



## CONDEMNATION OF STATE SPONSORED VIOLENCE ON UNARMED CIVILIANS IN NAGALAND, INDIA

10th December 2021

Asia Indigenous Peoples Pact (AIPP) and The International Work Group for Indigenous Affairs (IWGIA), unequivocally condemn the blatant disregard for the human rights of Indigenous Peoples in Nagaland in the recent extrajudicial killings of [fourteen civilians](#) by Indian security forces during an 'operation' in Oting under Tizit sub-division of Mon district in the North-Eastern state of Nagaland, India, and in clashes following the first encounter.

On December 4, 2021, as reported in the [local news reports](#), a contingent of the Indian army's counter-insurgency unit, 21 Para Special Forces, opened fire on civilians on a pick-up truck on their weekly return to their homes, to meet their families and attend Sunday services. The rest of the week, they live in accommodations close to the mines. The 21 Para Special Forces killed six and injured two others, all of whom were residents of Oting village in Mon district bordering Myanmar. Following the incident, as reported the 21 Para Special Forces retreated after the operation and reinforcements were called in to handle the situation. These re-enforcements were ferrying away the remains of the [six miners who had been killed](#). Meanwhile, the villagers, who had heard the shooting and were awaiting the return of the miners went to look for them. The search party (villagers) of the missing miners came face to face with the special forces re-enforcement before they could remove the dead bodies. The Special Forces then opened fire towards the enraged villagers [killing seven of them](#), 14 were seriously injured and 8 sustained minor injuries.

On 5<sup>th</sup> December, in response to the killing, community members came forth to register their protest and in a mob violence that ensued, the Assam Rifles fired two rounds on blank shots, killing one more civilian, bringing the death toll to 14 civilians.

The official explanation of the incident stated it as a case of [mistaken identity](#) in a counter insurgency operation. Army's 3 Corps based near Dimapur released a [statement](#) of regret admitting to an intelligence failure on the likely movement of militants belonging to the NSCN (Khaplang).

The Home Minister of India, Amit Shah, expressed his anguish and promised to investigate the incident by a high-level special investigation team (SIT), while the Chief Minister of Nagaland Neiphiu Rio offered condolences and assured justice. Amit Shah addressing the parliament, said that the pick-up truck was signalled to stop, and when they tried to flee, the paramilitary forces opened fire at them.



The survivors and witnesses had a different story to tell. Sheiwang, one of the survivors, who is undergoing treatment at Assam Medical College and Hospital in Dibrugarh, said [“They shot right at us, no signal to stop, we did not flee”](#).

Speaking to [Hornbill TV](#), Konyak said, “We were fired upon because the Army unit was covering up the crime. We found the pickup van full of blood and empty. We then saw that clothes from all the bodies were removed, and security personnel were trying to put on khaki clothes on the dead civilians. That’s the reason we were fired at.”

The Nagaland Police has alleged a possible cover-up by the security forces, and the dressing of the bodies in Khaki clothes confirms it. In a [suo moto first information report](#), the police have charged the 21 Para Regiment unit with murder.

Responsible Ministries and law enforcers have still not made categorical statements on the incident except the defensive stance taken by the Home Minister stating it to be ‘fire in defence’.

**We regard this concerted and indiscriminate attack on unarmed civilians and alleged cover up as blatant abuse of human rights and against humanity.**

**This incident has triggered the pain of many reckless perpetrations of atrocities and torture on the Naga peoples.**

What is it that enables the paramilitary power to carry out such inhumane extrajudicial killings of civilians? And what does this say about the state of India’s democracy?

[The Armed Forces Special Powers Act \(AFSPA\) of 1958](#), confers *certain special powers* on areas that are declared as disturbed and dangerous” [\[in the States of \[Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura.\]](#) In Nagaland, a June notification extended the [AFSPA till 31<sup>st</sup> December 2021](#).

Much before AFSPA, “Public Order Act” was enforced in 1953 and Assam Disturbed Areas Act of 1955 was enacted to “contain” Naga Insurgency. Proactive armed engagement against civilians is not permitted, not even under the draconian [Armed Forces Special Powers Act](#) (AFSPA), in force in Nagaland since 1958 (!), that enables impunity to the armed forces. The draconian law allows any officer of the armed forces to kill on suspicion “if he is of the opinion that it is necessary to do so for the maintenance of public order”. In the eventuality that the suspicion is unfounded, the killer faces zero consequences. The AFSPA is implemented and made operational in “disturbed” areas such as the Indian states of Nagaland, Manipur and Kashmir.

[Human rights documentation](#) corroborates to the gross violation of human rights and legal impunity of enjoyed by the military.



We are deeply concerned by the deteriorating circumstances in which such lawlessness exists, which undermines and pays no heed to the fundamental rights of citizens as enshrined in the Indian Constitution and international human rights law.

It may be pointed out that this incident occurred at a time of ceasefire and peace talks that have been ongoing since 1997. “Military offensive, terror and peace talks do not go together. The incident speaks volumes on the lack of progress. There is no political depth and vision”, said the Secretary General of AIPP.

We demand that a high-level independent investigation team comprising eminent citizens be commissioned to ensure that justice is brought to the victims and their families.

Further, we demand that the Armed Forces Special Powers Act (AFSPA) be repealed to put an end to this culture of extra-judicial killings in the region.

AIPP and IWGIA express their condemnation of senseless State sponsored violence and apathy towards the people of Nagaland. Our deepest condolences and solidarity to the bereaved communities in this dark hour.