

AFSPA: A MOCKERY OF HUMAN RIGHTS

Waqar Ahmad & Md. Saquib Madani

Aligarh Muslim University, Aligarh

*Twentieth century heralded an era where the concept of police state lost its hold and the state came up as a protector and guardian of basic rights and freedom of its citizens. Modern constitutions, international conventions, treaties, covenants tried to ensure by different means that any human being irrespective of any difference or distinction is not deprived of his basic human right. Universal declaration of human rights, International covenant on civil and political rights, the UN covenant against torture, the UN body of principles for protection of all forms of detention are few important international initiatives taken to ensure the conservation of basic human rights. Right to life and personal liberty is the most basic and significant of all human rights which an individual is entitled to. Thus any law or administrative action of the state which threatens these rights must be subjected to close scrutiny of the judiciary because right to life and personal liberty is the fountain head of number of other rights and freedoms for man can have and enjoy right and freedom only after he is alive and free. **ARMED FORCE SPECIAL POWERS ACT (AFSPA)**, a replica of British's **Armed Force Special Power (Ordinance)** of 1942 promulgated to ruthlessly quell the Quit India Movement, is a piece of legislation which tramples upon the entire gamut of rights and freedom guaranteed and preserved in the constitution of India and recognized and celebrated by international communities. The Supreme Court of India has though upheld the constitutional validity of the law on the ground of national security and law and order but at the same time laid down some guidelines to be followed by armed forces while exercising the powers under the act. But reports such as of **Amnesty International, Human Right Watch, The South Asian Human Right Documentation Centre, NHRC, Santosh Hegde Commission, Justice Jeevan Reddy Commission, Second Administrative Reform Commission and Institute of Defense studies and Analysis** reveal shocking ground realities which includes cases of fake encounters, killing of minors, rape and ravishing, housebreakings, false implications, to name a few. Immediate removal of APSPA is what many of these Reports have suggested. The paper would be peering meticulously into these findings and try to analyses the factual position on ground. Further the Act leaves crucial questions like, whether the situation warrants open fire, search, seizure or arrest, to be decided on the **subjective satisfaction** of the armed force. The court's jurisdiction to enquire into the rationality and propriety of the decision is also ousted by the act. Armed forces are imputed from any prosecution for any act done or purported to be done under power conferred by the act. Thus the excesses committed by the armed forces are protected by this draconian code itself. The paper shall effectively look into the question of impunity to soldiers and the ousting of judicial review of the decisions of armed forces.*

INTRODUCTION

The Armed Forces Special Power Ordinance of 1942 was promulgated by the British on 15 August 1942 to suppress the Quit India Movement. Mahatma Gandhi, Jawaharlal Nehru and most leaders of the Indian National Congress were imprisoned. 2,500 people were killed in police shootings those were Indian protesters, tens of thousands were arrested, rebellious villages were torched, and protesters were flogged and tortured. Whether the situation in states like Assam, Manipur, and Jammu and Kashmir is so turbulent as to invite stringent law like AFSPA is a question that has to be analyzed in the light of the fact that today's India is a democratic country run by a constitution which guarantees certain rights to its citizens and non citizens. To put it differently it can be said that “**A one man Terrorist is the other man's Revolutionary**” as Bhagat Singh and Raj Guru Etc who fought for the freedom of our country were terrorist in the eyes of British but for us they are martyrs who gave their lives fighting against oppressor British, we idolize them. thus there is always multi dimensional perspective of any issue we must not turn blind from the angle or side that we find not suitable and appealing to us .We must consider the question of Kashmir and north east taking into account the perspective of other key stake holders. A law like AFSPA further exacerbates the already vegetative state of affair. AFSPA has proved to be not a solution to any of the problems but the Act has deformed into a symbol of oppressive instrument. Kashmir and north east is our country, the people of Kashmir and Manipur are our people then how can we treat them like British treated us. A law like AFSPA has no place in a modern democratic and welfare state.

Constitutional aspect of Right to life, Liberty and Dignity with respect to AFSPA.

