

20th November 2010

**NATIONAL CONVENTION ON THE LEGAL AND POLITICAL IMPLICATIONS OF THE ABDUCTION OF
SANAYAIMA ALIAS R.K. MEGHEN¹**

**4th November 2010, Imphal
Manipur
India**

SUMMARY OF THE PROCEEDINGS

AND

RESOLUTION OF THE NATIONAL CONVENTION

¹ **Organised by:**

Centre for Organisation Research & Education (CORE)

Human Rights Alert (HRA)

Human Rights Initiative (HRI)

Threatened Indigenous Peoples' Society (TIPS)

Summary of the proceedings of the National Convention on the legal and political implications of the abduction of the Sanayaima alias R.K. Meghen, held on 4th November 2010 at MDU, Imphal, Manipur, India

The Convention was jointly convened by indigenous peoples' rights and human rights defender organisations, viz. *Centre for Organisation Research & Education (CORE)*, *Human Rights Alert (HRA)*, *Human Rights Initiative (HRI)* and *Threatened Indigenous Peoples' Society (TIPS)*. It was attended by representatives of civil society organisations and women's organisations, human rights defenders, political party leaders, lawyers, members of the judiciary, academia, writers, community leaders, students' organisations and members of the media. The Convention adopted a resolution by consensus at the end of its deliberations (Annexure I).

Chanambam Upendra (Elder and retired Sessions and District Judge of Manipur), was appointed Chairman of the Convention by consensus.

The delegates of civil society organisations and participants were welcomed by *Asem Tondon*, General Secretary of Threatened Indigenous Peoples' Society, on behalf of the convening organisations. He said that this historic convention also welcomed the representatives of the media.

In his introductory address, **Jinine Laishramcha**, Executive Director of Human Rights Initiative, drew the urgent attention of the Convention to the urgency of guaranteeing the physical and mental integrity of Sanayaima alias R.K. Meghen, the Chairman of the United National Liberation Front of Manipur (UNLF), who was reported by the BBC on 13th October 2010 to have been apprehended in the outskirts of Dhaka, Bangladesh by a joint team of police and intelligence officers of Bangladesh and India, and secretly transported to an unknown destination on an India aircraft. The BBC and some local dailies of Bangladesh, citing unidentified intelligence sources in Bangladesh, had first reported that Sanayaima had been picked up in early October 2010. According to a press release from UNLF on 16th October 2010, the Chairman was detained on 29th September 2010 while he was traveling in his vehicle bearing Dhaka Metro from the Lalmatia area, under Mohammadpur Police Station near Dhaka, Bangladesh.

He further stated that G.K. Pillai, Secretary, Union Home Ministry of India, who had visited Manipur in October, gave several contradictory responses to the media. Mr. Laishramcha said that such contradictory responses raised a suspicion that Sanayaima could be arbitrarily detained in Bangladesh. The Sanayaima's reported abduction by government officers, and his subsequent enforced disappearance was a shocking and deeply distressing event for his family, and a public concern of profound magnitude for over a month in Manipur. The Convention was organised to speedily establish the facts in a peaceful democratic manner regarding this confusing situation of the reported abduction of Sanayaima by Bangladeshi officials acting in collusion with Indian intelligence agents. An important primary objective of this convention was to draw the urgent attention of the international and other concerned bodies, government and nongovernment, to appeal to New Delhi and Dhaka to respect the provisions and deal with the case according to international humanitarian law, international human rights law and domestic legislation.

He further stated that Bangladesh and India were both members of the United Nations and State Parties to the International Covenant on Civil and Political Rights (ICCPR). The international community has an obligation to censure these two governments, and to use their good offices to reveal the whereabouts of Sanayaima. If there are any formal charges against him, the concerned government of Bangladesh in whose soil he was last seen, should have speedily produced him before a legitimate court of law. Article 2 of the ICCPR, he said, clearly places the obligation on its State Parties to uphold the rule of law and to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

He also stated that abduction and enforced or involuntary disappearances are violent acts that have no place in a democratic world. Violence begets violence. The respect and protection of the human rights of every individual and the conduct of States in accordance to the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

The Chairman of the Convention called on those who wished to speak.

