



## A Look into the State of Human Rights and Human Security in Assam

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### ABSTRACT

*The concept of human security and human rights are the much debated concepts in social sciences. Human security is concerned with the security of the people as individuals. The UNDP's Development Report of 1994 lists seven components of human security, of which political security is of great relevance in the present context. Political security as a component of human security has been referred to as protection against human rights violation. Human rights are those inalienable rights, to which a person is inherently entitled to, simply, because of the fact that he/she is a human being and without these rights he/she cannot live as human being with dignity. The case of the 'D-Voters' in Assam gives a clear picture as to how human rights violation affects human security.*

### Keywords : 'D-Voter', Human Security, Human Rights

In the political sphere, the notion of security was traditionally centered on the question of national security, that is, security of territory against external aggression. It is concerned more with the nation state than with the people. With the end of cold war, emphasis has, however, changed. Government, International Organization, NGOs as well as scholars attempted to enlarge the concept security to include in its ambit the well being of the people as individuals. It was this attempt that resulted in the formulation and articulation of the concept of human security. Human security is concerned with the security of the people as individuals. It is "not a concern with weapons, it is a concern with human life and dignity....It is concerned with how people live and breathe in a society, how freely they exercise their many choices, and whether they live in conflict or in peace."(UNDP) Broadly, human security refers to a life of dignity where there is freedom from want and from fear. The UNDP's Development Report of 1994 lists seven components of human security, of which political security is of great relevance in the present context.

Political security as a component of human security has been referred to as protection against human rights violation. Security demands peace and it is directed towards creating conditions that are free not only from violence, but also from fear and insecurity. Viewed in this perspective, it becomes apparent that human rights and human security are intertwined. One aspect of this interconnectedness can be understood from the fact that human rights violation results into the eruption of conflicts and vice-versa. (O.N.T Thoms & J. Ron, 2007)

Human rights, as the name suggests, are those inalienable rights, to which a person is inherently entitled to, simply, because of the fact that he/she is a human being and without these rights he/she cannot live as human being with dignity. The state protects the rights of its nationals or citizens. The foreigners are also entitled to enjoy certain rights in the country of their residence because of the bilateral and multilateral agreements entered into by the state of which he/she is a citizen. Thus, "It is the nationality that gives the individual 'the right to have rights' as they are defended by the state." (Dorothy Jean Walker, 1981)

If the enjoyment of rights demands nationality/citizenship,

then what about the stateless people who do not have effective citizenship of any state. A stateless person suffers not only from a crisis of identity but also from a number of other disabilities. Deprived of any identity, they live a life of insecurity, for they are not legally entitled to enjoy any right. Their life is a life of fear and insecurity. Their civil and political rights are infringed and often they are subjected to detention. Besides, the stateless persons often face criminal convictions which make it impossible for them to live a life of dignity and freedom.

The case of the D-Voters in Assam makes the connection between human rights and human security even more clear. 'D Voters', i.e. Disputed or Doubtful voters are the persons or voters in Assam who are disenfranchised by the government as a result of their inability to prove their nationality with documentary evidence. The Assam Accord of 1985 provided that foreigners "who came to Assam on or after March 25, 1971 shall continue to be detected, deleted and expelled in accordance with law." Following this provision of the Accord, there started the process of detection, deletion and deportation of foreign nationals, but its actual operationalisation has been resulting in human rights violation more than mere expelling the illegal foreigners.

In pursuance of the instructions from the Election Commission of India, there started an intensive revision of electoral roll in Assam in 1997. In this process, any person whose name or the name of his/her parents does not figure in the voter list of 1967 is categorized as D Voter and is not enrolled in the regular electoral roll. The D Voter has to prove his (Indian) nationality with documentary evidence. But mostly, given the level of education, consciousness and condition of the mass people in India, they do not have any record at all. Thus, many genuine Indian nationals are deprived of their citizenship rights. Besides, a person identified as D Voter faces a number of difficulties in obtaining basic social services which are essential for living the life of a human being.

The categorization of a person as D-Voter undoubtedly goes against the spirit of the Constitution of India, for there is no category called Doubtful Citizen. The situation has further been complicated by an order of the Gauhati High Court which provided that a 'Doubtful Voter' be detained in the con-

centration camp till his case is disposed of by the foreigners' Tribunal. The detention of the D Voters itself a clear violation of the Universal Declaration of Human Rights in which it is clearly mentioned that an accused cannot be termed as guilty unless it is declared so by court of law.

From an official statistics released by the Government of Assam, it is found that from 1998 to 2012, a total of 1, 80, 847 (Home & Political Department, Government of Assam, 2012) people are forced to live as D Voters deprived of rights available to citizens. Given the delay in our judicial system, it is not possible to say with certainty when the fate of this large number of people will be determined. Until the judgment is pronounced, these people will be prevented from voting and will be denied a large number of other rights associated with

citizenship. Besides being deprived of their civil and political rights, the D Voters are required to live with a social stigma not. Persons identified as D Voters often become an object generally looked down upon by the society and exploited by the administrative agencies.

### Conclusion

Rights can be ensured through a process that guarantees human security. But in the case of D Voters, there is a disconnection in the process. When the D Voters are denied of the basic civil and political rights, the enjoyment of human rights is a distant dream for them. And the un-fulfillment of such dream ultimately results in insecurity and contributes negatively to human development.

### REFERENCES

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