



Research Paper

## Prevention and Punishment of Genocide Under International Law: Manipur Chapter

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### Abstract

The ATSUM organized Tribal Unity Rally on May 3, 2023 in all hill districts of Manipur as a protest against Meitei/Meetei demand for Scheduled Tribe status under the Constitution of India. But the aim of the rally is found to be the hidden agenda of the commencement of genocide campaign against another ethnic group i.e., Meitei. The acts of killing, causing serious bodily or mentally harm and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part committed against Meiteis are with intent to destroy, in whole or in part of Meitei ethnic group and thereby genocide under International Law. Government India is mandated under International Law to act swiftly and save Meitei from genocide campaign launched by Kukis with its militants and militants from Myanmar. A genocide cannot be committed by a few crazy individuals alone but needs intellectual masterminds and an organizational apparatus to implement their evil plans. Such is true for the campaign of genocide in Manipur.

**Key words:** Acts of killing, Genocide, International Law, Kuki, Meitei

*“In recent times England has been invaded not by enemies nor by friends but by those who seek England as a haven. In their own countries there are poverty, disease and no homes. In England there is social security, a national health service and guaranteed housing, all to be had for the asking without payment and without working for it. Once here, each seeks to bring his relatives to join him. So, they multiply exceedingly.”*

Lord Denning in his book “The Due Process of Law”

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### I. Introduction

Burning down of whole houses of villages of Meitei, indiscriminate killing civilians, ordering that no quarter will be given (order directing that there will be no survivors) of Meitei villages, no internet, curfew, shoot at sight order, no security measures in undefended villages of Meitei in foot hills, Indian army and Central paramilitary forces standing as gentle as trees in foot hill areas, blockade resulting starvation as a means warfare in Kuki dominated areas, fierce gun fight between Kuki militants and security forces, burning of Meitei villages and killing of Meiteis by Kukis bearing highly sophisticated weapons, missing of Meiteis, dead body of Meitei found in the morgue are the daily news of Manipur since May 3, 2023. This sorry state of affairs where there is no rule of law but only rule of arms and no writ of Government reach to those areas – all these remind me the dreaded genocide episode of Rwanda in 1994s that lead to adoption of UN Security Council resolution 955 (1994) of 8 November 1994 acting under Chapter VII of the Charter of the United Nations and ultimately establishment of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and other serious Violations of International Humanitarian Law committed in the Territory of Rwanda and Rwandan Citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994 (the **International Criminal Tribunal for Rwanda**).

I have been teaching law for last 15 years in various Universities and law colleges of India and my specialization is in International Law and International Humanitarian Law. So, therefore, it is my duty to write a research paper on the present conflict situations in Manipur particularly killing of Meeteis/Meiteis by Kukis militants and examine that is it amount to genocide under International Law so that the perpetrator will be punished and it may also give a way for further research.

My research paper is based on the publication in the largest circulated English daily in Manipur – The Sangai Express. So, all the credit for available secondary data and ideas goes to the Sangai Express.

### **About Manipur**

Manipur is the ancestral territory of the ‘Manipuri’ people. It is situated in the northeast corner of India and is bounded in the east by Myanmar. The present territorial area is 22,327 sq.km. A fertile alluvial valley (10% of land – 2,238 sq. km.) extends north-south in the middle and is surrounded on all sides by hills ranges (90% of land – 20,089 sq.km.) forming a part of the eastern Himalayas. But 60% of the population of the State resides in the valley areas and the population density in the valley areas is 730 per sq. km. while in the hill areas it is 61 per sq. km. as per the 2011 Census. Historically, the existence of Manipur as an independent kingdom can be traced back around two millennia according to the royal chronicle *Cheitharoi Kumpaba*. Manipur was an independent kingdom until it was defeated by the British forces in the Anglo-Manipur War of 1891. Manipur became a part of India through 1949 Merger Agreement (Premananda:2015). Meitei (a tribe but not a scheduled tribe) are majority with 53% of the population but they cannot settle and buy land in hill areas which consist of more than 90% of land and this 90% land is inhabited by Tribals (scheduled tribes) i.e., Nagas and Kukis, who can also buy land in the valley areas and there are innumerable scheduled tribe villages, Meitei Pangals (Muslims) villages, Nepalis and other communities’ villages in valley areas. In short, Meitei settlement areas is around 6.5% of land of Manipur and they are majority tribal (but not Scheduled Tribe) without any Constitutional protection. In short, *Meitei are only tribe in the entire Northeast India who is not listed in the Scheduled Tribe Constitution of India* and so therefore, in this sense, *Meitei are majority in population for a while without any constitutional protection but marginalized in its own State and ultimately, they will be stateless person in near future.*

### **The confrontation is only between Kukis and Meiteis – a clarification**

The paper starts with a short editorial extract from the Sangai Express (May 6, 2023). The editorial read as -

#### **“Let the issue be very clear to all it is not Tribal vs. Meiteis**

... The standoff or clash or mayhem or killing or violence confrontation is not a confrontation between the Tribals and the Meiteis. It is a clash between the Meiteis and an ethnic community which happen to belong to the Scheduled Tribe list of the Constitution of India. To equate the present crisis as a clast between the Meiteis and Tribals would be missing the trees for the woods and this is where care should be taken to ensure that no room for misrepresentation is give.

To get a better understanding of the present turmoil one will need to go back to the day when the Tribal Solidarity March was organized on 3<sup>rd</sup> May, 2023. This is where question ought to be raised on why trouble erupted at Churachandpur and not at say Ukhrul or Senapati where the people too took a sharp stand against the demand raised that the Meiteis be included in the Scheduled Tribe list of the Constitution. Why did the people of Ukhrul and Senapati not take the violent path, though the said March or Rally was also organized at the two places with heavy participation. It is also significant to note that trouble soon spread to Kangpokpi and Moreh and the question is why no trouble broke out at the other hill districts. *Was the agenda of the Solidarity Rally only the ST demand or did it include other agenda which were not spelt out to garner support and sympathy from the other tribal group?* This is a question which only the All Tribal Students’ Union, Manipur (ATSUM) can answer. Who were the miscreants who set on fire the Anglo Kuki War Gate at Leisan village? Significant to note that the Anglo Kuki War Gate is situated about 7.3 Kms from Churachandpur town where the mass rally was held. The question is who would have approached the Anglo Kuki War Gate when a highly charged solidarity rally was underway at Churachandpur? Moreover, how did the rallyists march all the way up to Torbung which located 11.2 Kms away from Churachandpur town? This is a question which had been raised earlier and herein arises the question of why and how the rallyists were allowed to march well beyond the periphery of the Churachandpur town ...

In order to control the volatile situations, the ‘shoot at sight’ order has been given (Doungel, May 6, 2023) and ADGP (Intelligence) Ashutosh Sinha, IPS was made overall operational commander to control and bring normalcy in the State (the Sangai Express, May 5, 2023). The order further stated that Ashutosh Sinha will work under the guidance and supervision of Kuldiep Singh, retired IPS of West Bengal Cadre (RR 1986), Advisor (Security), Government of India (the Sangai Express, May 5, 2023). Very interesting a question may put here that how the Deputy Commissioner and the Superintendent of the Police allowed the rally to take place despite Section 144 of Cr.P.C. being imposed earlier in those areas.

The Centre has reportedly invoked Article 355 of the Constitution in Manipur as the situation in the violence hit State worsened on 4<sup>th</sup> May, 2023 (the Sangai Express, May 5, 2023). On security measures put in place, in the valley region, 14 companies of BSF, RAF and CRPF have been deployed and such forces will gradually be deployed to cover all the remaining regions of the State and another 20 companies of the Central Paramilitary Force have started arriving (Kailung, May 6, 2023). 23 sensitive police stations have been identified and a senior police officer each has been assigned to these stations in addition to sending additional forces for

better protection and security of the people and properties. Mobile data services and broadband services including Reliance Jio, Fibre, Airtel Xtreme Black, BSNL and FTTH were shut down for 5 days (the Sangai Express, May 5, 2023) and still shut down is continuing (as on 21.5.2023).

