

MSAD ACTIVITIES

After successfully circulating the Volume 4, Issue 3, MSAD is presenting the next issue of MSAD-Newsletter. MSAD received various suggestions as well as inspiration from various quarters. The editorial team is hopeful that this issue, as the earlier one, will be welcome

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TO THE GOVERNMENT OF INDIA ON AFSPA

Relevant portions reproduced in public interest as excerpts from the Press Statement - Country Mission to India Christof Heyns, United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions 19 – 30 March 2012.

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REVOKE PLANS TO BUILD TIPAIMUKH HYDROELECTRIC PROJECT IN MANIPUR

Dear Sir or Madam:

I am very concerned that the Government of India has been pushing for construction of the proposed 1500 MW Tipaimukh Multipurpose Hydroelectric Project (HEP) across Barak River in Manipur without the consent of the indigenous Hmar and Zeliangrong communities of the area that will be affected by the project.

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ON INTERNATIONAL WOMEN'S DAY

This International Women's Day has once again reaffirmed the belief of the people of Manipur in the spirit that Manipuri women have shown in various fields. In a society where everything is rotting, the women of Manipur have everything to

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ON INTERNATIONAL HUMAN RIGHTS DAY 10th December, 2011

The Indian State thrives on its capacity to use coercive and oppressive policies towards various democratic formation of every quarter of the civil society, the Dalit and tribal communities, the minorities and particularly the people of the

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by all our readers. We would like to remind our readers that publication of MSAD-Newsletter is a step to bring to the fore interaction between MSAD Executive Committee and the wider public. The Newsletter carries at least one article on every issue to engage with questions concerning various issues of democracy, rights and grassroot politics, students' movement and welfare. MSAD is of the opinion that we need to have an ambience for having talks on these issues. MSAD-Newsletter is just one small step toward this.

MSAD Activities

November 16, 2011: MSAD took part in the protest against the deletion of essay entitled Ramanujan's 300 Ramayanas from the history syllabus of the University of Delhi.

November 21, 2011: MSAD distributed invitation card for the Manipur Celebration Day at Pragati Maidan to be held in connection with the 31st India International Trade Fair 2011

November 26, 2011: MSAD executives meeting to draft annual programme chart.

December 02, 2011: MSAD assisted Miss Sylvia Ngairangbam of IP College in registering complaint to the Vice Chancellor, DU through the DUSU based on her complaint against the college authority.

December 3, 2011: A team of MSAD attended Hmar community's Harvesting Festival at R.K. Puram. In this programme, MSAD released the annual magazine Maheiroi 2011.

December 10, 2011: A team of MSAD attended the march from Mandi House to Jantar Mantar to observe International Human Rights Day. MSAD attended a press meet on AFSPA at the Press Club, New Delhi organised by the Just Peace Foundation.

December 12, 2011: MSAD observed Nupi Lan at the Open Air Theatre, Arts Faculty, University of Delhi.

December 14, 2011: MSAD released the annual magazine Maheiroi 2011 at the Press Club, Imphal, Manipur.

December 24, 2011: MSAD attended the North East Christmas Eve Celebration at L K Advani's residence.

January 02, 2012: MSAD released annual calendar at the Open Air Theatre, Arts Faculty, University of Delhi.

January 03, 2012: MSAD held a discussion about the current political situation in Manipur with political leaders from Manipur at Manipur Bhavan.

January 14, 2012: MSAD took part in organizing the play "LOIKA LOIKUM" organised under the initiatives of the Department of MIL, University of Delhi at the Tagore Hall, Arts Faculty, University of Delhi.

February 02, 2012: MSAD submitted applications to the VC and the Dean of Students' Welfare, DU in response to the complaint submitted by Miss Sylvia Ngairangbam of IP College against the college authority.

February 02, 2012: MSAD attended the 1st Naveen Babu Memorial Lecture held at the SSS-1, Auditorium, JNU.

February 18, 2012: MSAD held Joint Body Meeting to finalise annual plan for the executive term 2011-12.

March 03, 2012: MSAD organised annual Sangai Cultural Evening 2012 at the Dusshera Ground, Mukherjee Nagar, North Delhi.

March 06, 2012: MSAD team met a team from the Outlook Magazine to discuss on the 10th Assembly Election Manipur.

March 08, 2012: MSAD organised an interaction programme and observed International Women's Day at DU Garden.

March 11, 2012: MSAD organised a group discussion at DU garden with a team of students from Manipur University on the issues related to the present scenario of students and people in Manipur.

March 25, 2012: MSAD had an interactive session with the delegates of the Sharmila Kanba Lup (SAKAL), CPI (ML) Red Star, and AIRSO on the issues related to AFSPA at the Open Air Theatre, Arts Faculty, University of Delhi.

March 27, 2012: MSAD attended a demonstration & parliament march against AFSPA organized by SAKAL & CPI (ML) at Jantar Mantar, Parliament Street, New Delhi.

(To the Government...)

