

EMRIP, 6th Session, 8-12 July, 2013, Geneva

Item 6: UN Declaration on the Rights of Indigenous Peoples

Joint Statement by Ms Alma Grace Barla On behalf of Adivasi Vikas Sanstha, Adivasi Mulvasi Asthitwa Manch & Jharkhand Human Rights Movement (INDIA)

Mr Chairperson, Expert Members, distinguished Government delegates & my dear Indigenous Brothers and Sisters...

The tribal communities of India continue to suffer through land alienation and development-induced displacement in the tribal populated states of Jharkhand, Chhattisgarh, Orissa, Madhya Pradesh to name a few. Violation of Panchayats Extension in Scheduled Areas Act, 1996, Chhota Nagpur Land Tenancy Act 1908 and Scheduled Tribes and Other Traditional Forest Dwellers Recognition of Forest Rights Act, 2006 grants extensive rights to indigenous forest dwellers, including the right to possess forest land for habitation and self-cultivation purposes, as well as the right of access to forest resources and to participate in conservation efforts.

We observe a lack of political will by the Government to implement them in letter and spirit. We put before the committee few recent cases of Central Indian tribal belts:

JHARKHAND STATE: The State Government of Jharkhand has opened lands to more than 41 steel and mining companies for large-scale resource extraction, which will result the destruction of 57,000 hectares of forest and the displacement of 9,615 families, 80 per cent of whom belong to scheduled tribes.

Last year, at Nagri village of Ranchi, the government fraudulently tried to acquire 227 acres of land to establish Information Technology & Law University. The government said that the land was acquired for Ranchi Birsa Agricultural University. The villagers have been cultivating and paying land taxes from ages. In January 2012, the government deployed 3 companies of Rapid Action Force. And when the villagers protested the police brutally attacked the villages, dozens of false cases were imposed, 4 leaders including women were imprisoned. During sit-in-protest 3 women also died of sun stroke. Thereafter, noted tribal activist, Dayamani Barla was imprisoned for two and a half months under a false case. The project has affected the existence and livelihood of 6000 tribal population. We are not against establishment of educational institutions. We want institutions to come up not on our fertile lands but on available infertile wastelands.

CHHATTISGARH STATE: According to an official information received through the Right to Information Act (RTI), out of total land 6092 sq. k.m., 6023 sq. k.m. is earmarked for multinational companies, in Jashpur district of Chhattisgarh State. 122 Memorandum of Understandings (MOUs) have been signed with 28 Companies, which would displace thousands of Tribals of the area dispossessing us of our livelihood resources. False cases against 109 people in the Jashpur district have been registered to weaken the movement.

Similarly, Bastar is a Scheduled district in Chhattisgarh, where tribals dominated 644 villages have been evacuated completely and are pushed into 24 camps. This major "sanitation of the place" has been done by the Armed and Paramilitary Forces in order to clear the ground for mining and industrial companies. As per reports more than 3 million tribals have disappeared from these villages.

IN ORISSA the recent issue of Vedanta group's \$ 1.7 billion bauxite Mining Project in Niyam Giri Hills of Orissa has taken a high-profile dimension. The Niyamgiri Hills are the source of livelihood and identity of the 8,000 Dongria & Kutia Kondho, which could be destroyed by the mining. We also welcome the recent Supreme Court (April 2013) Order which has directed the Village Council to take a decision within the period of 3 months. However, it is a matter of concern that whether the Government and the Company will respect the same.

On 4th July 2013, the media reported that the Orissa Govt. has completed land acquisition for \$12 billion POSCO Mega Project for 2,700 acres of land at Jagatsinghpur. On the other hand the civil society alleges that it was a forceful land acquisition and inspite of heavy protest, the govt. continues the forceful land acquisition.

OPERATION GREEN HUNT/ANTI-NAXAL MOVEMENT drive led by the government has caused killing and torture of hundreds of innocent tribal people including women, children & including civilians. The 'Operation Green Hunt' which uses large sections of Paramilitary forces what they perceive as the single most dangerous internal security threat to the State. Interestingly, Operation Green Hunt is largely concentrated in the areas where the MOUs have been signed especially in Chhattisgarh, Orissa and Jharkhand which are tribal populated and rich in mineral resources.

- At Aaresptra village, on 17 May 2013, 8 people including 3 children were killed during encounter between Armed Forces & Naxalites. 22 of them are still missing.

- On 24 June, 2013, 8 innocent Tharu Tribe people including 3 minor were brutally killed in the police firing which took place at Katharwa village.

Migration & Trafficking of thousands of tribal women to cities also is an alarming situation. In Delhi alone there are more than 2 lakh tribal women including minor children who have migrated from central India working as domestic helps, have been facing physical, mental, psychological and economic exploitations. Evidence of thousands of trafficking cases are found. There are regular cases of rape, murder, suicide, false accusation legal cases, and mysterious deaths.

India has ratified the UN Convention against Transnational Organized Crime and its two protocols, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, in May 2011. In spite of various national and international legal provisions, our Indigenous women continue to suffer in silent without proper legal support and help.

Sir, we Indigenous Peoples, the citizens of India Constitutionally notified as Scheduled Tribes, firmly believe that the rights of the Scheduled Tribes will be protected. Having deep trust and confidence in the mandate of the Committee we hope for your proactive intervention.

Thank You for listening.

JOHAR !