



# **PROFILE OF INTERNAL DISPLACEMENT : INDIA**

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## PROFILE SUMMARY

*This country profile is primarily concerned with situations of conflict induced displacement in India, but also includes some information about the estimated 21 to 33 million Indians who have been displaced by development projects (Fernandes 2000, p.277; Mander, August 1999, p.5).*

Since independence, India has continuously experienced outbreaks of armed conflict and problems of internal security. Armed conflict and ethnically based inter-communal strife has led to widespread population displacement in Jammu and Kashmir in the northwest, in the State of Gujarat, and in the states of the northeast. As of June 2002, more than 650,000 persons are estimated to be displaced by conflict. Especially at the end of 2001 and the beginning of 2002, a rise in the number of displaced persons could be noticed, as a consequence of the conflict in Kashmir (60,000-100,000 newly displaced in December 2001) and violence in Gujarat in February 2002 (displacing some 90,000 people) (CDNC, 30 December 2001; AI, 28 March 2002).

### **Displacement in Kashmir, Gujarat, and the Northeast**

India's largest situation of internal displacement stems from the more than decade long conflict in Jammu and Kashmir in the northwest. Since 1989 approximately 34,000 people, including thousands of civilians, have reportedly died in the context of the conflict between militants seeking either independence or accession to Pakistan, and Indian security forces and police (AI, 3 October 2001). Additionally, some 350,000 persons from Kashmir have been internally displaced as a result of this armed conflict, and live in the cities of New Delhi (some 100,000 people) and Jammu (some 240,000 people) (USCR 2000, p.166; SAHRDC, 16 March 2001).

The security situation in the Kashmir Valley worsened after September 2001 due to new clashes between the Indian and Pakistani armed forces along the Line of Control. Renewed attacks by Muslim separatists also posed an important threat to the Kashmiris. At the end of December 2001, after heavy shelling and a massive build-up of troops on both sides of the border, between 60,000 and 100,000 people fled their homes (CDNC, 30 December 2001).

In February 2002, ethnic violence erupted in the State of Gujarat. The violence began after a Muslim mob in the town of Godhra attacked and set fire to two carriages of a train carrying Hindu activists. Fifty-eight people were killed, many of them women and children. The reprisal attacks on the Muslim population displaced some 90,000 persons, mostly Muslims (AI, 28 March 2002). Some 50,000 displaced have been sheltered in 20 camps in Ahmedabad, and over 40,000 persons are housed in camps in other cities, often in appalling conditions.

The seven states in the geographically isolated and economically underdeveloped northeast is home to 200 of the 430 tribal groups in India. Influx of migrants from neighboring areas has led to ethnic conflicts over land and strives for political autonomy or secession. Several political and/or armed insurgent groups have been formed, many of which resort to "ethnic cleansing" activities in order to defend their interests against a real or perceived ethnic enemy. Violence has broken out in the states of Assam, Manipur, Nagaland, Tripura and Arunachal Pradesh, involving at least eight different ethnic groups (Bodos, Nagas, Kukis, Paites, Mizos, Reangs, Bengalis and Chakmas). The largest forced displacement movements have occurred in the states of Assam, Manipur and Tripura (USCR January 2000, p.2-3, 5-7, Bhaumik, p.22-24).

A cease-fire extension agreement between the National Socialist Council of Nagaland-Isak-Muivah (NSCN-IM) and the Union Government without territorial limits received widespread approval in Nagaland. However, the agreement was seen to be intruding upon the territorial integrity of the neighboring States of Manipur, Assam and Arunachal Pradesh and led to wide spread protests and large-scale violence in those States, especially in Manipur. The Union government was forced to review the decision of extending the cease-fire without territorial limits (SATP 2001 Assessment, Nagaland). Some 50,000 Nagas,

fearing attacks from the protesters, have since been leaving the Imphal valley in Manipur for remote villages in Naga-dominated districts in Manipur and in Nagaland (The Hindu Frontline, 4 August 2001, Hindustan Times 2 August 2001; NPMHR, 5 January 2002).

### **Subsistence needs**

In Kashmir, the 'border migrants', that is the displaced from the border areas, primarily demand tentage accommodation to all displaced, an increase in cash relief, a special recruitment drive for migrant youths, construction of pucca accommodation, as well as compensation of properties damaged and animals killed in Pakistani shelling (The Daily Excelsior, 21 May 2002).

Most IDPs from the northeast live in deplorable conditions in temporary camps. Assistance, mostly provided by the state governments and NGOs, is insufficient and sporadic. The national government has reportedly no policy on conflict-induced internal displacement and no specific structures to meet the needs of the IDPs in the northeast. Neither the national nor the state government has taken preventive measures to avoid the outbreak of ethnic violence and no programmes to address the root causes and provide for sustainable return have been launched (USCR January 2000, p.2, 16, 18).

Conditions in IDP camps in Gujarat have been appalling too; residents lack the most basic necessities such as food and medical supplies, there is a lack of sanitation, while the camps themselves are overcrowded. The displaced especially needed medical care and trauma counseling.

HRW visited the IDP camps in Gujarat, and reported that the residents of the camps complained about the lack of security and protection both in the camps and in the neighborhoods from which they fled. This in turn influenced their decision not to return or leave the camps, citing fear of being attacked by the local population or being arrested by the police.

The dissatisfaction of the displaced with the absence of a government response to their plight was reflected in their decision to abstain from using their voting rights in the local elections.

### **Return and resettlement**

In Kashmir, the security situation in the area has not allowed for the return of displaced so far. By the end of 2000, the Jammu and Kashmir government abandoned a proposal designed to facilitate the return and rehabilitation of Pandits to the Kashmir valley (U.S. DOS February 2001, Section 5). In April 2002, the Jammu and Kashmir Government prepared another action plan for the return of Kashmiris who fled owing to militancy a decade ago, but the displaced have shown no sign they want to return. In Gujarat, the displaced also show reluctance to return to their homes, citing a lack of protection or the destruction of property as the main reasons. The displaced have been facing another threat however, namely that of a forcible return. By May 2002, the government initiated an all-out drive to close relief camps all over Gujarat by 31 May 2002, meaning at the same time an end to funds that provide for food and medicines for the displaced. The situation in the Northeast is no different; displaced Nagas, for example, refuse to return to the Imphal Valley, citing government failure to protect them as the main reason (NPMHR, 5 January 2002).

### **National and international response**

India lacks a national policy or institutional legal framework concerning the internally displaced persons. Moreover, the government systematically refers to internally displaced persons as 'migrants'. At the same time, India shuns international scrutiny and thereby denies international humanitarian access to internally displaced. Most of the northeast of India, host to more than 150,000 internally displaced (USCR 2001 p.157), is off limits to foreigners. Meanwhile, in international fora the Indian government argues that local state governments are currently fulfilling their needs and international attention to the internally displaced

therefore has to remain within the bounds of the concept of national sovereignty (Permanent Mission of India to the UN-NY, p.1-3; USCR January 2000, p.4).

Between 1990 and 2000, the government has reportedly spent U.S.\$ 62.9 million on food and financial aid for internally displaced from the Jammu and Kashmir conflict. Another US\$ 4.6 million has been spent on compensation for burnt down houses. Schools for the displaced children have been constructed and medical care provided, although the displaced population says it is not enough to cover their needs. A large number of the displaced from Kashmir have been received by relatives. However, while their situation is far from ideal, government response to internally displaced from Kashmir has been much more generous than the response to displaced in the northeastern states (USCR 2000).

While there is a discrepancy between the government's responses towards the northeast on the one hand and Kashmir on the other, reports blamed the Gujarat authorities of failing to address the needs of the displaced altogether, despite promises made by the government with regard to rehabilitation.

### **Development-induced displacement**

During the last fifty years, some 3.300 big dams have been constructed in India. Many of them have led to large-scale forced eviction of vulnerable groups. The situation of the *adivasis* or tribal people is of special concern as they are reported to constitute between 40 and 50% of the displaced population. As a result of misguided (or non-existing) state policy, project-affected communities have been subject to sudden eviction, lack of information, failure to prepare rehabilitation plans, low compensation, loss of assets and livelihoods, traumatic relocation, destruction of community bonds, discrimination and impoverishment (Mander, August 1999, p.4-5, 13-17). Amnesty International has documented human rights abuses against those who protest against forced displacement (AI 2000).

There are no official statistics on the numbers of people displaced by large projects since independence. In 1994, the Government mentioned the figure of 15.5 million internally displaced and acknowledged that some 11.5 million were still awaiting rehabilitation. However, calculations based on the number of dams constructed since independence indicate that as many as 21 to 33 million persons are likely to have been displaced (Fernandes 2000, p.277; Mander, August 1999, p.5). However, these estimates do not include persons displaced by canals, or by the construction of colonies or other infrastructure. Neither do they include those who have been subjected to multiple displacements (Rangachari, 2000, p. 116-117).

The resettlement and rehabilitation of the large number of persons displaced by development projects has been far from successful. A major obstacle has been the government's reluctance to adopt a clear "land-for-land" policy. Instead, insufficient cash compensation or poorly designed non-land based projects has left many destitute. At the same time, local social networks and traditional support systems have been destroyed, leaving many development-displaced with no option but to head for the slums of the major cities (Mander, August 1999, p.8-10, 13-14).

# CAUSES AND BACKGROUND OF DISPLACEMENT

## General

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### Four categories of internal displacement in India

- I Political causes, including secessionist movements
- II Identity-based autonomy movements
- III Localized violence
- IV Environmental and development-induced displacement

#### " I Political causes, including secessionist movements

i) Since independence, north-east India has witnessed two major armed conflicts – the Naga movement primarily led by the National Socialist Council of Nagaland, and the Assam movement led by the All Assam Students Union and now largely taken over by the extremist United Liberation Front of Assam. The violence and retaliatory responses from the government and other forces opposed to the secessionists continue to generate a steady flow of displaced people.

ii) In Kashmir's 'war' between state forces and militants, the killing of Kashmiri Pandits by fundamentalist secessionist groups, the widespread anarchy created by political instability and the continuous violation of fundamental human rights by both the state and militant groups, have led to large scale displacement, mainly of Kashmiri Pandits (estimated at 250,000), to Jammu and cities like Delhi. Despite the election and restoration of a popular government in 1996, those displaced have not been able to return due to the continuing reality of sporadic massacres in Kashmir. Although conditions are miserable, the displaced find that camps offer better employment opportunities, education and security.

#### II Identity-based autonomy movements

Identity-based autonomy movements, such as in Bodoland, Punjab, Gorkhaland and Ladakh, have also led to violence and displacement. This has happened in Punjab and more recently in the Bodo Autonomous Council area of western Assam. 'Cleansing' of non-Bodo communities by the Bodos, through plunder, arson, massacre and persecution, has forced a large number of non-Bodos to flee. They now live in camps.

#### III Localized violence

Internal displacement has also arisen from caste disputes (as in Bihar and Uttar Pradesh), religious fundamentalism (as in urban riots in Bombay, Coimbatore, Bhagalpur and Aligarh) and aggressive denial of residency and employment rights to non-indigenous groups by supporters of the 'son-of-the soil policy' (as in Meghalaya by the Khasi students and in Arunachal Pradesh against the Chakmas).

#### IV Environmental and development-induced displacement

In order to achieve rapid economic growth, India has invested in industrial projects, dams, roads, mines, power plants and new cities which have been made possible only through massive acquisition of land and subsequent displacement of people. According to the figures provided by the Indian Social Institute, the 21.3 million development-induced IDPs include those displaced by dams (16.4 million), mines (2.55 million), industrial development (1.25 million) and wild life sanctuaries and national parks (0.6 million).

(Lama, August 2000, p.24-25)

### **Growing ethnic and social tension in India could lead to increased internal displacement (2000)**

- The internal displacement resulting from the Kashmir conflict receives a lot of attention while the situation of those displaced in the Northeast is relatively unknown
- Growing political party rivalries and Hindu nationalism increases tension between the Hindu majority and the Muslim and Sikh minorities
- Tension between upper and lower Hindu castes could also result in further conflict and displacement

"Internal displacement resulting from political and communal violence exists in two main regions of India: the Northeast and Kashmir. The international community is cognizant of the displacement from Kashmir, the result of a long-standing conflict between the Indian armed forces and separatists among Kashmir's Muslim majority that has led to clashes between India and Pakistan. Various Indian and international groups monitor and report on the situation of the mostly Hindu displaced Kashmiris, and the Indian authorities assist them. But the displacement in Northeast India has gone virtually unnoticed. The international community, and even many within India, know almost nothing of the scale and nature of the displacement, its causes, conditions for the displaced, or the response of the national or local authorities.

[...]

In recent years, tension between the Hindu majority and the Muslim and Sikh minorities in India has escalated, encouraged by political party rivalries and growing Hindu nationalism. In 1990, Hindus destroyed a Muslim mosque in Ayodhya that they claimed was built on the site of an ancient Hindu temple. Subsequent Hindu-Muslim clashes across India left 1,200 dead. Tension between different Hindu castes could also result in conflict and displacement. In June 1999, some 200 Dalits became displaced in Tamil Nadu State when upper caste Hindus attacked them. The Dalits, long-exploited members of a lower Hindu caste, sought to use public property in their village from which upper caste Hindus traditionally barred them. Further outbreaks of communal violence in densely populated India, which now has one billion inhabitants, could result in massive internal displacement. How India responds to its current displaced populations might be an indicator of how it would respond to major displacement in the future."

(USCR 2000, p.1)

## **Conflict induced displacement in Kashmir**

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### **Separatist/fundamentalist threats and attacks made the Kashmiri Pandits flee their region (1990-2001)**

- Muslim separatists displaced approximately 250,000 Kashmiri Pandits to the cities of Jammu and Delhi between 1989 and 1996
- There are competing explanations for the departure of most Pandits from the Kashmir Valley in 1990

- Displacement still took place in 2001 due to the threats of terrorists active in the region
- The main causes of displacement are the terrorists' threats and apathy of the government

"The state of J&K became integral part of India after signing of Instruments of Accession in favour of Indian Union on 26th October, 1947. With the accession of the State of J&K to India, jurisdiction in matters of External Affairs, Defence and Communications was transferred to the Government of India and the Union Parliament was given power to make laws for the State for the purposes of these matter only. The special position of J&K in the Indian Union is embodied in Article 370 of the Constitution of India. Right after the British withdrawal, Pakistan claimed the J&K State on the basis of Muslim majority character of its population and its contiguity to Pakistan.

The State has three regions, viz., Jammu, Kashmir vally, and Ladakh. Of the total population of about 6 million (1981 census), the Muslims account for about 64 per cent. The Kashmir valley comprising of 6 districts of Srinagar, Baramulla, Anantnag, Badgan, Pulwama and Kupwara has a population of about 3.1 million the majority of whom are Muslims." (Saha, 2000, U.N. Guiding Principles on internal Displacements: A Case Study of Kashmiri Pandits in India, pp. 1-2)

"The Kashmiri Pandits are minority Hindus in the Kashmir valley. In December 1989 they started leaving their homes in response to separatist and fundamentalist threats and attacks on their homes, businesses and temples. Imposition of direct central government rule between 1990 and 1996 did not bring an end to terrorist violence. By 1996, approximately 250,000 Kashmiri Pandits had been displaced to Jammu, Delhi and elsewhere, where they still remain."(Saha, 2000, p.26)

"There are competing explanations for the departure of most Pandits from the Kashmir Valley in 1990. The situation at the time was one of open revolt. [...] The Jammu Kashmir Liberation Front (JKLF) launched its armed campaign for independence from India on July 31, 1988. Two powerful bombs exploded in Srinagar, and for the rest of the year occasional JKLF attacks saw the security situation in the Kashmir Valley deteriorate. As the violence spread Muslim-Hindu amity in Kashmir came under strain, particularly given many of the initial victims were Hindu officials. [...]

