



# Human Rights Defenders Alert - India

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Dear Sir,

***Sub: HRD Alert - India - Urgent Appeal for Action – Alleged extra-judicial killing of a Women Human Rights Defender at village AimolSatu, under Tengnoupal Police Station, Chandel District, Manipur- reg.***

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 now writing to express our grave concern regarding the alleged extra-judicial killing of a Woman Human Rights Defender, (WHRD) Ms. RuisotingAimol, alias Mary, Chairperson of "AimolNumeis' Waar" a women organization, during an indiscriminate firing by the 20 Battalion of Assam Rifles E-Coy, led by Major Aditya Kapoor in village AimolSatu, under TengnoupalPolice Station in Chandel District of Manipur. Three more Women Human Rights Defenders (WHRD) identified as ST LartiAimol (48 years), S. SangkaisinAimol (49 years) and S. RangnuAimol (46 years) were brutally assaulted by the Assam Rifles personnel using their riffle buts and sticks.

#### **Source of Information on the Incident:**

- The Regional Coordinator of HRDA for East of India
- Human Rights Alert - Manipur
- Media reports

**The Human Rights Defenders:**

Ms. M. Ruisoting Aimol @ Mary aged about 55 years was the wife of Babudhon of Aimol Satu Village, P.O. Pallel, Police Station Tengnoupal, Chandel District, Manipur. She used to work as president of women's' organization called Numeis' Waar (women's torch bearer). She was also chairperson of local body called Women's Secular Body based in Chandel District. During her life time, she had been working for the promotion of women rights in the village. She was actively campaigning on conflict resolution, development and various entitlements for women etc. She was also one of the promoters of WinG (Women in Governance), Manipur, a network of women across communities and ethnic lines that are working directly at grass root in eight districts of Manipur with WinG Promoters. WinG Promoters are comprised of Gun Widows (from all categories), Women (widow) Living with HIV (WLHIV), Domestic violence victims and survivors, Women human rights defenders and Human rights defenders. Facilitating victim hood to change agents for addressing women's right and promoting gender justice for effective participation in decision making at all levels.

**The Perpetrators:**

Major Aditya Kapoor and personnel of 20 Battalion of Assam Rifles E-Coy currently based at Pallen in Chandel District of Manipur.

Major Aditya Kapoor is a serving major of Indian Army who is at present on a deputation duty with 20 Battalion of Assam Rifles E-Coy.

**Date of Incident:**

31<sup>st</sup> May 2015.

**Place of Incident:**

Village Setu Aimol under Post Office- Pallel, Police Station-Tengnoupal, Chandel District, Manipur.

**Incident detail:**

On 27<sup>th</sup> May 2015 at around 11p.m. a team of 20 Battalion of Assam Rifles led by Major Aditya Kapoor dragged a villager identified as one Mr. Y. Nobin Singh (33 years) from his house. Mr. Nobin Singh belongs to Meitei community from Thoubal District of Manipur who got married one Aimol woman from Aimol Chingnunghut village. His wife cried out for help to prevent her husband from being picked up. Mr. Nobin Singh managed to escape from the clutches of Assam Rifles personnel while they tried to push him into their vehicle. Womenfolk of the village started gathering and rushed towards the army personnel. On seeing the womenfolk, AR personnel drove away their vehicles. The villagers informed about the incident to local media and same was carried by the local dailies. The villagers lodged a

complaint about the incident in the Tengnoupal Police Station and also informed the Deputy Commissioner, Chandel District. The matter was also reported to the President of Aimol Tribe.