It is pertinent to mention here that Manipur Tribal Forum seeking a probe by Special Investigation Team (SIT) into the killing of tribals during ethnic violence in the State before the Supreme Court of India (The Sangai Express, May 9, 2023). It is submitted that the petition is one-sided in the sense that there is violence against tribals but the conflict is between Kuki, one of the ST and Meitei, claiming to be included in the ST list and if the petitioner genuinely wants SIT then it should also be included genocidal campaign by the Kuki along with Kuki militants now under Suspension of Operation (SoO) with Governments of India and Manipur. The Apex Court also responded the matter in befitting manner and noted that the solution cannot be decided based on the narrative of one community alone.

### **External aggression and internal disturbance vis-à-vis Manipur**

Article 355 of the Constitution mandates the Union of India a duty to protect every State against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of the Constitution. The Article reads as:

“355. Duty of the Union to protect States against external aggression and internal disturbance – It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of this Constitution.”

The Apex Court in *Sarbananda Sonowal* (2005) clarifies the word ‘aggression’ under Article 355 of the Constitution in the following words:

“The word ‘**aggression**’ is not to be confused only with ‘war’. Though war would be included within the ambit and scope of the word ‘aggression’ but it comprises many other acts which cannot be termed as war. The unabated influx of illegal migrants of Bangladeshi into Assam leading to a perceptible change in the demographic pattern of the State and a contributory factor behind the outbreak of insurgency in the State having dangerous dimensions of greatly undermining national security is an act of aggression.”

There is no promulgation of Article 355 in Manipur, however action will be taken up against all those who have taken up the law in their hands including those UGs who are under SoO, said Security Advisor to the State Government Kuldip Singh on 6<sup>th</sup> May, 2023. (As a teacher of law there is no such thing as ‘promulgation of Article 355’, it casts only a solemn Constitutional duty on the part of Union Government in the case external aggression and internal disturbance.) He informed that as many as 54 companies of CAPF have been deployed to ensure public safety in the State and of these 15 companies are deployed in the periphery areas including foot hills and tracts, besides keeping a regular watch with drones and helicopters (Kuldip, the Sangai Express, 7 May, 2023). Tulsar Mehta, Solicitor General of India (the Sangai Express, May 9, 2023) submitted before the Apex Court that “52 companies of Central Armed Police Forces and 105 columns of Army/Assam Rifles have been deployed in Manipur and flag marches have been conducted in disturbed areas. One senior retired police officer was appointed as security advisor by the Manipur Government and one senior officer was repatriated from the Central Government and taken over as Chief secretary.”

In the present context of Manipur, the State is facing both external aggression and internal disturbance. Most of the Kukis settling in Manipur are illegal migrants (foreigners) and these illegal migrants rule all the Kuki dominated areas of Manipur. I will not go further on this line – I have already published a lot on Article 355 and alike matters. But for the present let me remind all that what has been laid down by the Apex Court of India in this regard. The law laid down by the Supreme Court is the law of the land. Let me elaborate little further the matter so that there will be no grey area occupying the field of illegal migrants/foreigners, their expulsion and in which situation it amounts to war or external aggression that necessitate of using of Article 355 of the Constitution.

In *Louis De Raedt v. Union of India* (1991), the Apex Court held that the power of the Government of India to expel foreigners is absolute and unlimited and there is no provision in the Constitution fettering its discretion and the executive government has unrestricted rights to expel a foreigner.

In *State of Arunachal Pradesh v. Khudi Ram Chakma* (1994), following *Louis De Raedt (supra)*, it was held that the fundamental right of a foreigner is confined to Article 21 for life and liberty and does not include the right to reside and stay in this country, as mentioned in Article 19(1)(e), which is applicable only to the citizens of the country. ... Thus, the Apex Court comes to the conclusion that the Bangladeshi nationals who have illegally crossed the border and have trespassed into Assam or are living in other parts of the country have no legal right of any kind to remain in India and they are liable to be deported. The analogy is also true for Manipur i.e., *the Myanmar nationals/Kukis from Myanmar or elsewhere who have illegally crossed the border and have trespassed into Manipur or are living in other parts of the country have no legal right of any kind to remain in India and they are liable to be deported.*

In epoch making judgment in *Sarbananda Sonowal v. Union of India* (2005), the Supreme Court of India in unequivocal terms declares that ‘influx of large number of persons from across the border into India would be an act of aggression’ and that ‘the State of Assam is facing “external aggression and internal disturbance” on

account of large-scale illegal migration of Bangladeshi nationals. It is therefore, becomes the duty of the Union of India to take all measures for protection of the State of Assam from such external aggression and internal disturbances as enjoined in Article 355 of the Constitution. Having regard to this constitutional mandate, the question arises whether the Union of India has taken any measures for that purpose. By applying analogy, the *State of Manipur is facing "external aggression and internal disturbance" on account of large-scale illegal migration of Myanmaris Kukis nationals and it is therefore, becomes the duty of the Union of India to take all measures for protection of the State of Manipur from such external aggression and internal disturbances as enjoined in Article 355 of the Constitution. Having regard to this constitutional mandate, the question arises whether the Union of India has taken any measures for that purpose.*

It is uncontested fact that the foremost duty of the Central Government is to protect its borders and prevent trespass by foreign nationals. Remember Article 51A(d) of the Constitution says that it shall be the duty of every citizen of India to defend the country and render national service when called upon to do so. In this regard, *those Meiteis who are fighting with licence guns or other means with Kuki militants are most patriot and most dutiful citizen of India.*

### **Genocide campaign in Manipur**

Genocide is a crime under international law, it is contrary to the spirit and aims of the United Nations and condemned by the civilized world. At all periods of history genocide has inflicted great losses on humanity, and in order to liberate mankind from such an odious scourge, international co-operation is required (preamble to Genocide Convention).

The term genocide is defined under Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide of 1951. Genocide means commission of any of the acts which are enumerated in Article 2 of the Genocide Convention *with intent to destroy, in whole or in part, a national, ethnic, racial or religious group.* Genocide, whether committed in time of peace or in time of war, is a crime under international law and State is obligatory to prevent and to punish such crime. Persons committing genocide or any of the other acts enumerated in article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals (Article 4).

“Article 2. In the present Convention, *genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such:*

- (a) *Killing members of the group;*
- (b) *Causing serious bodily or mentally harm to members of the group;*
- (c) *Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) *Imposing measures intended to prevent births within the group;*
- (e) *Forcibly transferring children of the group to another group.*

Article 3. The following acts shall be punishable:

- (a) *Genocide;*
- (b) *Conspiracy to commit genocide;*
- (c) *Direct and public incitement to commit genocide;*
- (d) *Attempt to commit genocide;*
- (e) *Complicity in genocide.*

Article 5. The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article 3.

Article 6. Persons charged with genocide or any of the other acts enumerated in article 3 shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall accepted its jurisdiction.

Article 7. Genocide and the other acts enumerated in article 3 shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.”

The same definition is also adopted in Statute of International Criminal Tribunal for Rwanda, 1994; Statute of international Criminal Tribunal for the Former Yugoslavia, 1993; the Rome Statute of International Criminal Court, 1998 that establishes the International Criminal Court and amongst other.

Genocide is a crime with a double mental element, i.e., a general intent as to the underlying acts, and an ulterior intent with regard to the ultimate aim of the destruction of the group (Kai Ambos, 2009). The most important part of the definition of ‘genocide’ is the ‘**intent to destroy**’ element. The ‘intent to destroy’ requirement turns genocide into ‘an extreme and most inhumane form of persecution’ (*Prosecutor v. Zoran Kupreskic et al*). Genocide involves mass killing but it is more than mass killing. In *Akayesu (1998)* that ‘intent to destroy’ means a special or specific intent which, in essence, expresses the volitional element in its most intensive form and is



purpose-based (a goal-oriented crime). This position is shared by other authorities. Thus, the International Court of Justice (ICJ) (2007) also refers, citing the ICTY, to a ‘special or specific intent’ as an ‘extreme form of willful and deliberate acts designed to destroy a group or part of a group’. The Court of Bosnia-Herzegovina and the Darfur Commission of Inquiry also similarly speak.