The birth of Indian constitution and *Universal Declaration on Human Rights* is nearly contemporaneous. Framers of our constitution took fine provisions of human rights from UDHR and transplanted it into our constitution. Freedom of expression, equality before law and equal protection of law, right to life and dignity, right to effective remedy, non-discrimination etc, to name a few are provisions that are found in the body of both the documents. The horrors of 2nd world war and the consequent devastation prompted the world powers to sit and think of some scheme to ward off any such future happenings and the deliberation led to the birth of UNITED NATION ORGANISATION. UDHR of the UN General Assembly was the expression and need of the time as it delineated the need of recognition and protection of basic minimum rights of every individual as for example his right to dignity , freedom, equality etc to which he is entitled by virtue of being born as human. India though a fledgling nation then did not isolate itself from the global move toward ensuring international peace and protection of human rights, signed UDHR. And when the constitution of India came out it became the first document of its time in the world to guarantee such wide scale of rights and freedoms to citizens and non-citizens in a very categorical and explicit manner. Although the entire document positions individual at centre stage of its dealings yet the dedication of an exclusive chapter to the freedom and rights of people was indeed a commendable and salutary move.

Right to life, dignity and liberty is considered as the bedrock and fountain of catena of other human rights. An individual who is alive has 'right to live' and no one can deprive him of this right not even the mighty State ;right to live implies 'right to live with dignity', dignity would be an illusion unless an individual is having the 'liberty' to live his life the way he wants it to live. **Article 21** of Indian constitution guarantees to every person the 'right to life and personal liberty' and says that no one is entitled to snatch it away not even the State (but by the procedure established by law). The 'procedure established by law' is not exactly what can be literally construed from the expression but in **Maneka Gandhi case** the honorable Supreme of India has virtually replaced this expression with American 'due process of law'. Thus any law which tends to attenuate these rights and freedom must stand the test of being **just, fair and reasonable**. Right to life and liberty is though guaranteed by the constitution but their existence is not staked upon the life of article 21 of the constitution. This right exists with every individual irrespective and independent of any document or provision. It is true that article 21 has made it enforceable in the any court of law in India but it is a bigger truth that these rights are basic and inseparable from human being by virtue of him being human. Life is not the name of breathing in oxygen and exhaling out carbon dioxide for in that sense even a bonded labor, a slave, a prisoner is enjoying his right to life. A life without liberty, dignity and freedom is no life. The right to life which article 21 talks about is a dignified life with all its colors and shades and that is why the ambit of this article is most extensive and expansive of all other provisions. The supreme court has further widened article 21 by dropping the principle of 'mutual exclusivity' and by holding that all provisions of part third of constitution are inter connected and interwoven, albeit they carry distinct heads and deal with different subject yet they yearn towards the same goal of ensuring individual liberty ,dignity and freedom. Thus **Article 14(equality before law and equal protection of law)**, **Article 19 (freedom of speech and expression)** and **Article 21 in the light of broader goals of constitution(justice, liberty, equality, fraternity)** set out in the preamble give a picture of 'life' which is desired and conceived by the constitution. Part 4 of the constitution is also very significant from the point of view of human rights. Notwithstanding the fact that the provisions of part 4 are non-justifiable yet it is equally important to enforce and apply them through legislative process to ensure real and effective conferment and enjoyment of guaranteed rights. Right to life and liberty as set forth in the above discussions is not merely a fundamental right in terms of Indian constitution but also a basic inalienable human right. To trample upon this right is a considerably sensitive matter. **ARMED FORCE SPECIAL POWERS ACT (AFSPA)** is one such piece of legislation which bulldozes the edifice of human rights ruthlessly. Being a replica of colonial **ARMED FORCE SPECIAL POWER ORDINANCE 1942** it gives enormous unaccounted powers in the hands of armed personnel coupled with incentives to misuse it to their whims and caprice. the impunity to armed personnel's from any prosecution for any act done or 'purported to be done' under the powers conferred to them under the act is sheer violation of article 14 and 21.the Act leaves major questions like situations warranting open fire, search, seizure, arrest etc on the subjective satisfaction of the armed forces, it is the case of excessive delegation of power. Further even on suspicion of any offence or on carrying of any 'weapon' (the expression still