On 28<sup>th</sup> May 2015 at around 8.30 a.m. on hearing the media report about the incident, Major Aditya Kapoor visited the village. He admitted that it was his team who tried to arrest Mr. Nobin Singh. Major Aditya also told the villagers that he had a list of militant who had received military training in Myanmar. He claimed that Mr. Nobin was one among those militants who got military training in the year 2006. Villagers clarified that Nobin Singh is a married man who has been living in the village for the last 16 years. The villagers also informed that Nobin is a Church Deacon at AimolKhellen Baptist Church. On clarification, Major Aditya confessed that he had committed a mistake. The village authority also gave a written declaration to Major Aditya that Nobin Singh is an innocent villager who has been staying in the village for the last 16 years and has no connection with any unlawful organisation.

But even after this incident, Major Aditya and his team continued to harass the villagers without any reason. In another incident just a week ago, villagers saw Major Aditya peeping a village couple's privacy through the window of their house. Even ex-military personnel from the village advised Major Aditya not to do such a shameful and illegal activities in future.

On 31<sup>st</sup> May 2015, the villagers were preparing for the Autonomous District Council election which was to be held on 1<sup>st</sup> of June 2015. On the same night at around 9.30 p.m. Major Aditya and his team surrounded a house belonging to Mr. HL. Thangjalal in the same village. Major Aditya and his team searched every nook and corner of the house. The villagers who were on alert followed the Major and his team. The villagers demanded that search should be conducted in their presence. Major claimed that he had reliable information about some firearms which were hidden in the house. Major Aditya and his team conducted a thorough search but no incriminating material was found.

Thereafter, some villagers noticed the presence of a person wearing facemask among the Assam Rifles personnel. The villagers asked the masked man to remove the mask from his face. As the masked man refused to do so, the villagers forcibly removed the mask. The masked man continued to hide his face with his hands. In the commotion, the masked man was immediately taken into one of the two vehicles belonging to Assam Rifles and drove away speedily. Angry villagers did not allow Major Aditya and remaining personnel to leave the village.

Some villagers immediately informed the residents of the adjoining villages through mobile phone about the masked man who escaped with Assam Rifles team to SetuAimol. Ms. M. RuisotingAimol, a grass root activist from SetuAimol village and other villagers were alerted and their group tried to find out the masked man. Assam Rifles vehicle which took the masked man met with an accident at AimolSetu village. Seeing the villagers who were looking for the masked man, the Assam Rifles personnel started firing indiscriminately without giving any warning. In the firing, Ms. RuisotingAimol was hit by a bullet and severely injured. Three women activists identified as ST Larti (48 years), S. Sangkaisin (49 years) and S. Rangnu (46 years) were also assaulted and severely beaten by the Assam Rifles personnel using their rifle butts and sticks. They were also hospitalised with serious physical injuries later. RuisotingAimol was immediately taken to Jiban Hospital at Kakching. As her health got deteriorated, she was then taken to Shija Hospital at Langol for further treatment. Where she unfortunately succumbed to bullet injuries.

On 1 June 2015, Mr. S MunthuirengAimol, Secretary, AimolSetu Village Authority lodged a written complaint with the Officer-in-Charge (OC) of Tengenoupal Police Station in connection with the incident. OC of Tengenoupal Police Station who visited SetuAimol village was prevented from conducting any investigation by the Assam Rifles Personnel. Thereafter, Commanding Officer (CO) of 20 Battalion of Assam Rifles rushed to the village. CO apologised for the incident and also scolded Major Aditya in presence of the villagers. At the request of the CO, the villagers finally allowed Major Aditya and his team to leave the village. OC of Tengenoupal Police Station registered an FIR No. 11(6)2015 under section 302/34 of Indian Penal Code and 27 of Armed Act. No report of any investigation is available.

Later in the day, dead body of RuisotingAimol was taken to Jawaharlal Institute of Medical Science (JNIMS) for post mortem. Joint Action Committee (JAC) against the killing of RuisotingAimol was formed. On 2 June 2015, in protest against the killing, JAC called general strike along the National High Way 2 demanding strict punishment against Major Aditya and his team. JAC informed that the dead body of RuisotingAimol would not be claimed till the demands were fulfilled by the Government of Manipur.