In this regard, one more thing needs to be clarified i.e., a genocide cannot be committed by a few crazy individuals alone but needs *intellectual masterminds and an organizational apparatus to implement their evil plans* (Prosecutor v. Krstic, 2001). Plethora of Case law classifies ‘intent to destroy’ requirement relating three classes of perpetrators viz. *low-level perpetrators, middle-level perpetrators and top-level perpetrators* respectively. Kai Ambos (2009) concludes that while the traditional purpose-based reading of the intent to destroy requirement can be maintained with regard to the top and mid-level perpetrators, with regard to the low-level perpetrators a knowledge-based interpretation is more convincing for doctrinal and policy reasons. Consequently, a low-level perpetrator need not himself act with a ‘special’ intent (purpose or desire) to destroy a protected group, but only with the knowledge that his acts are part of an overall genocidal context or campaign.

In context to Manipur, the *killing of Meiteis by Kuki with its militants and well-planned intellectual masterminds and an organizational apparatus to implement their evil plans commencing from 3<sup>rd</sup> May, 2023 (or before) and continuing till the end of the evil campaign may also be qualified as ‘genocide’ if there is ‘intent to destroy’, in whole or in part, a national, ethnic, racial or religious group element is there*. Whether the act committed with intent to destroy in whole or in part of an ethnic or religious group i.e., Meitei will be decided by competent Court/Tribunal such as done by International Criminal Tribunal for Rwanda or Former Yugoslavia or hybrid Tribunal viz. East Timor Tribunal or Special Court for Sierra Leone or International Criminal Tribunal. The Genocide campaign in the context of Manipur may involve –

- *Killing members of the Meitei group;*
- *causing serious bodily or mentally harm to members of the of the Meitei Group;*
- *deliberately inflicting on the Meitei (group) conditions of life calculated to bring about its physical destruction in whole or in part.*

If the killing of Meitei by Kuki is amount to genocide, then persons committing genocide or conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide and complicity in genocide – are liable for punishment, whether they are constitutionally responsible rulers i.e., MLAs or MP or Ministers, etc.; public officials i.e., police officers, army officers, DCs etc.; or private individuals i.e., any civilian or any militant or student leader or member of forum, etc.

India a State party to the Geneva Convention and as per relevant provisions of the Convention (Articles 5 and 6), it is a mandate of established norms of International Law that India should try and punish persons charged with genocide in its jurisdiction.

### **Field of alleged genocide or alleged killing of Meitei with intent destroy, in whole or in part by Kukis in Manipur**

*Major areas of conflict/field of genocide commencing from 3<sup>rd</sup> May, 2023 till the writing of this paper (11:30 pm pf 18/05/2023) –*

- **Torbung** Bangla, Torbung Govinpur in Churachandpur
- **Kangvai, Phougakchou Ikhai**
- **Pukhao, Ikou, Dolaithabi, Litanpokpi, Yaingangpokpi**, Nongshum and Moirangpurel villages of Imphal East
- Senjam Chirang, Kadangband, Lairen Sajik, Phumlou
- Terakhongshangbi, Tronglaobi, Ngangkhalawai, Thamnapokpi, Naranseina, Sunusiphai
- Itham Moirang Purel, Ishingthembi, **Sagolmang**, Sapormeina
- Leimatak, Lairouching
- **Saikul** in Kangpokpi
- **Haotak Tampha Kunou village** in Kumbi A/C and **Wathalambi village** in Bishempur district
- **All Meitei inhabited areas/villages of Churachandpur, Kangpokpi and Tengnoupal districts and adjoining areas of hill and valley districts (foot hills)**

(Bold lettered locality/areas inhabited by Meiteis mostly in foothills which are *undefended villages (territories)* - the alleged peak field for genocide campaign launched by Kuki with its militants in Manipur)

*Major actor and fatalities during genocidal campaign* (between 3<sup>rd</sup> and 15<sup>th</sup> May, 2023) (Bold letters show that alleged acts committed with ‘intent to destroy’ in whole or in part, a national, ethnic, racial or religious group) I am very clear that the retaliatory mob violence or riots in valley areas are nothing to do with the genocide campaign of Kukis against the Meitei ethnic groups in Manipur and thereby casualties caused by that violence during 3 and 4 May, 2023 are as far as possible excluded from the present study.:

- ‘Tribal Solidarity March’ of May 3, 2023 however took an ugly turn soon after some unknown miscreants travelling in a write Bolero started a fire at the foot of ‘Anglo-Kuki War’ gate at Leisang village in Churachandpur. ...Concurrent to the rally, reports started doing the round that may **Forest Beat Officers**

located in the district were **either ransacked or set on fire**. The **Offices of the Forest Department** located at Bungmual, Singngat, Muallum, Mualltam and Sakot were **set afire or ransacked** by unknown miscreants (The Sangai Express, May 4, 2023).

- **Several houses, shops and vehicles have been torched** at Torbung, Bangla, Kangvai and Phougakchao Ikhai situated along the adjoining areas of Churachandpur and Bishnupur districts. ... Reportedly, agitators coming from Churachandpur also shot some rounds ... and *set on fire at least six houses* ... at Phougakchao Ikhai (The Sangai Express, May 4, 2023).
- At Moreh, a report of protesters *torching at least four hotels* have been confirmed ... and the figure may increase ... (The Sangai Express, May 4, 2023).
- The **Forest office at Kangpokpi was set ablaze** at about 8 pm (the Sangai Express, May 4, 2023).
- At least **40 houses have been reduced to ashes at Motbung** in Kangpokpi district after ATSUM's rally at around 7 pm (The Sangai Express, May 4, 2023).
- Some people **dresses in police like uniforms** attacked his village Lhunjang in Bishempur district (the Sangai Express, May 7, 2023)
- The death of a CoBRA commando who was on leave in violence hit Manipur (the Sangai Express, May 7, 2023). Officials in Manipur said he was killed on 5<sup>th</sup> May, 2023 afternoon when some people dresses in police like uniforms attacked his village Lhunjang in Bishempur district (the Sangai Express, May 7, 2023)
- 72-year-old Biren Kshetrimayum of Torbung Govindpur said, "Around 1,000 tribals armed with sticks and some **with sophisticated firearms** started attacking us without any provocation. They ransacked and **burned our houses, shops and everything** they could lay their eyes on." After attacking Torbung Bangla and Torbung Govindpur, the mob proceeded to Kangvai and Phougakchou and resorted to vandalism, he said (the Sangai Express, May 8, 2023).
- Thousands of people from Imphal East's Pukhao, Ikou, Dolaitabi, Litanpokpi, Nongshum and Moirangpurel villages and Saikul in Kangpokpi district who were rendered **homeless** following **attacks by armed militants** are taking shelter at various relief camps opened in Khurai and other localities (the Sangai Express, May 8, 2023).
- **Heavy exchange of fire between security forces and militant groups of a community** at Ikou and other villages neighbouring Kangpokpi (the Sangai Express, May 8, 2023).
- **Two persons** identified as Atom Samarendra and Yumkhaibam Kirankumar, both of Khumbong Bazar are **missing** since the morning of May 6, 2023, said Imphal West Students' Club Khumbong (the Sangai Express, May 8, 2023).
- As per the people taking shelter at 36 AR camps, some of the occupants lost consciousness after their **houses were torched** by miscreants (the Sangai Express, May 8, 2023).
- At Phougakchou Ikhai, police personnel said there have been **incidents of hill-based militants opening fire on police vehicles passing through the affected areas** and showed the bullet holes on their jeeps (the Sangai Express, May 8, 2023).
- A number of persons were also evacuated from Churachandpur by the Army via Mizoram ... (the Sangai Express, May 8, 2023).
- There are about **600 people staying at the Assam Rifles' 27 Sector Headquarters at Churachandpur** since May 4. While they were at the camp, **a person** suffering from hypertension and kidney ailment and **another person** requiring dialysis **died** and their bodies were still there (The Sangai Express, May 9, 2023).
- About 126 people sheltering at Khoupum relief camp have been evacuated to Imphal by a team of Noney police led by SP N. Madhunimai today (The Sangai Express, May 9, 2023).
- Congress MLA from Khundrakpam AC Th. Lokeshwor has urged the State Government to restore peace and normalcy in the bordering area of Saikul and Khundrakpam Constituencies by **flushing out the militants under SoO (Suspension of Operations) pact**. ... He went on to say that **many villagers** of Ikou, Sadu Yenguman, and Dolaitabi, which fall under his Constituency have been **rendered homeless** by the conflict. Claiming that the Government is remaining silent when the **militants under SoO are attacking civilians**, the MLA asked the Government to intervene and save the innocent civilians from the militants (The Sangai Express, May 10, 2023).
- ... a mob **backed by some armed people trying to take out Meetei people from security vehicles** coming from Moreh side from among the evacuated people ... (The Sangai Express, May 10, 2023)
- ... Security forces are using drones, UAVs and choppers for surveillance in addition to carrying out flag marches and area domination exercises in sensitive areas ... (the Sangai Express, May 11, 2023)
- **Unknown armed miscreants in combat fatigue reportedly torched one house** at Gwaltabi under Yaingangpokpi police station in Imphal East yesterday at around 4 pm ... (The Sangai Express, May 11, 2023).
- An Assam Rifles jawan was reportedly injured following an attack by unidentified armed men in Dolaitabi in Imphal East today ... (the Sangai Express, May 11, 2023).