In 1989 civil disobedience and political violence by Kashmiri Muslims had gathered pace, and the Indian government imposed central governor's rule in late January 1990. Amidst all this disturbance the fate of the Pandits was very much but one small part of a far more pressing series of crises facing the administration. In February and March 1990 significant numbers of Hindu Pandits, who numbered around 140,000 – 160,000 in the Kashmir Valley, began to leave the Valley for Jammu or India.[...] This exodus took place at the same time as a number of high-profile killings of senior Hindu officials." (Evans 2001)

### ***Situation as of November 2001:***

"Even as the Army has been strengthening its formations in this hinter-land, silent migration of minorities is going unabated from Marmat area due to the threats of terrorists active in this belt.

Though invisible but thirty three Hindu families have left their homes and hearths, in hushed manner, and have taken shelter in Udhampur and Jammu.

[...]

Situation has improved considerably after deployment of Army but large chunk of area is still unattended as Army battalion manning the area, has not adequate number of troops to be deployed at every nook and corner of this area widely known as hot-bed of militancy to keep check on the activities of terrorists.

"There was mass exodus from this belt some years back but a good number of migrated families have returned to their places after deployment of Army in the area", informed Rajinder Singh, a resident of the area. But, Rajinder said with fear lurking on his face, large number of hamlets of the far-flung areas are still unattended.

Militants' writ is prevailing in the unapproachable areas of Marmat belt as neither there is any Army posts nor any police pickets. Survival of the inhabitants depends upon largely on the wishes of militants. "We have to bow before terrorists' diktats as there is no security cover for us", said Sultan Singh. He, informed that denizens of these unchecked areas have been silently leaving their native places to their honour and dignity.

"Though a good number of Hindus have returned to their places after deployment of Army in this belt some families are still undecided", said Sarpanch of village. He even disclosed that some Hindu families, living in the unattended areas, are thinking to leave their homes and hearths. There is feeling among residents, particularly among minority community, that 'life is on razor's edge', they said that situation has improved but not to such an extent that they can live their own lives. Fear, visible on the faces of inhabitants and miseries being faced by the denizens is a clear indication that survival is not easy in this area.

[...]

Not only terrorists' threats but government's apathy is also responsible for forcing the denizens of this backward belt to leave their native places to protect their lives. "We are living in a hellish conditions. On the one hand we have been facing threats of terrorists while on the other authorities have also maintained a criminal silence over our miseries", said Prem Nath of village Reot. Miseries of the inhabitants can be gauged from the fact that there is not even single doctor in the Marmat area comprising population of about 60,000." (Daily Excelsior, 24 November 2001)

### **Displacement in Kashmir due to military tensions and armed clashes between India and Pakistan (1999-2002)**

- In 1999, fighting in the Kargil area displaced some 60,000-100,000 people
- Since then, Pakistani shelling has prevented many from returning
- Over 100,000 people were forced to flee from the LOC after Indian-Pakistani tension ran high following a terrorist attack on the Indian parliament
- Displacement also occurred in the States of Punjab and Rajasthan
- In April/May 2002, there were serious war fears, displacing people once more

"In May 1999, conflict broke out [again] between India and Pakistan over Kashmir. The conflict centered around the Kargil area, high in the Himalayan Mountains, halfway between the major Indian towns of Srinagar and Leh and just south of the Line of Control between Pakistan-held Kashmir and Indian-held Kashmir.

The conflict began when India launched air strikes along the Line of Control (the unofficial border between Indian-held Kashmir and Pakistani-held Kashmir), claiming that infiltrators from Pakistan had crossed the Line and occupied Indian territory. It ended in July, when, following international mediation, the infiltrators withdrew.

In India, the conflict displaced an estimated 60,000 to 100,000 people, mostly Kashmiri Muslims. The largest towns in the area, Kargil and Dras, were left completely deserted. Most of the displaced fled heavy Pakistani shelling of their villages. Scores of villages were heavily shelled; a displaced man from Idkot village told Inter Press Service that his village was hit by 19 shells on a single day in May. To reach safety, many of the displaced climbed over mountains more than 13,000 feet high." (USCR 2000, p.166)

"The spring and summer 1999 incursion of Pakistan-backed armed forces into territory on the Indian side of the line of control around Kargil in the state of Jammu and Kashmir and the Indian military campaign to repel the intrusion forced as many 50,000 residents of Jammu and Kashmir from their homes, a number of whom took refuge on the Pakistani side of the line of control. Many had their homes destroyed. Since that conflict, artillery shelling of the region by Pakistan has kept many of the internally displaced persons

from returning and driven others from their homes. On October 12, Jammu and Kashmir home minister Mustaq Ahmad Lone told the State Assembly that 43,510 persons remained displaced [...]" (U.S. DOS February 2001, Section 2)

***Clashes and displacement after September 2001:***

"The 13 December [2001] attack on the Indian parliament, alleged to be the work of the Islamic group, LET backed by the Pakistani military and security services triggered off the largest military build-up since the 1971 war between the two nuclear rivals India and Pakistan. This happened firstly on the dividing Line of Control (LOC) in Kashmir and then on their international borders.

Both countries have amassed their armed forces, with over half million Indian soldiers on the Indo-Pakistani borders which has now become the biggest 'mine zone' border in the world.

According to media reports, over 100,000 people have been forced to migrate from the LOC alone. In the three districts in IOK (Indian Occupied Kashmir), including Jammu, Poonch and Rajoori, over 36,000 thousand school children after their holidays found their schools housing refugee families according Kashmir Times (13 January 2002)." (Committee for a Workers' International, January 2002)

***Sanctions:***

"The two countries have announced a number of sanctions against each other.

[...]

The Indian sanctions were aimed at forcing Pakistan to take action against two Kashmir militant groups, Lashkar-e-Toiba and Jaish-e-Mohammad, which India blamed for a suicide attack on its parliament two weeks ago." (BBC, 29 December 2001)

Displacement also occurred in the States of Punjab and Rajasthan:

"Residents in the Indian states of Punjab and Rajasthan have been moving their families and belongings out of range of Pakistani artillery.

[...]

Although migration from the border villages in Punjab has been going on for some time, there are no signs of panic - unlike the Kargil conflict in 1999.

This time the movement appears more systematic.

In most cases a few people have stayed behind in every house to tend the still unripe wheat crop.

In the western state of Rajasthan, the authorities say a few hundred people have shifted from their villages to nearby areas.

The administration in four border districts in the state had been asked to provide shelter for people." (BBC, 3 January 2002)

***April-May 2002:***

"Mr Madan Lal Sharma, former Minister and president Jammu (rural) District Congress Committee, has expressed concern over unprovoked firing by Pakistan along LoC and International Border in Samba, R S Pura, Chhamb and Poonch sector, which has resulted into fresh migration." (The Daily Excelsior, 19 May 2002)

“There are yet other thousands who have been forced out recently from all along the border with Pakistan a tensions mounted after the attack on Parliament, and the army buildup on the borders.” (The Daily Excelsior, 6 April 2002)

## **Conflict induced displacement in the State of Gujarat**

### **A brief background on communal violence in Gujarat (April 2002)**

- Hindu-Muslim violence in 1969, 1985, 1989, and 1992 caused increasing ghettoization of the Muslim population
- In 1998 and 1999, Hindu nationalist groups have also attacked Christian communities
- The 2002 violence was historically unusual, both because of state involvement and the involvement of all societal classes

“Communal violence is not new to Gujarat. Successive episodes of Hindu-Muslim violence (in 1969, 1985, 1989, and 1992) have resulted in the increasing ghettoization of the state’s Muslim community, a pattern that promises to reinforce itself as Muslim residents once again look for safety in numbers and refuse to return to what is left of their residences alongside Hindu neighbors. After the experience of earlier riots, many Muslim establishments had also taken Hindu names. Those too were selectively targeted for attacks using lists prepared in advance. The current climate also cannot be divorced from heightened conflict in Kashmir, India’s deteriorating relations with Pakistan, and the VHP’s ongoing temple construction campaign in Ayodhya.

Hindu nationalist groups were also directly responsible for the spate of violence against the state’s Christian community in 1998 and 1999. As documented in the 1999 Human Rights Watch report, *Politics By Other Means: Attacks Against Christians in India*, anti-Christian violence in the state of Gujarat reached its peak during Christmas week 1998 when a local extremist Hindu group obtained permission to hold a rally on December 25 in Ahwa town in the state’s southeastern Dangs district. Over 4,000 people participated in the rally, shouting anti-Christian slogans while the police stood by and watched. After the rally, Hindu groups began to attack Christian places of worship, schools run by missionaries, and shops owned by Christians and Muslims. Between December 25, 1998, and January 3, 1999, churches and prayer halls were damaged, attacked, or burned down in at least twenty-five villages in the state. Scores of individuals were physically assaulted, and in some cases tied up, beaten, and robbed of their belongings while angry mobs invaded and damaged their homes. Thousands of Christian tribal community members in the region were also forced to undergo conversions to Hinduism.

The current spate of attacks appears to be unparalleled in the history of the state since the independence partition, both because of the extent of state involvement in the violence and the participation of and impact on all classes of society:

The underclass was supported in the looting by the middle and upper middle classes, including women. They not only indulged in pillaging but openly celebrated the destruction and mounting death toll.... New areas joined the sectarian frenzy. Implicit in this participation was an expectation of tacit, if not overt support, from the state Government. As Maheshbhai, an entrepreneur, says, “For the first time we have had a chief minister who has stood up. The Muslims have been the aggressors for the past 50 years. This time it was different.”

Muslims from all sections of the population were affected, “from slum dwellers to businessmen and white collar professionals and senior government bureaucrats.” High court judges and Muslim police officers

were also attacked. Muslim policemen have since sought special permission to be on duty without their name tags.

A history of communal violence has left its mark. Over one hundred areas in Gujarat have long been declared “sensitive” or violence-prone by state authorities, yet few, if any, of the state’s many guidelines on preventive measures to address communal violence at the first sign of trouble were implemented following the Godhra attack.” (HRW, April 2002, pp. 45-46)

### **Religious violence in Gujarat in February-March 2002 displaced thousands (April 2002)**

- The violence in Gujarat started after Muslims attacked Hindu activists travelling by train
- Between 28 February 2002 and 2 March 2002 Hindu retaliation killed hundreds and displaced thousands
- Although the attacks were defined as 'spontaneous', human rights organisations stated that they were planned with extensive involvement of state and police
- An EU report confirmed this, stating that the attacks were part of a pre-planned policy involving state ministers to "purge" Muslims and destroy their economy

“The violence in Gujarat began after a Muslim mob in the town of Godhra attacked and set fire to two carriages of a train carrying Hindu activists. Fifty-eight people were killed, many of them women and children. The activists were returning from Ayodhya, Uttar Pradesh, where they supported a campaign led by the Vishwa Hindu Parishad (World Hindu Council, VHP) to construct a temple to the Hindu god Ram on the site of a sixteenth century mosque destroyed by Hindu militants in 1992. The Ayodhya campaign continues to raise the spectre of further violence in the country—Hindu-Muslim violence following the destruction of the mosque claimed thousands of lives in the city of Bombay and elsewhere in 1992 and 1993. The VHP claims that the mosque was built on a site that was the birthplace of Ram.

Between February 28 and March 2, 2002, a three-day retaliatory killing spree by Hindus left hundreds dead and tens of thousands homeless and dispossessed, marking the country’s worst religious bloodletting in a decade. The looting and burning of Muslim homes, shops, restaurants, and places of worship was also widespread. Tragically consistent with the longstanding pattern of attacks on minorities and Dalits (or so-called untouchables) in India, and with previous episodes of large-scale communal violence in India, scores of Muslim girls and women were brutally raped in Gujarat before being mutilated and burnt to death.[...]

The Gujarat government chose to characterize the violence as a “spontaneous reaction” to the incidents in Godhra. Human Rights Watch’s findings, and those of numerous Indian human rights and civil liberties organizations, and most of the Indian press indicate that the attacks on Muslims throughout the state were planned, well in advance of the Godhra incident, and organized with extensive police participation and in close cooperation with officials of the Bharatiya Janata Party (Indian People’s Party, BJP) state government.

The attacks on Muslims are part of a concerted campaign of Hindu nationalist organizations to promote and exploit communal tensions to further the BJP’s political rule—a movement that is supported at the local level by militant groups that operate with impunity and under the patronage of the state. The groups most directly responsible for violence against Muslims in Gujarat include the Vishwa Hindu Parishad, the Bajrang Dal, the ruling BJP, and the umbrella organization Rashtriya Swayamsevak Sangh (National Volunteer Corps, RSS), all of whom collectively form the *sangh parivar* (or “family” of Hindu nationalist groups). These organizations, although different in many respects, have all promoted the argument that because Hindus constitute the majority of Indians, India should be a Hindu state.

Nationwide violence against India's Muslim community in 1992 and 1993 and against India's Christian community since 1998, including in the state of Gujarat, have also stemmed from the violent activities and hate propaganda of these groups. Human Rights Watch and Indian human rights groups have long warned of the potential scale of death and destruction resulting from the sangh parivar's Hindu nationalist agenda.<sup>1</sup> If the activities of these groups remain unchecked, violence may continue to engulf the state, and may spread to other parts of the country.

The state of Gujarat and the central government of India initially blamed Pakistan for the train massacre, which it called a "pre-meditated" "terrorist" attack against Hindus in Godhra. The recent revival of the Ram temple campaign, and heightened fears of terrorism since September 11 were exploited by local Hindu nationalist groups and the local press which printed reports of a "deadly conspiracy" against Hindus by Muslims in the state. On February 28, one local language paper headline read: "Avenge blood for blood." Muslim survivors of the attacks repeatedly told Human Rights Watch that they were told to "go back to Pakistan." Anti-Pakistan and anti-Muslim sentiments had been building up in Gujarat long before the revival of the Ayodha Ram temple campaign.[...]

The state government initially charged those arrested in relation to the attack on the Godhra train under the controversial and draconian Prevention of Terrorism Ordinance (POTO, now the Prevention of Terrorism Act), but filed ordinary criminal charges against those accused of attacks on Muslims. Bowing to criticism from political leaders and civil society across the country, the chief minister dropped the POTO charges but stated that the terms of POTO may be applied at a later date." (HRW, April 2002, pp.4-5)

#### ***An EU report also linked the violence to the Gujarat State :***

"A European Union investigation into India's worst race riots in a decade has concluded that the violence was not spontaneous but a pre-planned policy involving state ministers to "purge" Muslims and destroy their economy, according to an internal report by EU embassies in Delhi.

The report provides one of the most damning indictments yet on the Gujarat riots, which have killed almost 900 people, mostly Muslims, in a matter of weeks. One EU source said the report pointed to "ethnic cleansing" of Muslims in the state and that there was clear evidence of complicity by state ministers.

[...]

"The pattern of violence suggests the purpose was to purge Muslims from Hindu and mixed Hindu/Muslim areas," said a copy of the final draft seen by the Financial Times. "Muslim businesses were systematically targeted and destroyed."

On the role of BJP state officials in Gujarat, it said: "Ministers took active part in the violence . . . senior police officers were instructed not to intervene in the rioting."

Until now, the BJP central government has said the revenge riots were ignited by a fatal arson attack on a train carrying Hindu activists at Godhra. That attack, which killed 59 people, was blamed on Muslims.

But the EU report, based on investigations by a number of individual member states that sent staff to the region, - including Germany, Britain and the Netherlands - said Godhra was no more than a "pretext" for Hindu mob violence, which was planned months before. Diplomatic sources said free swords were being distributed by Hindu activists days before the riots began." (The Financial Times, 29 April 2002)

#### **Religious violence in Gujarat still continued in May 2002**

- Two months after the riots, people were still being killed and some 150,000 displaced remained in camps
- On returning, Muslims have been attacked by Hindus determined to prevent this

“It is now more than two months since the Indian state of Gujarat erupted in bitter religious violence.

Unofficial figures say more than 2,000 people have died, the vast majority Muslims killed by Hindus who constitute more than 80% of the state's population.

