

# ISSUES OF HUMAN RIGHTS IN BTAD: A STUDY

**Bhriugu Kalita**

Research Scholar

Department of Political Science

Kumar Bhaskar Varma Sanskrit and Ancient Studies University, Namati, Nalbari, Assam, India, Pin-781337

**ABSTRACT:** This study attempts to explore human rights and security in Assam's BTAD region. In the North-East, the notion of human rights and human security is particularly important, which presents a challenge for the inhabitants of the region. Because of the military activity in Assam, BTAD has also been impacted. BTAD is made up of four Assam districts: Kokrajhar, Baksa, Chirang, and Udalguri. On the 10th of February, 2003, the area was established under the sixth schedule of the Indian constitution by signing the second Bodo Accord with the federal government, the Assam government and an armed group (BLT). In view of the growth of human rights, the suggested Bodoland grounds remain the most paradoxical. This location has been classified as a conflict hotspot. This region of Assam has been recognized as a conflict-prone area where human rights are being abused by insurgent groups, security forces and other ethnic and sectarian movements. The researcher hopes to bring attention to human security problems in that area with this study report.

**KYE WORDS:** Insurgent group, Paradoxical, Human Rights, Human Security

## INTRODUCTION

The North East is a region of India consisting up of eight states: Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura, where different tribes, cultures, traditions, and religions coexist, resulting in ethnic and sectarian violence. Insurgency groups such as the National Democratic Front of Bodoland (NDFB), the United Liberation Front of Assam (ULFA), the Mizo National Front (MNF), the Bodo Liberation Tigers (BLT), the National Socialist Council of Nagaland (khaplang) (NSCN (k)), the Kuki National Front (KNF), the People's United Liberation Front (PULF), and the North East Minority People's Front (NEMPF) are also. As a result of these insurgent organizations, human rights are being violated in India's North Eastern area. Take, for example, the bomb blast in Dhemaji, Assam on August 15, 2004, which killed over 13 people, including women and schoolchildren, and was carried out by ULFA.

In order to limit the violent activity of such insurgent groups in the north east, the central government has taken actions against them. AFSPA was established by the central government to restrict the activities of insurgent organizations (Armed Forces Special power Act, 1958). The central government used this special authority legislation to initiate a variety of army operations against these insurgent organizations. As a result, human rights of ordinary people have been violated several times as a result of army operations of this sort. During these operations, incidents like as rape, murder, arbitrary arrest, and torture occurred. Operation Bajrang is an example of this type of operation (launched on November 27, 1990). On April 20, 1991, this military action came to an end. Rhino surgery launched on September 14, 1991. However, there have been frequent and extensive claims of human rights violations in Assam throughout these army operations. During these operations, the central government's military forces mistreated, arrested, imprisoned, searched, and raided civilians for various reasons. The people's usual lives were interrupted as a result of these raids. As a result of different army operations, innocent people have continued to suffer. The part of North-East BTAD also affected because of Military operation. BTAD is organized into four districts: Kokrajhar, Baksa, Chirang, and Udalguri, carved out of seven existing districts: Kokrajhar, Bongaigaon, Barpeta, Nalbari, Kamrup, Darrang, and Sonitpur, covering 8,970 square kilometers of Assam's total land area and established under the amended sixth schedule of the Indian constitution. On February 10, 2003, the area was established under the sixth schedule of the Indian constitution by signing the second Bodo agreement with the federal government, the state of Assam, and an armaments group (BLT). In view of the growth of human rights, the foundations for proposed Bodoland remain the most confusing. This region of Assam has been recognized as a conflict-prone area where human rights are being abused by insurgent groups, security forces, and other ethnic and sectarian movements.