Yambem Laba, a former member of the Manipur Human Rights Commission, highlighted the complicated legal issues under national and international law of Sanayaima's reported arrest in Dhaka. He mentioned that the UNLF leader has lived outside the country for a very long time though he was born in Manipur in India and is even registered in the electoral rolls as far as he knew. Legal jurisdictions of Sanayaima's reported arrest and detention were therefore complex.

Furthermore, the governments of Bangladesh and India have not refuted the BBC report or the subsequent reports in the national media. He suggested that perhaps the Right to Information Act in India could be invoked to seek a clarification regarding the arrest and secret detention of Sanayaima. He further suggested that a media team from India could make an inquiry in Dhaka regarding the facts of this case. He concluded, applauding the organisations convening the Convention, by saying that the Convention was historic in the sense that a public debate regarding legal and political implications of the enforced disappearance of a leader of a proscribed political organisation was unprecedented.

Irengbam Arun, Editor of the Manipur vernacular daily "Ireibaik", brought up the question of the choices left amongst the deeply disturbed people of Manipur that went beyond the question of citizenship or human rights violations, as Sanayaima's enforced disappearance has been for more than a month. He posed the question of what view the citizens of Manipur will take regarding the status of Sanayaima, leader of an armed opposition organisation proscribed by Indian law. Sanayaima, he said, is a son of Manipur, born of this land, and his organisation founded in Manipur is clearly politically and ideologically in conflict with the India government. This is a question of politics. Sanayaima's stature as a political leader should be recognised.

The killings in Manipur, whether by the state or the armed opposition groups are political acts; the suffering and impact on the people of Manipur by the over fifty years long violent conflict is a political situation; and the imposition of the Armed Forces (Special Powers) Act to seek military means to counter the situation that has been widely acknowledged by Indian leaders as

only soluble through a political settlement are issues that no one in Manipur can avoid. It is a political situation.

The conflict is clearly between the right to self determination and the unquestionable territorial integrity of a sovereign state. He concluded that whatever the political or ideological differences may be between the UNLF and other protagonists, the call for a plebiscite in Manipur by the UNLF is a cue for constructive initiatives. The political nature of the long standing problems in Manipur must be respected and accorded the serious considerations that it deserves from all political leaders of Manipur and India. The lack of an adequate response from the political leadership of India, he said, amounts to arrogance, and disrespect for the political aspirations of the people of Manipur. In the absence of any attempt to seize such an opportunity from the government or the political parties, it is time for the people of Manipur to seriously consider the political choices before us and take a step to bring about a political solution to the long standing conflict.

Kshetrimayum Shanta, Secretary, Manipur State Committee of the Communist Party of India (Marxist) addressed the political implications, and spoke of the parliamentary and extra-parliamentary political choices before all people. The question of Sanayaima's arrest, if we are to believe the reports, should be brought before Indian Parliament, he said. At the level of the people, in his opinion as a Marxist, the dialogue process has already begun in Manipur. It is now in the stage of polemics. The question is how to raise this polemical situation to the level of constructive dialogue.

He emphasised the internationalism of all revolutionary thought and action. In that sense, Sanayaima's disappearance is an international event and a concern for all humankind. He assured the support of his party to any people's campaign for a constructive dialogue to bring about justice, development and peace.

Kim Gangte, Trinamool Congress and former Member of Parliament (Lok Sabha), lamented the prolonged silence from the government regarding a citizen of India and a son of Manipur. India is a signatory of international human rights legal standards. It is the right of every human to be treated according to law, regardless of his or her political belief. However, in this case of the arrest of Sanayaima, the issues are not just legal. It is a very political act. The statement from the Chief Minister of Manipur that he had written a mere letter to the Indian Home Ministry is not enough. If his statement is to be believed, we are to question its immediate outcome as a letter from a State's Chief Minister cannot be taken lightly by the government of India.