Independent reports accuse hardline Hindu organisations of orchestrating the violence with the support of India's ruling right-wing Bharatiya Janata Party (BJP) government.

Fresh deaths are still being reported almost every day and an estimated 150,000 Muslims are still sheltering in relief camps.

[...]

While we were there, chaos broke out - news of shootings nearby and injured Muslims were rushed to the camp for help before being taken to hospital.

[...]

Officials later said the riot started when some Muslim families tried to go back to their homes from relief camps and were set upon by Hindus.

Most of those sheltering in the camps fled from Hindu-dominated areas and local Hindus still seem determined to stop them returning.” (BBC News, 9 May 2002)

## **Conflict induced displacement in the Northeast**

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### **Background to the ethnic tension in Northeast India (2000)**

- The Northeast India is a geographically and politically isolated area made up of seven states
- The seven Northeastern states is home to 200 of the 430 ethnic groups in India
- Self-determination rather than religious, cultural or economic factors has been a major factor in the ethnic conflicts in the Northeast
- The unequal tribal /non-tribal and inter-tribal power relations have also played a major role in most of the conflicts

”Northeast India is a geographically and politically isolated area of India sandwiched by Bangladesh, China, and Burma. Only a narrow strip of land and two roads link it to the rest of India. Once known simply as Assam, today the Northeast is divided into seven states: Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura. In contrast to the main body of India, much of the Northeast is sparsely populated. It is also ethnically more diverse: of the 430 recognized “tribes” in India, some 200 make their home in the Northeast. An estimated 25 percent of the Northeast’s 31 million inhabitants are members of tribal groups. Also unlike the rest of India, where tension between Hindus and Muslims is one of the prevailing socio-political dynamics, religion is not a major factor in ethnic conflicts in the Northeast. For example, Bodos and Santhals who have clashed in Assam are both Hindu and Christian. Frac-tious Nagas, Kukis, and Paites (Zomi) in Manipur are all Christians, mostly Presbyterian and Baptist. Muslim and Hindu Bengalis are regarded first as Bengalis, rather than as Hindus or Muslims (though most long-term residents of the region have traditionally considered Hindu Bengalis as “refugees” from Bangladesh, while viewing most Muslim Bengalis as economic migrants).”

(USCR January 2000, p.5)

"Diversity causes tensions within the region [...]. Out of India's 67.76 million tribals, 8.14 million live in its seven States. Some such as the Bodos are plains tribals while most are hill tribes. A few such as the Aka of

Arunachal Pradesh are small in number while others such as Bodos, Dimasas, Garos, Kasis and Mizos are numerous. In three States they are more than 80 per cent and in one, two-thirds. But they are very few in the populous States of Assam, Manipur and Tripura. The Bodo-Kachari, a third of the tribals in the Northeast, are only 3.7 per cent of Assam's 20 million population. In Tripura the tribals have declined from 56 per cent in the Fifties to 30 per cent today. The 45 lakh [4.5 million] Adivasis, whose forefathers were brought by the British in the 19th century from Jharkand to work in the tea gardens, are considered foreigners. Most tribes oppose their inclusion in the Schedule for fear that they will compete for the few jobs available. Literacy is high. Arunachal Pradesh was 71.08 per cent literate in 1991 and Mizoram 94.22 per cent. Four States have tribals as their political leaders. But the towns where economic decisions are made are dominated by non-tribals, mostly from outside the region. Hence the unequal tribal-non-tribal and inter-tribal power relations and conflicts that are not exclusively religious or cultural or economic." (The Hindu, Fernandes, 2 June 2000)

### **General causes of the internal displacement in Northeastern India (2000)**

- Ethnic strife has become a major cause for large scale displacement
- The Northeast has witnessed at least seven major cases of strife-induced internal displacement in the fifty years
- Since ethnic rebel groups are often not equipped to engage each other militarily, much of the violence has been directed against civilians
- The majority of the forced displacement movements in the North Eastern India are the results of ethnic violence – often amounting to ethnic cleansing
- Non-Bodo communities and Bengali settlers are among the targeted communities

“[...] the causes of unrest differ but the process is similar. In some form or the other, it is a reaction to a homogenising state and for control over livelihood. With external control resulting in less land and fewer jobs, at times they fight among themselves for the little that is left over, for example the NSCN factions, the Naga and the Kuki and the Ahom, the Bodo and the Adivasi.” (The Hindu, 3 June 2000, Fernandes)

"The states have often used displacement issues to score political points against each other. The Centre has not been far behind.

[...]

The Northeast has witnessed at least seven major cases of strife-induced internal displacement in the fifty years of the Indian Republic. They are as follows: (a) the displacement of Bengalis from Assam (particularly Bodo areas) and Meghalaya; (b) the displacement of Bengalis from Tripura; (c) the displacement of 'tea tribes' in western Assam; (d) the displacement of Reangs from Mizoram; (e) the displacement of Nagas, Kukis and Paites in Manipur; (f) the displacement of Chakmas from Arunachal Pradesh and Mizoram. Except in Manipur, the displacement has spilled over to the other states – and at least twice to neighboring countries. [I]n most of the six cases listed above, the government has been rarely successful in its efforts to either restore law and order or ethnic harmony or maintain adequate levels of relief supplies and ensure rehabilitation. It has failed to stem the tide of Bengali displacement in Tripura, it has failed to control the Bodo insurrectionary activities that led to large scale displacement of non-Bodo populations in western Assam, it has failed, despite several interventions by the Home Ministry, to ensure the return of the Reang refugees from Tripura to Mizoram, it has failed to prevent the ethnic relocation of populations in Manipur in the wake of the bloody feuds and it has failed to grant citizenship to the Chakmas and the Hajongs and thus guarantee them a safe future in Arunachal Pradesh."

[..]The northeast Indian states have seen five types of displacement [...one of which is the] displacement caused by ethnic or religious strife, belatedly marked by systematic ethnic cleansing.

[...]

Since the 1980s, ethnic cleansing has become much more systematic in the Northeast and that has been the major cause of large scale internal displacement" (Bhaumik, February 2000, pp.21, 22-24,26)

"Groups that had grown to think of the land as historically theirs resented the influx of newer migrants. Xenophobia spread throughout the Northeast. In the 1990s, even long-established groups began to resent one other, each arguing that the other is "foreign" and has no claim to the area. According to Bhaumik, "What began as ethnic strife between 'indigenous' and 'foreign' groups...turned into ethnic clashes between populations that...[had] essentially [become] local to the area." It is largely these tensions that have resulted in the conflicts that have led to the displacement of hundreds of thousands of people in Northeast India. [...]According to Bhaumik, the large scale of civilian displacement in the Northeast exists, in part, because much of the violence in these tribal conflicts has been directed against civilians. Since rebels often are not equipped to engage each other militarily, they attack villages of opposing tribes.

[...]

The Indian government's economic and political neglect of the Northeast, the resulting underdevelopment there, and local people's sense of political exclusion and powerlessness have also contributed significantly to tensions. C. Joshua Thomas, deputy director of the Northeast India branch of the Indian Council of Social Science Research, told USCR: "The root cause of the displacement is inter-tribal conflict...[but] the cause of that conflict is dispute over land and autonomy." Some local observers also argue that India's central government has historically played a direct role in displacement. According to Bhaumik, "The government has a pattern of inducing internal displacement in some areas in order to control those areas.... In the 1950s and 1960s, to counter insurgencies in Nagaland and Mizoram, the [national] government undertook a policy of forced displacement to disrupt civilians' ability to aid rebel groups. It is estimated that the Indian Army forcibly relocated 100,000 people in Mizoram in the 1960s."

(USCR January 2000, p.6-7)

### **Internal displacement in Assam**

- Since the early 1960s, Assam has lost much territory to new states emerging from within its borders
- The general desire to create majority populations in areas in order to back demands for separate home-lands is said to be the fundamental cause of internal displacement in Assam
- Several Bodo insurgent groups strive for goals ranging from the establishment of a separate Bodo autonomous council, to a separate Bodo State within India, to total independence from India
- In the early 1980s, resentment among the Assamese against "foreigners", mostly immigrants from Bangladesh, led to widespread violence
- After 1993, the Bodos have systematically targetted the non-Bodo communities in the four districts they see as forming the core of their separate homeland.
- In May 1996, more than 250,000 persons were displaced as a result of Bodo large-scale attacks on ethnic Santhals
- While thousands returned to their homes, an estimated 200,000 are still living in Government-run relief camps in Kokrajhar and Bongaigaon districts of Assam

"Since the early 1960s, Assam has lost much territory to new states emerging from within its borders. In 1963 the Naga Hills district became the 16th state of the Indian Union under the name of Nagaland. Part of Tuensang, a former territory of the North East Frontier Agency, was also added to Nagaland. In 1970, in response to the demands of the tribal people of the Meghalaya Plateau, the United Khasi and Jaintia Hills and the Garo districts were formed into an autonomous state within Assam; in 1972 it became the separate state of Meghalaya. Also in 1972 Arunachal Pradesh (the North East Frontier Agency) and Mizoram (from the Mizo Hills in the south) were separated from Assam as union territories; both became states in 1986.

Despite the separation of these ethnic-based states, communal tensions and violence have remained a problem in Assam. In the early 1980s, resentment among the Assamese against "foreigners", mostly immigrants from Bangladesh, led to widespread violence and considerable loss of life. Subsequently, disaffected Bodo tribesmen agitated for an autonomous state. The militant United Liberation Front of Assam waged a guerrilla campaign for the outright secession of Assam from India until agreeing to end their rebellion in 1992." (Britannicaindia 2001)

"The Bodo tribes are a group of people speaking Tibeto-Burman languages in the northeastern Indian states of Assam and Meghalaya. The largest minority group in Assam, the Bodos are concentrated in the northern areas of the Brahmaputra River valley." (Britannicaindia 2001)

"There are several Bodo insurgent groups, each seeking greater autonomy for Bodos. Their goals range from the establishing of a separate Bodo autonomous council, to a separate Bodo State within India, to total independence from India. But the area that these groups claim as "Bodoland" is home to many non-Bodo groups. In fact, Bodos are a minority in much of "Bodoland." In the 1990s, Bodo insurgents mounted attacks on a number of non-Bodo communities. (USCR January 2000)

"...[A]fter 1993, the Bodos have systematically targetted the non-Bodo communities in the four districts they see as forming the core of their separate homeland. Having got the structure for a future homeland, but one which is still heavily populated by non-Bodos, the Bodo militants have resorted to systematic attacks on non-Bodo communities to further their strategy of ethnic cleansing.

[...]

The Bengalis, Hindus and Muslims who control prime agricultural land (that they cleared and worked in) and the retail businesses, are also the prime targets of ethnic cleansing in the Bodo-areas of Assam." (Bhaumik March 2000, pp. 22,24)

"In July 1994, the northern parts of the Barpeta district in lower Assam witnessed the massacre of Na-Asamiya Muslim peasants by a group of militants. It has been estimated that about 1000 persons mostly women and children, were killed and thousand injured and about 60 villages burnt down to ashes. A few months prior to the Barpeta massacre, the Bodo militants organized a very systematic massacre of Muslim peasants in the Kokrajhar and Bongaigaon districts. Each successive massacre increased the number of victims. The massacre of Kokrajhar and Bongaigaon, failed to alert adequately the state and the civil society.

[...]

Besides the Na-Asamiya Muslims, the Bodo militants killed many Hindu Bengalis, Nepali, government and police personnel. The Bodo militants over the years besides looting, extortions and destruction, organized innumerable killings. A recent example is the massacre of the Santhals living in Bongaogaon and Kokrajhar districts which took place in May-June 1996 in which about 1000 persons were killed and more than 250,000 persons displaced" (Hussain December 2000, Postcolonial State, Identity Movements and Internal Displacement In North East India)

***USCR says Bodo attacks are aimed at altering the demographic balance in Assam:***

"Bodos displaced an estimated 60,000 Bengalis in the early 1990s, primarily between 1991 and 1993. One Bengali leader told USCR, "Whenever there is a push for a separate state, most often Bengalis become the targets, as if Bengalis were the ones opposing them [the separatists]." Observers said that the Bodos' aim in displacing the Bengalis was twofold: to send a message to non-Bodos and to the Assamese and Indian national governments that they were serious about pursuing their claim; and, by forcing out non-Bodos, to increase the proportion of Bodos living in "Bodoland," thus enhancing their claims for greater autonomy or independence.

[...]

As with their earlier attacks on Bengalis and other ethnic groups, Bodos' 1996 attacks appeared aimed at altering the demographic balance. Bhaumik told USCR, "The drive to create majority populations in areas in order to back demands for separate home-lands is in large part the fundamental cause of internal

displacement.” Virtually all of the displaced Bodos and a majority of the Santhals returned home during 1997.

[...]

Further Bodo attacks in May 1998 led to the displacement of another 25,000 people, again mostly Santhals, but also including ethnic Nepalis. Among them were many who had been temporarily displaced in 1996. The population of the displaced persons’ camps again grew to 65,000 to 80,000. Further Bodo-Santhal clashes in September 1998 displaced another 2,000 people.

[...]

Bengali Hindus in Assam have also experienced displacement. According to representatives of Assam’s Bengali Hindu community, thousands of Bengali Hindus have been displaced during the 1990s as a result of terrorism directed at members of their community by Assamese nationalist organizations such as the United Liberation Front of Assam (ULFA). This terrorism has included the taking of Bengalis as hostages for ransom and the killing of more than 200 people. Most of those displaced, the community leaders said, left Northeast India for West Bengal or other parts of India."

(USCR January 2000, p.7-9)

### **Internal displacement in Manipur (2000-2001)**

- Over 1,000 individuals have been killed and as many as 130,000 persons have been displaced since inter-ethnic strife between the Nagas and the Kukis started in mid 1992
- The Indian Central Government and its agencies have allegedly aiding, abetting and stocking the Naga-Kuki conflict
- Ethnically mixed villages, once common in Manipur, have virtually ceased to exist

"Manipur has been riven by internal conflict and has been under a permanent state of emergency for decades, fuelled by economic under-development, drug smuggling and corruption." (AI April 2000, Part III, "Threats and violence against human rights defenders in Manipur")

"The complex demography of the state is believed to be at the root of the violence. In the state's central region which lies in a valley, a majority of the people are Hindu Meiteis. But the Nagas and the Kukis - formerly head hunting tribes with a fierce tradition of clan warfare - control the hills around the valley and make up about 30% of the population. While the Nagas and the Kuki militants fought a bitter ethnic feud in the 1990s, the relations between the Nagas and the Meiteis have worsened since the separatist National Socialist Council of Nagaland (NSCN) started negotiating with the Indian Government.

[...]

