



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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Ref No: HRDA/NE/MPR/04/01/2021

January 27, 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 –110 023  
Email: hrd-nhrc@nic.in

Dear Sir,

***Sub: HRD Alert-India – Urgent Appeal for Action – Imphal: Misuse of law, illegal detention and sedition charges against senior journalists by Manipur Police.***

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 arbitrary and illegal detention of senior journalists, Mr. Aribam Chaoba and Mr. Dhiren Sadokpam for an article published on their online news portal, *The Frontier Manipur*. A case under the Unlawful Atrocities (Prevention) Act (UAPA) and Section 124A (sedition) of the Indian Penal Code has been filed against the editors along with the author of the article by the Manipur police.

### **About the Human Rights Defenders:**

Mr. Aribam Chaoba is an Executive Editor of the news portal- 'The Frontier Manipur' and Mr. Dhiren Sadokpam is the Editor of the portal.

### **Source of the Information:**

- HRDA North-East Regional Coordinator
- Media Reports

**The Perpetrators:**

Police personnel of Imphal West and Singjamei Police stations.

**Date of Incident:** January 17, 2021

**Place of Incident:** Imphal, Manipur

**Background:**

On January 08, 2021, The Frontier Manipur published an article headlined- 'Revolutionary journey in a mess' by Mr. Joy Luwang ([https://thefrontiermanipur.com/revolutionary-journey-in-a-mess/.](https://thefrontiermanipur.com/revolutionary-journey-in-a-mess/)) The article talked about the feeling of aversion in the common citizen for armed movements which focussed on dividing people instead of building people's movements.

**Details of the Incident:**

On January 17, 2021, at 8:30 am in the morning, police personnel from the Singjamei police station reached the house of Mr. Chaoba and called him to Imphal West police station. Mr. Chaoba told them that he would come by to the police station on his own later. When he went to Imphal West police station, he was informed by the Officer In Charge that he was arrested. No arrest memo or any relevant document was given to him.

At 12:30 pm on January 17, 2021 an FIR (No. 11(1)2021) was lodged by officer commanding Mr. P. Sanjoy Singh on at the Singjamei police station in Imphal West district against the editors of The Frontier Manipur and the author of the article Mr. Joy Luwang, under sections 124-A/120-B/505(b)/34-IPC & 39 UA(P) Act stating that the article was an attempt to incite hatred/contempt/disaffection against Government', criminal conspiracy and statements conducing to public mischief by a sympathiser of unlawful organisation.

Later in the evening at around 5:30 pm Mr. Dhiren, a colleague of Mr. Chaoba was also summoned to the Singjamei police station and was detained after reaching there. At around 7 pm, Mr. Chaoba's wife, Ms. Sanahanbi Devi went to the police station and was given an FIR copy and the complaint letter.

The arrest/detention of the two journalists caused a national outrage and The Editors Guild issued a press released criticising the Manipur police for arresting/detaining senior journalists.

On January 18, at 6 pm, after being kept in custody for 24 hours Mr. Chaoba was released from the Singjamei police station. Mr. Dhiren was also released at the same time, after being detained overnight. According to media reports Mr. Sanjoy Potsangbam of Singjamei police station denied arresting them, “They were detained, not arrested. After questioning, we have released them but the case is not closed. So far, we have not been able to trace the author of the article which was published by *The Frontier Manipur*.”

We believe these arrests to be an act of political reprisal against journalists as the online portal has been a huge critic of the current state government. It also criticised the sensational drug haul case whereby senior police officer Ms. Thounaojam Brinda returned her gallantry medal after stating on a court affidavit that she was under pressure from senior politicians to release the accused from custody. The detention of the journalists by the Manipur police also violates multiple guidelines of DK Basu on arrest and detention. Media reports point out that the police reached the house of Mr. Chaoba at 8:30 AM while the FIR was filed only at 12:30 in the noon.

Further the aforementioned article was first published in local paper Kangla Pao in October 04, 2020, and Imphal Times on January 4, 2021, but there were no complaints or arrests against these local papers.

Thus we firmly believe that the arrest/detention of the journalists is another assault on freedom of speech in Manipur. Article 19 of the Universal Declaration of Human Rights (UDHR) mandates freedom of opinion and expression and is protected in all relevant human rights treaties. Freedom of opinion and expression are fundamental rights that contain both a personal and a social dimension. As per General Comment No. 34 on Freedoms of Speech and Expression, Human Rights Committee has observed that free speech and expression is an “indispensable conditions for the full development of the person”, “essential for any society” and a “foundation stone for every free and democratic society”. Governments and other powerful actors, seeking to escape scrutiny and stifle dissent, often respond to critical reporting or activism with attempts to silence them. The protection of journalists and human rights defenders, and ending

impunity for attacks against them, is a global priority for safeguarding freedom of expression. States are under an obligation to prevent, protect against, and prosecute attacks against journalists and human rights defenders.

**Appeal:**

We appeal to the NHRC to treat this as a case of reprisal against human rights defenders most particularly journalists for exercising their fundamental rights guaranteed through Article 19 of the Indian Constitution and malafide actions and baseless charges by the Manipur police and a violation of the DK Basu guidelines. Thereby, we urge the NHRC to urgently to –

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of registering a criminal case against journalists in an attempt to suppress their right to freedom of speech and expression.
- Direct the DGP of Manipur to withdraw the cases against the journalists and ensure that defenders are not harassed or intimidated or falsely implicated in future and give this assurance to the NHRC of India in writing immediately and urgently;
- Put an end to all acts of harassment against all journalists, writers and human rights defenders in general in the state of Manipur to ensure that in all circumstances they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including police and judicial harassment.

Looking forward to your immediate action in this regard,

Yours sincerely,



(Henri Tiphagne)

National Working Secretary