Pressure must be exerted to the government of India to reveal every fact regarding Sanayaima's arrest as a democratic right, she stated. She said that she feared what situation would arise in Manipur, if Sanayaima disappeared. There is no one to trust today in Manipur; even the government of India does not trust the Manipur government. Democracy is at stake here and honorable Members of Parliament from Manipur have a bounden duty to raise this matter urgently, she concluded

Kaka D Iralu, freelance journalist and writer from Nagaland said he brings the Naga people's story to Manipur and the world. He said that he came to Manipur to attend the celebration of the completion of Irom Sarmila's decade of peaceful protest by fast against the Armed Forces (Special Powers) Act. He stated that the peoples of Nagaland and Manipur will always be

neighbours as long as the Earth exists. For too long, he said, have we been looking towards Delhi, for our “bread and butter”, and have been ignoring each other. It is better, in his opinion that we leave behind our long held suspicions and prejudice towards each other, learn to reach out to one another, share our histories, cooperate in our political aspirations and economic ventures and strive towards good neighbourly relationship.

Extending solidarity to Irom Sarmila and applauding her for her struggle, which is for all humanity, and not just for the people of Manipur, he also expressed his profound empathy for the plight of the wife and children of Sanayaima who lives in anxiety, peril and confusion.

He further said that peoples have two levels of rights, as peoples and as human beings. Elaborating on the Naga people’s long struggle for a political identity, he asserted that the right to a distinct identity cannot be challenged under any law, and concluded that this right to self-determination must continue and the peoples of Nagaland and Manipur should support each other in their struggles.

Henri Tiphagne, People’s Watch Tamil Nadu, conveyed his unconditional solidarity with the political struggle of the people of Manipur and Irom Sarmila. He said that the right to self-determination is enshrined by the United Nations as a fundamental human right and upheld by India irrespective of whether it has a reservation or not. It is the right of all the people of India, not just of the people of the Northeastern region. This Convention, he said, is performing a constitutionally mandated duty under Article 51A of the Indian Constitution, and therefore, not illegal.

He said that the news about Sanayaima is shocking because of the delays in response from the government and the confusion generated by the statements of the Secretary of the Ministry of Home Affairs. He stated that he is here today because Sanayaima is a human rights defender, fighting for his people’s rights. The UNLF, he said was originally a political organisation for many years before it was compelled many years later to become an armed political organisation. The onus of that significant step taken by the UNLF lies at the door of the state.

India signed on 6th February 2007 the International Convention for the Protection of All Persons from Enforced Disappearances, and thus has accepted the Convention in principle. The people of India have a right to seek an explanation from the Indian government why Sanayaima boarded an aircraft belonging to it after he was arrested by some persons in Bangladesh, where he was taken in that aircraft and that he be produced immediately before a competent court of law. As long as the Chairman of the UNLF is fighting for his people’s right to life, liberty and dignity, he is a human rights defender, re-emphasised. He demanded that the National Human Rights Commission which established a Focal Point on Human Rights Defenders in May 2010 to take up the issue of Sanayaima’s enforced disappearance.

He said that one single act is required from the Government of India if organisations like the UNLF are to return to the table. The government must repeal the Armed Forces (Special Powers) Act, and that single act would be widely welcomed and will result in a huge positive response from the thousands of people who are forced to live in the forests.

He will ensure that this matter of the disappearance of the Chairman of the UNLF is brought before the National Human Rights Commission, he said, at the next meeting of the national core group of NGOs to urge the Commission to intervene directly.

Babloo Loitongbam, Executive Director of Human Right Alert, summarised in Meiteilon (the language of Manipur) the speeches of the previous two speakers who had spoken in English. He then briefly recounted some of the key historical events concerning Manipur and her people since 1891 till the present times, whereby law and human decency were ignored by the government of India - colonial and postcolonial - to the great detriment of the people Manipur. He emphasised the political dimension of the arrest of Sanayaima as a greater implication than the legal. He said that it was time for both the government of India and the people of Manipur to seriously examine the geo-political issues before them.