When the Naga insurrection began in the 1950s, the Indian army tried to take control of the hills of Manipur which caused the insurgency to spread throughout the Manipur valley. The NSCN has called for a greater Naga state, proposing to integrate Naga inhabited areas of Manipur, Assam and Arunachal Pradesh and even Burma with Nagaland. But the Meiteis as well as insurgent groups representing them have threatened violent action if Naga-dominant districts are parcelled away to Nagaland. ( BBC 19 June 2001)

"Over 1,000 individuals have been killed since inter-ethnic strife between the Nagas and the Kukis started in mid 1992 in India's little Bosnia, Manipur. Thousands of houses and villages have been brunt down on both sides. Both the National Socialist Council of Nagaland and Kuki National Army, the two armed opposition groups have allegedly been involved in the killings. Though both the groups have denied their involvement, the role of the mercenaries and bigots can not be ruled out. The ethnic conflict resulted in large numbers of internal displaced person in the State." (SAHRDC 2000, Sect. 8)

"Conflict between tribal groups in Manipur and Nagaland reportedly has led to the displacement (at least temporarily) of as many as 130,000 Kukis, Paites, and Nagas since 1992. Most of the Kukis and Paites "Although Meiteis represent about 70 percent of Manipur’s population, most live in the state capital,

Imphal, and the Imphal Valley, and occupy only ten percent of the state's land. The remaining 30 percent of the population are members of tribal groups, with Nagas the largest, and Kukis the second largest among them. Nagas, Kukis, and other tribal groups occupy 90 percent of the state's land. The inter-ethnic conflict in Manipur has been among the various tribal groups and has not directly involved the majority Meiteis. The largest clashes in Manipur were between ethnic Nagas and Kukis from 1992 to 1996. The conflict continued between 1996 and 1998, but on a much reduced scale. Nagas are the predominant ethnic group in neighboring Nagaland State. Since India's independence, Naga insurgents have fought for an independent Nagaland, an area that they say encompasses not only the present state of Nagaland, but also sections of other states, including Manipur, as well as parts of neighboring Burma. The Nagas accuse the government of India of arming and supplying the Kukis, whom Nagas accuse of siding with the national government in opposing Naga independence. Kukis also seek an autonomous (though not independent) Kuki territory, but Kukis are widely dispersed, and only form a majority in a few pockets of land, primarily in Manipur. Kukis wish to include in Kuki territory some areas of Manipur that contain large Naga populations, areas that Nagas consider part of greater Nagaland. Among these is land bordering Burma, through which a lucrative drug traffic flows. These conflicting claims have led to conflict between Nagas and Kukis in northern Manipur, with each group displacing members of the other. Ethnically mixed villages, once common in Manipur, have virtually ceased to exist. Kukis say that more than 40,000 Kukis were displaced, primarily between 1992 and 1996. Most have now resettled in other Kuki communities. Naga sources claim that the Naga/Kuki conflict has displaced as many as 90,000 Nagas in Manipur and another 5,000 in Nagaland, of whom only some 20,000 to 25,000 remained displaced as of mid-1998. According to one Naga leader, Artax Shimray, displaced Nagas in Manipur included 30,000 from Chenaburi District, 30,000 from Chandel District, 10,000 from Okrur District, and 20,000 from Tamelung District. Shimray said that displaced Nagas are not visible because they never established camps. "There is a strong support system among Nagas. Who ever became displaced was sheltered in the home of another Naga family," he said. In mid-1997, the Naga-Kuki conflict led to a spin-off conflict between Kukis and Paites in southern Manipur. The cause of the conflict is unclear: each side gives a different version of its genesis. Generally speaking, it appears that Kukis, who consider the Paites to be a Kuki sub-tribe, expected the Paites to support them against the Nagas. The Paites consider themselves a separate, distinct tribe from the Kukis, although they do say that both they and the Kuki, as well as the Mizo and Burmese Chin, are all part of what they call the Zomi peoples. Fighting between the Kuki and Paites displaced more than 15,000 Paites. Most were displaced within Manipur, where a Paites relief group set up 30 temporary camps for them, most often very near their original homes. Although as of mid-1998 many had not yet rebuilt their houses, they were living in their communities of origin and no longer displaced. Some 3,500 Paites fled into Mizoram, where the state government created three camps for them. The 3,500 who fled to Mizoram returned in July 1998, after the Kukis and Paites signed an agreement aimed at ending their rift. "

(USCR January 2000, p.9-10)

"The killings [in Manipur] continues at times subtle way of sabotaging in jungles. The analysts of the Naga-Kuki conflict invariably analyzed the ethnic conflict from a historical perspective holding the British colonial power responsible for the present hatred. The British settled the Kukis in the Naga inhabited areas in the 19th century to bring the Nagas under its control. There is no doubt that without such a sound historical basis the conflict can not be analyzed or it would not have swelled to such an extent. However, historical distortions notwithstanding the relevant question is why the conflict resurfaced almost after a century of peaceful co-existence. That is where one attempts to point the needle of suspicion. The Indian Central Government and its agencies have allegedly aiding, abetting and stocking the Naga-Kuki conflict. Indian press has extensively reported about the alleged help of the Indian intelligence agencies to the Kukis. And since the seeds of ethnic hatred have been shown, it has shown no respite. The State was President's rule in the whole 1994. Elections were held in the State Legislative Assembly but both the Central and State Governments are yet to show political will to end the ethnic conflict." (SAHRDC 2000, Sect. 8)

"In spite of government efforts to find a compromise to the long running Naga dispute, renewed strife between the Nagas and the Kukis in Manipur has resulted in the death of over 1,000 people since 1992 and large-scale population movements. Additional tribal tensions reinforce instability in the state. Kukis and

Paites have clashed since 1997 and friction persists between the Nagas and Meiteis. Violence between these groups has reportedly left 50,000 people homeless as entire villages are burned to the ground. Militants have also burned granaries, putting thousands of people at risk of malnutrition and starvation. Eleven thousand people now live in displacement camps and the government of neighbouring Mizoram has restricted the displaced from crossing into its territory." (SAHRDC March 2001)

### **After June 2001, a ceasefire between the National Socialist Council of Nagaland (NCSN) and the Indian government lead to protests and a new wave of displacement (2001)**

- A cease fire agreement signed by the Central Government with the National Socialist Council of Nagaland (Issac-Muivah) [NSCN (IM)] to extend the cease-fire by another year without territorial restrictions create violent protests, especially in Manipur
- While Nagaland welcomes the agreement, it was seen as intruding upon the territorial integrity of the neighbouring States of Manipur, Assam and Arunachal Pradesh
- Violent protests has led to the displacement of tens of thousands of Nagas and an unknown number of non-Nagas in Manipur and Nagaland

"In the middle of June, Manipur went up in flames. The immediate provocation was the agreement signed by the Central Government with the National Socialist Council of Nagaland (Issac-Muivah) [NSCN (IM)] to extend the cease-fire by another year without territorial restrictions. The five-point agreement outraged the Manipuris: its very first line said, "The ceasefire agreement is, between the Government of India and the NSCN as two entities, without territorial limits." This led to spontaneous protests in Imphal; Manipuri youth clashed with the police, and more than a dozen protestors were killed in the police firing. Clearly, the Government had failed to anticipate the depth of feelings of the Manipuris."(IPCS 1 September 2001)

"[...] extension of the ceasefire between the NSCN and the Indian Government is seen by most Manipuris as a prelude to the creation of the greater Naga state. The Indian Government and even the NSCN has said there is no correlation between the two - but since the NSCN has not renounced the demand, the Meiteis remain very suspicious about a possible division of their state." ( BBC 19 June 2001)

***By the end of July, the Government of India announced that the ceasefire with the NSCN (IM) would be extended to Nagaland only. At least 8,000 of non-Nagas living in the Golaghat district in Assam were reported to flee to safe areas following this decision. Their current situation is not known:***

"The June 14, 2001 cease fire agreement between the National Socialist Council of Nagaland-Isak-Muivah (NSCN-IM) and the Union government without territorial limits received widespread approval in Nagaland. In addition to the organisations such as the Naga Hoho, the apex tribal council, terrorist outfits such as the Naga National Council-Federal (NNC-F) and the National Socialist Council of Nagaland-Khaplang (NSCN-K) welcomed the development. However, the move, which was seen to be intruding upon the territorial integrity of the neighbouring States of Manipur, Assam and Arunachal Pradesh led to frayed passions and large-scale violence in those States, especially in Manipur. The Union government was forced to review the decision of extending the cease-fire without territorial limits." (SATP assessment 2001)

"After the announcement by Prime Minister Atal Behari Vajpayee during his July 27 meeting with the Governor of Manipur and the Chief Ministers of the other north-eastern States in New Delhi that the status quo ante of the June 14 Bangkok agreement between the Centre and the NSCN(IM) would be restored, i.e. the Centre's ceasefire agreement with the NSCN(IM) would be restricted to Nagaland only, a large number of non-Nagas residing in six villages in Sector A area in Golaghat district have left their homes and hearth and taken shelter in safe areas. According to reports, after the Centre's decision to restrict the ceasefire with

the NSCN(IM) within Nagaland only, Naga militants are moving freely in Sector A area of Assam with arms. The militants have also reportedly asked the non-Nagas to leave their villages." (The Sentinel, 31 July 2001 "8,000 Manipuris flee villages from Sector A")

"Following continuous threats by the Meitei population most Nagas no longer felt safe in their homes. They left for the hills where Naga brothers and sisters at Senapati and Ukhrul district took them in. More than 40,000 souls are still in camps while others were fortunate enough to be taken in by family living in all parts of the Naga Hills in Assam, Arunachal Pradesh and Manipur itself." (Naga International Support Center, 9 October 2001, Press Release)

***On the status of the displaced Nagas who fled from Manipur to Nagaland due to protests against the ceasefire, Chief Minister S. C. Jamir says:***

"Asked whether the Nagas, who have been displaced from Manipur, would be given refugee status, he clarified that they were not refugees and had only temporarily taken shelter with friends and relatives in the state. He also maintained that there would be no backlash or violence as the state government would ensure that the people do not have to face such a situation." (Times of India, 31 July 2001)

### **Internal displacement in Tripura (2000-2001)**

- In Tripura, there has been serious ethnic conflict between the tribals and the non-tribal Bengalees since the 1980s
- In response to the Bengalis' rapid attainment of majority status in the state, tribal militant groups have sought to establish autonomous areas by attacking Bengali communities
- Attacks on non-tribal people in South and West Tripura became more frequent consequent to the victory of the Indigenous People's front of Tripura (IPFT), in the Tripura Tribal Area Autonomous District Council (TTAADC) elections held in May 2000

"Tripura, is a tiny hilly State of 10,486 sq.km in the North East of India. It is bounded by Bangladesh in the North, West and the South having 930 k.m of the international boundary and the States of Assam and Mizoram in the East. The Bengalees and the greater Tripura tribal community comprising of as many 19 tribes constitute the major bulk of the population. The Tripuris are the numerically largest tribe followed by the Reangs. The other tribes in the state are Halam, Jamatiya, Bhil, Bhutia, Chaimal, Chakma, Garoo, Khasia, Kuki, Lepcha, Lushai, Mog, Munda, Noatia, Orang, Santhal and Uchais. The State since 1980 has witnessed serious ethnic conflict between the tribals and the non-tribal Bengalees. This had resulted in the internal displacement of thousands of Bengalees as well as tribals from time to time.

[...]

The internal displacements in the State have been due to (i) the clashes between the tribals and the non-tribals (ii) the attacks by the tribals and the Bengalee insurgent groups in isolated villages (iii) the fleeing of the villagers fearing retaliation from the other community. The pattern of insurgent attacks since 1993 shows that the tribal insurgent groups not only attacked the non-tribals but also resorted to the burning of their houses. The tribals living near the villages which were attacked by the insurgents often had to leave their villages fearing retaliation from the non-tribals. In 1997, 28 non-tribals were killed and 200 houses were set on fire in a village in the Khowai subdivision About 3000 tribals fearing retaliation had to take shelter in the government camps. The government made arrangements to shelter 8957 affected families in several camps. More than 1500 non-tribal families were rendered homeless in 2000 as a result of attack by the tribal insurgent groups." (Saha 2001, p.10)

"In Tripura, [...] the Bengalis, first the Hindus but now also the Muslims, have come under attack.

[...]

the ATTF [All Tripura Tiger Force] and the NLFT [National Liberation Front of Tripura] have both issued 'quit notices' to the Bengali settlers, the ATTF going to the extent of declaring an ethnic cleansing programme called 'Operation Roukhala' (drive away) in 1997. But unlike in Meghalaya, where there was hardly any instance of Bengali retaliation, in Tripura the Bengalis have retaliated.

[...]

The tribals living in Agartala and other urban locations of the state dominated by the Bengalis are feeling insecure – and what began as a one way exodus, with Bengalis fleeing the hills and outlying villages and the tribals fleeing the towns." (Bhaumik, February 2000, pp.23-24)

"In response to the Bengalis' rapid attainment of majority status in the state, tribal militant groups such as the National Liberation Front of Tripura (NLFT) and the All Tripura Tiger Force (ATTF) have sought to establish autonomous areas by attacking Bengali communities. Bengalis are thus forced to flee to displacement camps which are inadequately defended, as evidenced by the slaying of 32 people in a 1997 attack." (SAHRDC March 2001)

"Attacks on non-tribal people in South and West Tripura became more frequent consequent to the victory of the Indigenous People's front of Tripura (IPFT), in the Tripura Tribal Area Autonomous District Council (TTAADC) elections held in May 2000. The IPTF is the political wing of the NLFT. Terrorists of the NLFT massacred 45 non-tribal persons at Bagber, Ratiya and Chakmaghat in West Tripura in May 2000. Continuing ethnic violence between the Reangs and Bengalis also led to 14 persons being killed in Barahaldi in North Tripura district on November 19, 2000. Over 10,000 non-tribals have reportedly fled their homes in Tripura." (SATP 2001 assessment, Tripura)

***K.C. Saha lists the following causes for the ethnic conflict that led to internal displacement in the Tripura:***

*"Enforced Demographic changes*

The tribals in the State had resented the influx of the Bengalees from the erstwhile East Pakistan. But the Government as a matter of policy settled them in the State and had provided rehabilitation assistance. The influx of large number of Bengalees over a long period of time brought about demographic changes in the State whereby the tribals got marginalized. The percentage of tribal population in 1951 was 36.85% when the major influx of Bengalees after partition of India in 1947 had already taken place. The percentage of tribal population came down further to 30.94% in 1991 as influx of Bengalees continued in the later years. The census figures of 1931 and 1941 show that the State was a tribal majority State. "In 1931, the tribal population was 203,327 as against the non-tribal population of 179,123. In 1941 the tribal population was 256,991 as against the non-tribal population of 256,091." 770 Bhattacharya S.R, op.cit, 39 0 As early as 1954 Sardar Patel the then Union Home Minister had said that no more Bengali displaced persons should be brought in the State. But the influx of displaced Bengalees continued which gradually changed the demographic composition of the State reducing the status of the tribals to that of minority.

*Tribal protests ignored*

The Central and the State Governments ignored the tribal protests. The tribal organizations like Seng-khak and others strongly protested against the influx of the displaced persons. The other tribal insurgent groups the ATTF and the NLFT demanded a separate State for the tribals. The Government outlawed such organizations. It failed to look into the genuine grievances of the tribals. The highly respected tribal leader Dashrath Deb of the CPI(M) became the Chief Minister of the State in 1993 and ruled for a number of years. Though he succeeded in persuading some of the insurgent groups to surrender but he failed to check the growing insurgency. The tribals over the years realized that they were being used by the different political parties for their own ends. A realization has now dawned on them that the tribal interests can be protected only by tribals.

### *Creation of the Autonomous Council*

The decision of the State Government to create the ADC in 1982 did not meet the aspirations of the tribals. The Council has emerged as another tier of administration. Because of the administrative hurdles and the constraints of resources it has not played any meaningful role in addressing the genuine grievances of the tribals. The tussle between the State Government and the Council on all administrative matters continued from the very beginning. Such a tussle between the State Government and the Council was inevitable as the creation of the ADC over 70% area of the State signified creation of a State within a State. The tribals have started feeling that they have not achieved anything by way of the creation of the Council. The creation of the Council has increased the apprehensions in the minds of the non-tribals living in the Council areas

### *Uncontrolled insurgency*

The general resentment of the tribals afforded an excellent opportunity to the insurgent groups to establish themselves. They successfully exploited a series of tribal concerns to mobilize the tribals. Initially they raised the issue of restoration of land alienated by tribals, expulsion of foreigners etc. In the initial years they did not enjoy the support of the tribals but gradually by show of strength and terrorization they succeeded in bringing a substantial number of the tribals under their control.