being undefined) the armed force can fire at the suspect and kill him. These powers are only bare arbitrary but extreme barbarous in a system of rule of law. The inhabitants of the 'disturbed area' are being subjected to constant and incessant mental and physical torture and trauma, do they have lost all their rights merely because they happen to live in the area which is considered 'disturbed' by a government. And if not so and they have the right to life and liberty then they must have the machinery to get those rights enforced, as a right without remedy is no right or in other words where there is right there is a remedy (*ubi jus ibi remedium*). Thus the impunity accorded to the armed forces must be removed and they must be made accountable for the excesses committed by them. supreme court of India has at several occasions held that right to life does not mean mere physical existence the inhibition against its deprivations extends to all those limbs and faculties by which life is enjoyed (*Francis Coralie vs Delhi AIR 1981 SC 746*) later in 2006 in the case of *Confederation of ex-servicemen Association vs Union of India* the Apex Court went on and held the view that any statutory provision which counter to such a right must be turned down. Practical and prevailing situation in Manipur and Kashmir is worse than what can be deduced from the provision of the Act. The reports as discussed under different heads in this paper amply try to pasteurize the entire scenario. Killings of infants and women, rape and ravishing etc has become the routine at these places as the findings of several reports show. The recent video that went viral on social sites showing a young man tied to military jeep and being paraded in the village of central Kashmir's Budgam district is a glaring example of how military is mocking of the human rights and that too how boldly. The government very easily escapes its responsibility by placing 'national security' and law and order excuse. But can national security or any other excuse justify these excesses really? India is a society governed by rule of law, a welfare state, a peace loving nation, a nation run by constitution and not by military or army and the state must show that spirit and call off this draconian legislation. AFSPA badly fails to stand the test of article 21, 14 and 19. The maxim *salus papuli suprema lex* i.e., welfare of the people is the supreme law must be the yardstick for measuring the validity of any law and a law which is not welfare oriented must be very closely scrutinized by the Apex court. Supreme Court which is the custodian of rights of the people in India has in past refused to read down much legislation saying that an *Act cannot be held invalid merely on the possibility of misuse* but in case of AFSPA its misuse is evident and conspicuous like sun or moon.

Article 22 of the constitution is also being violated in the exercise of this Act. Any person detained or arrested must be presented before the nearest Magistrate within twenty-four hours. but the Act uses the expression 'least possible delay' and that too not with regards detent's presentation before magistrate but before the officer in charge of nearest police station which is prone to misuse .at first place the army keeps the detainee with them on some pretext or the other and when they finally hand over him to police (which happens rarely), the police does the same with him. A vicious chain of violation of constitutional problem has been formed wherein every detainee has to grind. it is argued that AFSPA is a Preventive Detention Law thus it need not conform the requirement of 22(1),(2).but 22(4) to (7) is the safeguard to the detainee under Preventive Detention , even these

requirement are not confirmed as the reports show. The quest of forging an egalitarian and rule of law society can never culminate into reality unless people who are building block of any society have the sense of security and unless they believe that state machinery would not behave in autocratic and despotic manner. Where basic constitutional directives and conditions are being blatantly emasculated by state machinery how can a peaceful and harmonious society are conceived. Supreme court have at several occasions berated and warned the government regarding violations of human rights but the positive result of these efforts are yet to be seen. Recently the Supreme Court came with one of its most landmark decisions in **Justice K S Puttaswami vs. Union of India** which cleared the cloud surrounding the right to privacy. Now right to privacy i.e., privacy of space, intimate decisions and personal information is a Fundamental right. Arbitrary search and seizure, arrest and detention violate this fundamental right as well. Army bangs into any house at midnight and start carrying searches etc. The dignity and privacy of people specially women is not safe in their own houses at all. Children are badly affected seeing these happening with them. Fear filled atmosphere in which they grow pushes them into taking up arms and involve in militancy. This act has ruined generations with its long lasting ill effects. Such a law is no law and the Supreme Court should formally recognize this fact. How a menacing law like this can sustain when it has taken the shape of a monster which only hurts and scares and ruins days and nights of its subject.

United Nations View on AFSPA

During Second periodic report to the **United Nations Human Rights Committee** in 1991 members of the UNHRC asked numerous questions about the validity of the AFSPA. They questioned about the Constitutional validity of the AFSPA under Indian laws and how it is justified in the light of **International Covenant on Civil and Political Right (ICCPR)**. In March 2009 Navanetham Pillay UN Commissioner for Human Rights asked India to repeal the AFSPA and she termed it as ‘dated and colonial-era law that breaches contemporary International Human Rights Standards’.