The government of India must not be easily swayed by myopic opinions of military and intelligence decision makers and recognise the economic and political resources of the State of Manipur, while the people of Manipur should acknowledge the crucial political decisions before them which have great import for the future generations.

Khoirom Loyalakpa, Editor, Naharolgi Thoudang, expressed very deep apprehensions for the future scenario that could arise in Manipur and in the relations between the people of Manipur and India if the affair of the arrest of Sanayaima, the leader of a national liberation movement of Manipur is not speedily resolved. He said that the people of Manipur are reaping the harvest of having lived under a colonial regime and then see their territory merged into another state. He stated his belief that the Convention was held as late as more than a month after Sanayaima's disappearance because the people of Manipur hoped that the matter would be soon resolved as India is a great democracy which has embraced the Universal Declaration on Human Rights. However, that seems to be a misplaced hope. He concluded by saying that the government of India and its leaders would have to squarely bear the burden of all consequences arising from the abduction of Sanayaima.

Khaidem Mani, senior advocate and former President of the All Manipur Bar Association, spoke briefly on the legal and political implications which had initially seemed to be quite little. Now, these implications are clearly realised as very serious and great.

He questioned the character of the democracy that prevails in India. It is a majoritarian electoral system where the first past the post is a winner, but a minority gets to govern. He said that it is a democracy with a colonial legacy and bias, endowed with a procedural system that has only a semblance of democracy. The people today live in fear to speak openly on a political issue which led to a political organisation to be declared unlawful. They are fearful that anyone who spoke up would be arrested and ill-treated by the government agents. He said that even though the Convention was much delayed, it was now time to ask ourselves who is Sanayaima, what kind of a leader is he and what has he done for Manipur. We may agree or disagree with his ideology but he is someone who sacrifices for his people, and who wants to do many deeds for the benefit for all the people of Manipur. He is a political leader, but he is now arrested without according him the status of a political leader.

The law is very clear on due procedure, he said. Such procedures are based today on human rights law that is now internationally agreed upon. India has signed the UN's Universal

Declaration on Human Rights. The situation in Manipur is one of non-international armed conflict and humanitarian law also applies. Common Article 3 of the Geneva Conventions is clearly applicable in Manipur. If Sanayaima is being detained in India, domestic laws would also apply. There are, therefore, vast legal implications and the case must be processed according to established laws.

There are also serious political implications as Sanayaima has been pursuing a political agenda. The issues must be taken up politically aiming at a political dialogue as has been reiterated from every quarter of the government and citizenry of India.

Dilip Yumnamcha, President, United Committee Manipur, mentioned that no bilateral extradition treaty existed between Bangladesh and India, but that there existed now certain regional cooperation arrangements in South Asia within the framework of counter-terrorism. He also called for initiatives from the governments of Manipur and India to bring a political dialogue for the settlement of the Manipur conflict failing which he feared that a large people's uprising could not be ruled out from the future possible scenarios following the enforced disappearance of Sanayaima.

Col. (ret.) R.K. Rajendra Singh, former member of Manipur Human Rights Commission, stated his deep concerns for the safety of Sanayaima. He said that he believes that the government would be knowledgeable about the whereabouts of Sanayaima, and but legal steps could be infructuous. He stated that only a people's pressure would yield some result. He also appealed for the speedy re-constitution of the Manipur Human Rights Commission to address the human rights violations in Manipur.

Dr. Chungkham Sheelaramani, Lecturer of DM College of Arts and member, LEIKOL, stated the government of India needs to give confidence to the people of Manipur regarding the issue of the enforced disappearance of a leader. The government of Manipur also has a very clear responsibility. She asserted that it is high time for every organisation and individual to leave behind our narrow vested interests and work united together. Invoking a black civil rights worker who said that "colonialism is *thingification*", she lamented that the people of Manipur are being seen and treated today as mere commodities.