The domination of the insurgent groups increased as they committed one daring act after the other. In course of time they acquired more sophisticated arms. They also established contact with other insurgent groups in the North-East. They could get shelter in their areas whenever the security forces pursued them. Moreover taking advantage of the terrain they could cross over to Bangladesh. The situation got further complicated with the multiplicity of the insurgent groups. It was not clear to the Government as to which group was responsible for a particular act. The insurgents freely indulged in the incidents of kidnapping for ransom of government officials, public representatives, serving of tax notices and daring attacks on security personnel. The insurgent groups were often utilized by the different political parties for their political ends. The insurgents targeted particularly the non-tribals in rural areas killing them indiscriminately including women and children and burning their houses. The government failed to provide security to non-tribals living in scattered villages. The Bengalee insurgent groups also resorted to the acts of violence against the tribals.

[...]

### *Widening ethnic divide*

The tribals and the non-tribals in the State had been living in harmony. The gradual economic, political and social marginalization of the tribals slowly created rift between the two communities. The incidents of ethnic violence between the tribals and the non-tribals in 1980 which affected large number of villages, for the first time created a mistrust between the two communities in a big way. Each community preferred to live in segregation. The insurgent attacks targeting members of a particular community further increased the mistrust. Thus the insurgents succeeded in their strategy of widening the ethnic divide which has now reached the point of total polarization. " (Saha, 2001, pp.8-9)

### **Internal displacement from Mizoram to Assam and Tripura (2000-2001)**

- Ethnic conflict between the major tribal group Mizo and the minority Reang has resulted in the flight of 15,000 to 50,000 (U.S. State Department says 41,000) Reangs since 1997
- The Reangs are living in camps in the neighbouring State of Tripura,
- The violence started when a political party of the Reangs demanded an Autonomous District Council for the Reangs within Mizoram

"Mizoram human rights groups estimate that some 41,000 Reangs, a tribal group from Mizoram that has been displaced due to a sectarian conflict, presently are being sheltered in 6 camps in North Tripura;" (U.S. DOS, 2001 Section 2 d)

"The exodus of Reangs to the adjoining Cachar in Assam and north Tripura started in October 1997 following generalized violence against their community. The controversy started when the Bru National Union, a political party of Reangs formed in the early 90s, in a general assembly meeting in September 1997 passed a resolution demanding an Autonomous District Council for the Reangs within Mizoram. There was a strong reaction from Mizo Student Federation(MZP) who said that "if the Reangs wanted to divide or disintegrate Mizoram further, it would be better that they go away. The resolution demanding Autonomous District Council could not be accepted by MZP. If the Reangs go ahead with their plan, the MZP was ready to fight against such a demand. Mizoram is the only land Mizos have and it could not be lost to foreigners or other communities." The Reangs who crossed over to Tripura spoke of "a fear psychosis following the killing in October,1997 of 10 Reangs, allegedly by the MZP. The flow was not stopped, suggesting tension and lack of security. MZP went on the rampage after the murder of a Mizo forest warden allegedly by the Bru National Liberation Front.

An armed militant group called the Bru National Army (BNA), believed to be the Militant Wing of the Bru National Union (BNU), was formed in 1994 to protect, develop and uplift the Reangs. According to the Bru leaders, their cultural practices were obstructed and they were forced to adopt Mizo names and Mizo languages as their medium of instruction instead of the native Kokbarak. The Bru leaders also alleged that the names of about 20,000 Reangs were deleted from the Electoral Rolls.

The Mizos have always lived in isolation and they have a very strong attachment to their homeland. Thus the moment any minority tribal groups talks of autonomy and demands creation of separate District Council for themselves. Mizos consider it as an attempt to fragment the Mizo State further and it becomes a very emotive issue. To counter such demands such minority tribal groups are branded as outsiders who have settled in Mizoram. And all sorts of attempts are made for de-legitimising their claims by deletion of names from the voters' list, questioning the census report, etc. Any minor incident can provoke a violent reaction from the majority tribal group. In the case of Reangs, killing of a forest warden allegedly by Bru National Army resulted in burning of hundreds of houses of Reangs in many villages and killings of many Reangs. The entire Reang community was considered as the enemy of the Mizo people. Consequently, panic gripped the Reang community and many of them were forced to flee their homes. The insurgent groups affiliated to the minority tribal groups take full advantage of such a situation and project that it is they who can protect the interest of the minority tribal groups. The Bru National Army, the insurgent outfit of the Reangs claims to protect the interests of the Reangs. The Reangs in the adjoining State of Tripura are the second largest tribal community in the State. The internally displaced Reangs from Mizoram took shelter in Tripura with the hope that they would get support from the Reang community of Tripura. Before proposing a possible course of solution, it is proposed to consider U.N. Guidelines on Internal Displacement in the context of internally displaced Reangs. Though the guidelines have not been adopted by any country, they may help the Reangs to make their demands to the State and the Central Governments. Moreover, these guidelines would make the State and the Central Governments aware of their responsibilities." (Saha 2000 pp 6-7,10)

"In Mizoram fearing persecution from the ethnic majority Mizos, 15,000 to 50,000 Reang tribals have fled their homes since 1997 and found shelter in north Tripura, border villages of Assam and the Chittagong Hill Tracts of Bangladesh. In order to accelerate the repatriation process, the Tripura government discontinued food rations and medical services in some camps, causing at least 16 people to starve to death. At least 260 IDPs died as a result of inadequate shelter and unclean water, and around 1,400 reportedly became seriously ill. Additionally, displacement camps are susceptible to attacks and mismanagement, for which the National Human Rights Commission castigated the Mizoram government in a 1998 report." (SAHRDC March 2001)

## **The Chakmas in Arunachal Pradesh (2000-2001)**

- The Indian government has resettled some 40,000 Chakmas to the border area with China, in what is now the state of Arunachal Pradesh
- The Chakma and Hajong population has grown to some 65,000 and is now the third largest ethnic group in the state of Arunachal Pradesh
- The Chakma and Hajong communities remain stateless, disenfranchised and the target of attacks by xenophobic groups in the state
- Both local groups (The All Arunachal Pradesh Students' Union), and the state government have called for the Chakmas' expulsion from Arunachal Pradesh
- Local groups have violently displaced at least 3,000 Chakmas, a figure which is likely to increase

Thirty-seven years after they arrived in India from then-East Pakistan (now Bangladesh) – some displaced by the Kaptai hydroelectric project, others hounded out by the growing incidents of communal violence – the Chakmas and Hajongs in Arunachal Pradesh have yet to settle down and find a level of basic security. The highest court in India has upheld their right to citizenship and its attendant benefits. However, thanks to an obdurate State Government and a lackadaisical Centre, the Chakma and Hajong communities remain stateless, disenfranchised and the target of attacks by xenophobic groups in the state.

Over the course of the past few years, the State Government of Arunachal Pradesh has denied the Chakmas and Hajongs access to the most basic infrastructure and opportunities. These conditions persist despite intervention on behalf of the communities by the National Human Rights Commission (NHRC), the Ministry of Home Affairs, the Rajya Sabha (upper house of Parliament) and clear judgements in their favour by the courts. Government inaction and inefficacy has left these communities vulnerable to threats and violence by organizations in the state such as the All Arunachal Pradesh Students Union (AAPSU).

[...]

Some historical background is necessary to understand the devastating nature of the present situation. The Chakmas of Arunachal Pradesh belong to a tribal group that has for centuries inhabited the Chittagong Hill Tracts (CHTs) of Bangladesh. Despite the fact that most of the inhabitants of the CHTs are either Buddhist or Hindu, the region became a part of Pakistan with the partition of India in 1947. In 1964, communal violence and the construction of the Kaptai hydroelectric dam displaced nearly 100,000 Chakmas. A large number of these displaced people sought refuge in India.

Nearly 1,000 members of the Hajong tribe, a Hindu group from the Mymensingh district of Bangladesh, were also settled in these areas. In the more than 30 years since their resettlement, the Chakmas and Hajongs have built villages, developed the land granted to them and paid state taxes on their land. Additionally, they have become integrated into the social fabric of Arunachal Pradesh and established strong ties to the region. Many of these Chakmas and Hajongs, who now number about 65,000, were born in India and know no other home.

The Chakmas and Hajongs are legal residents of India. In 1964, the Government of India granted migration certificates into the country to approximately 35,000 Chakmas and 1,000 Hajongs. The migrants were settled by the Government of India in the erstwhile North East Frontier Agency, an area that comprises the present-day districts of Lohit, Changlang and Papumpare in Arunachal Pradesh. These certificates indicated legal entry into India and the willingness of the Government of India to accept the migrants as future citizens. Additionally, under the Indira-Mujib Agreement of 1972, it was determined that India and not Bangladesh would be responsible for all migrants who entered India before 25 March 1971.

Many Chakmas and Hajongs also have the right to citizenship and the right to vote.

[...]

To date, not a single Chakma or Hajong has been included in the electoral rolls.

[...]

The Government of Arunachal Pradesh has systematically denied the Chakmas and Hajongs access to social, economic and political rights to which they are entitled under Indian and international law. It has conducted a three-pronged strategy of discrimination against them – denying them political rights, economic opportunity and access to basic social infrastructure. Additionally, the State Government has not

checked the intimidation and threats issued by the AAPSU. In fact, on occasion it has openly supported AAPSU activities. The Chakmas have been suffering forcible eviction at the hands of the State Government for decades – one particular village in the district of Changlang, Vijoypur, was reportedly destroyed on three occasions, in 1989, 1994 and 1995.

The State Government has steadily dismantled basic social infrastructure in Chakma and Hajong settlements, rendering these people ever more vulnerable. All persons legally resident in India are entitled to ration cards if their income falls below a specified amount. In October 1991, the State Government discontinued issuance of ration cards to Chakmas and Hajongs, many of whom live in extreme poverty. In September 1994 the State Government began a campaign of school closing, burning and relocations that have effectively denied the Chakmas and Hajongs their right to education. Schools built by the Chakmas using local community resources were closed down or destroyed. Also, health facilities in Chakma and Hajong areas are all but nonexistent."

(SAHRDC 6 August 2001)

"Over the years, the Chakma population has grown to some 65,000; they have become the third largest ethnic group in the state, which has a total population of only some 500,000. The tribal groups' resentment toward the Chakmas has also grown. In recent years, both local groups, most notably the All Arunachal Pradesh Students' Union (AAPSU), and the state government itself, have called for the Chakmas' expulsion from A.P.

[...]

Local groups' antagonism has turned violent, and as many as 3,000 Chakmas have become internally displaced. An unknown number of others have left the area altogether. Be-cause of the growing tension over the issue, USCR is concerned that violence toward the Chakmas will increase, resulting in greater displacement."(USCR January 2000, p.10-11)

### **US Committee for Refugees makes concrete recommendations to the Indian Government for improved response to conflict induced IDPs (2000)**

"To the Government of India:

1. Address the causes that have led to internal displacement, thereby providing durable solutions for the displaced and preventing future displacement. Among the actions that New Delhi should take are:
  - a. investing in the economic development of the Northeast;
  - b. integrating the Northeast into India's political and economic mainstream; and
  - c. working closely with state governments in the Northeast to resolve ethnic and land questions that contribute to conflict and displacement.
2. Until durable solutions are achieved, provide adequate assistance to the displaced.
3. Achieve durable solutions and interim protection and assistance by formulating concrete, consistent policies and procedures that are applicable to the national, state, and district level authorities.
4. Assign responsibility for formulating and implementing government policy regarding internal displacement to a cabinet level minister.
5. End the disparity of treatment between displaced persons in the Northeast and Kashmir. New Delhi should provide adequate—and equal—protection and assistance to all its displaced citizens, regardless of their religion, ethnicity, or location.
6. Disseminate and observe the UN "Guiding Principles on Internal Displacement" in addressing the situation of internally displaced persons in India.

7. Extend an invitation to the UN Secretary General's Representative on Internally Displaced Persons to visit India to examine the situation of internally displaced persons and share with the government the benefit of his experience regarding appropriate responses to their needs.

8. Invite international and domestic organizations to help respond to the needs of the displaced, particularly in the provision of humanitarian assistance and implementation of long-term solutions.

9. Ease restrictions on access to Northeast India for organizations/individuals seeking to assist the displaced or to document their situation."

(USCR January 2000, p.19)

## **Development induced displacement**

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### **National development in post-colonial India based on mega-projects often displacing large numbers of rural population (1999-2002)**

- Some 3,300 big dams have been constructed in India in the last 50 years, displacing as many as 21 to 33 million persons
- Fifty years of economic development in India have led to large-scale forced evictions of vulnerable populations
- Social, human and environmental costs of dam construction have been ignored in the planning of these projects, and the expected benefits exaggerated
- National leaders and policy-makers considered displacement a "legitimate and inevitable costs of development"
- Thousands of dams have been constructed in the name of National Development, but 250 million people do not have access to safe drinking water, more than eighty per cent of rural households do not have electricity and flooding and droughts remain severe.

"It is not well known that India has one of the highest rates of development-induced displacement in the world. During the last fifty years, some 3,300 big dams have been constructed in India. Many of them have led to large-scale forced eviction of vulnerable groups. The situation of the tribal people is of special concern, as they constitute 40-50% of the displaced population. As a result of misguided policy, project-affected communities have been subject to sudden eviction, lack of information, failure to prepare rehabilitation plans, low compensation, loss of assets and livelihoods, traumatic relocation, destruction of community bonds, discrimination and impoverishment.

There are no reliable official statistics on the number of people displaced by large projects since independence. According to official figure in 1994, about 15.5 million internally displaced people were there in India and the Government acknowledged that some 11.5 million were awaiting rehabilitation. However, calculations based on the number of dams constructed since independence indicate that as many as 21 to 33 million persons are likely to have been displaced. These estimates do not include persons displaced by canals, or by the construction of colonies or other infrastructure. Neither do they include those who have been subjected to multiple displacement." (INEE list-serve, 16 April 2002)

"Rapid liberalization of the Indian economy in recent years and increasing inflow of foreign investment for major infrastructural projects including by the World Bank and international financial institutions, has led to widespread displacement and loss of access to traditional resources and means of livelihood of many in the country. Many of those affected by the activities of economic actors, including multinational companies, and involved in protests against them have been from *dalit* or *adivasi* communities particularly

concerned with displacement. In these instances, whole communities often unite to defend their rights. They widely report that rather than being consulted and provided with access to information, repressive tactics are used against them to expedite projects." (AI April 2000, Part III, Section 1)

"Industrial development projects in India have been vigorously implemented, affecting large sections of the population who are increasingly being marginalised, particularly through displacement. One such example can be found in Orissa (Rayagada and Koraput districts), where Amnesty International in 1998 and 1999 received worrying reports of attacks on *adivasis* and members of non-government organizations working with them." (AI April 2000, Part III, "Work of human rights defenders threatened because of opposition to industrial projects in Orissa")

"In the years immediately after Independence, the overarching ideology of nation-building favoured a development model of accelerated economic growth through the agency of a mixed economy, combining centralised planning and command investment with capitalist free enterprise. Equity concerns were pushed to the backburner, and it was believed that growth would itself take care of poverty and unemployment, hunger and inequality.

Mega-projects like big dams, towering steel and power plants, mines and ports, symbolised breaking the colonial chains of underdevelopment. Dam-building was considered synonymous with nation-building and the ascendancy of humanity over nature. When Nehru, India's first Prime Minister, described big dams as the secular temples of modern India, while inaugurating the Nagarjunasagar Dam in Andhra Pradesh, his optimism and reverence resonated in vocal sections of the population.

However from the start this model of development was challenged by ideological sceptics, which also included followers of Gandhi. Although their voices were in the beginning muted amidst the nationalist rhetoric and charisma of mega-projects, this alternative view questioned a model of development that equated development merely with increased production of goods and services. It demanded that the human, social, equity and environmental impacts of such 'development' interventions be carefully assessed. It was based on the conviction that much more important than merely how much was produced were questions about what was produced, how was it produced, at what costs and for whom.

[...]

