



HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

No. 555, West Cross 4th Street, K.K.Nagar, Madurai - 625 020, Tamil Nadu, India.

Mobile: 99943-68540

E.mail: hrda.india@gmail.com Web: www.hrdaindia.org

HRDA/NHRC-SM/NE/MPR/06/01/2024

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 arrest a of Senior Journalist Wangkhemcha Shayamjai by the Manipur Police on December 29, 2023.

We are writing to you to bring to your kind attention that on December 29, 2023, senior journalist, Wangkhemcha Shayamjai, who is the editor-in-chief of Kangleipakki Meira, a local Manipuri vernacular paper, was arrested for publishing an article.

An FIR was registered based on a complaint by the state vice president of the Bhartiya Janata Party, Mr Laishram Meenabanta Singh. The complainant alleged that the HRD article led to tensions between communities in Manipur. The police registered the FIR under section provocation with intent to cause riots, promoting enmity between different groups, criminal intimidation and statements conducing to public mischief.

After the arrest, he was produced before the Imphal court and was remanded in police custody for three days till December 31, 2023. This triggered outrage among the media. All Manipur Journalists Union and Editors Guild Manipur condemned the HRD's arrest and demanded his immediate release. The incident has been reported widely in the press, and a link is shared here for your reference – [Manipur: Journalist Wangkhemcha Shyamjai arrested for allegedly inflammatory article \(scroll.in\)](#)

media link for reference - [Manipur: Arrested news editor gets bail in controversial article case \(msn.com\)](#)

The Senior journalist Wangkhemcha Shayamjai served as president of the All Manipur Working Journalists Union twice. He is editor in chief of Kangleipakki Meira, a local Manipuri vernacular paper in Imphal.

We believe that the registration of FIR and the arbitrary arrest of the journalist is a reprisal against the HRD's activism as the Senior Journalist and Editor of a vernacular daily newspaper.

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 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”.

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.

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', written over a horizontal line.

(Henri Tiphagne)

National Working Secretary