She further highlighted the gender dimensions of poverty and conflict. Gender she said is an internationally recognised and affirmed issue today, but women's participation is still being neglected in conflict resolution negotiations, dialogues and initiatives. This is true for the Northeastern region of India as well, where indigenous women's organisations which have contributed tremendously in conflict responses have been left out when the peace talks took place.

Dr. Bimol Akoijam, Professor of School of Social Studies, Jawaharlal Nehru University, expressed great surprise at the view of the Indian government regarding Manipur, the response of the people of Manipur and the changing cultural and political scenario in the State. This change has been most alarming. He emphasised the need for honest introspection by the people of a society that has become alarmingly self-serving at the individual levels and seems to be lost, politically and culturally.

He further questioned the response of the government of India and Manipur. He said that the question to be asked is whether the Indian government considers Sanayaima a citizen of the country. If so, then there is a clear responsibility of the state on what to do for one of its citizens. A state of suspicion and distrust towards Manipur and her people has extended for decades since 1949. This is combined with a studied attempt to ignore the aspirations of the people of Manipur while keeping up a pretense of embracing the Manipuri people as Indians. There has been a prolonged history of wrong policies adopted regarding Manipur, and it has taken its toll too for the government of India characterised by unease. The central issue is the contradictory relationship between the idea of India and the idea of Manipur. Nothing good, he said, would come of such a mutually suspicious relationship.

The only way forward for the people of Manipur today is to rise out of this state of apathy and decide to act together to bring about a change that embodies a life of dignity as a people.

Koijam Radhabinod, (Nationalist Congress Party) Leader of the Opposition, Manipur Legislative Assembly, forcefully stated that Sanayaima's stature as a courageous political leader of Manipur, as a leader who has long sacrificed for his beliefs concerning his land and people, should be recognised. Sanayaima's arrest and disappearance resulted in a great shock to his family, friends and supporters. He said that he entered mainstream politics as a personal choice but he has no interest in an India without Manipur or an India where Manipur is not accorded the proper stature she deserves. Sanayaima is to be recognised and commended as a leader of Manipur who has strived for many decades to raise the stature of Manipur in the world. He said that he may not agree with Sanayaima's methods to reach his goals but that does not make him an enemy.

He said that we honour and revere Hijam Irabot as a hero today but in his time, he was an outlaw. Like Hijam Irabot, Sanayaima would be honoured by the future generations for his contributions. The UNLF's proposal to the government of India for holding a plebiscite to settle the political issues in Manipur is to be applauded as a democratic one. The proposal should be responded to appropriately by the government of India. His enforced disappearance for so long is tragic.

He proposed that a group of organisations from Manipur should go to the capital of India, Delhi, to quickly seek out disclosure regarding Sanayaima's disappearance from the Union Home Ministry. This is a right of the people of Manipur.

Raj Kumar Anand, (Manipur People's Party) Member of Manipur Legislative Assembly, stated that the Manipur Legislative Assembly has a role in this case. The Manipur Assembly has a responsibility to take up this matter in the house of people's representatives, and he appealed to all his fellow legislators to take up this matter on the floor of the Manipur Legislative Assembly.

Touching briefly upon recent historical events of Manipur, when it and other small peripheral states were forcefully merged with the Indian Union in the late 40s, he feared that Sanayaima could be under great duress to initiate a political dialogue. If he does not yield to such coercive measures, he expressed his apprehension regarding the consequences whether Sanayaima's physical integrity and life can be guaranteed today. The unconditional demand of the people of Manipur should be that Sanayaima must be produced first. As a democratic country that is a

signatory to the Universal Declaration on Human Rights and has ratified key human rights treaties of the United Nations, it is the obligation of the government of India to take up this matter with Bangladesh as fundamental rights and human rights are in question.

The people are now expecting an amicable political solution, he further said. We must sit down and talk together. A political dialogue without pre-conditions would be the better option for the people of Manipur, and we, the people should discuss this matter openly to seek flexibility amongst the protagonists, and ensure that the primary interests of the people are safeguarded. Such an approach could only ensure a solution, he stated.

