

“STOLEN LIVES”
(Human Rights violations in Cases of Abduction)

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Key words:

Comprehensive, abduction, collaboration, implication, encompassing, unravelling, emotional trauma, degrading, resolute, infringement, unravel, intricate, interconnectedness, fortified etc.

Objective:

Examining violations of the Human Rights in the cases of abduction is shed light on the pervasive issue of abductions and to analyze the associated human rights violations. The aim of the article is to raise awareness, bring attention to the widespread problem of abductions and highlights impact on individuals, families, and communities. Provide a comprehensive examination of its violations that occur in cases of abduction. This may include rights to life, liberty, security, and freedom from torture or cruel, inhuman, or inhuman treatment. To explore the actors responsible for abductions and advocate for accountability measures. This may involve investigating state-sponsored abductions, extrajudicial actions, or the role of non-Govt agencies.

Just to suggest reforms at national and international levels to address gaps in legal frameworks, law enforcement, and international cooperation in preventing and responding to abductions. Highlight the needs of victims and their families, advocating for psychological, legal, and social support systems to help them cope with the outcome of abduction. Emphasize the need of international collaboration in addressing cross-border abductions and ensuring that committers are held answerable regardless of jurisdiction. Explore strategies for preventing abductions, including early warning systems, intelligence-sharing, and community empowerment. The article is focused on comprehensive and compelling exploration of implications of the human rights abduction, with the goal of fostering awareness, accountability, and positive change in addressing this serious issue.

The overarching concept aims to create a well-rounded and informative article that not only teaches readers about the severity of the problem but also motivates them to advocate for change and actively involved in the protection and to defend the human rights globally.

Abstract:

This article delves into the intricate web of violations of human rights associated with the alarming phenomenon of abductions worldwide. Through a meticulous examination of cases involving the abduction of individuals, we shed light on the profound and often irreversible effect on the lives of victims and their families. Drawing upon extensive research and real-life case studies, the article meticulously documents the multifaceted violations, encompassing the right to life, liberty, and security, with a focus on both state-sponsored abductions and those perpetrated by non-state actors, the article identifies the various actors involved and emphasizes the urgent need for accountability measures. By navigating the complex legal and policy landscape, we propose reforms at both national and international levels to address systemic shortcomings and ensure justice for victims. Moreover, the article advocates for enhanced victim support mechanisms, recognizing the long-lasting psychological, legal, and social ramifications of abduction.

The article calls to support international cooperation to combat cross-border abductions effectively. Prevention strategies are explored, ranging from early warning systems to community empowerment initiatives, aiming to create a comprehensive framework that mitigates the occurrence of abductions. Ultimately, "Stolen Lives" seeks to contribute to the ongoing discourse on human rights, urging collective action to protect individuals from the pervasive threat of abduction and its far-reaching consequences.

Introduction:

In the shadows of global society, a silent epidemic persists—one that robs individuals about his fundamental rights and liberties. This article delves into the intricate web of violation of human rights associated with abduction, shedding light on the profound impact on the lives of those who become unwilling participants in this dark narrative. The anatomy of abduction explores the various forms of abduction, ranging from political kidnappings and human trafficking to forced disappearances. Highlight real-world examples to illustrate the diversity and severity of these incidents.

The legal frameworks and international response examine the existing legal frameworks at national and international levels conscious to protect individuals from abduction and related human rights abuses. Evaluate the effectiveness of these mechanisms and analyse the working of organizations like UNO and NGOs in addressing this issue. Psychological and physical toll delve into the profound impact of abduction on the victims, exploring the psychological and physical trauma they endure. Discuss the challenges of recovery and reintegration into society, emphasizing the long-lasting scars left by these human rights violations. The technology and globalization examine how technological advancements and globalization have both facilitated and challenged efforts to combat abduction-related human rights violations. Discuss role of social media, surveillance technologies, and international cooperation in addressing these issues. Call for increased global cooperation, heightened awareness, and a commitment to caring the rights of those victims whose lives have been stolen through abduction.

