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Armed Conflict and Violations of Women's Human Rights in North East India: Some Observations

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Abstract

Human Rights are people's own rights that belong to every person with whom people can live their own way of life with harmony and dignity. But in every society woman's are the victims of human rights violations and India's North East is no exception from it. However, in comparison to other parts of the country the women of North East India enjoy greater mobility and relatively much liberal and almost free from social evils like dowry, female feticide, and infanticide. But in the region in case of armed conflictual situations, the conditions of women are more in danger than rest of the country. There were many instances where women were brutally murdered, raped by the member of military forces and abused both mentally and physically. Since the implementation of Armed Forces Special Power Act of 1958, the region has witnessed many conflictual situations where armed forces misuse their power and violate women's human rights. Still, there are many women civil organizations who strongly speaks against the Act and raised their voice against the misuse of military power. Hence, an attempt has been made in this paper to discuss how women's human rights are violated by AFSPA, how women's are suffering during the armed conflict in North-East India.

Keywords: - *Armed Conflict, Violations, Women's Human Rights, North East India.*

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Introduction: The experiences of women and girls during the conflict have been highly adverse in nature, exposing them to various forms of discrimination and violence, which perpetuates their marginalised status. The image of a woman in a conflict situation is that of a 'victim', and her rights as a survivor and role as peace builder become side-lined. Not only does conflict promote violence against women, it is also used as a permissive setting for the abuse of women. The exploitation of women and gender-based violence are often the wages of war/conflict (Hazarika and Sharma, 2014:4). It is the fact that women are always survived during the conflict period, post-conflict and in the transitional period. Rehn and Sirleaf have opined that women are victims of unbelievably horrific atrocities and injustices

in conflict situations; this is indisputable. And at the same time as refugees, internally displaced persons, combatants, heads of household and community leaders, as activists and peace-builders, women and men experience conflict differently. Women rarely have the same resources, political rights, authority or control over their environment and needs that men do (2002:1). And in case of North East India from the past three-four decades, the region has witnessed various armed and ethnic conflict where women are the main survivor. There are many instances where women were brutally killed and raped by the military forces and abused both mentally and physically. Under the banner of AFSPA, the paramilitary forces harassed women even when they were not involved in the conflict. At the same time due to the presence of patriarchal domination the women in the region get marginalized and live in vulnerable conditions. Throughout the world, women experience violence because they are women, and often because they do not have the same rights or autonomy that men do. They are subjected to gender-based persecution, discrimination and oppression, including sexual violence and slavery (Rehn and Sirleaf, 2002: 10).

There are many national and international forums/ organizations who always talking about the protection of women's rights and human rights as well but it is still more a dream than reality. However, according to Joshi human rights are the fundamental natural rights which are the most precious possession of mankind and a world without them will have to face a perpetual risk of moral depredation. Human rights are also called fundamental rights or natural rights. As such, these cannot be taken away by any legislative measure anywhere (Joshi, 2006:1). In the World Conference on Human Rights, held in Vienna on 25 June 1993, the Vienna Declaration and Programme of Action declared that "The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community. Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated". On the other hand, in Beijing Conference, the first lady of USA, Hillary Clinton stated that "Human Rights are women rights and women rights are human rights once and for all" (<http://www.ohchr.org/Documents/ProfessionalInterest/vienna.pdf>). And it is the responsibility of both states and civil societies, NGO's to protect the women's human rights.

AFSPA in North East India: Human rights abuses are synonymous with the Armed Forces Special Power Act (AFSPA) of 1958, introduced in response to the Naga insurgency in what was then Assam State, which entitled the Government of Assam and the then Chief Commissioner of Manipur to declare the whole or any part of those regions as 'disturbed areas' (Hayes, 2012:10). Since the implementations of AFSPA, the human rights violations and abuses including extra-judicial killing by paramilitary forces have become a special

character of the region. Death, injuries, and humiliations resulting from 'insurgencies' and 'counter-insurgency operations', as well as the hidden hurt that citizens quietly endure have become a part of the texture of everyday life in the region (Baruah, 2007:3).

There are many instances where the innocent youths were brutally killed, many women were raped and then killed by armed forces. In December 2011, three Assamese youths were killed by the army and evidence said that it was 'fake encounter' led to blockades of two national highways (Borooah, 2011). A 20 km zone along Assam's borders with Arunachal Pradesh and Meghalaya are also subject to AFSPA, as are 38 police district in Tripura and two districts of Arunachal Pradesh (Tirap and Changlang). Decisions to designate an area as 'disturbed' are taken by the Central Government, often with disregard for the wishes of state legislatures (Hayes, 2012:10).

Therefore, North East Network (NEN) raised the question about the reasons for the imposition of AFSPA in North East region and in November 2013 they received the reply from the Director (NE) of Ministry of Home Affairs (MHA), and the reply was- *'violence became the order of the day in the North-East due to ethnic clashes and other historical factors, giving rise to formation of militant groups (possessing sophisticated weapons) which with cross-border support, challenge(d) the sovereignty and integrity of India. Law and order machinery in the North-Eastern states became inadequate to counter these militant forces thus calling for the deployment of armed forces to aid the civil powers. Hence AFSPA'*.