The Bodo people have begun a powerful effort to safeguard their rights, and other community groups such as Bengali speaking Muslims and other non-Bodo Hindus, the Santhals, and the Rajbonshis also strive to protect their rights, but in many situations they are unable to do so. Because of mistrust among the populations, rights such as the right to life, the right to live in full dignity, the right to religion, the freedom from fear, and the right to property are routinely infringed in the area. Murder, rape, arbitrary detention by security forces, ethnic and community conflict, and other incidents have occurred in this area, putting the BTAD area's human rights at jeopardy. Insurgency organizations such as the NDFB, the Adivasi Cobra Force, and the BLT are active in this region, which is also home to a number of insurgent groups representing other ethnic groups. They are involved in homicides, as a result of which additional counter-blaming, distrust, and ethnic conflicts occur, in addition to a human rights problem, as a result of which

human rights violations have become a severe worry in the BTAD region. As a result, this research study will investigate how human rights are violated in the former BTAD by various insurgent organizations and security forces, as well as how rights are infringed in the BTAD region by various ethnic and communal movements.

## **OBJECTIVES**

To explore how Terrorism and Security Forces are violating human rights.

To evaluate how certain ethnic and communal violations of human rights have occurred.

## **METHODOLOGY**

The research is based on both primary and secondary sources of information. Secondary data is gathered through reports, articles, newspapers, government documents, research papers, journals, and the internet, while primary data is gathered via a virtual dialogue with a small group of individuals and discussion using random selection. To finish this research study, the descriptive, qualitative approach is used.

## **CONCEPT OF HUMAN SECURITY**

Human rights are inherent and inalienable rights that an individual has as a result of his or her status as a human being. These rights are important to guarantee every person's dignity as a human being, regardless of race, religion, nationality, language, sex, or any other element. Simply put, human rights are the rights that one has simply as a result of being human. Human rights are the rights that every human being is entitled to as a member of the human species. "Human rights are the rights that everyone enjoys by virtue of his basic humanity," says R.J. Vincent. They are based on our appeal to human nature." As a result, there are many different types of human rights, such as the right to life, right to food, right to education, right to privacy, right to health, right to religious freedom, cultural rights, rights against exploitation, and the right to equality. With the passage of the 'Magna Carta' pact in 1215, the notion of human rights was formed. Following that, in 1651, Thomas Hobbes authored 'Leviathan,' in 1776, the 'Liberation of America,' which introduced the notion of basic rights, and in 1917, Russia's 'Bolshevik revolution.' As a result, the modern notion of human rights emerged after World War II, when the Universal Declaration of Human Rights (UDHR) was signed on December 10, 1948. The Universal Declaration of Human Rights was approved and proclaimed by the United Nations General Assembly on December 10, 1948. Following the historic deed, the assembly urged everyone to participate.

## **HUMAN SECURITY IN BTAD**

Violation of human rights occurs when a state or non-state actor violates any of the terms set forth in the UDHR (Universal Declaration of Human Rights) or any international law, leaving people feeling powerless to speak out against injustices that have occurred to them, and when they believe they are being hegemonies by that particular actor, unable to protect their rights as set forth in the UDHR or other international law and their respective clout. BTAD (Bodoland Territorial Area Districts) is a part of Assam, India, where the status and condition of human rights are in a critical state due to the activities of various terrorist groups and ethnic violence, as well as the cause of various army operations conducted by the Indian government to dominate those terrorist groups and ethnic violence that occur in the area. In his discourse 'Human rights situation in the North-east,' Chanlal (IPS) indicates that the North-east would undoubtedly feature prominently in any assessment of human rights breaches in India. He also stated that the harassment of the general public by the army of independent India began in the mid 1950s in the fight against the Naga insurgency, and that this trouble has since spread throughout the North Eastern region as a result of the rise of various insurgency groups in various parts of the region. To counter the rebel groups' activities, the central government initiated a series of army operations in the area under the AFSPA (Armed forces special power Act). We may look to Operation Rhino and Operation Bajrang as examples. During the Bodoland movement, there were several examples of people's rights being infringed in the BTAD territory. During that time, incidents like as rape, murder, and torture by security forces occurred. The state administration used excessive police brutality, large raids, mass arrests, and barbaric tortures against supporters of the separate Bodoland movement from both Bodo and non-Bodo communities, particularly between Miya Muslim-Bodo and Adivasi-Bodo. A large proportion of women become gang rape and molestation victims. Initially, however, the drive for a separate Bodoland was a peaceful one. However, it grew violent in character as a result of the state government's inhumane treatment of supporters of the Bodoland movement.

