



Truth and Reconciliation Commission

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Why in News?

Recently, [the Supreme Court unanimously upheld the abrogation of Article 370 by the Centre in 2019](#) and also recommended setting up a **Truth and Reconciliation Commission (TRC)** to look into alleged violations of human rights by both state and non-state actors in Jammu & Kashmir.

What is a Truth and Reconciliation Commission (TRC)?

- **About:**
 - A **Truth and Reconciliation Commission**, also known as a **'truth and justice commission'** or simply, a **'truth commission'**, is an official mechanism to not just acknowledge, but also reveal, wrongdoings by a government or sometimes non-state actors.
- **Objective:**
 - The truth commission is one that is focused on the past, rather than in ongoing events.
 - It investigates a pattern of events that took place over a period of time.
 - The commission engages directly and broadly with the affected population, gathering information on their experiences;
 - It is a **temporary body**, with the aim of concluding with a final report.
 - Commission is officially authorized or empowered by the state under review.

Which Nations have Already Established TRC?

- The two best known and most consequential commissions are considered to be set up in **South Africa, Australia** and **Canada**.
- In India's neighborhood, truth commissions have been set up in **Sri Lanka** and **Nepal**.
- In **South Africa**, the first post-apartheid government of **President Nelson Mandela** established a **TRC** in 1995 with the aim of **uncovering the truth of human rights violations** during the decades of apartheid.

Article 370

- **Article 370** in the **Indian constitution** gave special status to **Jammu and Kashmir**, a region disputed by **India, Pakistan** and **China**.
- It was drafted by **N Gopalaswami Ayyangar**, a member of the **Constituent Assembly of India**, and was added to the constitution as a **'temporary provision' in 1949**.
- It allowed the state to have its **own constitution, flag** and autonomy over most matters except **defense, foreign affairs** and **communications**.
- It was based on the terms of the **Instrument of Accession**, which was signed by the ruler of **Jammu and Kashmir, Hari Singh**, in **1947** to join India after an invasion by Pakistan.

UPSC Civil Services Examination Previous Years' Questions (PYQs)

Mains:

Q. To what extent is Article 370 of the Indian Constitution, bearing marginal note "Temporary provision with respect to the State of Jammu and Kashmir", temporary? Discuss The future prospects of this provision in the context of Indian polity. **(2016)**

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