[Fifty] years of planned development in India have entailed large-scale forced evictions of vulnerable populations, without the countervailing presence of policies to assist them to rebuild their lives. Most of the negative aspects of displacement, such as lack of information, failure to prepare in advance a comprehensive plan for rehabilitation, the undervaluation of compensation and its payment in cash, failure to restore lost assets or livelihoods, traumatic and delayed relocation, problems at relocation sites, multiple displacement, and neglect of the special vulnerabilities of the most disadvantaged groups are in fact the direct result of state policy.

[...]

Budget provisions for major irrigation projects outstrip most other sectors, including health and education, in the annual plans of many state governments. These are also far in excess of financial allocations for establishing or strengthening decentralised irrigation schemes.

Although enthusiasm for mega-dam projects amongst policy-makers remains largely undimmed, a formidable body of independent empirical research into many of these large dams has established how their social, human and environmental costs have been ignored or grossly understated in the planning of these projects, and the expected benefits exaggerated. The actual output of irrigation and power of these projects has fallen short, sometimes spectacularly, of the level on the basis of which investment on the project was initially justified.

Of the very many neglected costs of the big dams, some of the most grave are the social and human consequences of displacement. [...] It was clear from the start that mega-projects would require the

displacement or forced uprooting of substantial populations, particularly for hydraulic projects which entail large-scale submergence for reservoirs. However, national leaders and policy-makers typically viewed these as legitimate and inevitable costs of development, acceptable in the larger national interest." (Mander August 1999, p.4-5, 21)

"[T]housands of dams have been built in the name of National Development. Yet 250 million people have no access to safe drinking water. At least 350 million people (more than the country's population at the time of Independence) live below the poverty line. Over eighty per cent of rural households do not have electricity. Geographically, there has been an *increase* in flood-prone and drought-prone areas since 1947! The government – every Indian government – refuses to address the problem. To even *consider* that something is amiss."(Roy 2000, Preface)

***For further information on development induced displacement in India, the World Commission on Dams (WCD) has published several reports:***

Rangachari, R./ Sengupta, Nirmal/ Iyer R. Ramaswamy/ Banerji, Pranab / Singh, Shekhar, November 2000, Large Dams: India's Experience, Case Study Prepared for the World Commission on Dams  
<http://www.dams.org/studies/in/>

Patwardhan, Amrita: 2000, Dams and Tribal People in India, Thematic Review 1.2: Dams, Indigenous People and vulnerable ethnic minorities  
<http://www.damsreport.org/docs/kbase/contrib/soc207.pdf>

World Commission on Dams (WCD) The Report of the World Commission on Dams, 16 November 2000:  
<http://www.damsreport.org/docs/report/wcdreport.pdf>

### **Case study: Development induced displacement in Narmada Valley (2000-2001)**

- The Narmada Valley Development Project is said to affect 25 million people
- Official figures indicate that 40-42.000 families will be displaced by the project – non governmental estimates talk about 85.000 families (close to 500.000 persons)
- For relocation and compensation purposes the term "Project Affected" does not include large groups currently depending on the river
- Many human rights advocates and NGO's continued to allege that the renewed construction of the Sardar Sarovar Dam will displace 40,000 families without adequately compensating those who are resettled

"The Narmada Valley Development Project is supposed to be the most ambitious river valley development project in the world. It envisages building 3,200 dams that will reconstitute the Narmada and her 419 tributaries into a series of step-reservoirs – an immense staircase of amenable water. Of these, 30 will be major dams, 135 medium and the rest small. Two of the major dams will be multi-purpose mega dams. The Sardar Sarovar in Gujarat and the Narmada Sagar in Madhya Pradesh, will, between them, hold more water than any other reservoir in the Indian subcontinent.

For better or for worse, the Narmada Valley Development Project will affect the lives of 25 million people who live in the valley and will alter the ecology of an entire river basin. It will submerge sacred groves and temples and ancient pilgrimage routes and archaeological sites that scholars say contain an uninterrupted record of human occupation from the Old Stone Age.

[...]

In 1979, when the Narmada Water Disputes Tribunal announced its award, the official estimate for the number of families that would be displaced by the Sardar Sarovar Reservoir was about 6,000. In 1987 the

figure grew to 12,000. In 1992 it surged to 27,000. Today it hovers between 40,000 and 42,000 families. That's about 200,000 people. And that's just the official estimate. According to the NBA [*Narmada Bachao Andolan* -Movement to Save Narmada], the actual number of affected families is about 85,000. Close to half a million people.

The huge discrepancy between the Government's estimate and the NBA's has to do with the definition of who qualifies as 'Project Affected'. According to the Government, the only people who qualify as Project Affected are those whose lands and homes are submerged by the reservoir. But when you tear up the fabric of an ancient, agrarian community, which depends on its lands and rivers and forests for its sustenance, the threads begin to unravel in every direction. There are several categories of displacement that the Government simply refuses to acknowledge."

(Roy 5 February 2000)

***The first dam on the Narmada River reportedly displaced 114,000 people and today irrigates only 5% of the land it was said to benefit (February 2000)***

"Dams are built, people are uprooted, forests are submerged and then the project is simply abandoned. Canals are never completed... the benefits never accrue (except to the politicians, the bureaucrats and the contractors involved in the construction). The first dam that was built on the Narmada is a case in point - the Bargi Dam in Madhya Pradesh was completed in 1990. It cost ten times more than was budgeted and submerged three times more land than engineers said it would. To save the cost and effort of doing a survey, the government just filled the reservoir without warning anybody. 70,000 people from 101 villages were supposed to be displaced. Instead, 114,000 people from 162 villages were displaced. They were evicted from their homes by rising waters, chased out like rats, with no prior notice. There was no rehabilitation. Some got a meagre cash compensation. Most got nothing. Some died of starvation. Others moved to slums in Jabalpur. And all for what? Today, ten years after it was completed, the Bargi Dam produces some electricity, but irrigates only as much land as it submerged. Only 5 per cent of the land its planners claimed it would irrigate. The Government says it has no money to make the canals. Yet it has already begun work downstream, on the mammoth Narmada Sagar Dam and the Maheshwar Dam."

(Roy 5 February 2000)

***October 2000 ruling by the Indian Supreme Court authorizes renewed construction of the Sardar Sarovar Dam (2000)***

"[I]n October 2000, the Indian Supreme Court gave a go-ahead for the construction of the [Sardar Sarovar Dam on the Narmada river]. The court ruled that the height of the dam could be raised to 90 metres and no higher, until cleared by an environmental authority appointed to undertake the task. This is far below the proposed height of 130 metres, but higher than the 88 metres that the anti-dam activists want. So as the anti-dam activists ponder their next move, the government has started again with construction of the Sardar Sarovar dam.

[...]

In what was seen as a major victory for the anti-dam activists, the World Bank withdrew from the Narmada project in 1993. Several other international financial institutions also pulled out citing human and environmental concerns. The construction of Sardar Sarovar dam itself was stopped soon afterwards."(BBC News 16 November 2000)

"On October 18, the Supreme Court ruled that construction of the Sardar Sarovar Dam on the Narmada River in Gujarat could begin immediately, reaching a height of 90 meters, and could proceed in stages thereafter up to a finished height of 138 meters. The ruling stipulated that those displaced by the dam would be compensated. However, many human rights advocates and NGO's continued to allege that the construction of the dam would displace 40,000 families without adequately compensating those who are resettled. (U.S.DOS February 2001)

## POPULATION PROFILE AND FIGURES

### **Conflict induced displacement: Total figures**

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#### **Global Displacement Figures (2001-2002)**

- In 2001, some 507,000 people were internally displaced in India
- In May 2002, the total rose to 650,000 IDPs, due to new tensions in Kashmir and violence in Gujarat

#### *USCR 2001:*

"Some 507,000 people were internally displaced in India because of political violence, including some 350,000 Kashmiris and more than 157,000 others in Northeast India.

The displaced population includes an estimated 87,000 ethnic Santhals in Assam; no fewer than 3,500 Bengalis, also in Assam; 37,000 ethnic Reangs displaced from Mizoram into Tripura; 25,000 Bengalis in Tripura; and 3,000 ethnic Chakmas in Arunachal Pradesh." (USCR 2001)

#### *May 2002:*

*The number of conflict-induced IDPs has been estimated at more than 650,000 by May 2002. At the end of 2001 and the beginning of 2002 a rise could be noticed in the number of displaced, as a consequence of the conflict in Kashmir (over 60,000 newly displaced in December 2001) and violence in Gujarat in February 2002 (displacing some 90,000 people). (CDNC, 30 December 2001; AI, 28 March 2002)*

### **Conflict induced displacement: Geographical distribution**

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#### **New tensions between India and Pakistan over Kashmir displaced some 60,000-100,000 people (January 2002)**

- Heavy shelling and a massive troop build-up between India and Pakistan caused the displacement of at least 60,000-100,000 people in January 2002

"At least 60,000 Indians have fled their homes in the last five days amid heavy shelling and a massive buildup of troops on both sides of the Pakistan-India border in Kashmir, a state minister said. (Common Dreams News Center, 30 December 2001)

According to media reports, over 100,000 people have been forced to migrate from the LOC alone. In the three districts in IOK (Indian Occupied Kashmir), including Jammu, Poonch and Rajoori, over 36,000 thousand school children after their holidays found their schools housing refugee families according Kashmir Times (13 January 2002)." (Committee for a Workers' International, January 2002)

***Poonch district:***

“Following a Supreme Court directive, a fact-finding team of the Union Home Ministry has visited camps in Poonch district, housing migrants from border areas, to check the facilities provided to them. The team was taken around the 12 migrant camps in the town by District Development Commissioner, Poonch, Ejaz Iqbal and SSP Kamal Saini on Monday. There are 13 migrant camps in the district, 12 of which are in Poonch town and one at Tehsil Headquarters Menorah, housing 21,947 people.” (The Times of India, 12 February 2002)

**Some 350,000 persons internally displaced from the armed conflict in Kashmir (2000-2001)**

- As many as 350,000 Kashmiris, mostly Hindu Pandits, have been displaced since 1990 (USCR 2001) - South Asia Terrorism Portal (SATP) estimates over 400,000 displaced
- The Ministry of Home Affairs alleged that about 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence in 1999
- Some 250,000 displaced Kashmiris are living in or near the city of Jammu while an estimated 100,000 Kashmiris are displaced elsewhere in India, primarily in the New Delhi area

"As many as 350,000 Kashmiris, mostly Hindu Pandits, have been displaced since 1990 as a result of long-standing conflict in Kashmir between the Indian armed forces and separatists among the majority Muslim community. According to the Indian authorities, continuing violence in Kashmir led to the deaths of 762 civilians in 2000. Some 250,000 displaced Kashmiris are living in or near the city of Jammu, both in camps for the displaced and in their own homes. An estimated 100,000 Kashmiris are displaced elsewhere in India, primarily in the New Delhi area. (USCR 2001, p.159)

***[after the 1999 conflict:]***

"According to the Ministry of Home Affairs, about 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence. Of these, 4,674 families are living in refugee camps in Jammu, 235 families are in camps in Delhi, and 18 families are in Chandigarh. The rest still are displaced, but are living on the economy in Jammu and Delhi.

On October 12, India's home minister, Mustaq Ahmad Lone, said that 43,510 Kashmiris who became displaced because of the conflict from May to July 1999 remained displaced in 2000." (U.S. DOS, February 2001, Section 5)

***The South Asia Terrorism Portal (SATP) estimates that over 400,000 Kashmiri Pandits are internally displaced:***

"Meanwhile, over 400,000 Kashmiri Pandits – out of an original population in the Kashmir Valley of 425,000 prior to 1989 – continue to be displaced. Official records indicate that some 216,820 of them live as migrants in makeshift camps at Jammu, another 143,000 at Delhi and thousands of others are now dispersed across the country. Many of those registered at the camps have also been dispersed according to the exigencies of employment and opportunities for education, trade or business. There has been little effort to facilitate their return to the Valley over the past year (2000), as earlier attempts were neutralised by brutal campaigns of selective murder, including the killing of seven Pandits at Sangrama in Budgam district in March 1997, three at Gul in Udhampur district in June 1997, 26 in the massacre at Wandhama in Srinagar district in January 1998, and 26 at Prankote in Udhampur district in April 1998. The possibility of reversing the terrorists' ethnic cleansing of the Valley remains remote, and there are now reports of a hidden migration from some of the border areas in the Jammu region where the Hindus are a minority." (SATP, July 2001)

***The actual number of internally displaced persons due to the Kashmir conflict was questioned during a meeting of the Commission on Human Rights on 13 April 2000:***

[...] Mr. SARAF (World Muslim Congress) said that India was making a deliberate effort to depict the Kashmiri freedom struggle as fundamentalist and terrorist, mentioning repeatedly in that connection the so-called expulsion of Pandits from Kashmir by the freedom fighters, and it was time to put the record straight once and for all.

[...] According to a book by Mr. Sumantra Bose, a noted Indian author, concerning the expulsion, the allegations made were largely a potpourri of fabrication and exaggeration. It was simply impossible for a community with a population of less than 140,000 to have generated the hundreds of thousands of refugees usually quoted, particularly as a sizeable Pandit population continued to live in Kashmiri towns and villages. The respect that Kashmiri Muslims had customarily shown towards Hindu places of worship had, for the most part, endured during the current troubled times, and appeals in the newspapers requesting the Pandits to return warned Muslims against tampering with any property belonging to the Pandits. There was an almost universal conviction among Kashmiri Muslims that the departure of such a large number of Pandits within such a short period of time had been instigated by the then Governor, Jagmohan, who had taken office for four particularly repressive months in early 1990. Pressure had then been brought to bear and incentives allegedly offered to encourage those people to leave. (HCR 7 November 2000)

**Main locations of IDP camps for Kashmiri Pandits (2000)**

**Main Camp Sites in Jammu**

Muthi Camp, Jammu  
Transport Nagar, Jammu  
Purkhoo Camp, Jammu  
Stadium Camp, Jammu  
Jhiri Camp, Jammu  
Nagrota Camp, Jammu  
Mishriwala Camp, Jammu  
Battalbalian Camp, Udhampur

**Main Camp Sites in Delhi**

Nandnagri  
Sultanpuri, Kailash Colony  
Maviya Nagar  
South Extension  
Palika Dham  
Lajpat Nagar  
Aliganj  
Bapu Dham  
Amar Colony  
Mangol Puri  
Patel Nagar  
Sultanpuri  
Moti Nagar  
Begampura

(Kasmiri Pandits Virtual Homeland 2000)

## **Religious violence in Gujarat displaced over 100,000 people, primarily Muslims (April 2002)**

- By April 2002, the total number of displaced in Gujarat was at 113,697 persons
- Besides the Muslims, Hindus were also displaced for fear of retaliation

“The total number of people officially declared as taking shelter in 103 relief camps as a consequence of the communal riots in the state reached 113,697, belying government claim that the situation in large parts of Gujarat was returning to normal.

The figures given to the Gujarat governor-headed all-party committee on relief camps a week ago was 109,503 in 102 relief camps. Which means, within three days, the number went up by more than 4,000.

On March 21 [2002], 97,517 persons were taking shelter in 98 relief camps. The numbers went up on March 26 to 97,998 in 101 relief camps. Several new camps came up in Ahmedabad and Sabarkantha districts, officials said.