### **Human rights violation because of terrorism**

Terrorism is defined as the use of criminal force to incite violence. Terrorism may be classified into two types: foreign terrorism and domestic terrorism. International terrorism is defined as violent, illegal acts done by people and/or groups who are inspired by or linked with recognized foreign terrorist organizations or governments, according to the FBI (an American counter-terrorism agency). Domestic terrorism, on the other hand, refers to violent, criminal activities done by people or organizations in order to achieve ideological aims arising from domestic pressures such as political, religious, social, racial, or environmental forces. Terrorist groups such as the NDFB, BLT, and Adivasi cobra force are operating in the BTAD (Bodoland territorial area districts). In the former BTAD, these organizations were responsible for the majority of cases of violations of international humanitarian law, including violations of the right to life, torture and abduction, the right to live in full dignity, and the right to property (Bodoland territorial area districts). Even India's state and federal governments have been unable to tackle concerns of human rights violations. Terrorist activity in the state of Assam, as well as in the BTAD area, has increased since the 1970s. The rise of these terrorist groups

is due to a number of factors, the most important of which is the question of identity. More than 9 terrorist groups are operating in Assam, while more than 11 terrorist groups are in peace negotiations with the government, according to reports.

Some of the most prominent issues of human rights violence in BTAD area in the hands of terrorist groups are as follows-

Badan Hazda, a former executive member of the Bodoland Territorial Council and a Santhali leader, was assassinated on May 1, 2007, by a suspected Adivasi Cobra Militant from Aom Cadets.

Madan Mohan Roy alias Lalchand Roy, a member of the All Koch Rajbangshi Students Union (AKRSU), was killed by unidentified militants on July 9, 2007, in Borghopa Upendrapur, Kokrajhar district, under the Gossaigaon police station.

Shampa Bewa (55), Sona Miya (35) and Ramisa Khatun (32) were shot dead by NDFB militants in Narsingpara village, Anandabazar police station, Baksa district, on April 24, 2014, at 7.30 p.m.

On May 6, 2014, police discovered two bodies in Baksa, one of a seven-year-old girl and the other of a 35-year-old woman, while the body of a girl kid was discovered in the Beki River in Barpeta. They were slain by NDFB extremists, according to authorities.

Thus, from the 1980s until 2000, several terrorist groups active in the area repeatedly abused the human rights of the inhabitants of BTAD (Bodoland Territorial Area Districts). In the area, groups such as the BLT (Bodoland Liberation Tigers), NDFB (National Democratic Front of Bodoland), and Adivasi Cobra force have been active.

### **Violation of human rights because of security force**

In Assam, the Indian army has carried out extensive searches and arrests in thousands of villages. Civilians, frequently relatives or neighbors of young men accused of militant inclinations, are among the victims of atrocities perpetrated during these operations. Soldiers have threatened, harassed, raped, assaulted, and killed Villagers in the hopes of scaring them into identifying suspected militants. Arresting young guys indiscriminately and detaining them for long periods of time throughout different army operations performed by the Indian army. Many of these violations are enabled by security regulations that allow the military forces tremendous capabilities. Human rights activists and journalists have been detained in Assam for reporting on human rights violations or criticizing the government's use of security laws. As a result, the Indian army has had little need to be concerned about being held accountable for its excesses in Assam.

However, during the Bodoland movement and other ethnic movements, the central government deployed security forces to control the movement, but they failed to respect the people's human rights. Women were raped, schoolgirls were raped, and army personnel tormented them. In the name of a fake encounter, youths were slaughtered. Throughout army operations, army personnel scoured communities for armed militants, and during these searches, army personnel tortured BLT/NDFB cadres' family members.