- **Death toll in the ethnic clash has climbed to 68** as on 11.05.2023 (official record) while the number of **injured stands at 236**, said Education Minister Thounaojam Basanta Kumar ... 1794 cases of arson ... registered 321 cases ... altogether **47,727 people used to take shelter at different relief camps** ... one commando of Manipur police was killed in an **encounter with a suspected militant group under Suspension of Operation (SoO) at Tronglaobi Makha Leikai Chingkhong** today while four other personnel sustained injuries ... that **180 loaded trucks including 28 oil tankers coming from Dimapur side towards Imphal were blocked at Hengbung in Kangpokpi** and have retreated upto Senapati at around 9:30 am today for security reason ... (The Sangai Express, May 12, 2023).
- ... Engaging with **goods trucks who were heading towards Imphal, the mobs blocked the stretch of National Highway from Kangpokpi town to Motbung** towards Imphal and from Kangpokpi town to Taphou Kuki towards Dimapur with logs, burning tyres and stones. ... Likewise, blockades were carried out at Keithelmanbi, Leikop, Saparmeina and Motbung village along the Imphal-Dimapur Road between Kangpokpi town and Motbung. ... **Blockade volunteers were reportedly transported via Shaktiman, DI Tata and autos in bulk at various locations** and most of them were seen carrying catapults (The Sangai Express, May 12, 2023).
- Two regular cases have been registered at Patsoi Police Station in connection with **two individual who have gone missing since May 6, 2023** ... (The Sangai Express, May 12, 2023).
- Armed miscreants reportedly **abducted three civilians from Torbung Bangla** today while eight others managed to escape. From among the **eight escapes two are injured**. While ... got captured by the armed people suspected to be **Kuki militants** (The Sangai Express, May 12, 2023).
- ... only the **Kuki militants are left waging war against civilians** ... there is enough evidence showing that Kuki militants were involved in the conflict and they had instigated the people against each other. ... Kuki militants armed with **sophisticated weapons** including **AK-47, AK-56 and even sniper rifles** are constantly **attacking civilians and security forces in valley villages near the hills**. ... Kuki militants under SoO ... attacking civilians in the interior areas near the hills, ... **Kuki militants have openly attacked civilians and security personnel in the State against the rules of the SoO** ... Even though there is concrete evidence, the State has not yet taken any action against the militants. COCOMI suspects that India's internal policy is supporting them indirectly against the interest of the people of Manipur ... (The Sangai Express, May 12, 2023).
- ... the **locals of Tronglaobi have been guarding their village** since the clash broke out by wielding whatever weapons they can round the clock ... that **they saw some people armed with sophisticated weapons descending from the neighbouring hillslope** ... Claiming that the Central paramilitary force didn't make it to the site of the encounter but instead kept standing along ... (the Sangai Express, May 12, 2023)
- ... **gun brandishing SoO cadres could be seen openly taking part in the Tribal Solidarity March** via the video shots that went viral on the social media and this should be an open shut case ... the politics of peace via the Suspension of Operation (SoO) pact can be dangerous and as things have turned out, this is being play out in all its dirty ramifications across the nook and cranny of Manipur ... (The Sangai Express, May 12, 2023).
- ... Around **500 houses belonging to Meitei people in and around Torbung Bangla were burnt down displacing around 5000 people**. Moreover, **Ibudhou Pakhangba Temple and Ima Panthoibi Temple at Torbung Govinddapus were also burnt** ... (The Sangai Express, May 12, 2023).
- ... that **three PWD workers were found dead in a ditch** along with their vehicles near Churachandpur district bordering yesterday ... (the Sangai Express, May 13, 2023).
- A personnel of 9 Assam Rifles A Company received minor injury **in a bomb attack** allegedly carried out by suspected **Kuki militants** at Kulbung village under Phubakchao Ikai police station, ... as part of its area domination exercise ... a gunfight reportedly took place at Chanung area under Sagolmang police station in Imphal East today ... at around 4 am when a **group of armed people** suspected to be **Kuki militants started firing to towards Chanung village**, following which the villagers retaliated using license guns ... (The Sangai Express, May 13, 2023).
- At least two personnel of 9<sup>th</sup> Assam Rifles sustained bullet injuries in a gun fight with suspected Kuki militants at Changpikot under Churachandpur police station today at 11.30 am ... the incident occurred when a combined team of 9<sup>th</sup> Assam Rifles and Army rushed to a poultry farm located at Lairampat Sandong Chingya after receiving information that **ten farm houses had been set ablaze by suspected Kuki miscreants** ... (The Sangai Express, May 14, 2023)
- ... so far, **73 bodies (killed in violence) have been recovered** (officially but nos may be double or triple or more) ... (the Sangai Express, May 15, 2023).
- ... The Chief Minister further said that the Union Home Minister informed them that some evidence have suggested **involvement of some illegal armed groups other than the SoO militants** in the conflict ... efforts are on to end the **blockade in the hills** at the Union Minister's level ... (The Sangai Express, May 16, 2023).

