelligent participation is a basic features and a rational process of democracy which distinguishes it from all other forms of govt. public discussion on issues relating to administration and positive value. We must practice tolerance to the views of others. Intolerance is as much dangerous to democracy as to the person himself.*"

The Supreme Court in *Mazdoor Kisan Shakti Sangathan v. UOI* 2018 17 SCC 32 held that:-*“The right to protest is thus recognized as a fundamental right under the Constitution. This right is crucial in a democracy which rests on the participation of an informed citizenry in governance. This Right is also crucial since its strengths representative democracy by enabling direct participation in public affairs where individuals and groups are able to express dissent and grievances, expose the flaws in governance and demand accountability from the state authorities as well as powerful entities. This right is crucial in a vibrant democracy like India but more so in the Indian Context to aid in the assertion of the rights of the marginalised and poorly represented minorities.”*

We wish to remind the NHRC that every NHRI has to be committed to implementing the Marrakech Declaration of the Global Alliance of NHRIs 2018 titled ‘Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions’ and the Regional Action Plan on Human Rights defenders of the Asia Pacific Forum of NHRIs of March 2021. The task of protecting HRDs has also therefore to mean that such rights that are enshrined in the 1998 UN Declaration on HRDs and specially the state duties listed therein are carefully monitored by the NHRC as part of its regular routine mandate

We urge you therefore to exercise your statutory powers, including powers of *Suo moto* intervention, and vocally condemn the targeting of Mr. Babloo and his family. This will go a long way in protecting democracy and Constitution in Manipur. In addition to these, we reiterate our long- standing appeal to the NHRC to exercise Section 12 (d) of the Protection of Human Rights Act.

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

Appeal:

We urge the Hon’ble Commission to take cognisance of the above case and urgently:

- Direct the Director General of Police of Manipur to ensure complete physical and psychological protection to Mr. Babloo Loitongbam and his family and safeguard his property and give it in writing to the honourable commission within 48 hours.

- Direct the Director General of Investigation of the NHRC to initiate a transparent, independent inquiry regarding repeated threats, intimidation and vandalism of Mr. Loitongbam and his home and submit the report to NHRC.
- Bring this case to the attention of the Justice Gita Mittal Committee which was set up by the Supreme Court of India to enquire into the human rights violation in state of Manipur.
- Direct the government to take action in ensuring accountability for those who commit such acts of vandalism to ensure HRDs can work safely without fear of retribution, including damage to their property.

We hope to hear from you soon,

Yours Sincerely,

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

(Henri Tiphagne)

National Working Secretary