A district-wise break-up given to the committee members suggests that the largest number of persons are in Ahmedabad -- 66,292 in 44 camps, followed by 12,753 in Vadodara, 8,547 in Sabarkantha, 8,271 in Panchmahals, 5,200 in Anand, 4,536 in Dahod, 2,637 in Mehsana and 1,267 in Kheda.” (The Times of India, 7 April 2002)

### ***Areas of origin of the displaced:***

“A social worker from Dudheshwar Ataulugh Khan told PTI today that the victims of the communal violence had mostly come from the worst-hit Naroda, Naroda Patia, Sabarmati, Meghaninagar, Chamanpura areas.” (Hindustan Times, 7 March 2002)

### ***Besides the Muslims, Hindus were also displaced for fear of retaliation (April 2002):***

“Hindus have also suffered greatly from the violence in Gujarat. In addition to the fifty eight people killed during the torching of the Sabarmati Express in Godhra on February 27, 2002, over ten thousand Hindus have also been made homeless as a result of post Godhra violence. Many also fear retaliatory attacks by Muslims communities promoted in some areas by false reports in the local language media —or fear of being mistaken for Muslim by Hindu mobs. To provide some protection from the latter, some Hindus, and possibly some Muslims, resorted to adorning their homes and places of business with prominent Hindu symbols, including pictures of Hindu gods and goddesses, both during and since the initial attacks.” (HRW, April 2002, p. 36)

## **Figures of the IDP camps in Ahmedabad, Gujarat (March 2002)**

- The actual number of Muslim displaced in camps in Ahmedabad was around 50,000 persons

“Below are the population figures for the relief camps that have been contacted by NGOs working in various areas of Ahmedabad up to today:

Chartoda Kabrasthan (Gomtipur) - 3,000 people  
Madhavbai Mill Compound (Gomtipur) - 3,000 people  
Nagoripatel Ni Challi (Saraspur) - 1,000 people  
Amanchowk - 4,500 people  
Sundaram Nagar (Bapunagar):

Gayatri Society (Bapunagar) - 2,500 people  
Shah Alam Dargah - 5,000 people  
Bibi Talav - 1,500 people  
Al-Medina - 1,500 people  
Al-Kuba - 1,500 people  
Alif Nagar (Around Shah Alam-Vatva Road) - 1,500 people  
Shahibaug area - 3,000 people  
Shahpur - 3,000 people  
Odhav area - 2,000 people

All of these numbers are approximate. However, there are several other camps in the city (all in Muslim bastis) which have not been reached by NGOs as yet. The actual number of Muslim refugees in the camps can safely be put at about 50,000.” (Asian Human Rights Commission, 6 March 2002)

**By the end of 2001, USCR estimated a total of 157,000 internally displaced in Northeast India (January 2000-June 2002)**

- In 2001, an estimated 157,000 persons were displaced in several states in Northeast India

**ESTIMATES OF NUMBERS OF PERSONS DISPLACED IN NORTHEAST INDIA**

[Note: Several of the following ethnic groups sometimes refer to themselves by a different name than that by which they are commonly known. Because these populations are already little known outside India, the author has used the more commonly recognized name for the sake of clarity. While some of these estimates are widely cited, others have been provided by a single source that may have connections to the displaced population in question. These 1998 estimates should therefore be considered very tentative.]

State	Number Displaced	Maximum Displaced <sup>1</sup>	Displaced Groups	Parties to Conflict
Assam	87,000 <sup>+2</sup>	250,000	Santhals, Nepalis	Bodos <sup>3</sup> /non-Bodos
Assam	3,500 <sup>4</sup>	60,000	Bengalis	Bodos/non-Bodos
Manipur	n/a*	40,000 <sup>5</sup>	Kukis	Nagas/Kukis
Manipur	n/a*	15,700 <sup>6</sup>	Paites <sup>7</sup>	Kukis/Paites
Manipur, Nagaland	20,000 <sup>8</sup>	95,000 <sup>9</sup>	Nagas	Nagas/Kukis
Tripura	39,000 <sup>10</sup>	39,000	Reangs <sup>11</sup>	Mizos/Reangs
Tripura	25,000 <sup>12</sup>	200,000	Bengalis	Tribals/Bengalis
Arunachal Pradesh	3,000 <sup>13</sup>	3,000	Chakmas	Tribals/Chakmas

Other groups in the Northeast have also experienced displacement or remain displaced, including Bodos in Assam,<sup>14</sup> Chakmas in Mizoram,<sup>15</sup> and ethnic minorities in Meghalaya.

**Notes:**

- 1) These numbers represent the largest numbers of people displaced in each state in recent years.
- 2) 80,000 as of August 1998: interview with Prof. Omprakash Mishra, Calcutta; interview with Mr. Naqib Ahmed, Santhal representative; 65,000 Bhaumik. According to the June 1, 1999 *The Statesman* (India), another 7,000 became displaced in June 1999.
- 3) Bodos refer to themselves as Boros.
- 4) Some 3,500 displaced Bengalis were living in one camp visited by the author. There are undoubtedly many more living in other camps or by their own means, but there are no estimates of their total.
- 5) Interview with Dr. T. Haokip of North Eastern Hills University (Shillong), Guwahati, August 1998.
- 6) Zomi Coordination Committee on Relief and Rehabilitation, July 13 1998,
- 7) Paites refer to themselves as Zomis.
- 8) Interview with Artax A. Shimray, Naga leader. This was the only source for this figure.
- 9) Ibid.
- 10) Presentation by Professor Sabyasachi Basu Ray Chaudhury, Symposium on Internally Displaced Persons, Jadavpur University, Calcutta, August 1998. In an interview with USCR, Prof. K. Debbarma of North Eastern Hills University, Shillong, said there were 36,000 as of August 1998.

- 11) Reangs refer to themselves as Bru,
- 12) Bhaumik, Subir. *"Flower Garden or Fluid Corridor,"* unpublished.
- 13) Chaudury said 3,000-4,000 Chakmas had been displaced for more than five years.
- 14) According to Jitu Basumatari, a member of a Bodo organization, more than 700 Bodos remained displaced. Other sources, however, said that all formerly displaced Bodos had returned home.
- 15) Some 200 families, according to Samran Chakma, representative of a Chakma groups.

\* As of 1998, most displaced Kukis and Paites had returned home or resettled in new communities. USCR was unable to establish how many of those who remained displaced were vulnerable as a result.  
(USCR January 2000, p.2-3)

***This figure stayed more or less constant over the years:***

"Internal Displacement in Northeast India An estimated 157,000 persons of various ethnicities were displaced in several states in Northeast India, a geographically and politically isolated area of India that is home to many "tribal" groups." (USCR, 2002, India chapter)

**Estimates of internal displacement in Assam (2000-2001)**

- An estimated 200,000 persons are living as internally displaced in Assam
- Of the total displaced population, 70,000 are children
- The displaced are housed in relief camps in the Kokrajhar, Bongaigaon and Dhubri districts. Estimates of number of relief camps vary between 64 (The Hindu) and 78 (SAHRDC)
- A national newspaper, The Hindu, states that the relief camps house an estimated 110,000 Santhals and 70,000 Bodos and others
- Every fourth person in the Kokrajhar district is a conflict induced displaced person
- USCR and US DOS stated a lower number; at least 87,000 Santhals

***Estimates of the current number of conflict -induced internally displaced in Assam vary between 90,500 (USCR 2001) and 200,000 (SAHRDC, Hussain, newspapers). Readers are encouraged to share information on figures with the Global IDP Database:***

" [...]violent ethnic riots between the majority Bodos and the Santhals (both tribal groups) in Assam's Bodo heartland of Kokrajhar and its adjoining districts in the summer of 1996 had displaced more than 300,000 people belonging to both communities.

[...]

While thousands returned to their homes, an estimated 200,000 are still living sub-human lives in thatched or polythene roofed hutments in what pass for relief camps run by the State Government. There are 64 such so-called relief camps in Kokrajhar district (the adjoining districts of Bongaigaon and Dhubri have some more) housing an estimated 1.10 lakh Santhals [110,000], 70,000 Bodos and others. There is nothing called sanitation and hygiene and the inmates do not get two square meals a day." (The Hindu, 26 May 2000)

"An estimated 200,000 refugees belonging to the Santhal tribe have been living in relief camps for the past seven years." (The New Nation, 12 June 2001)

"Over 200,000 IDPs now live in 78 relief camps in Kokrajhar and Bongaigaon districts of Assam." (SAHRDC 2001) "[...] out of which 70,000 are children." (Hussain, December 2000 "Status of the Displaced People")

***Estimates of Muslim displaced in Kokrajhar and Bongaigaon Districts Since 1993:***

"There are more than 20,000 Muslim inmates in 18 relief camps located in Kokrajhar and Bongaigaon districts since 1993 [...] Today, the Santhals constitute the bulk of the displaced persons in Assam. Besides, there are few thousand Bodos, Rabhas and Indian Nepalis are also living in relief camps. [...] every fourth person in the Kokrajhar district is a conflict induced displaced person." (Hussain, December 2000 "Status of the Displaced People")

**Number of Internally Displaced Muslims in Kokrajhar and Bongaigaon Districts Since 1993**

Name of Relief Camps	No. of Families	No of Persons in the Family
Malvita	450	1570
Jamunaguri	475	1972
Anand Bazar	89	389
Patabari	750	3184
Jaipur	1244	5696
Bhowraguri	550	2554
Amteka Bhowraguri	141	622
Amteka Sidabari	47	196
Amteka Bazar	21	103
Tasuldangi	141	776
No1 Koila Moila	15	73
No2 Koila Moila	81	427
Pachim Amguri(Rajpara)	58	382
Pachim Amguri(Simlaguri)	52	265
Narayanpur	76	511
Amguri (Bhoraguri)	20	102
Kachimari	596	1230
Tapatari	276	1140
Total 18	5043	20812

(Hussain, December 2000, Postcolonial State, Identity Movements and Internal Displacement In North East India)

***USCR gives the following estimates:***

"More than 87,000 ethnic Santhals, and a smaller number of Bengalis and Nepalis, have been displaced by the violent conflict between Bodo insurgents and non-Bodos in western Assam.

[...]

In the 1990s, Bodo insurgents mounted attacks on a number of non-Bodo communities. Bodos displaced an estimated 60,000 Bengalis in the early 1990s, primarily between 1991 and 1993. [...] Most of the Bengalis displaced in the early 1990s later returned home, but others remain displaced.

[...]

In May 1996, Bodos mounted large-scale attacks on ethnic Santhals. That led to the displacement of more than 250,000 persons, mostly Santhals, but also including several thousand Bodos and some Nepalis. [...] Virtually all of the displaced Bodos and a majority of the Santhals returned home during 1997. However, the Assamese government prevented some 40,000 Santhals from going back to where they had been living.

[...]

Further Bodo attacks in May 1998 led to the displacement of another 25,000 people, again mostly Santhals, but also including ethnic Nepalis. Among them were many who had been temporarily displaced in 1996. The population of the displaced persons' camps again grew to 65,000 to 80,000. Further Bodo-Santhal clashes in September 1998 displaced another 2,000 people.

[...]

Bengali Hindus in Assam have also experienced displacement. According to representatives of Assam's Bengali Hindu community, thousands of Bengali Hindus have been displaced during the 1990s as a result of terrorism directed at members of their community [...]" (USCR January 2000, pp. 7-9)

***The situation remained the same by the end of 2001:***

"Elsewhere in the northeast, Bodo-Santhal ethnic clashes, which began in 1998, continued throughout the year [2001]. More than 87,000 persons live under poor conditions in relief camps in Assam's Kokrajhar, Gosaigaon, and adjoining districts as a result of the ongoing violence between Bodos and Santhals." (US DOS, 4 March 2002, sect.1a)

**Estimates of internally displaced in Manipur and Nagaland (2000-2001)**

- Violence between Kukis and Paites and friction between Nagas and Meiteis has reportedly left 50,000 people homeless
- USCR says 130,000 have been displaced at least temporarily since 1992
- Kukis say that more than 40,000 Kukis were displaced, primarily between 1992 and 1996, most have now resettled in other Kuki communities
- Naga sources claim that the Naga/Kuki conflict has displaced as many as 90,000 Nagas in Manipur and another 5,000 in Nagaland, of whom only some 20,000 to 25,000 remained displaced as of mid-1998
- Violence in Manipur since June 2001 displaced some 50,000 Nagas

"Kukis and Paites have clashed since 1997 and friction persists between the Nagas and Meiteis. Violence between these groups has reportedly left 50,000 people homeless as entire villages are burned to the ground. [...] Eleven thousand people now live in displacement camps and the government of neighbouring Mizoram has restricted the displaced from crossing into its territory." (SAHRDC March 2001)

"Conflict between tribal groups in Manipur and Nagaland reportedly has led to the displacement (at least temporarily) of as many as 130,000 Kukis, Paites, and Nagas since 1992.

[...]

Kukis say that more than 40,000 Kukis were displaced, primarily between 1992 and 1996. Most have now resettled in other Kuki communities. Naga sources claim that the Naga/Kuki conflict has displaced as many as 90,000 Nagas in Manipur and another 5,000 in Nagaland, of whom only some 20,000 to 25,000 remained displaced as of mid-1998. According to one Naga leader, Artax Shimray, displaced Nagas in Manipur included 30,000 from Chenaburi District, 30,000 from Chandel District, 10,000 from Okrur District, and 20,000 from Tamelung District.

[...]

Fighting between the Kuki and Paites displaced more than 15,000 Paites. Most were displaced within Manipur, where a Paites relief group set up 30 temporary camps for them, most often very near their original homes. Although as of mid-1998 many had not yet rebuilt their houses, they were living in their communities of origin and no longer displaced. Some 3,500 Paites fled into Mizoram, where the state government created three camps for them. The 3,500 who fled to Mizoram returned in July 1998, after the Kukis and Paites signed an agreement aimed at ending their rift. " (USCR January 2000, p.9-10)

***Violence in Manipur since June 2001 displaced some 50,000 Nagas:***

"Following continuous threats by the Meitei population most Nagas no longer felt safe in their homes. They left for the hills where Naga brothers and sisters at Senapati and Ukhrul district took them in. More than 40,000 souls are still in camps while others were fortunate enough to be taken in by family living in all

parts of the Naga Hills in Assam, Arunachal Pradesh and Manipur itself." (Naga International Support Center, 9 October 2001, Press Release)

“According to *Ajai Sukla, a reporter from the New Delhi Television (NDTV)* dated 19 August 2001 from Senapati, “the refugee situation in Manipur is turning ugly. Up to 50,000 Nagas have now fled the Imphal valley to the Naga areas of Senapati and Ukhrul, provoking Naga anger both in Manipur and in Nagaland state ... The Manipur government has provided no assistance to the refugees other than to offer to convey them back to their homes in Imphal but the refugees are too scared to return... If the situation is not resolved quickly by the government, the current peaceful scenario could quickly turn into violence”.” (NPMHR, 5 January 2002)

### **Geographical distribution of Naga IDPs in Manipur State (January 2002)**

“The ‘Internally Displaced Persons (IDPs)’ in this report incorporates three categories of persons/families. The first category- comprise of totally uprooted persons with no other alternative resettlement who are taken care in the relief camps. The second category-comprise of displaced persons who are provided temporary support by communities or relatives in the Hills. The third category- comprising of mainly professionals, Government employees, businesspersons, etc. who continue to managed themselves through their own efforts.

This report covers NPMHR visits to the relief camps in the Naga Hill areas to assess the conditions of the displaced Nagas and to prepare the humanitarian needs of the thousands of Internally Displaced Persons (IDPs) scattered in the four Hill districts of Manipur, Senapati, Chandel, Ukhrul, Tamenglong including the 27 Naga villages placed under the Henglep sub-division, Churachandpur district bordering the Mizoram state. [...] Apart from the many Relief camps in the Naga areas of Manipur, there are above 1000 IDPs in Kohima and Dimapur who are been hosted by the relatives, friends and sympathizers in Nagaland state.

#### **Senapati:**

NPMHR received a preliminary data of IDPs containing more than 4000-5000 names of displaced persons from different ethnic communities stationed at Senapati town. The IDPs hosted in Senapati are from different communities such as Rongmei (2606), Zemei (15), Liangmei (469), Inpui (27), Mao (112) Pournai (510), Tangkhul (702), Thangal (102), Maram (3), Chothe (19), Maring (59), Anal (3), Chiru (234), Lamkhang (22), Kom (3) and Moyon (3) according to the data collected so far. A rough compiled report brought out by Senapati District Students Association (SDSA) along with ZU/ZYF/ZSU on 18 August 2001 Senapati currently host 4889 persons displaced from 55 villages and 632 house-holds. However, these compilation are still unorganized as near about the same numbers of IDPs are scattered in the different towns and villages in Senapati District. The tentative figure listed so far is confined to Senapati town areas. According to the Naga Peoples Organisation (NPO), Senapati there are more than 8000 IDPs in Senapati District.