- ... yesterday, miscreants **burnt down around 15 houses (Meitei houses)** at Torbung Sabal Mamang and Govindpur Mamang Leikai in Bishempur district ... (The Sangai express, May 16, 2023).
- ... **five persons have gone missing** since the ethnic conflict erupted in Manipur since May ... that two of missing persons are from Khumbong, Imphal West while the remaining three are residents of Torbung in Bishempur district ... (The Sangai Express, May 17, 2023) ... the total number of injured victims is 243 while **7 persons are still missing**. So far, **1820 houses have been burnt**, the Security Advisor said ... (the no. may be likely double or triple or more) (The Sangai Express, May 21, 2023) ...
- ... some armed miscreants suspected to be **kuki militants attempted to burn the Teak Resort and another picnic spot at Hathikhuwa in Kangpokpi** yesterday ... after ransacking the sites, the Security Advisor said ... He further informed that a group of unknown miscreants also **torched a truck at T Leijang in Kangpokpi** yesterday at around 2 pm ... (The Sangai Express, May 17, 2023)
- ... Troops of 2<sup>nd</sup> Maha Regiment stationed at Loukoi Pat, Bishempur detected **three bombs planted by suspected Kuki militants** at Kolpung area of Churachandpur district ... (The Sangai Express, May 21, 2023).
- ... Assam Rifles troops recovered **10 Kgs of explosives and 2000 detonators** from Bungbal Khullen yesterday at the border of Imphal East and Kangpokpi district Kuldiep Singh, Security Advisor said ... (the Sangai Express, May 21, 2023).
- ... about **1263 houses with sacred Sanamahi sites of Meitei have been burnt and destroyed**; 8341 people including women and children have been displaced and made refugees in their own land; 10 Umanglai temples have been desecrated and demolished in Churachandpur ... (The Sangai Express, May 21, 2023)
- Armed Kuki militants ... **opened war on Meitei by attacking Meitei villages in different directions almost simultaneously** in the wee hours of 29<sup>th</sup> May, 2023. All India Report, Imphal reported that a total of **9 people including 7 civilians and 2 policemen were killed**. ... The armed Kukis also **burnt down 200 houses at Napat and Tangjeng** in Bishnupur district. ... the armed Kukis, using **sophisticated weapons and heavy guns, launched multiple attacks** in various peripheral areas of the valley, resulting in the loss of many lives (The Sangai Express, May 29, 2023).  
Present status of internal displaced persons causes by genocidal campaign
- About 60 people from Itham Moirangpurel have taken shelter at a relief camp at Achanbigei Awang Leikai while more than 200 individuals from Ishingthembi, Sagolmang, Sapormeina and Dolaithabi are taking shelter at Heingang Kangjeibung (the Sangai Express, May 7, 2023).
- About 800 people including children and the elderly, are living in pitiable conditions in relief shelters near Thangjing temple and Moirang Lamkahi temple which are being run by three organizations (the Sangai Express, May 8, 2023).
- Thousands of people from Imphal East's Pukhao, Ikou, Dolaithabi, Litanpokpi, Nongshum and Moirangpurel villages and Saikul in Kangpokpi district who were rendered homeless following **attacks by armed militants** are taking shelter at various relief camps opened in Khurai and other localities (the Sangai Express, May 8, 2023).
- Relief camps opened in and around Khurai are hosting around 530 victims under the auspices of Joint Committee Relief Camps, Khurai Sajor Leikai (the Sangai Express, May 8, 2023).
- Even as the Government has started evacuation operations of displaced families and individuals, it is suspected that many Meitei people may still be taking shelter at three relief camps set up in Churachandpur district. The exact normative figure cannot be worked out (the Sangai Express, May 8, 2023).
- Around 2000 violence-stricken people have been sheltering in various relief camps of Moirang Assembly Constituency (the Sangai Express, May 8, 2023).
- People from Senjam Chirang, Kadangband, Lairen Sajik and Phumlou are taking shelter in the camp after being displaced due to the unfortunate communal clash between the Meitei and Kuki communities (the Sangai Express, May 8, 2023).
- Presently, there are nearly 3000 refugees present in the Mantripukhri camp (the Sangai Express, May 8, 2023).
- The Government is taking up all efforts to protect life and property without discrimination and so far, 20,000 out of 35,655 stranded people have been evacuated from different violent hit places of Churachandpur, Kangpokpi, Moreh, Imphal East, Imphal West and Thoubal said Chief Minister of Manipur, N. Biren Singh (the Sangai Express, May 9, 2023).
- Even as the Chief Minister was addressing the media, 500 people who were stranded at Churachandpur since May 3 were evacuated to Imphal today. Another 300/400 stranded folks were being evacuated from Moreh (the Sangai Express, May 9, 2023).
- There are about 600 people staying at the Assam Rifles' 27 Sector Headquarters at Churachandpur since May 4 (the Sangai Express, May 9, 2023).
- Around 360 displaced Meitei are taking shelter at the relief camp set up by Assam Rifles and Manipur police at Noney (The Sangai Express, May 9, 2023).
- About 126 people sheltering at Khoupum relief camp have been evacuated to Imphal by a team of Noney police led by SP N. Madhunimai today (The Sangai Express, May 9, 2023).



- ... around 2,500 people stranded in Churachandpur were brought to Imphal today (The Sangai Express, May 10, 2023).
- ... nearly 800 people are still taking shelter at an Assam Rifles post at Khuga Tampak in the violence hit district (The Sangai Express, May 10, 2023).
- ... around 500 people who were stranded in Moreh were brought to Imphal. Around 300-400 people were also evacuated from the border town yesterday (The Sangai Express, May 10, 2023).
- ... around 5,300 people have been evacuated to safety today ... around 30,000 people have been evacuated to safety from different shelter camps in sensitive areas says Dr. Sapam Ranjan, IPR Minister (the Sangai Express, May 11, 2023).
- As on May 10, 2023, there are *209 relief camps* open to shelter displaced people (The Sangai Express, May 11, 2023).
- Around 800 people who are stuck at the shelter at the Assam Rifles camps at Moreh ... (the Sangai Express, May 11, 2023).
- ... altogether **47,727 people used to take shelter at different relief camps** (the Sangai Express, May 12, 2023).
- ... there are about 4300 people in about 34 relief camps run by various philanthropic organizations in Churachandpur district ... (the Sangai Express, May 12, 2023).
- .. Evacuation of the displaced people taking shelter at different relief camps ... with the evacuation of around **45,000 people** so far, Kuldiep Singh said ... that **people taking shelter in Myanmar** amid the violence will be brought back to the State when the situation allows ... (The Sangai Express, May 13, 2023).
- ... The 465 persons include 400 from Moreh and 65 from Churachandpur who have been displaced by violent clashes that occurred on May 3 and following days ... (The Sangai Express, May 13, 2023)

#### **Finding reasons and agenda for genocide campaign**

The bold letters in the following paragraphs probable show and pointed the hidden agenda of genocide campaign against Meitei ethnic group by Kuki in Manipur. Making bold and Italic are for the present author for better understanding of the genocide campaign in Manipur. Instead of formulating my own thesis, I think it is the better way that the underlying reasons of agenda for genocide campaign be find out from other reliable sources so that complete objectivity the research paper be maintained.

It is very interesting turn of event that the Kuki with its militants (with sophisticated weapons) staged a Tribal Solidarity Rally against the Constitutional guaranteed demand of Scheduled Tribe status by Meiteis (an aboriginal tribe of Manipur but not listed in Scheduled Tribe under Constitution of India) and subsequent Manipur High Court order (dated 17.3.2023) on 3<sup>rd</sup> May 2023 and all consequent event of indiscriminate killing after (or before) the rally in the name of peaceful protest (but commencement of **a well-planned genocidal campaign**). In this matter the Sangai Express (May 9, 2023) lucidly highlighted the turn of event and underlying hidden agenda of the said rally in the following words:

*“If the directive of the High Court of Manipur to the State Government to send the needed report to the Centre for inclusion of the Meitei community in the Scheduled Tribe list of the Constitution of India was to be taken to the Supreme Court of India, then where was the need to organize the Tribal Solidarity Rally on May 3, 2023? This is a question which only MLA Dinganglung Gangmei and the All Tribal Students’ Union, Manipur can answer. And answer they must for the said student body can be and should be held culpable for the mayhem that Manipur is witnessing right now. Why organize such a charged rally if they cannot control it is another question which ATSUM is liable to answer and answer they must. ... Moreover, it is also incumbent on the part of the Government to investigate and find out who set the Anglo-Kuki War gate located just about 7 kilometers from Churachandpur town on the day the rally was staged for to many this was the spark that ignited the fire that soon spread resulting in one of the worst ethnic confrontations that Manipur has seen to date. ... **If the ST for Meitei demand was the sole reason, then why organize the rally if the matter could have been referred to a higher Court**, which is the Supreme Court, in this case? Defies logic and all sane reasoning. It is there on record to see that the rally started and ended peacefully at Ukhrul and Senapati and in the other districts save for **Churachadpur** and the mayhem that followed spread to only **Kangpokpi** and **Moreh** and *not to other hill districts and hereby hangs a very significant tale. Is this really tribal solidarity?*”*

... If ATSUM or anyone has any misgiving with the ruling of the High Court then the Supreme Court is the right platform to approach and not a Tribal Solidarity March as organized on May 3. The natural question that follows then is **whether there was any other agenda that was not spelt out** but which was there to evoke such an outrage in the first place? This is where looking back at the *past few months may throw some lights*. The rally was called and staged against the backdrop of the growing call for a **National Registrar of Citizens**, the *mass poppy destruction drive* launched by the State Government under its War on Drugs campaign, the *eviction drive at Reserved and Protected Forests* etc. and this is significant. ...”