In March 2012 UN Special Rapporteur Christ of Heyns urged India to repeal the controversial law that gives its military special power to act in troubled areas and said that **“the act has become a symbol of excessive state power and has no role in democracy”**. He has come to this conclusion of his 12 days fact finding mission to examine the extrajudicial, summary or arbitrary execution in India. During his visit to Kashmir he found this law to be “hated” and “draconian” violates International Law and UN treaty. He also quoted the information received through RTI applications show that this immunity provision effectively blocks any prosecution of members of armed forces. As part of his fact-finding mission Heyns visited Gujarat, Kerala, Jammu and Kashmir, Assam and West Bengal met secretaries of various ministries, police officers, human rights activists. The main finding of the report finds prevalence of communal violence, encounter killings and plights of dalits and adivasis are other areas of concern mentioned in the report. He also ratifies a number of international treaties, including the Convention Against Torture and International Convention for the Protection of all persons from Enforced Disappearance.

Non-Governmental Organizations Analysis

Human Right Watch's 16-page report, "**Getting Away with Murder: 50 years of the Armed Forces Special Powers Act**," describe AFSPA as a tool of state abuse, oppression and discrimination. The law grants the military wide power to arrest without warrant, shoot-to-kill, and destroy property in so called "**disturbed areas**". It also protects military personnel responsible for serious crime from prosecution, creating a persuasive culture of impunity. "The Indian government's responsibility to protect civilians from attacks by militants is no excuse for an abuse law like AFSPA", said by Meenakshi Ganguly the Senior South Asia researcher for Human Right Watch. More than 50 horrible years of suffering from AFSPA is too long- the government should repeal the AFSPA now.

Enacted on August 18, 1958 as a short term measure to allow deployment of army against separatist movement in Northeast Naga Hills, the AFSPA has been invoked for more than five decades. It has since been used throughout northeast particularly in Assam, Nagaland, Tripura and Manipur. It was also seen in Punjab during separatist movement in 1980s. In 1990s it has been in force in Jammu and Kashmir. Indian officials have long sought to justify the use of law by citing the need of armed forces to combat the armed insurgents. Human Rights Watch said that the abuses by the AFSPA especially extrajudicial killings, torture, rape and "**disappearance**" have fed public anger and dillusionment with the Indian state. This has permitted militant group to flourish in the northeast and Jammu and Kashmir. AFSPA has not only led severe Human Rights violation but it has allowed the members of Armed forces to perpetrate abuses with impunity. In northeast and Jammu and Kashmir the troops over and again abuses the law and were never punished for their crimes, this has shrink the space for those who support the peaceful change.

Human Rights Watch said that the government should follow its own example when in 2004 the government of Prime Minister DR. Manmohan Singh repeals the widely abused **Prevention of Terrorism Act (POTA)**. It must display the same courage now in repealing AFSPA. **The South Asian Human Rights Documentation Centre** in his analysis "**AFSPA: A Study in National Security Tyranny**" argues against the government call to increase force is a problem. The analysis further added that, The Attorney General of India relied on the sole argument that the AFSPA is a necessary measure to prevent the secession of the North Eastern states. He said that a response to this agitation for secession in the North East had to be done on a "war footing." He argued that the Indian Constitution, in Article 355, made it the duty of the Central Government to protect the states from internal disturbance and that there is no duty under international law to allow secession. This reasoning exemplifies the vicious cycle which has been instituted in the North East due to the AFSPA. The use of the AFSPA pushes the demand for more autonomy, giving the people of the North East more reason to want to secede from a state which enacts such powers and the agitation which ensues continues to justify the use of the AFSPA from the point of view of the Indian Government.

The finding of several incidents shows how the Border Security Force (BSF) and army personnel abuse their powers in the North East. In April 1995, a villager in West Tripura was riding near a border outpost when a soldier asked him to stop. The villager did not stop and the soldier shot him dead. Even more grotesque were the killings in Kohima on 5 March 1995. The Rastriya Rifles (National Rifles) mistook the sound of a tire burst from their own convoy as a bomb attack and began firing indiscriminately in the town. The Assam Rifles and the CRPF who were camped two kilometers away heard the gunshots and also began firing. The firing lasted for more than one hour, resulting in the death of seven innocent civilians, 22 were also seriously injured. Among those killed were two girls aged 3 1/2 and 8 years old. The injured also included 7 minors. Mortars were used even though using mortars in a civilian area is prohibited under army rules. These events demonstrate the level of tension prevalent in Northeast. For a tire burst to be mistaken as a bomb proves the stage of siege the armed forces are in.

