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Agenda 3(a) Economic and Social Development

I am Jiten Yumnam, a Meitei from Manipur in India's North East addressing a joint statement on behalf of the Forum for Indigenous Perspectives and Action, Manipur, Ogiek Cultural Initiatives Program, Kenya and the Asia Pacific Indigenous Youth Network, Philippines.

UNDRIP and Human Rights based approach to Development

Dear Madame Chairperson, I would like to recall the recommendations of the UN Permanent Forum on Indigenous Issues in previous sessions that urged upon States, UN Agencies, the International Financial Institutions to recognize indigenous peoples right to self determination, to recognize their rights over their land and resource, recognize the principle of free, prior and informed consent in any policies and projects impacting their survival and to adhere to the UN Declaration on Indigenous peoples.

The Government of India denies the existence of Indigenous Peoples thereby rendering the rights enshrined in several international human rights standards, viz, the UN Declaration on Indigenous Peoples inapplicable in India. India also rejected the right to Self Determination clause Art 1 of In'l Covenant on Economic Social and Cultural Rights. Article 3 of the Declaration on Indigenous peoples states: "Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development". In Article 23, the Declaration outlined Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. The indigenous peoples of Manipur are still denied their right to Self Determination and their right over their land and resources.

Development and Militarization in Manipur

In India's NE, particularly in Manipur, a pattern of policies, purely extractive and exploitative, has been pursued along with intensified militarization. The Government has targeted the bountiful biodiversity, water, forest and its rich natural resources of the region for exploitation and extraction and the economic policies are formulated from national security perspectives. The commissioning of Loktak Multipurpose Hydroelectric Project in 1984 has led to inundation of nearly 50,000 hectares of arable land, displacing several thousands of Meitei and Kabui peoples in Manipur without any rehabilitation.¹ The Tipaimukh dam in Manipur will submerge close to 3000 square Kms of indigenous lands in Manipur and will¹ destroy a number of major sacred sites of the Hmar and Zeliangrong peoples, and in total will affect 67 indigenous villages¹ The Government of India is still on the process to construct 168 mega hydro projects in India's NE with a combined generation capacity of over 62,000 MW,¹ when the peak power demands in the region is only 926 MW¹. Indian leaders projected India's NE to be the power house of India aiming to exploit the region's water potential for economic benefits through power exports¹.

The absence of accountability of project authorities in mega projects, as for instance, the National Hydroelectric Power Corporation (NHPC) with the economic environmental devastation caused by its Loktak Multipurpose Hydroelectric Project has further impoverished indigenous peoples. Confiscation of agriculture land and wetlands by the construction of Industrial Growth Centre at Chingarel Waiton, National Institute of Information Technology at Lamphelpat, Imphal Airport Expansion at Ningombam and Malom had further undermined the food sovereignty of Indigenous peoples of Manipur and exacerbated their dependence on outsiders.

In recent years, India Strongly pursues Free Trade Agreements with South East Asian Countries without taking the free prior and informed consent of Indigenous peoples and without studying the multifaceted impact of such agreements on our livelihood, culture, food sovereignty. India is also facilitating the operation of International Financial Institution such as the Asian Development Bank, World Bank and other multinational corporations in India's North East without the peoples consent.

The Indian armed forces deployed in the region for counter insurgency are involved directly in protecting unsustainable development, now protecting the Loktak Multipurpose Project, Thoubal Multipurpose Project in Manipur, even as issues of displacement, loss of agricultural land, environmental devastation remains unresolved.ⁱ Affected villagers defending their land are met with brute use of force by these security forces. 3 villagers affected by Khuga Dam were killed and 25 injured, including women and children in an indiscriminate firing by the Border Security Force and the Indian Reserve Battalion in December 2005. Indigenous peoples living in the upstream and downstream of Mapithel Dam along the Thoubal River were subjected to torture for demanding protection of their land and to end militarization.

India's violation of political rights of peoples of Manipur and NE region led to serious violation of their civil rights and liberty. The Indian army deployed in Manipur to counter the indigenous resistance groups fighting for right to self determination under the Armed Forces (Special Powers) Act, 1958 has led to serious human rights violations targeting innocent civilian to extra judicial executionsⁱⁱ, rape and sexual harassment of womenⁱⁱⁱ, enforced disappearances, torture and arbitrary detentions.^{iv} The Govt's reliance on military for construction of Tipaimukh Dam will only prove India's undemocratic nature.

Recommendations

We would like to request the PFII to urge upon the Government of India to implement the provisions of UN Declaration on the rights of Indigenous peoples and to ensure that indigenous Right to Self Determination and their right over their land and resources are full respected in accordance with the UN Declaration on Indigenous Peoples.

Urge upon Govt of India to implement the recommendations of UN Committee on Elimination of Racial Discrimination's concluding observations in 2007 to ensure that mega projects such as dams are not constructed in Manipur without the free prior and informed consent¹ of indigenous peoples.

Upon the Government of India to ensure that human rights-based approach to development based on UN Declaration on the Rights of Indigenous Peoples is fully implemented.

Urge upon India to stop using its military to pursue mega-developments in Manipur, such as construction of Mapithel Dam and Tipaimukh Multipurpose Hydroelectric Dam and to stop rights violations against indigenous peoples.

Urge upon Government of India to establish a moratorium on all mega development initiatives and to review existing development projects and to stop confiscation of indigenous peoples land.

Urge upon International Financial Institutions such as Asian Development Bank, World Bank and the Japanese Bank for International Cooperation to respect indigenous peoples right over their land and resources and their right to Free Prior and Informed Consent before development.

ⁱ Concluding Observation of the Committee on the Elimination of Racial Discrimination, 17th Session of CERD Committee, 19 February to 9 March 2007 (CERD/C/IND/CO/19 March 2007)

ⁱⁱ Amnesty International's report, India: 'Operation Bluebird', A case study of torture and extrajudicial executions in Manipur, October 1990, AI Index: ASA 20/17/90

ⁱⁱⁱ Report of the Special Rapporteur on Violence Against Women, E/CN.4/2005/72/Add 1 paras, 186 – 189

^{iv} AI report, India: Official Sanction for Killings in Manipur, AI Index, ASA 20/014/1997, 1 April 1997