- Drug money and arms can do anything in a small society like ours; drug cartels might have been involved in the present crisis.

- *ST issue is made the culprit to divide the people.* The real issues are fragmented and conjuring – irritated insurgents, isolated **drug lords, illegal immigrants, forest encroachers, unequal power sharing**, forest dwellers, and gullible emotional people.
- *Words of Union Minister for Environment, Forest and Climate Change;* Bhupender Yadav on May 2, 2023 also give a **fueled** to the campaign for genocide. The words of the Union Minister (the Sangai Express, May 3, 2023) are reproduced here –  
“**Forest land always comes under the ownership of State Government.** The 1927 Forest Act, after independence is a State subject. But after the 1976 amendment the forest land comes under State and Centre subject. But the ownership of forest always lies with the State Government. **To protect the Reserve Forest and Protected Forest, land comes under the sole responsibility of the State Government.**”
- Yadav’s statement comes at the backdrop of protests in the State over Govt’s eviction drives in Protected and Reserved Forests. ... The *Indigenous Tribal Leaders’ Forum* (ITLF) had **called for an eight-hour shutdown in Churachandpur district** on Friday (28/4/2023) *to protest the State Government’s eviction drive from the Protected and Reserve Forests.* ... The **hilly and forested Churachandpur district in southern Manipur, which borders Myanmar and Mizoram, is home to various Kuki-Chin militant groups** (The Sangai Express, May 3, 2023).
- A statement issued by the Coordination Committee on Manipur Integrity (COCOMI) said that it is deeply concerned with the recent issue regarding the **violent activities committed by certain groups from Churachandpur district headquarters in protest against the eviction drive by Forest Department at K. Sonjang Reserve area under an organization called Indigenous Tribal Leaders Forum (ITLF), Manipur** (The Sangai Express, May 3, 2023).
- ... agitators burned the banner which has the photos of Chief Minister N. Biren Singh and Prime Minister Narendra Modi and hurled abusive language, ... many police personnel sustained injuries while controlling the agitators. ... Asking how **an eviction of 15 houses which allegedly encroached on the protected forest area triggered such violent agitations could not have been possible without the support of groups with vested interest.** “The agitations were orchestrated by **a group of powerful people who had been indulging in poppy plantation, drug smuggling and deforestation for years,**” People’s Alliance for Peace and Progress Manipur (PAPPM) claimed (the Sangai Express, May 3, 2023).
- ... that **poppy plantation is widespread at Churachandpur-Khoupum Protected Forest areas.** ... (The Sangai Express, May 3, 2023).
- It is claimed by the Indigenous Tribal Leaders’ Forum (ITLF) that in the guise of conservation, the Government of Manipur has enacted Bills and passed laws without following procedures established by the Constitution of India under Article 371C and other statutes/laws. It added that **declaring parts of the Scheduled Hill Areas as reserved forest, protected forest, protected sites, wild-life sanctuaries** etc. without following the procedure established by the Constitution is unconstitutional (the Sangai Express, May 4, 2023).
- “The declaration of **Reserved Forest and Protected Forest** was *not made with the informed consent of the tribals.* ... The Hill Areas Committee (HAC) has not been consulted regarding these declarations. ... that **arbitrary imposition of Reserved Forests, Protected Forests or wildlife sanctuary on the pretext of ‘war on poppy cultivation’** is neither justifiable nor acceptable. (The Sangai Express, May 4, 2023).
- The ITLF ... there is no justification for poppy cultivation, it argued that the manner in which the “**War on Drugs**” campaign has been executed **without proper plan and policy and directed towards an entire community is stereotypical** and merely an attempt at a media campaign rather than a serious attempt at tackling the root-cause of the problem. ... on the issues of **illegal immigrants/refugees residing in large numbers in the hills of Manipur**, ITLF argued that sizeable number of Meitei communities are residing in neighbouring Myanmar, sharing the same culture, religion and/or identity and even lineage with the Meiteis in Imphal valley. ... (the Sangai Express, May 4, 2023).
- The Zomi Chiefs’ Association (ZCA) ... there is *no such thing as ‘Protected Forest’* as claimed by the Government in the hill areas ... also alleged that the State Government has declared the Churachandpur-Khoupum Protected Forest, Dampi Forest Reserved, Cheklaphai Forest Reserved, Lentang Forest Reserved, Kailam Sanctuary, Tolbung Forest Reserved, Vangai Forest Reserved without proper notification thereby **affecting the habitat of thousands of tribal populace** living in nearly a hundred villages across the area ... continue to allege that the State Government’s demand for legal documents from village chiefs to stake claim of their rights for settlement within the *Churachandpur-Khoupum Protected Forest* is “nothing but a trap.” It is claimed that there is **no such ‘protected forest’ as claimed by the Government.** The chiefs of the said villages also allegedly denied the *existence of such protected forest.* (The Sangai Express, May 4, 2023).
- Hearing a **contempt case**, the **High Court of Manipur** has issued notices to MLA Diganglung Gangmei (MLA of Nungba AC and *Chairman of the Hill Areas Committee*) and *ATSUM president* Seiboi Haokip to appear before the Court on May 8, 2023 (The Sangai Express, May 4, 2023).

- It was not, repeat was not, a solidarity rally, a solidarity rally qualified by the prefix ‘Tribal’, but was rather one of **‘confrontation’ rally**. Things have certainly taken a turn for the worse, from the manner in which groups of people ran riot at Churachandpur a few days back to **burning an Open Gym, which was scheduled to be inaugurated by none other than the Chief Minister** himself to ransacking the place designated for the public, to now the ‘solidarity rally’. It is also clear that the Government seems to have been caught off guard by the turn of events or else how does one explain the point that rallyists from Churachandpur reportedly **managed to march up to Phougakchao Ikai, the place which lies just on the border of Bishnupur-Churachandpur district, a place which 11.5 kilometers away from Churachandpur district headquarters**. ... It is also significant to note that while the rally was held simultaneously across the hill districts, the question of ‘Protected Forest’ and ‘reserved Forest’ did not feature that prominently though this was the precursor to the supposedly ‘solidarity rally’ ... What happened after the rally was more than a clear indication that the **State Government is being identified with a particular community** and *nothing can be more tragic than this*. Or was the solidarity rally a sort of a coming together of the hill people to gang up against the Meiteis? Here again it should be clear to all that not all the Meiteis stand with the ST for Meitei call and this is a fact that should not blow over the heads of anyone. It should also be clear to all that the *ST for Meitei call is not more than a demand raised to the Centre* and it stands that the *Meiteis were at one point of time referred to as tribals by the British*. The demand is to be included in the Scheduled list (the Sangai Express, May 4, 2023).
- Urging the media practitioners to play the role of peacemaker instead of trouble maker, it further called them to remember the *role of certain media in Rwanda* that sparked an unwanted genocide decades ago (The Editors’ Guild Manipur, the Sangai Express, May 9, 2023).
- ... that there are forces within both parties in conflict who are trying to bring about a fracture between the two communities for *political mileage*, personal vendetta and many other factors including the **drug trade and turf control**, ... (The Editors’ Guild Manipur, the Sangai Express, May 9, 2023).
- The Federation of Civil Society Organizations (FOCS) has claimed that the underlying causes which ignited the series of violence in Manipur were the opposition by a section of people including militants to the **survey of protected and reserved forest areas and poppy plantations** other than the High Court judgment, which directs the Manipur Government to send the recommendations for enlisting Meetei in the Scheduled Tribe (ST) list of the Constitution (The Sangai Express, May 9, 2023).
- The Federation of Haomee has asked whether the Tribal Solidarity March of All Tribal Students’ Union, Manipur (ATSUM) taken out on May 3, 2023 had a *hidden agenda to stop eviction drives at reserved and protected forest areas, implementation of National Register of Citizens (NRC), busting of drug business and destruction of poppy plantations on the context of opposition to Scheduled Tribe (ST) status demand of Meetei/Meitei (The Sangai Express, May 10, 2023).*
- ... why the rallyists of the Solidarity March targeted and hurled **abusive tones against Chief Minister N. Biren Singh, Forest offices and settlement areas and places of worship of a particular community at Moreh and Churachandpur** (The Sangai Express, May 10, 2023)
- ... Addressing the media at Chief Minister’s Secretariate at Babupara ... Kuldiep Singh continue that **some cadres of the SoO signatory groups were found staying at the designated camps**. The statement of the Security Advisor to Manipur Government literally means that some, **though** the figure couldn’t be spelt out accurately, **cadres are not in the camps** (The Sangai Express, May 11, 2023).
- ... why the **Kuki militants under SoO allegedly participated in the Tribal Solidarity March of May 3 and turned against the people** ... (the Sangai Express, May 11, 2023).
- JNU Professor *Bhagat Oinam* has said that the violence in Manipur was committed under a **well-planned conspiracy**. ... “The BJP Government has taken strict action against the drug mafia and that is why the **drug mafia became active** in this incident and they have a bid role in this Manipur violence”. ... *people from the Meitei community were targeted and their houses were demolished* (The Sangai Express, May 11, 2023).
- Khunadrakpam AC MLA Thokchom Lokeshwar has urged the State Government to make sure ... the **continued presence of cadres of militant groups under SoO** and their condemnable activities is making things worse. It is unfortunate to see the Government is unable to rein in the activities of these militants, ... they continue to float the rules of the SoO. ... many residents of Khunadrakpam Assembly segment who have been rendered homeless after their *houses were razed to ground* and properties were destroyed ... (The Sangai Express, May 11, 2023).
- ... that the evident **protection of poppy plantations in hill districts by some groups who are suspected to be signatories of SoO pact** is a matter of serious concern, ... that **participation of armed persons in the tribal Solidarity March of ATSUM**, particularly in Churachandpur should be investigated thoroughly, K. Mani, former acting Chairperson of Manipur Human Right Commission (MHRC) said that the Government of India needs to answer why there are **arms/firearms are present in the civilian space in the Kuki areas** of Manipur (The Sangai Express, May 11, 2023).