Nowadays many national and international organizations, civil societies have raised their voice against AFSPA and have demanded the immediate and complete removal of AFSPA. In 1995 report of 'Human Rights Watch' have tried to look over the problem and stated that-

"Indian counterinsurgency efforts in the north-eastern states of Assam and Manipur in 1994 continued to be marked by reports of severe abuses of human rights, including indiscriminate attacks on residential areas, disappearances, extra-judicial killings, and torture of suspected militant sympathizers. In Assam, staged 'encounter' killings of a young man detained, tortured and executed by the Central Reserve Police Force continued to be reported by human rights organizations and featured in the local press" (HRW, 1995).

Moreover, NEN (2014) revealed that over the years the imposition of AFSPA in parts of NER has not only increased the frustration of the people about the endless killings and violence on women, men and children but has also generated a certain degree of international pressure, due to the efforts of civil society organisations, around the issue of 'armed conflict' which would otherwise have remained buried within the region.

However, due to the imposition of AFSPA the women in the region have suffered more than their male counterparts. And due to gender complexity many problems of women created by AFSPA still unexplored.

Armed Conflict and Women's Human Rights Violations in North East India: Armed conflict and violations of human rights both are the two sides of the same coin. It has been an inseparable characteristic of human history. There are many social, economic, religious and political factor related to armed conflict which always leads to violations. It violates the harmony and dignity of human rights. And it is the women who always faces a violation of human rights during armed conflict under the line of margin. No doubt men are directly affected and die in the armed conflict situation but the condition of women during the war, post-war and in the transitional periods becomes more horrible than their male counterparts and it cannot be comparable with a man. In their report on 'Women, War and Peace' initiated by United Nations Development Fund for Women (UNIFEM), Rehn and Sirleaf (2002) stated that 'while more men are killed in the war, women often experience violence, forced pregnancy, abduction and sexual abuse and slavery. Therefore, their bodies, deliberately infected with HIV/ AIDS or carrying a child conceived in rape, have been used an envelope to send messages to the perceived 'enemy'. The harm, silence and shame women experience in war is pervasive; their redness, almost non-existent. The situation of women in armed conflict has been systematically neglected' (Rehn and Sirleaf, 2002: 1). And the situation of women in the region of North East India is no exception from it. Their human rights are repeatedly violating by armed groups, they were repeatedly raped and harassed both mentally and physically by the armed forces. Hence, they are discriminated and losing their human rights.

Human Rights Watch of 1998 revealed that North East region has been witness to an ongoing low-intensity conflict for a long period of time. While the entire region continues to suffer, women living in such conditions are most vulnerable due to the restrictions on their mobility, the limited access to health services and most importantly, the lack of opportunities for education, employment and even leisure. Women have been the targets of sustained and frequently brutal violence committed by both parties of the armed conflict. Both the sides often use violence to punish or dominate women believed to be sympathetic to the opposite side. Women have been threatened, raped and murdered during the conflict.

Let us discuss some case studies reported by various regional, national and international organizations, NGO's on violations of women's human rights by armed force in the region.

In 2012 Hayes in his 'Conflict, Counter-insurgency and Human Rights in North East India' reported that 'Human rights groups in NEI have systematically documented abuses but, despite a growing body of evidence of atrocities committed by the armed forces and collusion with supposed enemies of the state (much of it supported by international human rights groups), impunity and political intransigence prevail. It appeared that this might change following an Indian government committee review of AFSPA headed by a former

Supreme Court judge. The review was a response to mass protests in Manipur in 2004 following the rape and execution of Thangjam Manamora Devi who was taken from her parents' house by the army on suspicion of ties to a rebel group, raped, shot in the genitals and killed. Her bullet-ridden body was found within hours of her arrest. In establishing the review panel, the Prime Minister promised to replace AFSPA with a 'more humane act' (Hayes; 2012:12).

During President's rule in Assam in the year, 1991 along with Armed Forces Special Power Act and Assam Disturbed Areas Act atrocities on women was reported. Women were raped and molested by the army in the name of searching the militants. One woman was raped with her one-month-old baby in her bosom (Devi, 1994: 142).

On June 10, 1998, fifteen years old Roshmi Bora from Pachali (Rai Dingia Village, Nagaon District, Assam) was abducted from her house, by a group of unknown men. The men were dressed in uniform and spoke in Hindi, which misled Roshmi's family into thinking the abduction was by the armed forces. An FIR was lodged at the Nagaon police station. According to newspaper reported, the parents were called to an isolated area by members of a militant group and they were promised that their girl would be released. Later, United Liberation Front of Assam (ULFA) issued a statement that they had killed Roshmi Bora because she was an army-informer (Goswami, Sreekala & Goswami, 2005: 55,56).

