



SUMMARY OF THE STUDY REPORT

Terrorism, Naxalism and Human Rights Violation

On April 22, 2018 the Elite force of Gadchiroli Police C-60 gunned down 16 of the Naxal members of the outlawed CPI(M) in an encounter in the dense jungles of Boriya-Kasansur village of Bhamragad Tehsil of Gadchiroli district of Maharashtra. In the subsequent follow-up operations, more bodies were found floating in the Indravati River.

Almost on a clue, 44 human rights activists of different organizations from all over India, mainly from West Bengal, Kerala, Telangana and Andhra Pradesh swooped down on the unsuspecting tribal men and women, and in record time they rustled up a 'fact-finding report' on May 7, 2018. It is worth noting that some of the activists have a criminal history of inciting riots, rioting and unlawful assembly.

The reactions were all too expected, blaming the police and CRPF men of 'fake encounters'. Again as expected, the group demanded complete removal of the police and the Para-military forces and withdrawal of cases against the so called civil society members.

In one of the cases mentioned in the report by the sympathizers of the Maoist terrorists, - eight young persons of the Gatepalli village who left the place to attend a wedding were found missing while one minor was identified among the dead. But the pretext of going for attending the marriage is not tenable because the Bridegroom when contacted by IHRC team members indicated that they were never invited for the function except the two persons of the group. There is no reasonable explanation as to what these missing persons were doing in the dense jungle about 3-4 kilometres away from the wedding venue.



::2::

These pseudo-defenders of the human rights had to beat a hasty retreat when the local villagers confronted them with slogans of 'Go Back' under the aegis of Naxal Peedit Sanghatana (People Affected by Naxals). Some of the activists tried to convince the villagers that they were affected not by Naxals but by the Government. But in vain.

It is surprising that these so-called activists for the human rights who gather whenever any action is taken by the police or paramilitary forces against the armed attack by the Maoists in defence of those who have carried weapons and attacked the troops and many times even the innocent villagers. But these activists have never been told, or they know and deliberately ignore the last Salvatory Article (30) of the UN Declaration of Human Rights 1948 which says,

“Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.”

So, when the Police or Paramilitary forces retaliate in defence or to protect the innocent law abiding citizens and their rights, the Maoists and their city-bred defenders have no valid argument. At least they have no claim of protecting human rights.

IHRC team visited and spoke to a number of men and women who were suffering because of the Naxal menace. Vaishali (name changed) from Bhamragad Tehsil who is pursuing MA in Political Science said her brother was selected for police recruitment. But the Naxals took him away and hacked him in front of the villagers. She left the village and now is living in Gadchiroli. The team interacted with number of victims who opened up and narrated their stories.

...3



::3::

It was against this backdrop that the Indian Human Rights Council which is engaged in defending and protecting the human rights had to intervene. A team of local defenders of their own will without the police protection approached the people living in villages of Boriya-Kasansur of Bhamragad Tehsil in Gadchiroli district.

There were far too many cases of the helpless tribals who have tales of sufferings at the hand of naxalites who take refuge in the neighbouring forests, tales of extortion, abduction, sexual abuse and torture. Worse still is the cover up provided by the so called human rights activists who descend down on the area and declare war against the police and para military forces who are engaged in the retaliatory fire. It is unfortunate that these people who are suspected to have funds from the foreign soil came to the remote part of Gadchiroli with an open intent to incite the villagers against the Government authority and also to kill the moral of the police and paramilitary forces who are facing very critical situation in the armed attacks by the out-lawed organisation like CPI(Maoists).

At the end of the extensive visit to the places and speaking to the people who are directly affected by the encounters having their family members directly involved as also to the Police officials, the IHRC team has drawn some conclusions. A gist of the findings and observations of the group are given below:

1. Contrary to the allegation, the encounter was not a fake one but in response to the firing by the armed Maoists.
2. The police recovered a large cache of weapons along with the Maoists propaganda material.

...4



::4::

3. IHRC organized 'Samvedana Sabha' had a large turnout of the Naxal-affected families. Each one of them had horrifying stories of how the Naxal movement has destroyed their lives.

The Naxalism aims at the very destruction of human rights, democracy and the rule of the law. It attacks the values that lie at the heart of the Charter of the United Nations and other international instruments: respect for human rights; the rule of law; rules governing armed conflict and the protection of civilians; tolerance among peoples and nations; and the peaceful resolution of conflict. Terrorism has a direct impact on the enjoyment of many human rights, in particular, the rights to life, liberty and physical integrity. Terrorist acts can destabilise Governments, undermine civil society, jeopardize peace and security, threaten social and economic development, and may especially negatively affect certain groups. All of these have a direct impact on the enjoyment of fundamental human rights.

The destructive impact of terrorism on human rights and security has been recognized at the highest level of the United Nations, notably by the Security Council, the General Assembly, the former Commission on Human Rights and the new Human Rights Council.

Indian Human Rights Council has time and again taken a stand that the police forces are not the violators of the human rights in this case and therefore need to be defended. To reiterate Article 30 of the UN Declaration of Human Rights 1948 No one, not even the Human Rights Activists have a right to defend the Banned organizations like Maoists who are threat to the civil society and deserve to be treated as per the rule of the law.