Another incident of During Operation Bluebird, the Assam Rifles committed gross abuses of this right. The Operation was launched in the wake of an attack on an Assam Rifles outpost in Oinam, a village in Manipur. The attack is believed to have been carried out by the NSCN. The armed forces retaliated by perpetuating atrocities on the village people of Oinam. The Amnesty International report found that more than 300 villagers claimed they were beaten, "some torture victims were left for dead ... others were reportedly subjected to other forms of torture including inserting chili powder into sensitive parts of the body, being given electric shocks by means of a hand operated dynamo ... or being buried up to the neck in apparent mock executions." The headman of the village was also tortured and reported, "I was called out and repeatedly interrogated throughout the day ... I was beaten by the officers and jawans ... they also indiscriminately attacked the villagers - ... chili powder dissolved in water [was] rubbed into the nostrils, eyes and soft parts of the body and officers and jawans took sadistic pleasure from the cries of pain by the victims."

Under similar circumstances in "Operation Rhino", Rajputana Rifles surrounded the village of Bodhakors on October 4, 1991. An extensive house to house searched was conducted during which women were sexually harassed and men were taken to interrogation camps. They were beaten up and kept without food or water. During this combing operation not a single insurgent was found. The People's Union for Civil Liberties (PUCL) noted, "It is very difficult to understand the logic such useless raids, mass torture and interrogations, unless the purpose is taken to be the creation of pure terror for some sinister and ulterior motives."

During Operation Bluebird, the military also forced the villagers of Oinam to work for them and provided them with no compensation. This violates article 8(3) of the ICCPR which prohibits forced labour. The Assam Rifles "rounded up villagers for forced labour for such tasks as porter service, building new army camps, washing clothes and carrying firewood."

Cases

The analysis also demonstrates the cases under which the AFSPA law is being abused severely. In **Nungshitombi Devi v. Rishang Keishang**, CM Manipur, (1982) 1 GLR 756, the petitioner's husband was arrested by CRPF on 10 January 1981, and was still missing on 22 February 1981. He had been arrested under AFSPA Section 4(c). The court found this delay to have been too long and unjustified, even under Section 5 of the AFSPA. In **Civil Liberties Organisation (CLAHRO) v. PL Kukrety**, (1988) 2 GLR 137, people arrested in Oinam were held for five days before being handed over to magistrates. The court found this to be an unjustified delay. The case of **Luithukla v. Rishang Keishing**, (1988) 2 GLR 159, a habeas corpus case, exemplifies the total lack of restraint on the armed forces when carrying out arrests. The case was brought to ascertain the whereabouts of a man who had been arrested five years previously by the army. The court found that the man had been detained by the army and that the forces had mistaken their role of "aiding civil power". The court said that the army may not act independently of the district administration. Repeatedly, the Guwahati High Court has told the army to comply with the Code of Criminal Procedure (CrPC), but there are is no enforcement of these rulings.

Army officers have accused High Court judges of weakening military powers in the North East, exemplifying that the armed forces are not interested in complying with civil law standards. Any attempt by the courts to oblige compliance with police procedure is ignored. (Lack of independence of the judiciary) In the habeas corpus case of **Bacha Bora v. State of Assam**, (1991) 2 GLR 119, the petition was denied because a later arrest by the civil police was found to be legal. However, in a discussion of the AFSPA, the court analyzed Section 5 (turn the arrested person over to the nearest magistrate "with least possible delay"). The court did not use Article 22 of the Constitution to find that this should be less than twenty-four hours, but rather said that "least possible delay" is defined by the particular circumstances of each case. In this case, the army had provided no justification for the two-week delay, when a police station was nearby, so section 5 was violated. Nevertheless, this leaves open the interpretation that circumstances could justify a delay of 5 days or more.

Supposedly the military do have instructions on the procedures they are to follow when they act in aid of civil power. In **People's Union for Democratic Rights v. Union of India**, (1991) 2 GLR 1, when the court reviewed the army's powers it referred to two sets of instructions issued to the military when acting in aid of civil power. The first was a 1969 pamphlet issued by the Government of India as guidance for military but it was confidential and the court was not allowed to review it. 1973 basic book instructions for army acting in aid of civil power was also referred to in the case. In a personal meeting with Justice Raghuvir, former Chief Justice of the Guwahati High Court, and the Justice who wrote the opinion in **People's Union for Democratic Rights**, SAHRDC asked for details on the nature of these instructions. Justice Raghuvir told us that he was only able to see a few pages and that the whole booklet was not available to non-military personnel. He believes that the military keeps these instruction manuals confidential so that it cannot be shown that the armed forces fail to comply with their own standards. This is another example of the lack of judicial review and allows the armed forces to remain above the law.