- ... The All-Manipur United Clubs' Organization (AMUCO) ... asked the Centre and the State Government to carry out a thorough study so as to find out whether the unrest seen in Manipur was a conflict among two sections of people or **a result of implementing a hidden agenda by militant groups under SoO pact** to fulfil their ambition ... (The Sangai Express, May 11, 2023).
- The civil society organizations of Kangpokpi district today met the interlocutor of the SoO talks with the **United People's Front (UPF), and the Kuki National Organization (KNO)**, the two conglomerate organizations of the Kuki militants under tripartite talks with the Government of Manipur and Government of India in Kangpokpi district. ... that our stance "**no separate political administration, no rest**" was made loud and clear. ... "we will not compromise our stand" under any circumstances (The Sangai Express, May 12, 2023).
- ... gun brandishing **SoO cadres could be seen openly taking part in the Tribal Solidarity March** via the video shots that went viral on the social media and this should be an open shut case ... the **politics of peace via the Suspension of Operation (SoO) pact** can be dangerous and as things have turned out, this is being play out in all its dirty ramifications across the nook and cranny of Manipur ... (The Sangai Express, May 12, 2023).
- ... "It is now clear that violent clashes that started on May 3 were communal in nature but the handiwork of the **Kuki militants and some people instigated them to attack Meitei villages in a bid to oust them from near their areas and grab land,**" COCOMI said. ... that the conflict was solely **instigated and fueled by Kuki militants.** ... Even though sections of the people had participated in the riot and violent clashes due to their anger and disappointment, now after normalcy has returned slowly, ... **While the people have reached out to each other to restore peace by communicating with each other, only the Kuki militants are left waging war against civilians and security forces** (The Sangai Express, May 12, 2023).
- COCOMI also tore into the statements given by MLA Paolienlang to a National media and said the MLA presented a biased and one-sided story ... he mentioned Kuki houses torched in the violent clashes; he did not mention about the incidents of Meitei houses near his Constituency reduced to ashes. ... (The Sangai Express, May 12, 2023).
- While the valley area (9% of land) in Manipur is largely inhabited by Meiteis, hill areas (91% of land) are dominated by tribals – mainly Kukis. But **small fractions of people from both communities live in areas dominated by the other.** These were the people caught in the crossfire first when the violence began. *Meiteis were targeted in Kuki-dominated areas (not only by civilians but also by armed militants) Kukis were targeted (only by angry riot) in places dominated by the Meiteis* (the Sangai Express, May 12, 2023) (words in bracket are added by present author).
- ... '**Some, not all, SoO cadres found in camps.**' The stress on the words 'not all' should be easy to understand in the face of the growing allegations that the armed cadres belonging to outfits which have signed the SoO pact with the Government are **moving around and engaging the security forces in gun battles** and even *helping one community in the fight against another community* ... (The Sangai Express, May 12, 2023).
- Security Advisor to the Government of Manipur Kuldiep Singh has yet again **confirmed that some cadres of Suspension of Operation (SoO) signatory militant groups have vanished from the designated camps.** ... that some **arms and ammunition kept at two designated camps were found missing** during an inspection by security forces ... that **very few cadres of militant groups under SoO were found staying at the designated camps** by the security forces during the inspection ... He continued that the security forces have been carrying out inspection drives at 14 camps of the militant groups including those in the SoO pact ... (The Sangai Express, May 13, 2023).
- ... **Torbung Govindpur is at present deserted, with the inhabitants having fled the place** after the May 3 attack ... (The Sangai Express, May 13, 2023).
- The COCOMI ... that the violence besieging the State is a fallout of **political conspiracy hatched by a group of non-indigenous folks** to break the unity and integrity of Manipur ... that this **group of non-indigenous who intruded into the State** are not only scheming to take away the privilege given to the old Kukis who have been staying in Manipur for a long time but also to break apart the State ... (The Sangai Express, May 13, 2023).
- ... that ten tribal, non-Naga, MLAs have jumped onto the bandwagon of the '**separate administration**' call, ... there is nothing new in this demand. It has been there for ages and to non-Kuki people this demand can be understood as **Kuki Homeland, Zalengam,** etc. and it should be more than obvious how and why the said ten MLAs hitched their wagon onto the 'separate administration' call ... Tribal Solidarity march of May 3 was camouflaged under the cloak of 'a march against the ST demand for the Meiteis' and ... to take along all the tribals of Manipur. The very fact that trouble started during the Churachandpur rally and soon spread to Kangpokpi and Moreh should more than say something on the other unstated but obvious agenda behind the rally ... (The Sangai Express, may 13, 2023).
- Challenging the **demand of separate administration being raised by a group of 10 non-Naga tribal MLAs,** the AMUCO has asked the Centre and the State Government to take up action against those who