Concept of stolen lives:

The article revolves around a critical exploration of the widespread issue of abductions and the subsequent violations of the human rights that often accompany such incidents. The primary focus is on unraveling the multifaceted dimensions of these violations, shedding light on the impact on individuals, families, and communities. Through in-depth research, and analysis, the article aims to paint a comprehensive painting of the challenges and consequences associated with abductions from these rights perspective. The key components of the concept include:

Understanding Abduction as a Human Rights Issue

Defining abduction within the context of violation of human rights. Exploring the nuances of how abductions infringe upon fundamental human rights likewise right to life, liberty, security, and protection from torture or cruel treatment.

Documentation of Cases and Patterns

Systematically documenting real-life cases of abductions to illustrate the various contexts and scenarios in which violations of human rights occur. Identifying patterns and commonalities across different cases to highlight the pervasive nature of problem.

Analysis of Perpetrators and Accountability

Investigating the roles of the state and non-Govt actors in abductions. Examining the challenges and opportunities for establishing accountability mechanisms, with an emphasis on legal and judicial processes.

Advocacy for Legal and Policy Reforms

Proposing concrete legal and policy reforms at local, national, and international levels to address gaps in prevention, intervention, and justice.

Victim-Centric Approach

Recognizing the long-term impact of abductions on victims and their families. Advocating for comprehensive victim support systems, including psychological, legal, and social assistance.

International Collaboration and Prevention Strategies

Emphasizing the status of international cooperation in addressing cross-border abductions. Exploring preventive measures, whereas early warning systems, intelligence-sharing, and community empowerment.

Call to Action

Encouraging readers to engage with the issue, raise awareness, and underwrite to the discourse on protecting human rights in the milieu of abductions.

Stolen lives-a definition:

The term "stolen lives" is not stands for a standard or widely recognized legal or human rights term. However, it is sometimes used colloquially or in advocacy to convey the effect of violations of human rights, particularly in cases of abduction or forced disappearance. The phrase suggests that the lives of individuals have been forcibly or against the will of the individual taken away from them through actions that interrupt their vital human rights. Abduction, forced disappearance, and similar actions are indeed considered serious human rights violations. This type of acts involves the deprivation of an individual's liberty, often accompanied by other practices of mistreatment, and can lead to severe physical, psychological, and emotional consequences. International human rights mechanisms, the Universal Affirmation of Human Rights and the International Pledge on Civil & Political Rights, distinguish the rights for their liberty and security of a person, and condemn arbitrary arrest or detention.

To use precise terminology to describe specific violations and to ensure a clear thoughtfulness of the landscape of the rights being violated. Terms like "abduction," "forced disappearance," and "arbitrary detention" are more commonly employed in human rights discourse to describe such actions.

Violation of the Human rights in abduction:

Violation of the Human rights in the cases of abduction are a specific subset of the human rights violations that occurs when individuals are forcibly taken or detained against their will. Abduction itself can be considered a violation of several fundamental human rights, and the circumstances surrounding abductions often involve additional human rights abuses. Here are some key factors to consider: -

Right to Liberty and Security: Abductions inherently violate the rights for liberty and security of a person. This right, as outlined in international human rights mechanisms; the Universal Affirmation of the Human Rights (UDHR) and the International Pledge on Civil & Political Rights (ICCPR), emphasizes that no one shall be arrested or detain arbitrarily.

Torture and Ill-Treatment: Abducted individuals may be imperilling to torture or maltreatment during their captivity. This constitutes a separate human rights violation, as the ban of torture is a fundamental principle enshrined in various international treaties.

Right to a Fair & Just Trial: In cases of abduction, there is often a denial of right to a fair trial. Abducted individuals may be held incommunicado, without admittance to legal representation, and without proper judicial oversight. This violates the individual's right to an impartial and public hearing as guaranteed by the ICCPR.

Enforced Disappearance: Abductions may lead to enforced disappearances, where individuals are detained in secret, and their fate or whereabouts are concealed. Enforced disappearance is considered a grave miscarriage of human right, and it is explicitly prohibited beneath international law, including the International Pact for the Protection of All Persons from Imposed Disappearance.

Right to Life: Abductions can escalate to extrajudicial killings, denying individuals right to life. The fundamental human right protected by global instruments, including the UDHR and the ICCPR.

