

12 March 2010

Re: India – Re-arrest of human rights defender Ms Irom Chanu Sharmila

Human rights defender Ms **Irom Chanu Sharmila** was re-arrested on 10 March 2010 and charged with attempting to commit suicide. Irom Chanu Sharmila had just been released from the security ward of Jawaharlal Nehru (JN) Hospital two days previously, 8 March 2010. She has been on hunger strike since 2 November 2000 in protest against the Armed Forces (Special Powers) Act of 1958 (AFSPA) which gives power to officers of the Indian Armed Forces to shoot anyone suspected of being an insurgent in so-called “disturbed areas”. The Act also stipulates that the central government must give its permission to prosecute any officer of the armed forces, which in effect grants them almost complete impunity. Irom Chanu Sharmila began her hunger strike on the same day that the Indian Armed Force known as the Assam Rifles killed ten innocent people in Malom, Manipur. At the time the army refused to initiate an inquiry into the massacre claiming that the officers had acted with the authority given to them under AFSPA.

On 10 March 2010, at approximately 4.20 pm, Irom Chanu Sharmila was re-arrested by a team of Porompat Police at the shed of Sharmila Kanba Lup, a voluntary body based in Porompat which forms part of the Save Sharmila Campaign. Irom Chanu Sharmila was continuing her hunger strike at the time of her arrest. She has been charged with “attempting to commit suicide” under Section 309 of the Indian Penal Code which carries a sentence of “simple imprisonment for a term which may extend to one year” and/or a fine. On the evening of 10 March 2010, she appeared before the Additional Chief Judicial Magistrate in Imphal and was remanded in custody until 24 March 2010. The authorities have released Irom Chanu Sharmila every year since 2000 only to arrest her shortly afterwards again on the same charge.

Over the decade long period during which Irom Chanu Sharmila has been on hunger strike she has been detained in the security ward of JN Hospital under the judicial custody of Sajiwa Central Jail. The authorities have conducted enforced nasal feeding in order to keep her alive.

Front Line believes that the repeated arrest and detention of Irom Chanu Sharmila are directly related to her human rights activities, in particular her peaceful protest against the Armed Forces (Special Powers) Act of 1958. Front Line fears for the physical and psychological integrity of Irom Chanu Sharmila.

Front Line urges the authorities in India to:

1. Immediately and unconditionally release Irom Chanu Sharmila and drop all charges against her, as Front Line believes that she is being held solely as a result of her legitimate and peaceful work in the defence of human rights;
2. Ensure that the treatment of Irom Chanu Sharmila, while in detention, adheres to all those conditions set out in the ‘Basic Principles for Treatment of Prisoners’, adopted by General Assembly resolution 45/111 of 14 December 1990;
3. Guarantee in all circumstances that human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions including judicial harassment.

Front Line respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally

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Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 1: *“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”*, and to Article 12 (1): *“(1) Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”*.

Yours sincerely,



Mary Lawlor
Director