

Irom Sharmila's protest marks 15 years



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AT News 1 November 2015 10660 views

Today marks the completion of 15 years of the selfless and unparalleled protest of Irom Sharmila, 42 year old poet and human [rights](#) defender from [Manipur](#), [India](#). She has been on hunger strike since [2](#) November 2000, demanding the repeal of the draconian Armed Forces (Special Powers) [Act](#) ([AFSPA](#)) which has been criticized by several national and international bodies. The Asian Forum for Human Rights and [Development](#) (FORUM-ASIA), Human Rights Alert ([Manipur](#)), [Amnesty](#) International [India](#) and Naga People's Movement for Human Rights urge Indian authorities to immediately and unconditionally release Irom Sharmila and repeal [AFSPA](#).

"Irom Sharmila's 15 year hunger strike is a symbol of a brave struggle [against](#) injustice. The [AFSPA](#) has caused widespread human [rights](#) violations like enforced disappearances, extrajudicial executions, torture and sexual violence," said Henri Tiphagne, Chairperson of FORUM-ASIA. In particular, "[AFSPA](#) has been used to justify killings on mere suspicion [as](#) well [as](#) granted virtual immunity through a clause prohibiting legal proceedings without sanction from the federal government, which is virtually never granted."

Irom Sharmila started her hunger strike on [2](#) November 2000 demanding the repeal of [AFSPA](#). However she was arrested four days later and charged with attempted suicide, a crime under Section 309 of the Indian Penal Code. "According to Section 309, a person convicted of the crime of attempted suicide may only be imprisoned a year. Since then Sharmila has been arrested, released and rearrested to be released after a year of judicial custody where she is forced fed through a nasogastric tube," said Babloo Loitongbam, Director of Human Rights Alert [Manipur](#). "Sharmila has never been convicted of charges of attempted suicide. Sharmila has repeatedly rejected the allegation that she is trying to commit suicide and maintains that she is on hunger strike demanding the repeal of [AFSPA](#)".

On 19 August 2014, a [Manipur](#) court ordered Sharmila to be released stating that her hunger strike was a "political demand through lawful means". On [10](#) December 2014, the Indian Ministry of [Home](#) Affairs said the Indian government had decided to repeal section 309 which would decriminalize attempted suicide. Most recently, on 23 January 2015, a district court in [Imphal](#) rejected the charges of attempted suicide and ordered to Sharmila's release from custody. However, she was re-arrested on the very same charges a day later. Sharmila has been facing this farcical cycle of arrests and re-[arrest](#) and has been subjected to force feeding since she began her hunger strike in November 2000.

"A hunger strike is not an attempt at suicide. Irom Sharmila is being detained by the government only for her inconvenient activism," said Aakar Patel Executive Director of [Amnesty International India](#). "She is a prisoner of conscience, using her freedom of expression to protest [against](#) an unjust law. And her shameful detention leaves a stain on [India](#)'s commitment to human [rights](#) which grows harder to remove with every passing year."

The criminalization of Irom Sharmila's peaceful protest also goes [against](#) the spirit of Article 1 of the [UN](#) Declaration on Human [Rights](#) Defenders, which guarantees the right of human [rights](#) defenders to promote and protect the realisation of human [rights](#).

Despite repeated calls to withdraw the [AFSPA](#) from [UN](#) experts [as](#) well [as](#) national and international groups, the [Act](#) continues to be enforced and continues to cause flagrant human [rights](#) violations. During the then [UN](#) High Commissioner for Human [Rights](#) Navanethem Pillay's visit to [India](#) in March 2009, she said the [Act](#) breached "contemporary international human [rights](#) standards." Furthermore, Margaret Sekaggya, then [UN](#) Special Rapporteur on Human [Rights](#) Defenders in 2011 and also Christof Heyns, then [UN](#) Special Rapporteur on Extrajudicial, Summary or Arbitrary executions in early 2012, had recommended repeal of [AFSPA](#). During the second cycle of the Universal Periodic Review in 2012, [India](#) also received specific recommendations to review and repeal [AFSPA](#). However, these recommendations were ignored [as India](#) was reluctant to accept them.

Earlier this year, the Indian government-appointed High Level Committee on the Status of Women recommended repealing [AFSPA](#). Previously, several other government-appointed commissions have recommended repealing the law. The Justice Jeevan Reddy Committee, the Second Administrative Reforms Commission and the Prime Minister's Working Group on Confidence-Building Measures in Jammu and Kashmir have recommended the repeal of the [AFSPA](#). The Justice Verma Committee, set up in 2012 to review laws [against](#) sexual [assault](#), noted that [AFSPA](#) legitimizes impunity for sexual violence. The Justice Santosh Hegde Commission, set up by the Supreme Court in 2013 to investigate cases of extrajudicial executions in [Manipur](#), described its findings [as](#) "egregious examples of the [AFSPA](#)'s gross abuse."

FORUM-ASIA, Human Rights Alert ([Manipur](#)), [Amnesty](#) International [India](#) and Naga People's Movement for Human Rights urge the Indian government to take immediate measures to repeal [AFSPA](#) given that is not in accordance with the international human [rights](#) standards. Repeal of [AFSPA](#) is already much delayed.

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