- scheme to tighten the tension in Manipur. ... claimed that the **ethnic clash which rocked the State since May 3 might be orchestrated by these 10 Kuki MLAs to fulfil their political aspirations** ... (The Sangai Express, May 14, 2023).
- The World Meetei Council (WMC) has claimed that the **joint statement issued by 10 MLAs of Chin-Kuki tribes on May 12 endorsed the act of atrocities and violence committed against the 'innocent' Meiteis** while ignoring the crimes 'their people had committed' ... (The Sangai Express, May 14, 2023).
  - Breaking its silence after days, the STDCM has asserted that there is no connection whatsoever between the Scheduled Tribe (ST) demand of Meitei/Meitei and the entire conflict in the State and added that the unrest could have been triggered by opposition to the Government drive against **poppy plantations, encroachment on protected and reserved forest** by a section of people and demand to implement **National Registrar of Citizens (NRC) in Manipur** ... (the Sangai Express, May 14, 2023).
  - ... AMUCO claimed that the ethnic clash which rocked the State since May 3 might be **orchestrated by these 10 Kuki MLAs to fulfil their political aspirations** ... (The Sangai Express, May 14, 2023).
  - Alleging that many ... **Myanmar based Kuki militants**, aside from the **Kuki militants under SoO**, have *joined the ongoing conflict in targeting a particular community (Meitei)* ... has accused **Myanmar based drug cartel/mafia** of smuggling people into State, including weapon-bearing groups, in a bid to oust the indigenous people from their own land ... the Kuki militants will not retreat easily as the violence inflicted is **not accidental but intentional from their side** ... (The Sangai Express, May 16, 2023).
  - ... The Chief Minister further said that the Union Home Minister informed them that some evidence have suggested **involvement of some illegal armed groups other than the SoO militants** in the conflict ... efforts are on to end the **blockade in the hills** at the Union Minister's level ... (The Sangai Express, May 16, 2023).
  - Following the recent violence between two communities – Meitei and Kuki in Manipur, ten legislators, including seven from BJP, have **demanding a separate State** and have written a letter to Union Minister Amit Shah ... (The Sangai Express, May 18, 2023).
  - ... ongoing **demolition of Meitei houses in Churachandpur using heavy machinery like JCB and explosives** to obliterate every remaining structure and landmarks in Meitei colonies of Churachandpur ... (The Sangai Express, May 21, 2023)
  - ... Drive out **Myanmar based militants of People Defence Force (PDF)** who were involved in the May 3 violence from the State ... claiming that these armed groups from Myanmar **teamed up with Kuki militants under SoO** ... United Political and Social Forum (UPSE) questioned if the Indian Intelligence were unaware of this development ... (The Sangai Express, May 21, 2023)
  - ... RK Imo, Sagolband AC MLA also urged the Central Government to oversee the **illegal armed foreign groups crossing the Indian border into Manipur** immediately as it is a threat to the Nation's internal security ... (The Sangai Express, May 21, 2023).
  - ... the people of Leitanpokpi area said **Kuki militants are stationed at nearby villages and attacking Meitei villages** ... 150 acres of cultivated land/fields of Leitanpokpi are being occupied and under the control of the Kuki militants ... (The Sangai Express, May 21, 2023)
  - Armed Kuki militants ... **opened war on Meitei by attacking Meitei villages in different directions almost simultaneously** in the wee hours of 29<sup>th</sup> May, 2023. All India Report, Imphal reported that a total of **9 people including 7 civilians and 2 policemen were killed**. ... The armed Kukis also **burnt down 200 houses at Napat and Tangjeng** in Bishnupur district. ... the armed Kukis, using **sophisticated weapons and heavy guns, launched multiple attacks** in various peripheral areas of the valley, resulting in the loss of many lives (The Sangai Express, May 29, 2023).

It is also alleged that some of the places where the situation is highly volatile or explosive which is already known like Torbung, Bangla, Kangvai, Phougakchao Ikhai, Pukhao, Ikou, Dolaithabi, Sikul, Yaingangpokpi, Nongsum and other sensitive foothills but no additional security forces or paramilitary forces have been deployed at these places so far (till after 15 days of commencement of genocide campaign). It has further alleged by COCOMI that even though there is concrete evidence, the State has not yet taken any action against the militants, it suspects that *India's internal policy is supporting them indirectly against the interest of the people of Manipur* (the Sangai Express, May 12, 2023), it added that there is an apprehension if the *Kuki militants are working in 'collusion' with the Government of India* (The Sangai Express, May 15, 2023). The AMUCO also asked the Government to probe whether the *Assam Rifles took sides*, an allegation that has been raised by people in the conflict (The Sangai Express, May 11, 2023). Student bodies alleged that ... with evidence and witnesses that Assam Rifles is helping the Kuki militants (The Sangai Express, May 14, 2023). While detailing their ordeal, ... displaced people of Torbung lamented that the Central Paramilitary Forces deployed in Torbung area did not intervene and they remained a spectator when armed Kuki militants attacked their village (The Sangai Express, May 17, 2023). The COCOMI has said that the people of Manipur will not forgive the Government of India if they are aiding the Kuki militants discreetly (The Sangai Express, May 29, 2023). I also in this juncture asking *why the Central Government is very slow or at all not taking any concrete action against the Kuki militants'*

groups whether SoO pact or not when the latter has started attacking civilians and security personnel using automatic guns and other sophisticated weapons in their disposal.

## **II. Finding of facts and recommendations**

From the above collected data and facts and circumstances of the matter, it is therefore, prove beyond reasonable doubt that violence or conflict in the State of Manipur is not a mere violence or conflict, it is a clear case of well-planned genocide campaign and thereby, *fulfil the element of acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group*, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mentally harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

The last but not the least, in order to prevent and prosecute the persons charged with genocide, conspirator, or who have directly and public incitement to commit genocide, attempt to commit genocide and complicity in genocide in Manipur the following views and *recommendations* are formulated for further action: -

- 1) In compliance with Constitutional mandate as enshrines in Article 355 and judgment of the Apex Court in *Sarbananda Sonowal* (2005), the Government of India should declare there is *de jure* a situation of external aggression and internal disturbance in Manipur because of illegal migrant of a large numbers of Kukis from neighbouring States (read as Countries). Accordingly, it shall be the duty of the Government of India to protect State of Manipur against external aggression and internal disturbance and to ensure that the Government of Manipur is carried on in accordance with the provisions of the Constitution of India,
- 2) That the most serious crimes of concern to international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation, determined to put an end to impunity for the perpetrators of these crimes and thus to contribute to the prevention of such crimes and it is the duty of every State (read as country) to exercise its criminal jurisdiction over those responsible for international crimes and the obligation is to save the present and future generations from such odious scourge of genocide (Rome Statute of International Criminal Court);
- 3) Any person who commits an act which constitute genocide under international law is responsible and therefore and liable to punishment.
- 4) The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law (Principles of the Nuremberg Tribunal and now a *jus cogens*);
- 5) A person who planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of crime of genocide in Manipur shall be individually responsible for the crime (an established norm of Customary International Humanitarian Law);
- 6) Genocide is a crime under International Law and it is contrary to the spirit and aims of the United Nations and condemned by the civilized world. It has inflicted great losses on humanity and in order to liberate mankind from such an odious scourge as mandated by Constitution of India and also a party to Genocide Convention, India should act swiftly.
- 7) It is found that a genocide cannot be committed by a few crazy individuals alone but needs intellectual masterminds and an organizational apparatus to implement their evil plans. It is also true for genocide campaign launched by Kukis against Meitei in Manipur. In this regard, needs to find out three classes of perpetrators viz. low-level, middle-level and top-level perpetrators respectively and accordingly purposed-based reading of the intent to destroy requirement can be maintained with regard to the top and mid-level perpetrators, with regard to the low-level perpetrators a knowledge-based interpretation is more convincing. Consequently, a low-level perpetrator need not himself act with a 'specific' intent (purpose or desire) to destroy a protected group, but only with the knowledge that his acts are part of an overall genocidal context or campaign.
- 8) Proper investigation of genocide campaign launched by Kuki against Meitei in Manipur is required – the most appropriate is by a high powered a Fact-Finding Inquiry Commission like that was done in Darfur (Darfur Commission of Inquiry) headed by reputed International Expert, or retired or sitting Supreme Court Judge and act on the finding of the report as the earliest under United Nations supervision;
- 9) Try and punish the perpetrators of genocide of Meitei by Kuki in Manipur in the model of International Criminal Tribunal for former Yugoslavia or International Criminal Tribunal for Rwanda or East Timor Tribunal or Special Court for Sierra Leone;
- 10) Another easiest means is the adoption of Rome Statute of International Criminal Court by India and accordingly prosecution and trial will be conducted in the International Criminal Court;
- 11) The Tribunal constituted for the said purpose shall have the power to prosecute persons charged with genocide or any of the other acts enumerated in Article 3 of the 1951 Convention on the Prevention and Punishment of

the Crime of Genocide in the State of Manipur, a part of India between 3 May 2023 and date of the last commission;

- 12) The last option but not appropriate is the Trial by Special Court constituted for the purpose only under existing national law of India with required amendment like Law on Court of Bosnia and Herzegovina or the Extraordinary Chambers in the Courts of Cambodia.

“... that all peoples are united by common bonds, their cultures pieced together in a shared heritage, and concerned that this delicate mosaic may be shattered at any time ...”

Preamble to the Rome Statute of International Criminal Court

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