Freedom of Expression and Association: Abductions may use to suppress dissent and target individuals based on their political beliefs, expression of opinions, or association with certain groups. This violates the right of freedom to expression and association as articulated in global human rights law. While abduction itself violates rights of liberty and security, violation of the human rights in cases of abduction extend beyond this to encompass an assortment of rights such as prevention of torture, right to a fair & just trial, protection against enforced disappearance, the right of life, and freedoms of association and expression. Combating these violations requires a comprehensive and multidimensional approach to uphold and protect human rights.

Criminality involves:

Comparing the seriousness of crimes can be subjective and depends on various factors, including legal and cultural perspectives. Abduction and violation of these rights are distinct offenses, and their severity may be assessed differently in different contexts. Abduction typically refers to the illegal and forcible taking a person against their will. This is a grave crime that may lead to various consequences, including physical harm, emotional trauma, or even death. The severity of abduction may depend on factors likewise the motive behind the abduction, the extent of captivity, and the comfort of the victim.

Violation of the human rights is a broader concept that encompasses an array of actions that infringe upon the vital rights and freedom to which all individuals are entitled. This type of violations of the Human right can occur in various forms, including discrimination, torture, unlawful detention, and denial of basic rights such as the freedom of assembly or expression. The severity of the human rights violation may be influenced by the extent of harm caused, the scale of the violation, and the impact on affected individuals or communities. In some international contexts, abduction & human rights violations both are considered serious offenses, and addressed through

national and international laws. Human rights violations, however, can have broader implications as they involve the transgression of fundamental rights that are unanimously recognized.

Ultimately, the seriousness of these crimes may be evaluated based on legal frameworks, societal norms, and the specific circumstances of each and every case. Both abduction and violation of the human rights are grave concerns, and efforts are made globally to prevent and address these offenses through legal means and international cooperation.

Abduction & violation of the human rights in Indian context:

It's imperative to note that the legal perspectives may vary, however, some general information based on common legal principles are described as under:

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In Indian context, both abduction and violations of these rights are considered serious offenses, and they are addressed under Indian law. Abduction is notified as a criminal offense under the Indian Penal Code (IPC). It depends upon the circumstances, classified under various sections, such as kidnapping, abduction, or wrongful confinement. These offenses are taken seriously, and those who found guilty can face significant penalties.

The violations of these human rights are also addressed under Indian law, with constitutional provisions and legislation aimed at safeguarding fundamental rights. Additionally, India is a signatory to various international conventions and treaties that promote and protect human rights. The severity of these crimes may depend on the specific circumstances of each case, the harm caused to the victim, and the intent of the perpetrator. Both abduction and human rights violations can lead to serious legal consequences, including imprisonment and fines. In the Indian legal system, efforts are made to address and prevent both abduction & the human rights violations, and individuals found guilty of committing such offenses are subject to prosecution.

Legal recourses:

When a crime such as abduction is committed as a violation of human rights, individuals or entities may seek legal recourse through various national and international platforms. Following are some avenues that may be available: -

National Legal Systems

Domestic Courts: Victims or their representatives can file a case in the respective court of adjudication under the laws of the land where the abduction occurred. Legal actions may be pursued under relevant domestic laws addressing crimes, including kidnapping or abduction.

Constitutional Remedies: India including various other countries have constitutional provisions safeguarding fundamental rights. Individuals can

approach constitutional courts, the Supreme Court, for remedies if human rights are violated.

International Bodies for Human Rights

UNO Human Rights Council (UNHRC): Victims or their representatives may submit complaints to the UNHRC, which can investigate and address human rights violations.

International Criminal Court (ICC): If the abduction involves elements of crime against a human being or a war crime, the ICC may have jurisdiction. However, the ICC generally deals with cases of an extensive or methodical nature.

Regional Bodies for Human Rights

European Court of Human-Rights (ECHR): For cases within the prerogative of European countries.

Inter-American Commission on Human-Rights (IACHR): For cases involving countries in the USA.

Non-Governmental Organizations (NGOs)

NGOs focused on human-rights, such as Amnesty International or Human-Rights Watch, may provide support, advocacy, and resources for victims.

Treaty Bodies

If the country where the abduction occurred is a party of international human-rights treaties, victims may bring their cases before the relevant pact bodies responsible for monitoring the execution of these treaties. However, the availability of these platforms may vary depending on the country and its international obligations.