Some of the most prominent issues of human rights violence in BTAD area by the security force collected from the reports, newspaper and research papers are as follows-

Mr. Banerwar Brohma (32) of Bordub, PS-Udalhuri (suspected member of the outlawed armed group NDFB) was slain on September 1, 1997, near Patherkatha, Udalhuri, by 11 Maratha regiment of the Indian army stationed at Galandi. A huge number of army men from the 11th field regiment blocked off the Patherkatha region around 4 a.m. on September 1, 1997, in pursuit of NDFB militants. They stormed Kabita Basumatary's home and apprehended Banerwar Brohma. Mr. Brohma was brought to the village's main road and tortured. A tormented army guy stabbed him with arrows throughout the ordeal. When Mr. Brohma's physical condition deteriorated, the army guy shot him three times in the head. Later, the army member told the police that Mr. Brohma had died in an encounter and turned over his corpse to them.

On May 19, 2007, Indian army shot dead Mantu Daimari, an ex-BLT cadre from Narayanpur, Jalen Basumatary of Karaibari, Gangaram Basumatary of Doomruguri in Baksa district, and Rajen Narzary of Bogijuli, Sonitpur district as suspected NDFB cadres in Musalpur in Baksa district.

On the 8th of December 2013, security agents reportedly murdered Biswajit Basumatary, a class xii student from Bollamguri junior college at Chirang's Amguri police station.

Bhara Boro (45) and Majan Boro (35) of Dwimuguri village were killed by the police in Panbari, Chirang district, on May 16, 2014.

Security forces/police forces, on the other hand, were a major source of human rights violations in the former BTAD (Bodoland territorial area district) from the 1980s until 2000. Various army operations in the region have repeatedly infringed rights such as the right to life, right to property, right to live in full dignity, right to development, right to privacy, and right to education. During these army operations, incidents like as rape, murder, torture, and arbitrary arrest have been widespread. Security forces killed youths in the guise of a phoney encounter. According to numerous accounts and study, youngsters were kidnapped from their homes on the guise of being affiliated with a terrorist group, and their bodies were handed over to their families or the concerned police station a few days later. As a result, the central government dispatched security forces to control the violence in the BTAD region, but the government failed to respect the rights of the people in the BTAD area.

### **Violation of Human rights because of ethnic and communal Violence**

Communalism, in its broadest definition, refers to a strong sense of belonging to one's own community. A location, religion, language, or any other identity might be referred to as a community. People who practice communalism place a high value on religious identification. It also implies that adherents of one religion regard adherents of another faith with hatred and disdain. As a result, communalism taken to its logical conclusion leads to violence between two groups. We may look at the violence between

Hindus and Muslims as an example. An ethnic conflict, on the other hand, is a dispute between two or more ethnic groups. It is a battle that is fought based on ethnicity. The dispute might have a political, social, economic, or religious cause.

During the 1980s, the Bodoland movement gained traction. Various incidents occurred in the BTAD area during 1987, in which individuals lost their lives and property as a result of the Bodoland movement. During that time, security forces were also involved for human rights violations. Several individuals were killed by police during the movement. Occasionally, the government is also at blame for such violations. In late 1989, for example, a bloody episode happened. Some Assamese miscreants in collusion with the Assam police forces committed massacres at Gohpur in August and Rangapara in May 1989 under Sonitpur district, Simlaguri under Lakhimpur district in August 1989, Kairabari, Bhakatpara, and Phaorupeta under Dorig district in August 1989 under the patronage of the Assam government. Over 300 innocent Bodo women and children were slaughtered, and over 10,000 Bodo homes were burned to the ground. More than 15,000 Bodos were relocated to relief camps where they received no government assistance, rehabilitation, or medical treatment. According to an ABSU (All Bodo Student Union) report to then-Indian Prime Minister V.P. Singh, over 200 Bodo detainees died of malnutrition, while another 93 perished owing to a lack of medical attention in Gohpur. However, there are divergent viewpoints on the number of casualties in each occurrence. However, there is little question that a large number of people died as a result of the Bodoland movement. During the Bodoland movement from 1987 to 1993, at least 1135 Bodo people died, according to the records of the All Bodo Students Union. Terrorist and Disruptive Activities (Prevention) Act, 1987, Assam Disturbed Areas Act, 1955, and Armed Forces (Special Powers) Act, 1958 were all enacted in the Assam district of Kokrajhar, where the Bodoland movement was gathering traction. Many innocent individuals were victims of phoney encounters, while others were severely attacked, losing their eyes, legs, hands, and other body parts. Thousands of innocent Bodo people were brought to jail and tortured there. The victims and their families, however, were not compensated.<sup>1</sup>

