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PROTECTION OF HUMAN RIGHTS IN COMBATING TERRORISM

ABSTRACT

Protection of human rights in combating terrorism is a complex phenomenon. The research study is undertaken to systematically understand this complexity by analysing the gross human right violations by terror activities and factors responsible for the violation by security forces and to suggest suitable measures to prevent such violations while combating terrorism.

Terrorism has become a universal phenomenon in the contemporary world and its growth and impact is decelerating the development of nations and depriving individuals from enjoying the basic human rights. By manipulating fear in a special and unique way, terrorists have been able to disrupt a smooth socio-political environment by committing atrocities on innocent populations. Rising population, increased poverty and scarcity of resources, racial tension, inflation and unemployment, economic disparities, economic migrations as well as the rise of aggressive fundamentalists are some of the important causes of mushrooming of terrorism.

Terrorism can attack anything, anywhere, any time while government cannot protect everything, everywhere all the time. Many States have taken steps to protect their population from terror acts and those measures include new security legislation and law enforcement methods. The challenge for the State is not to promote security at the expense of human rights but to ensure that all people should enjoy the said rights.

The divergent aspects of combating terrorism must address the root causes of terrorism by resolving the genuine issues of conflict, whether social, economic or ethnic alienation. Combating terrorism requires unity and close cooperation of all instruments of power and governance. One of the cardinal principles of combating terrorism is that security operations against terrorists must not result in alienating the people from the Government.

The Indian judiciary has played a vital role in upholding human rights protection by judicial interventions in the fake encounter cases and ensuring that punitive action is initiated against the erring officials. Though it is impractical to eliminate terrorists and terror attacks, the Government can take effective measures to minimise terror incidents and to ameliorate the hardship of terror victims.

Mere legislation of laws and increasing the number of the security forces are not sufficient enough to yield the desired result. However good governance, proper sensitisation of the security forces regarding human rights along with the implementation of the existing laws, as well as accelerating the judicial process would bring about positive results in the protection of human rights while combating terrorism.