

WEBINAR: INDIAN ARMY OPERATIONS IN COUNTER INSURGENCY/COUNTER TERRORISM (CI/CT) ENVIRONMENT AND THE HUMAN RIGHTS CHALLENGES

CONCEPT NOTE

Introduction

1. Democratic/Fundamental rights are the basic rights of the citizens of a country that are enshrined in the Constitution and recognised by the society, while the human rights are universal, absolute and fundamental. Indian Army has been combating terrorism/insurgency since the last six decades and has always operated within the existing legal framework. However, inimical elements tend to pursue their agenda against the Army under the cover of legal protection granted through such rights and level false allegations of human rights violations against the Army personnel.

2. Much has transpired since the early days of the involvement of the Indian Army in the North East and Jammu and Kashmir. The Army with years of experience in CI /CT operations has formulated various guidelines including Do's and Don'ts for operating in the affected areas. This webinar focuses on the experience of the Indian Army in CI/CT operations with the specific objective of highlighting the humane approach of the Army during its employment in such operations.

Current Environmental Realities

3. In Jammu & Kashmir, the Pakistan Army continues aiding infiltration across the Line of Control and further inciting violence in the Valley. Stone pelting incidents against the security forces remains a matter of concern and any retaliation to such violence is publicised as human rights violation. The security situation in the affected areas of the North East remains reasonably stable with sporadic incidents of violence. The Indian Army through its people-centric approach has been able to bring normalcy in the region to a large extent.

Indian Army & Human Rights

4. The Indian Army strictly follows the laid down rules of engagement and procedures while operating in CI/CT environment. However, certain inimical elements sensationalise an incident/resort to false propaganda through social media to gain access to the national and international audience, whereby the

perspective thus presented changes the narrative leading to allegation of human rights violations against the security forces. Response by soldiers in self-defence to grave provocation by stone pelters is viewed as human rights violation while the soldier himself faces a life-threatening situation. However, most activists/organisations feign ignorance and remain tight-lipped whenever rights of the soldiers are violated.

5. The Indian Army has been operating in disturbed areas within the laid down legal provisions and upholds the human rights enshrined in our Constitution. The Army follows the laid down rules and guidelines while operating in disturbed areas ensuring use of minimum force and zero tolerance to human rights violations.

Fundamental Issues.

6. Following fundamental issues will be addressed and deliberated upon:-
- (a) Changing dynamics of low intensity conflict (LIC) in human rights context.
 - (b) Indian Army functions in the most stringent and robust legal framework to ensure protection of human rights of its citizens in CI/CT environment.
 - (c) Inimical forces have always tried to build a false narrative of the Indian Army's human rights record and tried to discredit the security forces.
 - (d) Role of elements of national power in safeguarding human rights of the soldiers.

Objective

7. The objective of the webinar is to discuss operational realities affecting human rights aspects in CI/CT environment and the role of the Indian Army in protecting human rights of the citizens.

Conduct & Program

8. The webinar will be conducted over one session as per the programme attached.

Participants

9. The participants will be from NHRC, Armed Forces, MHA, civil society, media and community of defence analysts.

Platform

10. The webinar will be hosted on the CISCO Webex app/ website.

Webinar Coordinator

11. Col RK Anuj, VSM (Senior Fellow, CLAWS) will be the coordinator for the webinar.