Bodo and santhals fought the first battle in BTAD in 1996. Approximately 60,000 individuals suffered in refugee camps as a result of this battle, which claimed the lives of over 300 people and left over 2,00,000 people homeless. According to a report published in the Economic Times on August 12, 2012, Bodo-Muslim clashes displaced around 4,000 families in Kokrajhar and Bongaigaon in October 1993, 113 people were killed in Barpeta in 1994, nearly 400 people were killed and over 3 lakh people were displaced because of Bodo-Adivasi clashes in 1996 and 1998, and 65 people were killed and over 2 lakh people were displaced because of Bodo-Muslim clash.<sup>2</sup>

On July 20, 2012, another confrontation between Bodos and Muslims erupted in Kokrajhar, Chirang, Baksa, Bongaigaon, and Dhubri. Two Muslim youth named Md. Nurul Haque and Md. Mujibar Rahman of Dotma block in Kokrajhar district were killed by KLO (Kamatapur Liberation Organization) militants on July 6, 2012, and one KLO terrorist was arrested in connection with this murder case, but the Muslims did not believe it and suspected that both were killed by Bodo miscreants. As a result of this incident, four Bodo youth were killed on July 12, 2012. Despite the fact that these four Bodo youngsters found refuge in the van of the police fuel team, which was led by officer in charge of Kokrajhar police station and Deputy Superintendent of Police, Shri Anjan Pandit, the crowd snatched them and lynched them to death. As a result of this occurrence, the confrontation became increasingly violent, affecting both groups. More than 400,000 people were displaced, and more than 180 people died as a result of the violence.

Table-1: Number of houses fully and partially damaged during 2012 violence in Kokrajhar:

Name of Sub-Division	Fully Damaged House	Partially Damage House	Total
Kokrajhar(Sadar)	5620	189	5809
Gossaigaion(Civil)	8269	733	9002
Parbatijora(Civil)	223	0	223
total	14112	922	15034

Source: Women in spaces of ethnic violence and conflict in BTC district of Assam: Text and Context.

Table- 2: Number of persons killed and injured during 2012 violence:

Community	Total Killed	Male	Female	Total Injured	Male	Female
Bodo	19	15	4	2	2	0
Minority	50	35	15	87	66	21
Others	2	2	0	2	1	1
Unidentified	4	4	0	0	0	0
Total	75	56	19	91	69	22

Source: Women in spaces of ethnic violence and conflict in BTC district of Assam: Text and Context.

The residents of the area were in a highly precarious situation as a result of the ethnic war. During the battle, human rights such as the right to life, the right to live in full dignity, the right to property, the right to religion, the freedom to worship, and others have been repeatedly infringed. Many people sought safety in refugee camps. Houses were set on fire and damaged by miscreants, and

<sup>1</sup> Bodoland movement and the issues of Human Rights Violation(2015),Bodolandwatch.

<sup>2</sup> Basu. K.(2017), The Bodoland Agitation and Ethnic Violence in Assam,Vol.5,No.12.

persons were kidnapped and slain by unknown assailants. Thousands of individuals have been displaced as a result of ethnic violence.

## CONCLUSION

Human rights are at jeopardy as a result of terrorism, ethnic and communal conflict, particularly in the North Eastern states. Rights such as the right to life, the right to live in full dignity, the right to religion, the right to education, and the right to property have all been infringed in the region as a result of such issues. Thus, to handle this kind of issue, occasionally security force (Army, Police) are also liable for breaching such rights of regular people. And this was particularly widespread in Assam's BTAD area throughout the 1980s and early twentieth century.