Cases of Abduction in India & world:

Abductions can lead to severe violations of Human Rights, and unfortunately, they occur in various parts of the world, including India. Here are examples regarding human rights violations in respect of the cases of abduction both in India and globally: -

India

Child Abductions;

Child abductions for various purposes, including forced labor, sexual exploitation, and trafficking, are significant concerns in India.

Violations,

Right to life, liberty, and security; rights to be free from distress and cruel, inhuman, or degrading treatment; right to shield against discrimination.

Enforced Disappearances;

Instances where individuals are booked and sent into custody by state authorities or groups, and their fate or whereabouts are concealed.

Violations,

Right to liberty and security of person; right to recognition as a person before the law; rights to prevent from expose to torture, or to harsh, inhuman, or debasing treatment.

Kashmir Conflict;

Allegations of enforced disappearances and abductions in reference to the conflict between Indian security forces and militants in Kashmir.

Violations,

Right to life, liberty, and security; right to a fair trial; protection against arbitrary arrest and detention.

Global Examples

Boko Haram Abductions (Nigeria);

The abduction of schoolgirls by the Boko Haram terrorist group, such as the infamous Chibok schoolgirls kidnapping.

Violations,

Right to education, right to self-determination from slavery, forced labour, and child exploitation.

ISIS Abductions (Syria and Iraq);

ISIS has been notorious for abducting individuals, including journalists and aid workers, leading to torture, forced labor, and executions.

Violations,

Right to life; right to be freed from torture, inhuman, or degrading treatment; rights to liberty and security.

North Korea;

Allegations of state-sponsored abductions by North Korea, including the infamous case of Japanese citizens abducted by North Korean agents.

Violations,

Rights of liberty and security; right to freedom of movement; right to be freed from enforced disappearance.

Human Trafficking (Global)

Abduction is often linked to human trafficking, where individuals are taken or make hostage against their will and exposed to forced labour or sexual exploitation.

Violations,

Various rights, including the right to free from slavery, forced labor, and trafficking; right to freedom of movement.

Addressing these violations of human right requires international cooperation, legal frameworks, and efforts to hold perpetrators accountable. Organizations like the UNO and various NGOs play crucial roles in advocating to protect the human rights and seeking justice for victims of abductions.

Conclusion:

In the wake of our exploration into the grim reality of abductions and their profound human rights violations, it becomes evident that the shadows cast by these heinous acts extend far beyond the immediate victims. "Stolen Lives: Examining Human Rights Violations in Cases of Abduction" has sought to unravel the intricate web of challenges faced by individuals, families, and communities grappling with the outcome of these traumatic events.

The documented cases and analysis presented in this article lay bare the stark infringements upon fundamental human rights—rights to life, liberty, and security—frequently trampled upon in the dark recesses of abductions. The citation of those ensnared in this nightmarish ordeal underscore the urgency of our collective responsibility to address this pervasive issue.

As we scrutinize the perpetrators, ranging from state-sponsored actors to clandestine non-state entities, the call for accountability becomes more resounding. Legal and policy reforms must be championed at every level, creating a robust framework that leaves no room for impunity. Our societies and governments must grapple with the uncomfortable truths laid bare in these pages and commit to dismantling the structures that enable and perpetuate abductions.

Crucially, our advocacy must extend beyond the theoretical realm of policy reforms and international cooperation. It must extend a compassionate hand to those victims whose lives have been irrevocably altered. A victim-centric approach is not just a moral imperative; it is an acknowledgment of the long-lasting scars etched into the lives of survivors and their families. Comprehensive support systems, spanning psychological, legal, and social domains, must be established and fortified.

The international community, as well, must recognize the interconnectedness of our shared humanity. By extending collaborative efforts we can hope to stem the tide of cross-border abductions. The call for prevention strategies, from early warning systems to community empowerment initiatives, becomes a crucial element in our arsenal against this global threat.

"Stolen Lives" is more than a mere exposé; it is a call & to be translated in action. A call to governments, organizations, and individuals to stand in cohesion against the violation of the most basic human rights. As we endeavour for a world free from the glooms of abduction, let our collective voice ricochet with the resolute commitment to safeguarding the sanctity of every life and ensuring that no more lives are stolen.

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