At the invitation of the Government of India, I conducted an official visit to this country from 19 to 30 March 2012. I travelled to New Delhi, as well as to five States, namely: Gujarat; Kerala; Jammu and Kashmir, where I had meetings in the cities of Jammu and Srinagar; Assam; and West Bengal.

...

My provisional conclusions are as follows:

A) Concerns:

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Use of force by State actors:

Armed Forces:

The Armed Forces are deployed in so-called 'disturbed areas' in the North East and in Jammu and Kashmir.

The Armed Forces (Special Powers) Act (AFSPA) in effect allows the state to override rights in the 'disturbed areas' in a much more intrusive way than would be the case under a state of emergency, since the right to life is in effect suspended, and this is done without the safeguards applicable to states of emergency.

AFSPA – continuously in force since 1958 (different states have their own versions as well) in the North East and since 1990 in Jammu and Kashmir – has become a symbol of excessive state power. I have heard extensive evidence of action taken under this law that resulted in innocent lives being lost, in Jammu and Kashmir and in Assam, where witnesses from neighbouring states also assembled. This law was described to me as 'hated' and a member of a state human rights commission called it 'draconian'.

A law such as AFSPA has no role to play in a democracy and should be scrapped. The repeal of this law will not only bring domestic law more in line with international standards, but also send out a powerful message that instead of a military approach the government is committed to respect for the right to life of all people of the country.

The government-appointed Jeevan Reddy Committee and the Administrative Reform Commission have both called for its repeal; as have political leaders of states where the Act applies. The NHRC told me during our meeting that they are in favour of its repeal and that they have commented in their submission to the 2012 UPR that AFSPA often leads to the violation of human rights. It is therefore difficult to understand how the Supreme Court, which has been so progressive in other areas, also concerning the right to life, could have ruled in 1997 that AFSPA did not violate the Constitution – although they tried, seemingly with little success, to mitigate its impact by issuing guidelines on how it is to be implemented.

AFSPA clearly violates International Law. A number of UN treaty bodies have pronounced it to be in violation of International Law, namely HRC (1997), CEDAW (2007), CERD (2007) and CESCR (2008). My predecessor has also called for its repeal.

The widespread deployment of the military creates an environment in which the exception becomes the rule, and the use of lethal force is seen as the primary response to conflict with a concomitant permissive approach in respect of the use of lethal force. This is also difficult to reconcile in the long run with India's insistence that it is not engaged in armed conflict.

Accountability is circumvented by invoking AFSPA's requirement of obtaining prior sanction from the Central government before any civil prosecutions can be initiated against armed forces personnel. The information received through Right to Information applications, shows that this immunity provision effectively blocks any prosecution of members of the armed forces. The Centre has for example never granted sanction for civil prosecution of a member of the armed forces in Jammu and Kashmir.

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B) Provisional recommendations:

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Repeal the Armed Forces (Special Powers) Act, 1958 and the Jammu and Kashmir Armed Forces Special Powers Act, 1990. To tie this to the announcement of the Commission mentioned above will send a powerful signal about the State's commitment to a new dispensation.

...

(Revoke Plans to...)

The Government of Manipur has signed a Memorandum of Understanding (MoU) for the project with the National Hydroelectric Power Corporation (NHPC) and Satluj Jal Vidyut Nigam Limited (SJVN) in 2010, then reaffirmed in 2011. However, the authorities have singularly failed to obtain Free, Prior and Informed Consent (FPIC) of the indigenous communities in Manipur, Mizoram and Assam that will be affected by the project, as required by the UN Declaration on the Rights of Indigenous Peoples—and as recommended by the UN Committee on the Elimination of All forms of Racial Discrimination on the issue in September 2011.

All of the five public hearings on the project held between 2004 and 2008 have ignored the voices of the communities violating their right to participate in the decision-making processes and the right to their Free, Prior and Informed Consent (FPIC). India's Ministry of Environment and Forest (MoEF) also disregarded their rights and arbitrarily granted environmental clearance for the project. Further, a joint technical survey team of India and Bangladesh governments formed in 2012 excluded the communities from any form of representation in the conduct of their survey.

The project has put at stake the rights of indigenous Hmar and Zeliangrong communities to their lands, territories and resources, including their livelihood, traditional knowledge, cultural values and identity. A large number of Zeliangrong and Hmar people will be displaced permanently with the submergence of about 311 sq. KM covering 90 villages, affecting an area of nearly 2000 sq. KM. Official figures have kept on varying and an independent body is yet to verify the number of villages that will be affected by the project. It is believed that the impact of the project would be far more severe than claimed by the government, as several other villages would also be affected indirectly by the project.

Besides, the project will also have significant environmental impacts. The dam will submerge 25,822 hectares of forest in Manipur and 7.8 million trees and 27,000 bamboo groves will be felled. These forested areas are critical habitats of birds and wildlife with many endangered species including gibbons, leopards, grey sibia, serow, barking deer and even the state bird of Manipur, the rufous-necked hornbill. The project will seriously affect these habitats and lead to the loss of those species.