Manipur cannot go on existing as a zone of conflict, as we have a right to join the global march to development. This is an opportunity for all of us, and our sisters and brothers in the national liberation movement as well as those in the government should recognise this imperative.

Dr. Dhanabir Laishram, Social Activist and Department of Political Science, Manipur University, mentioned the geo-political issues regarding the Northeastern region of India, and India's continuing mistakes in the regional international policy and immediate neighbours, particularly concerning Burma (Myanmar) and China. He further said what the people of Manipur wants is the immediate disclosure of the whereabouts of Sanayaima, and we should put pressure upon the governments of India and Bangladesh. If the present situation persists there could be a major civil unrest that can explode in Manipur, and this is an important consideration that the Manipur and Indian governments must realise. We must pursue this as a legal issue as a duty to our human rights and fundamental freedoms.

Chanambam Upendra, Chairman of the National Convention, in his concluding remarks said that there were many who wanted to speak and everyone was given an opportunity. He said that one fact has emerged from the discussions. The government of India has not clarified on nor refuted the reported abduction of Sanayaima. The government of India has also not taken up this matter with the central government. The people need to know the reasons behind this silence.

The question before Convention concerns the personal safety and life of Sanayaima, he remarked. Is Sanayaima an Indian citizen, he asked. Under international human rights, no one shall be subject to arbitrary detention. The government has an obligation to pursue this matter of the disappearance of Sanayaima, a son of Manipur.

Summarising the opinions shared during the Convention, he said that the discriminatory policies and contradictory actions of India in the region should be exposed, and the people of Manipur must insist that the government be sincere in all its efforts to bring about a just and honourable political settlement to the long-standing demands of the Manipur people.

The resolution of the "National Convention on the Legal and Political Implications of the Abduction of Sanayaima alias R.K. Meghen" was proposed by the **Md. Aslam**, President, TIPS and adopted by consensus.

The vote of thanks was proposed by **Yumkham Luwangbi**, Centre for Organisation Research & Education (CORE).

ANNEXURE I

RESOLUTION PASSED AT THE NATIONAL CONVENTION ON THE LEGAL AND POLITICAL IMPLICATIONS OF THE ABDUCTION OF MR. SANAYAIMA ALIAS R. K. MEGHEN

The National Convention² on the Legal and Political Implications of the Abduction of Mr. Sanayaima *alias* R.K. Meghen held on 4 November 2010 at Manipur Dramatic Union Hall, Imphal, after thorough deliberation on the subject:

Takes note of the British Broadcasting Corporation (BBC) news of 13 October 2010 reporting the arrest of Mr. Sanayaima, Chairman of the United National Liberation Front (UNLF) by Bangladeshi police and subsequently flown out in an Indian aircraft; the news is further confirmed by a statement of the UNLF on 16 October 2010 that he had been abducted from Lalmatia Area under Mohammadpur Police Station near Dhaka in Bangladesh on 29 September 2010 by a joint team of the Research and Analysis Wing (RAW) of the Government of India (GoI) and security forces of the Government of Bangladesh (GoB);

Is deeply disturbed by the continued denial of custody of Mr. Sanayaima by the GoI despite petitions by his family to the Union Home Ministry, the National Human Rights Commission and even a *Habeas Corpus* petition to the Gauhati High Court³ and despite sustained public protest demanding to reveal his whereabouts;

Is gravely concerned about his physical and mental integrity during this prolonged *incommunicado* detention and the intense agony caused by concealing the truth of his arrest, detention and his subsequent fate from his family in particular and the people of Manipur in general;

Is affirming that both GoI and GoB as State Parties to the *International Covenant on Civil and Political Rights* (ICCPR) are legally obliged to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status⁴;

Is affirming that the right to life and the right not to be tortured are non-derogable rights and the state cannot abdicate its obligation to respect and protect them even during states of emergency⁵;

