

28 January 2015

**Prime Minister Narendra Modi**

Prime Minister's Office  
South Block, Raisina Hill  
New Delhi-110011  
India  
Facsimile: +91-11-23019545, 23016857

**Re: Arrest of Women Human Rights Defender Irom Sharmila Chanu**

Your Excellency,

We, the undersigned civil society organizations, write to you to express our grave concern over the latest re-arrest of Ms. Irom Sharmila Chanu on 24 January 2015 by Manipur police in Imphal, Manipur. Ms. Sharmila has been on a hunger strike for over 14 years demanding the repeal of the Armed Forces (Special Powers) Act (AFSPA), which has been the cause of egregious human rights violations, including the killing of civilians, in Manipur and other parts of India. Ms. Sharmila's peaceful protest against the Act has been consistently used as a tool to harass her by framing charges of attempted suicide under Section 309 of the Indian Penal Code.

We welcomed her release<sup>1</sup> on 22 January 2015 after a Manipur court rejected charges of attempted suicide. However, within hours after the release, she has been re-arrested on the very same charges. We deplore this outrageous cycle of arrests and re-arrests, which Ms. Sharmila is facing since she began her hunger strike in November 2000, and demand her immediate and unconditional release.

Ms. Sharmila's continual arrests have been made under an out-dated law that criminalizes "attempt to suicide," which the Law Commission of India found "anachronistic" and "undesirable" and recommended to repeal the relevant section (Section 309) of the Indian Penal Code. In this regard, we remind your government to fully implement the Commission's recommendation. In addition, we strongly urge that judicial protection prohibiting Ms. Sharmila's repeated arrests be granted, given the Court's consistent decisions rejecting the charges against her<sup>2</sup>.

Recognizing that the criminalization of Ms. Sharmila's peaceful protest serves to silence the reason behind it, we reiterate<sup>3</sup> our longstanding call to repeal the AFSPA, which allows wide discretionary powers to

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<sup>1</sup> FORUM-ASIA, "India: FORUM-ASIA welcomes the release of IromSharmila", 22 January 2015-  
<http://www.forum-asia.org/?p=18235>

<sup>2</sup> Deccan Herald, a Court in Imphal dismissed the charges against Ms Sharmila her, 22 January 2015 -  
<http://www.deccanherald.com/content/427060/irom-sharmila-re-arrested-suicide.html>

<sup>3</sup> FORUM-ASIA, "Human rights groups urge repeal of Indian emergency law to end protester's 10 year hunger fast", 11 November 2010 - <http://www.forum-asia.org/?p=6904>

officers of armed forces to search and arrest without a warrant, and use force against anyone suspected of having committed certain offences. The officers are granted impunity through the clause that they can only be prosecuted upon the permission of the central government.

Criminalization of Ms. Sharmila's peaceful protest against the AFSPA violates Article 1 of the UN Declaration on human rights defenders, which guarantees the right of human rights defenders and women human rights defenders to promote and protect the realization of human rights.

We particularly remind you of the history of peaceful hunger strikes undertaken during the struggle for independence. The courts of India have also recognized this form of protest as being protected under Article 19 of the Constitution of India. We urge you to respect these legal protections and engage in a meaningful dialogue with those advocating for the repeal of AFSPA as should be the case in any democratic society.

We thank you for your attention and action.

Signed by:

1. Asian Forum for Human Rights and Development (FORUM-ASIA)
2. Ain o Salish Kendra (ASK), Bangladesh
3. Banglar Manabadhikar Suraksha Mancha Banglar (MASUM), India
4. Bytes for All, Pakistan
5. Centre for Human Rights and Development (CHRD), Mongolia
6. Globe International Center, Mongolia
7. HAK Association, Timor Leste
8. Human Rights Alert, India
9. Indonesia Legal Aid Foundation (YLBHI), Indonesia
10. The Indonesian Human Rights Monitor (IMPARSIAL), Indonesia
11. Informal Sector Service Center (INSEC), Nepal
12. Just Peace Foundation, India
13. Korean House for International Solidarity (KHIS), Korea
14. Law and Society Trust (LST), Sri Lanka
15. People's Solidarity for Participatory Democracy (PSPD), Korea
16. People's Vigilance Committee on Human Rights (PVCHR), India
17. People's Watch, India
18. Programme Against Custodial Torture & Impunity (PACTI), India
19. Taiwan Association for Human Rights (TAHR), Taiwan
20. Think Centre, Singapore

**Cc:** Director General Shri Shahid Ahmad, Manipur police station  
Hon'ble Mr. Justice N. Kotiswar Singh, Executive Chairman, Manipur Court