Both NHPC and SJVN have extremely poor environmental, social and human rights records from their previous projects. The NHPC, during its Teesta V

HEP project, repeatedly violated the environmental and forest laws dumping huge quantities of excavation debris into the river and surrounding areas, illegal clearance of forest land for housing and untreated sewage being released straight into the river. It also remains unaccountable for resettlement of the communities displaced by the Loktak HEP Project in Manipur.

Indian military, deployed to counter the armed struggle in Manipur seeking their right to self-determination, have publicly announced their support and for the protection for the Tipaimukh project. The pursuance of development aggression is further intensifying militarization and has aggravated situation of human rights violations in Manipur.

I urge the Government of India and the Government of Manipur to:

- revoke the MoU between the Government of Manipur and NHP and SJVN,
- fully adhere to the recommendations of the World Commission of Dams and UNDRIP – particularly regarding FPIC – before proceeding with the dam.
- further, undertake a Holistic Impact Assessment to fully assess the social, economic, environmental, cultural, health and human rights impacts of the proposed Tipaimukh Dam on all portions of the river in Manipur, Mizoram, Assam and Bangladesh.
- stop all forms of development aggressions and militarization.

Yours Sincerely

(Signatories)

Source: Online petition addressed to the Prime Minister of India, Union Minister of Forests and Environment, National Human Rights Commission of India, and the Chief Minister of Manipur. It was initiated on 23 April 2012 by Citizens Concern for Dams and Development, India and Asia Indigenous Peoples Pact (AIPP) with Sinlung Indigenous Peoples Human Rights Organization, Action Committee Against Tipaimukh Project, Committee on Land and Natural Resources, Naga Women's Union, All Zeliangrong Students Union and Zeliangron Students Union Manipur.

(On the International Women's...)

suffer and yet they have all throughout been in the front to fight the painful rotting. They have proved this when they play in the field, on the ring, in the jail, and on the street. They have created a place of their own in proving this and we cannot miss to recognise it.

In connection to the occasion of the International Women's Day, Manipur Students' Association Delhi (MSAD) had organised a meeting to celebrate the spirit and achievements of Manipuri women in their struggle for a peaceful home and society in Manipur. The meeting discussed the socio-political environment in Manipur

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in order to discern the intensities of the history of Manipuri women's struggle. While the need to see the context of women's political action in Manipur was the focus of the discussion, MSAD also addressed the need to seriously look into the crimes against women perpetrated by beastly security and police forces, and cruel husbands alike. MSAD in this regard holds that series of recent cases of rape, murder and torture of women have challenged the civil society in Manipur to offer a critical engagement with these brutal events so that women are safe. In the spirit of the International Women's Day, MSAD once again appeals to all Manipuri women to fight such atrocities both in the domestic and public world.

Manipur Students' Association Delhi (MSAD) organised a social gathering of the 101 year celebration of International Women's Day on Friday 8 March 2012. It was conducted at Delhi University.

Apunbana Yaiphare!
Unity is Victory!

Sd/-
Md Shafikul Haque
President, MSAD.

(On the International Human...)

Northeast and Kashmir. It has dictated various projects of development programmes which are actually surreptitious works to align with the global capitalist corporate giants. It is ever ready to deploy the military forces on any occasion of dissent and dissidence and rights have been crushed under its rampant deployment of military atrocities and draconian legislations. In the context of such atrocities, there has been escalating voice of freedom and the will to fight for the universally recognised political and civil rights. People have been struggling for basic rights to life and security in order to enjoy a dignified livelihood both at individual level and collective level. However, these basic human rights had remain elusive from the daily experience of people under the oppressive regime.

Ever since Manipur was annexed to the Indian Union in 1949 the military rule has been in operation in Manipur and this is legitimized with the imposition of Armed Forces (Special Powers) Act in 1958. Since then things are not the same. We have been witness to perpetual physical and psychological assaults under the authority of this Draconian Act. There has been systematic the Indian killings, fake encounter, custodial rapes and murders, tortures, forced disappearance, illegal detentions, forced labour, and destruction of properties in the name of national security. The people of Manipur stand visibly distinct with the haunted experiences of human rights violation, and the severe wounds and mutilations suffered from such atrocities and excess.

It is to remind these facts of our life that we have been living and to face the draconic presence of the oppressive regime in Manipur in particular that we have

been observing International Human Rights Day on the 10th December every year. It is also to see that we have the courage and desire to adopt the ideal of the principle of human rights for a dignified life which is in fact the spirit of this observance. We have to strive and continue the struggle to realize our will to freedom, honour and dignity. On this day, we extend our solemn solidarity to those around the globe who are struggling for rights and the democratic movements which are in every part of the world.

Apunbana Yaifarae!
Unity is Victory!

Sd/-
Md. Shafikul Haque
President, MSAD

NOTICE

MSAD is publishing the annual magazine **MAHEIROI 2012** in August 2012. Interested Manipuri students are invited to submit original articles, poems and prose on or 31st July 2012. For further information please contact MSAD at 8750103607/7503873671.

MSAD Executives 2011-2012

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