² Jointly organized by the Centre for Organisation Research & Education, Human Rights Alert, Human Rights Initiative and Threatened Indigenous Peoples' Society

³ Gauhati High Court Writ Petition (Criminal) no. 129 of 2010

⁴ ICCPR Article 2

⁵ ICCPR Article 4

Denounces Gol and GoB's flagrant flaunting of the due process of their own domestic laws applicable while arresting and detaining a person, deporting a person across international borders and rendering even the cardinal principles of the rule of law meaningless;

Emphasizes Gol's obligation not to subject any person to enforced disappearance as a signatory to the *International Convention on the Protection of All Persons from Forced Disappearance*, since 6 February 2007 while still awaiting its ratification;⁶

Calls attention to the firm position of the UN *Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, the *Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, the *Working Group on Arbitrary Detention* and the *Working Group on Enforced or Involuntary Disappearances* in their *joint study on global practices in relation to secret detention in the context of countering terrorism*⁷, that, the practices of secret detention is irreconcilable with international human rights law and international humanitarian law, as it amounts to manifold human rights violation that cannot be justified under any circumstances, including during states of emergency or armed conflict;

Reiterates that "enforced disappearance of persons" is a crime against humanity according to Article 7 of the *Rome Statute of the International Criminal Court* when it is committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.⁸

Unanimously resolve and declare as follows:

1. That, the abduction and secret detention of Mr. Sanayaima, violates the domestic laws of Bangladesh, the domestic laws of India, international human rights law, international humanitarian law and even the established international criminal law.
2. That, Mr. Sanayaima, who is a leader of the long struggle for the right to self-determination of the people of Manipur and demanding to freely determine Manipur's political status through a plebiscite under the aegis of the United Nations⁹, is a human rights defender within the purview of the *UN Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedom*;¹⁰

⁶ A/RES/61/177

⁷ A/HRC/13/42 dated 26 January 2010

⁸ See also *Prosecutor v. Kupreskic et al*, IT-95-16-A, judgement of trial chamber of the International Criminal Tribunal for the Former Yugoslavia, Para. 566 (14 January 2000).

⁹ Articles 1(2) and 55 of the Charter of the United Nations, 1945; Declaration of the Granting of Independence to Colonial Countries and Peoples, 1960; Common Article 1 of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, 1966; Articles 3 and 4 of the UN Declaration on the Rights of Indigenous Peoples, 2006

¹⁰ General Assembly resolution 53/144 of 9 December 1998

3. That, Mr. Sanayaima is entitled to all the universally recognized human rights. Therefore GoB and Gol should immediately disclose his whereabouts, he should be promptly produced before a court of law; if there are charges leveled against him, he and his family members should be duly informed of the same. He is entitled to a right to fair trial within a reasonable time including the right to defend himself. If there is no charge against him he should be promptly released.
4. That, Gol and GoB should recognise the historical and political nature of the half-a-century-old Manipur-India conflict, which has ravaged Manipur society and also have demonized the armed forces of union operating under the Armed Forces (Special Powers) Act, 1958. As recommended by the UN Human Rights Committee in 1997¹¹ a peaceful solution should be sought through political means by respecting the right to self-determination of the peoples, the right to freedom of expression and the right to participation in governance;
5. That, there is a serious apprehension that the continued secret detention of Mr. Sanayaima will only serve to escalate and further deepen the Manipur-India conflict;
6. That, the Manipur Legislative Assembly pays urgent attention by calling a special session on the abduction and secret detention of Mr. Sanayaima alias R.K Meghen.
7. That, it is further resolved that this resolution be transmitted to all concerned authorities, national and international, including the nongovernmental organisations and civil societies of the world for their solidarity and support.