To address such concerns in BTC, the central government dispatched security forces, however this was ineffective for the area's residents. The army personnel sought for NDFB, BLT cadre after deploying security forces, and if they did not discover any militants, they abducted teenagers from their homes and executed them in the name of a false encounter. There are several examples of this type of situation. Thus, while the government has been somewhat effective in resolving the issue of ethnic violence, it has entirely failed in terms of human rights. This demonstrates that the government prioritizes the resolution of terrorism and ethnic violence over the protection of regular people's human rights. As a result of the study, the residents of the former BTAD (Bodoland Territorial Area Districts) area have had their human rights infringed by terrorists and security forces, as well as ethnic mobility.

Despite this, the BTR (Bodoland Territorial Region) was founded by a peace deal in 2020, after significant deliberation. A tripartite agreement is another name for this. The document has been signed by the Indian government, the state government of Assam, the ABSU (All Boro Student Union), the NDFB (National Democratic Front of Bodoland), and BTC Chairman Hagrama Mohilary. Following the signing of the accord, on January 30, 2020, a total of 1550 NDFB cadres and 130 weapons were surrendered at a ceremony. As a result, it's important to examine how effective this agreement will be in protecting the human rights of ordinary people in the region.

## REFERENCES

### Books

1. Agarwal, H.O. (2006): "International law and human rights", Central Law Publication, Nagri press, Allahabad.
2. Basu, Durga Das. (2015): "Introduction to the Constitution of India", Lexis Nexis, Gurgaon-122002, Haryana, India.
3. Kumar, R & Ram, S. (2013): "Human rights in North-East India", Arpan publication, New Delhi.
4. Ul-Yasin, Adil. & Upadhyay, Archana. (2004): "Human Rights", Akansha publishing house, New Delhi.

### Articles

1. Basu, Koyel. (2017). "The Bodoland agitation and ethnic violence in assam". Vol. 5.No. 12, 347-9671.
2. Baruah, Indranee Phukan & Begum, Jerima. (2013). "Right of children affected by Communal violence in Assam (India)" Vol. 4, No. 9, 2229-5518.
3. Boro, A. K. (2017). "Sixth schedule and its implementation: understanding the case of Bodoland (BTAD) in Assam".
4. Brhma, Ashok. (2018). "A study of women human rights of Bodoland territorial council, Assam". Vol. 6. No. 4, 2349-7300.
5. Brahma, Derhasad. (2019). "Human rights in the context of Bodo community of BTAD, Assam since 2003 to 2004".
6. Roychaudhury, Monalisha. (2017). "Women in spaces of ethnic violence and conflict in Bodoland territorial area district of Assam: Text and context".

### E-sources

1. "This is our land", ethnic violence and internal displacement in North East India (2011), Norwegian refugee council. <https://www.internal-displacement.org/publications/this-is-our-land-ethnic-violence-and-internal-displacement-in-north-east-india>.
- ii. "Human rights abuses by the thired reich : New evidence from Nazi concentration camp Buchenwald(1996)",JohnHopkinsUniversityPress<https://www.google.com/urlhttps://muse.jhu.edu/article/13553/figure/img04&ved=2ahUKEwie0oow>.
- iii. "No end in sight: Human rights violation in Assam (1993, 18th April)
- iv. After Assam killings, all-out war begins against Bodo militants", India today, 20 December 2014.
- vii. Assam killings take on ethnic hue: over 70 killed in Bodo attacks, 250 missing", Hindustan times 24 December 2014.
- viii."Twenty of human rights violation cases in Assam in 1997."  
[http://www.cs.uccs.edu/jkalita/assam/human-rights/mass1997\\_35-54.html](http://www.cs.uccs.edu/jkalita/assam/human-rights/mass1997_35-54.html)
- xi. Continuing violence in the Bodoland Territorial Area Districts of Assam, <https://www.tandfonline.com>.

\*\*\*