On the other hand, there are also many cases where women were trafficked from refugee camps. There were 109 girls lured from the relief camps of Srirampur gate under Kokrajhar District of BTAD, Assam for domestic work in many parts of the country and outside of the country such as Bhutan and Nepal (Trafficking and HIV/ AIDS Northeast Report NEDAN Foundation, 2006: 19).

In another horrifying case that happened on October 10, 1992, the maternal grandparents organized a blessing ceremony for two year- old Tingneng, D/O Doukhosei. While the family members and friends were returning from the ceremony late in the afternoon, they were attracted by an ethnic militant group. The men were killed, the baby was tied to a tree and the breast of the mother was cut and fed to the child. The women were gang-raped and killed. The attackers left after inserting long sticks into the vaginas of the victims (Goswami, Sreekala & Goswami, 2005: 37,38).

In an unfortunate incident on December 27, 1994, following an exchange of fire between some militants and a section of the army, a major of the army was killed in Mokokchung town. The members of the Task Force of the 16 Maratha Light Infantry went totally berserk after this incident, venting their wrath on the innocent civilian population of the town. Many women were raped, sexually assaulted, stripped naked and their clothes dipped into petrol to burn their homes. Dr Yangerla Ao, a doctor and president of the United Women's Forum, examined and treated at least fifteen or sixteen cases of rape and molestation. However, in

this incident, only four women were willing to come forward. Others did not want to testify, partly due to fear of reprisal by the army and partly due to the stigma attached to rape (Source: United Women's Forum).

On April 5, 1998, 27 years old pregnant women, wife of N.Basanta, chowkidar at the Kheirenphabi Government junior Schools was raped by an army jawan, barely three or four hours after the then Defence Minister George Fernandez left Imphal, promising to check the army's excesses in the region. the incident happened when the victim's husband was away from his home and was playing with her four-year-old son as the other children were taking a nap. The soldier first pretended to check the house and then suddenly pushed the women and allegedly raped her at gunpoint. The women immediately raise an alarm and asked her son to call the neighbours. As the boy rushed to call the neighbours, the soldier lets go of the women and raced after the boy and caught him, but by then the boy had already alerted the neighbour (Source: Women's union, Manipur).

The above-discussed case studies show that the women in the region do not save even in the hands of security forces instead they are getting threaten from the armed security forces. And it is also important to note here is that the above cases are thus some selected case, besides there are thousands of case where women's human rights are brutally violating by the armed forces.

Conclusion: Nowadays in North East India many civil societies, NGO's came up against the AFSPA and raised their voice against the misuse of military power. For instance, Meira Paibi in Manipur, Naga Mother's Associations of Nagaland have raised against the AFSPA and in some extent, they have been successful in getting justice and the protection of women's human rights, and also have played a significant role in the peacebuilding process. However, they are also not free from the patriarchal domination of our society. Hence it is the responsibility of both the states and central government as well as civil societies to look over the problem and keep maintain the dignity, respect and sustain the women's human rights.

References:

1. Baruah, Sanjib (2007). *Durable Disorder: Understanding the Politics of Northeast India*. New Delhi: Oxford India Paperbacks. Pp.3.
2. Barooah, Kalyan (2011). Centre Concern Over Youths' Killing. The Assam Tribune, 29 December. Online Available: <http://www.assamtribune.com/scripts/mdetails.asp?id=dec2911/at07>
3. Devi, Renu, (1994). *Women of Assam*. New Delhi: Omsons Publication. Pp. 142.
4. Goswami, Roshmi, Sreekala, MG and Goswami, Meghna (2005). *Women in Armed Conflict Situations*, Guwahati: North East Network. Pp. 37,38,55,56.
5. Hayes, Ben (2012). *The Other Burma? Conflict, Counter-insurgency and Human Rights in North East India*. Amsterdam: Transnational Institution. Pp. 10,12.

6. Hazarika, Anurita P and Sharma, Sheetal (2014). *Armed Struggle, Identity and the State: Experiences of Women in Conflict Situations in Assam, India*. A Report by North East Network. Pp. 4. Available online: [30.NEN AC Report2014 \(10\)NEN AC Report2014 \(10\).pdf](#)
7. Human Rights Watch (HRW) (1995). Annual Report. Available online: <http://www.hrw.org/reports/1995/WR95/ASIA-04.html>.
8. Human Rights Watch: Global Reports on Women's Human Rights. Delhi: Oxford University Press, 1998.
9. Joshi, S. C (2006). *Human Rights: Concepts, Issues and Laws*. New Delhi: Akansha Publication House. Pp. 1.
10. Rehn, Elisabeth and Sirleaf (2002). *Women, War and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-building*. New York: United Nations Development Fund for Women (UNIFEM). Pp. 1,10.
11. Trafficking and HIV/ AIDS Northeast Report NEDAN Foundation, 2006. Pp. 19. Online Available: <https://childhub.org/en/child-protection-online-library/nedan-foundation-2006-trafficking-and-hiv-aids-north-east-report>.