Endorsing Individuals and Organisations

1. Advance Women Society, Manipur
2. All Manipur Bar Association (AMBA)
3. All Manipur Progressive Farmers' Association (AMPFA)
4. All Manipur United Clubs Organisation (AMUCO)
5. All Manipur Women's Social Reformation & Dev. Samaj (Nupi Samaj)
6. All Manipur Tami Chingmi Apunba Nupi Lup (Tami Chingmi)
7. All Manipur Students Union (AMSU)
8. AMRPSWA, Manipur
9. Apunba Loumi Lup (ALL), Thoubal District
10. Apunba Manipur Kanba Ima Lup (AMKIL)
11. Chanura Lamchinglen Kangleipak (CLK)
12. Civil Liberties and Human Rights Organisation (CLAHRO)
13. Centre for Organisation Research & Education (CORE)
14. Coalition Against Drugs and Alcohol (CADA)
15. Committee on Human Rights (COHR), Manipur
16. Ereibak Eenat Chanura Loinsinlon (EECHAL)
17. Extrajudicial Execution Victims' Families Association Manipur (EEVFAM)
18. Families of Involuntary Disappearances Association Manipur (FIDAM)

¹¹ CCPR/C/79/Add.81 dated 4 August 1997

19. The Federation of Regional Indigenous Societies (FRIENDS)
20. Ethno-Heritage Council (HERICOUN)
21. Human Rights Alert (HRA)
22. Human Rights Initiative (HRI)
23. International Peace and Social Advancement (IPSA)
24. Kangchup Lam Meira Paibi Apunba Lup, Imphal West District
25. Loumee-Sinmee Apunba Lup (LAL), Bishnupur District
26. Manipur Chanura Leishem Marup (MACHA LEIMA)
27. Manipur Peace & Integrity Council (MAPI Council)
28. Man League (MALEM) Manipur
29. Meetei Eeyek Eerol Lonnasilol Apunba Lup (MEELAL)
30. Meetei Society Churachandpur
31. Meitei Union, Sardar Hills District
32. Momnu Erikkhombi Lup (MEEKHOL)
33. National Identity Protection Committee (NIPCO)
34. Nongchup Imphal Loumee-Sinmee Chaokhat Thourang Lup (NILSCTL), Imphal West District
35. Nongchup Imphal Meira Paibi Apunba Lup (NIMPAL), Imphal West District
36. Nongpok Imphal Loumee-Sinmee Apunba Lup (NILSAL), Imphal East District
37. Poirei Leimarol Meira Paibi Apunba Nupi Lup
38. Rongmei Lu Phuam (RLP), Manipur
39. Rural Academy of Law, Oinam
40. Threatened Indigenous Peoples' Society (TIPS)
41. United Committee Manipur (UCM)
42. United Manipuri Muslim Women's Association (AMMWA)
43. United Peoples Front (UPF), Manipur
44. Thoubal District United Women's Development Organization
45. Universal Mothers Organization (UMO)
46. United Peoples' Administrative Council (UPACO)
47. WMWSR&S, Imphal
48. Chanambam Upendra, Retired District and Sessions Judge
49. Dilip Yumnamcha, President, United Committee Manipur
50. Dr. Chungkham Sheelaramani, Lecturer, DM College of Arts
51. Dr. Dhanabir Laishram, Lecturer, Lilong College
52. Henri Tiphagne, Executive Director, People's Watch Tamilnadu
53. Irengbam Arun, Editor, the *Ireibak*
54. Kaka D Iralu, Freelance Journalist
55. Khaidem Mani, Former President All Manipur Bar Association
56. Khoirom Loyalakpa, Editor, the *Naharolgi Thoudang*
57. Kim Gangte, (Trinamool Congress) Former Member of Parliament (Lok Sabha)
58. Kshetrimayum Shanta, Secretary, Communist Party of India (Marxist), Manipur State Committee
59. Prof. Akoijam Bimol, CSSS, School of Social Studies, Jawaharlal Nehru Univ.
60. Radhabinod Koijam, (NCP) Opposition Leader/Member of Legislative Assembly
61. Raj Kumar Anand, (MPP) Member of Legislative Assembly
62. Raj Kumar Rajendra, Former Member of Manipur Human Rights Commission
63. Yambem Laba, Former Member of Manipur Human Rights Commission