On 3 June 2015, representatives of JAC met Chief Minister of Manipur Mr. Okramllobi. During the meeting, MLA DK Korungthang of Tengenoupal Assembly Constituency and an officer Assam Rifles were also present. Government of Manipur has agreed to pay compensation to the victim's family, providing a suitable Government job to one of the members of the victim's family, taking action against the guilty Assam Rifles officer and personnel and penalising the involved personnel as per the customary law of AimolSatu

village. No formal written agreement was signed between JAC and Government of Manipur. When the JAC insisted the Chief Minister to sign formal Memorandum of Agreement, Chief Minister informed that no such agreement was signed in any case before.

On the same day, post mortem examination over the dead body of RuisotingAimol was conducted in the presence of a Duty Magistrate with full video coverage. However, the bullet which was seen in the X-ray taken during RuisotingAimol's hospitalisation was found missing. On 4 June 2015, last rites of the victim were performed according to the Aimol customs.

**Appeal :**

We therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police and the District Collector and District Magistrate of Chandel District:

- Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned case of alleged extra-judicial killing of Ms. M. RuisotingAimol alias Mary and arrest of the accused;
- Ensure provision of reparation, compensation, apology to the women human rights defenders for the physical and psychological sufferings they underwent because of this assault and charges and provide a re-assurance of not engaging in such acts against Women Human Rights Defenders such as ST Larti, S. Sangkaisinand S. Rangn and to the family members of Ms. M RuisotingAimol alias Mary;
- Along with local district officials guarantees in all circumstances due compensation to the family of the deceased and give this assurance to the NHRC of India in writing immediately and urgently;
- Initiate legal proceedings against the accused personnel of the Assam Rifles to ensure rule of law and democracy in the State and uphold the Constitution of India;
- Ensure that all security forces in Manipur strictly adhere to recommendations of Supreme Court judgment of 1997 in hearing of AFSPA, 1958 especially to identify themselves in their operations;
- Put an end to all acts of harassment against all human rights defenders in the State of Manipur to ensure that in all circumstances they carry out their activities without any hindrances;
- Ensure fundamental rights of free speech and association guaranteed by Article 19 and right to life and personal liberty granted by Article 21 of the Indian Constitution;

- Take steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
  - Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels
  - Article 12.2, which provides that “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”;
- Ensure full implementation of the recommendations contained in the mission to India report made by Christof Heyns, the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions following his visit to India from 19 to 30 March 2012. The SR had recommended for the establishment of a credible Commission of Inquiry into extrajudicial executions in India which also serves a transitional justice role. The Commission should investigate allegations concerning past violations, propose where relevant measures to deal with those, and work out a plan of action for the future to eradicate practices of extrajudicial executions;
- Recommend urgently and speedily during the pendency of this complaint the SHRC in Manipur be functional and to also take necessary steps to establish a state focal point for HRDs in order that HRDs in the state have a new protection mechanism in their own state;
- Recommend urgently and speedily during the pendency of this complaint the SHRC in Manipur be functional and to convene a meetings of all state human rights institutions in the state [women, minorities, right to information, disability etc] to ensure that a coordinated strategy is developed within the State of Manipur for the protection of the rights of human rights defenders;
- Recommend urgently and speedily during the pendency of this complaint the State government of Manipur in collaboration with the NHRC Focal Point on HRDs and the SHRC Manipur to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;

- Recommend urgently and speedily during the pendency of this complaint, the State Government of Manipur in collaboration with the SHRC Manipur and NHRC to publicly acknowledge the importance and legitimacy of the work of human rights defenders, i.e. anyone who, “individually and in association with others, ... promote[s] and ... strive[s] for the protection and realization of human rights and fundamental freedoms at the national and international levels” (art.1 of the Declaration on Human Rights Defenders);
- More generally, ensures in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international human rights instruments ratified by India.

Yours sincerely,



**Henri Tiphagne**  
Honorary Working Secretary