Mistakes stirred up by the Impunity of AFSPA

What is the issue?

The killing of 14 civilians in Mon district of Nagaland, home of the Konyak Nagas by para commandos of the Indian Army has stirred debates over the impunity provided to armed personnels by AFSPA.

How does the current strike differ from the earlier ones?

- A continuance of the culture of 'surgical strikes' hyped up after the Pulwama incident in Jammu and Kashmir
- In the context of the North-east, the combined group of militants led by the National Socialist Council of Nagaland-Khaplang (NSCN-K) attacked suddenly in Chandel district of Manipur in 2015.
- Unlike the earlier strikes, the present attack was unprovoked and the target was well within India.
- Despite getting information about the group of insurgents moving in the area, the army resorted to such a tactic rather than capturing them alive.
- Almost all insurgent factions in Nagaland are in ceasefire agreement with the Government and engaged in peace talks and if there were disloyalty committed by these groups, they should have amounted to breaches of ceasefire ground rules and not as a challenge to the Indian state.
- The intent to destroy and eliminate the insurgents turned out tragically where the victims were all innocent unarmed villagers.

To know more about Naga insurgency, click here

Why is there mounting pressures against AFSPA?

- The Armed Forces (Special Powers) Act (AFSPA) 1958 is considered draconian as it gives enormous power to the armed forces and the impunity for security personnel for their actions.
- Under AFSPA, the armed forces may shoot to kill or destroy a building on mere suspicion with only such due warning as he may consider necessary.
- Once AFSPA is implemented, no prosecution shall be instituted except with the previous sanction of the central government.
- In neighbouring Manipur, this became evident even in a pocket where

AFSPA had been removed after public agitation following another atrocious rape and murder of a woman insurgent suspect in 2004.
- Fake encounter killings soared in the area in the years that followed.

What lessons have to be learnt from this incident?

- There have been a flood of expressions of anguish including messages from Parliament, the Prime Minister, the Home Minister and more.
- According to a report from Kohima, the central government has agreed to pay Rs. 11 lakh as ex gratia to each family of those killed and the State government is to pay Rs. 5 lakh each.
- Beyond the expression of anguish or condemnation, there must be regression and ownership of responsibility for the tragedy.
- Saying sorry could have also been accompanied with a gesture such as declaring AFSPA, which is seen as a symbol of oppression, abrogated.

Where does the road to peace lie ?

- There were many separations among the groups especially between the Indian and the Myanmar Nagas.
- The Indian Naga factions end up entering ceasefire but India could not enter into any truce with Myanmar nationals.
- The peace would depend greatly on the Indian state’s ability to say sorry from the heart and not just bargain for just another quid pro quo truce in the present tragedy.

Reference

1. https://www.thehindu.com/todays-paper/tp-opinion/a-monumental-mistake-fomented-by-impunity/article37891286.ece

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