United States Leaked Diplomatic Cables

The Wikileaks diplomatic cables have disclosed that Indian officials connive to the act of Human Rights violation committed by the Indian Armed Forces and various paramilitary forces deployed in the North East part especially in Manipur. Governor S.S Sidhu admitted the Assam Rifles in particular as perpetrators and human right violators in Manipur. The very cable describes the state that appeared more of a colony and less of Indian State. US officials had evidence of widespread torture by Indian police and security forces and were secretly briefed by Red Cross staff about the systematic abuse of detainees in Kashmir, according to leaked diplomatic cables.

The dispatches, obtained by website Wiki Leaks, reveal that US diplomats in Delhi were briefed in 2005 by the International Committee of the Red Cross (ICRC) about the use of electrocution, beatings and sexual humiliation against hundreds of detainees. The ICRC staff told the US diplomats they had made 177 visits to detention centers in Jammu and Kashmir and elsewhere in India between 2002 and 2004, and had met 1,491 detainees. They had been able to interview 1,296 privately. In 852 cases, the detainees reported ill-treatment, the ICRC said. A total of 171 described being beaten and 681 said they had been subjected to one or more of six forms of torture.

These included 498 on which electricity had been used, 381 who had been suspended from the ceiling, 294 who had muscles crushed in their legs by prison personnel sitting on a bar placed across their thighs, 181 whose legs had been stretched by being "split 180 degrees", 234 tortured with water and 302 "sexual" cases, the ICRC were reported to have told the Americans. "Numbers add up to more than 681, as many detainees were subjected to more than one form of (ill-treatment)," the cable said. The ICRC said all branches of the Indian security forces used these forms of ill-treatment and torture, adding: "The abuse always takes place in the presence of officers and ... detainees were rarely militants (they are routinely killed), but persons connected to or believed to have information about the insurgency". The cable said the situation in Kashmir was "much better" as security forces no longer roused entire villages in the middle of the night and detained inhabitants indiscriminately and there was "more openness from medical doctors and the police." Ten years ago, the ICRC said there were some 300 detention centers, but there are now "a lot fewer". The organisation had never however gained access to the "Cargo Building", the most notorious detention centre, in Srinagar. The abuse continued, they said, because "security forces need promotions," while for militants, "the insurgency has become a business"

Santosh Hegde Commission on Manipur Encounter Deaths

The apex court appointed a commission to probe into the legality of encounter killings including shooting death of minors by the armed forces. The Santosh Hedge commission probed the encounter killings and found the killings of as many as six minors to be FAKE. The committee report found that none of the six cases qualify as encounters. The

committee report blamed Union Government more than the State government for the situation. The Supreme Court appointed the panel on the PIL filed by an association of the families of the alleged victims, the association alleged in its plea that over 2000 odd extra-judicial killing has taken place in the state, but no one has been held guilty until now.

CONCLUSION

It would be contrary to fact if it is argued that there is no militancy or secessionist movements in Kashmir or north east. But the bitter truth is that India as a state has failed in carving out an effective policy to deal with such situations. Hailing in the companies of armed forces is no solution but merely a step to prevent or control the violent display of underlying outrage and resentment. it is not going to solve the Kashmir issue, the presence of military men in your locality gives you a sense of discomfort that you are constantly been watched and observed. You start feeling like suffocated and disturbed. While the presence of police might not be so disturbing as you are more familiar with them. Thus in Kashmir and Manipur what the government should do is to gradually replace these army men with police in the residential areas .it will serve twin purpose of maintaining law and order and instilling a sense of freedom in the residents. Armed forces are meant to deal with exceptional circumstances; they should not be deployed as regular guards on public and that too with unbridled and unaccountable powers. We have failed in winning the confidence of people of Kashmir, they see us as oppressor as we Indians saw British because they imposed upon us laws like Rowlett Act etc. we are not imperialist and Kashmir is not our colony. Kashmir is part and parcel of our country and we need to treat them as such before we expect them to accept us as their own. AFSPA is a major hurdle in the way of unifying us because how can we claim to treat Kashmir as our own when we shield and protect our Armed forces through an act like AFSPA when they misuse their power and commit rape, tortures, fake encounters etc. Let's move a step ahead and get rid of this draconian law that has cultivated resentment, distrust and anger in the victims subjects of this law. Repeal it and show the Kashmir's and the world that we do respect human right and dignity above everything else.

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