#### **Chandel:**

Tolkham Maring, a reporter with local papers based in Chandel has shared that the IDPs situation in Chandel which comes to roughly 1483 persons are accommodated by the relatives and communities in the different villages in Chandel Districts. The numbers of IDPs in different communities in Chandel are Anal (498), Chothe (49), Lamkhang (271), Maring (455), Monsang (36), Moyon (138), Tarao (20) and Zeliangrong (16).

#### **Tamenglong:**

Tamenglong District headquarter host roughly a 1000 IDPs. According to the Zeliangrong Union (ZU) dated 29 th August 2001 compiled report the Longmai (Noney) Relief camp hosts about 4074 persons. The report listed 74 villages and 708 families been displaced by the recent exodus. The recent submission of data corroborate the existence of more than 15,000 IDPs in Tamenglong district.

**Ukhrul:**

In Ukhrul District according to the Tangkhul Core Committee on Cease-fire dated 30 the July 2001, the statistical report reveals 11,772 persons being displaced and hosted at Ukhrul town. However, latest report reveals that there are over 20,000 displaced Nagas in Ukhrul. (Nagaland Page- 19 August 2001). The latest update of the status of IDPs in Ukhrul has been listed as 26,172 as per the submission of Tangkhul Naga Long to the UNC Working Group on 11 th October 2001.

[...]

**Table of the Internally Displaced Persons (IDPs) Nagas in the Naga areas of Manipur**

Sl.no.	Location	camps	No. of camps	No. of IDPs	Total No. of IDPs	remark
1.	Naga hills, Manipur	Senapati	19	8000+		4000 persons in camps
		Ukhrul	Not available	26,172		400 families given relief
		Chandel	Not available	1,483		400 persons received relief
		Tamenglong	18	15,000		3800 persons in camps
2.	Nagaland	Dimapur & Kohima	Not available	1,000+		
					51,655	

(Revised and updated 12/10/2001)“ (NPMHR, 5 January 2002)

**Estimate of internally displaced in Tripura (2000-2001)**

- The official and much disputed figure of displacement in Tripura is about 28,000 people, mainly Bengalis
- In Tripura it is estimated that at least 80,000 Bengalis have been uprooted from their home since the Left Front came to power in 1993
- More than 1500 non-tribal families were rendered homeless in 2000 as a result of attack by the tribal insurgent groups
- Estimates of internally displaced in north Tripura vary, but Mizoram human rights groups estimate that some 41,000 Reangs presently are being sheltered in 6 camps in North Tripura

***The Government says about 28,000 people, mainly Bengalis, have been displaced by conflict in Tripura. The opposition and other say at least 70,000:***

In the face of years of militancy in Tripura, about 28,000 people mainly Bengalis, have been displaced. Added to it are thousands of those killed. The opposition parties contradict this official figure of displaced persons saying that it is only the tip of the iceberg. They put the figure at 70,000 to one lakh. The opposition parties also allege starvation in the camps where these displaced families have taken shelter. The exodus took place mainly in West and South Tripura districts, said Revenue Minister Keshab Majumdar. He was speaking on a notice brought by independent MLA Kajal Das on the last day of the Assembly session on Wednesday. According to the figure given by Majumdar, total 5819 families comprising 27536

members were forced to leave their home and hearth in the face of militancy. The highest number of displacement occurred in West Tripura district, mainly Bishlghar, Khowai and Sadar subdivisions where 2614 families consisting of 12,352 persons left their homes.

West district is closely followed by South district where 2184 families (10313 persons) were displaced. In Dhalali district 641 families with 2946 persons, mainly from Langtarai valley subdivision, were forced to leave their villages. In North district main exodus took place in Kanchanpur with 380 families (1925 persons) going out of their own homes. Majumdar said that all efforts were being made to bring back the displaced families to their homes. However, it was found that even though some of them returned home, they one again retreated to refugee camps in the face of sporadic incidents of threats. (30 August 2001)

"Central Intelligence agencies have reported on the extent of internal displacement in Tripura during the past two years. One estimate suggests atleast 80,000 Bengalis have been uprooted from their home since the Left Front came to power in 1993. Another agency estimates the figure to be around 1.20 lakhs [120,000 persons].

The Congress Leader. Mr. Jawhar Saha, said the figure would be around 1.5lakhs [150,000 persons]." (The Hindu 6 May 2000)

"[In 1997] About 3000 tribals fearing retaliation had to take shelter in the government camps. The government made arrangements to shelter 8957 affected families in several camps. More than 1500 non-tribal families were rendered homeless in 2000 as a result of attack by the tribal insurgent groups." (Saha 2001, p.10)

#### ***Internally displaced from Mizoram in Tripura:***

"In Mizoram fearing persecution from the ethnic majority Mizos, 15,000 to 50,000 Reang tribals have fled their homes since 1997 and found shelter in north Tripura, border villages of Assam and the Chittagong Hill Tracts of Bangladesh." (SAHRDC March 2001)

"Mizoram human rights groups estimate that some 41,000 Reangs, a tribal group from Mizoram that has been displaced due to a sectarian conflict, presently are being sheltered in 6 camps in North Tripura;" (U.S. DOS, 2001 Section 2 d)

Union Home Minister, Shri L.K. Advani held a meeting with Chief Minister, Tripura, Shri Manik Sarkar and the Mizoram Home Minister, Shri Tawnluia to discuss the problem of repatriation of displaced Reangs from Mizoram.

[...]

It was noted that there were 311511 [*sic: 31,511(?)*] displaced Reangs(6956 families) in [...Camps in Tripura." (MHA- GoI, 7 August 2000)

#### ***Disagreement between the State Governments of Tripura and Mizoram on the number of internally displaced formerly living in Mizoram hinders a solution for the internally displaced population presently living in camps:***

"The [Manipur] State government claims to have completed the process of identifying the "legal" Reang residents of Mizoram and have placed the figure at a little over 10,000, reports UNI. With this, the Mizoram administration has literally rubbished the claims made by Tripura that over 31,000 Reangs living in the northern refugee camps belonged to the State. The announcement could have far reaching effects on the demographic profile of the region as Mizoram can now refuse entry to over 20,000 Reangs/Brus who were claiming to be residents of the State. Placing the Reangs under two categories, the State administration claimed that while 10,142 refugees now languishing in Tripura refugee camps were the original residents of Mizoram, the rest had come from Assam, and parts of Tripura itself. According to the State government, while 8,396 Reangs were the residents of the Aizawl district, 1,746 belonging to the southern district of Lunglei. Talking to UNI, Aizawl deputy commissioner C Ropianga claimed that the list

prepared by the administration was based on records and not interviews. "Therefore, any Reang who could produce sufficient, documentary evidence on his citizenship would be added to the list," he said, adding that the administration had exhausted all means of identifying more people.

### **Estimate of internally displaced in Arunachal Pradesh (2000)**

"[A]s many as 3,000 Chakmas have become internally displaced. An unknown number of others have left the area altogether. Be-cause of the growing tension over the issue, USCR is concerned that violence toward the Chakmas will increase, resulting in greater displacement."

(USCR January 2000, p.10)

## **Development induced displacement**

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### **The number of development induced IDPs in India said to be between 21 and 33 million - but could be as high as 50 million (1999-2000)**

- There are no official statistics on the numbers of people displaced by large projects since independence
- Calculations based on the number of dams constructed since independence indicate that as many as 21 to 33 million persons might have been displaced
- In 1994, the Government reportedly admitted that 10 million IDPs had not been rehabilitated
- Adivasis – or tribal people – count for 8 per cent of the total population in India, but are reported to constitute between 40 and 50% of the displaced people

*Non-governmental sources estimate that between 21 and 50 million persons have been displaced by development projects.*

(Mander August 1999, p.5, Fernandes 2000, p.277, Roy 1999, p.19-20)

"The debate on how many people have been or are being displaced by dams has raged for many years. [...] Himanshi Thakkar (2000), in his paper on displacement for the WCD, says:

*"Displacememnt due to dams in India has been variously estimated. Fernandes, Das & Rao (1989) claimed a decade ago that Indians displaced by dam projects numbered 21 million. As the authors themselves pointed out, these were very conservative estimates. A recent statement by Shri N.C. Saxena (the then Secretary, Ministry of Rural Development, Government of India) however put the total number of persons displaced due to large dams at 40 million. He said in an open meeting that most of them have not been resettled. Roy (1999), based on a survey of 54 projects, estimated the people displaced by large dams in last 50 years to be 33 million."*

[...]

The total of large dams constructed or under construction, according to the CBIP [Central Board for Irrigation and Power] [...] is 4 291. According to the author's calculations, the total area that can be expected to be submerged is 4 291x8 748 ha, which amounts to the enormous figure of 37 537 668 ha. Based on this figure, the number of displaced, using the average of 1.51 persons per hectare, would be an astounding 56 681 879. This is clearly an overestimation. However, given the hesitation of the government to make data available, this is the best estimate that can be made. In any case, what it does establish is that the displacement figures cannot be nearly as low as suggested by some official sources. At best the variation could be of the order of 25%.

It must be noted here that, for the most part, these figures represent only those persons displaced by dams. Those displaced by the canals, or by the construction of colonies or other infrastructure, by transmission lines, and those displaced while acquiring land for the resettlement of project-affected persons, are not necessarily included in the author's estimates. Judging by some recent projects, the number of such displaced people would also be significant." (Rangachari, ... November 2000, pp. 116-117)

"There is painful irony, and possible design, in the fact that there are no reliable official statistics of the numbers of people displaced by large projects since Independence. Many researchers place their estimates between 10 and 25 million. In an influential 1989 study, Fernandes, Das and Rao provide an estimate of some 21 million displaced persons (see also Fernandes 1991). Scholar-administrator and currently Secretary of India's Planning Commission, Dr. N. C. Saxena, places his estimate of persons displaced by big projects since 1947 at nearly double this figure — 50 million."  
(Mander August 1999, p.5)

[For the figure of 21 million,] relevant development projects include dams (16.4 millions), mines (2.55 million), industrial establishments (1.25 million), and wildlife sanctuaries and parks (0.6 million).  
(Fernandes 2000, p.277)

"According to a detailed study of 54 Large Dams done by the Indian Institute of Public Administration, the average number of people displaced by a Large Dam is 44,182. Admittedly 54 Dams out of 3,300 is not a big enough sample. But since it's all we have let's try and do some rough arithmetic. A first draft. To err on the side of caution, let's halve the number of people. Or, let's err on the side of abundant caution and take an average of just 10,000 people per Large Dam. It's an improbably low figure, I know, but...never mind. Whip out your calculators. 33 million... That's what it works out to, thirty-three million people. Displaced by Big Dams alone in the last fifty years. What about those that have been displaced by the thousands of other Development Projects? At a private lecture, N.C. Saxena, Secretary to the Planning Commission, said he thought the number was in the region of 50 million (of whom 40 million were displaced by dams). We daren't say so, because it isn't official. It isn't official because we daren't say so. You have to murmur it for fear of being accused of hyperbole. You have to whisper it to yourself, because it really does sound unbelievable. It can't be, I've been telling myself. I must have got the zeroes muddled. It can't be true. I barely have the courage to say it aloud."  
(Roy 1999, p.19-20)

"The government mentioned 15.5 million DPs when it drafted a national rehabilitation policy in 1994. The draft paper noted that 74.52 per cent of displaced people were 'still awaiting' rehabilitation"  
(Fernandes 2000, p.277)

"Over 70 million people belong to *adivasi* Tribal people in India, also known as Scheduled Tribes (because of their special designation within the Constitution), are commonly known as *adivasis*, meaning "original inhabitants". This term also denotes their position as an indigenous population. The Government of India has taken a consistent position at the UN Working Group on Indigenous Populations that Scheduled Tribes are not equivalent to indigenous peoples. communities in India -- around eight per cent of the total population. After independence in 1947, India made special provisions designed to protect the rights of *adivasis* including enacting special regulations to protect areas of *adivasi* land from encroachment by non-*adivasis* which included restrictions on purchase and transfer of land. *Adivasis* are also granted protection under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (see above). Many areas inhabited by *adivasi* people -- notably areas of the north-east -- were granted special status under the Fifth Schedule of the Constitution.

[...]

friction between traditional community rights of *adivasis* and the pressure of powerful interests in a country where there is intense competition for land and resources, has produced a complexity of problems. A major issue of concern has been illegal encroachment by non-*adivasi* landowners onto land traditionally owned by *adivasis*. *Adivasis* often do not possess land records and much of their land is communally owned, thereby facilitating challenges to land ownership. In many areas, the authorities have failed to act to prevent

processes of dispossession and to enforce legislation designed to protect the rights of members of scheduled tribes. In addition, as *adivasis* have traditionally inhabited many of the areas of India which are rich in minerals, the process of economic liberalisation which has seen increasing investment in mining and other extraction industries, has led to widespread displacement of *adivasis* who are reported to constitute between 40 and 50% of the displaced population" (AI April 2000. Part III, Section 3)

"A huge percentage of the displaced are Adivasis (57.6 per cent in the case of Sardar Sarovar dam). Include Dalits and the figure becomes obscene. According to the Commissioner for Scheduled Castes and Tribes it's about 60 per cent. If you consider that Adivasis account for only 8 per cent and Dalits another 15 per cent of India's population, it opens up a whole other dimension to the story."  
(Roy 1999, p.21)

**Table 1 : Dams and the displacement of tribal people**

Name of Project*	State	Population facing displacement	Tribal people as percentage of displaced
Karjan	Gujarat	11,600	100
Sardar Sarovar	Gujarat	200,000	57.6
Maheshwar	M.P.	20,000	60
Bodhghat	M.P.	12,700	73.91
Icha	Bihar	30,800	80
Chandil	Bihar	37,600	87.92
Koel Karo	Bihar	66,000	88
Mahi Bajaj Sagar	Rajasthan	38,400	76.28
Polavaram	A.P.	150,000	52.90
Maithon & Panchet	Bihar	93,874	56.46
Upper Indravati	Orissa	18,500	89.20
Pong	H.P.	80,000	56.25
Inchampalli	A.P. –Maharashtra	38,100	76.28
Tultuli	Maharashtra	13,600	51.61
Daman Ganga	Gujarat	8,700	48.70
Bhakra	H.P.	36,000	34.76
Masan Reservoir	Bihar	3,700	31.00
Ukai Reservoir	Gujarat	52,000	18.92

**[Average: 63.32%]**

**Source :** Satyajit Singh, *Taming the Waters*, OUP, 1997, and Government figures.

Note: Projects are either under construction or have been planned.

(Mander, August 1999, p.15)

# PATTERNS OF DISPLACEMENT

## Conflict Induced Displacement

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### **People fleeing to Muslim majority rural areas in Gujarat often camped in forests and fields (April 2002)**

- Rural camps are often located in remote areas
- In order to reach these, the displaced have taken refuge in forests on the way

“Unlike urban camps, particularly **Shah-e-Alam Camp** in Ahmedabad, which has been visited by many, most rural camps have had few, if any, visits by outsiders. Many are located in remote areas, a long, dusty drive away from big towns and cities. Visits by outsiders especially from the majority community have been rare.

[...]

In order to reach the sanctuary of these Muslim majority areas in rural Gujarat, people have been forced to take refuge in jungles, forests, and fields for days on end, as they inch their way gradually towards safety. In Halol camp (Panchmahals) for example, one woman had come to the camp only on the day the fact-finding team visited, after hiding in fields for 24 days.” (Hindustan Times, 16 April 2002)

### **Migrant workers fleeing violence in Gujarat seek safety in Uttar Pradesh, Bihar and Mumbai (March 2002)**

- Out of fear for further violence, many migrants left to seek a safer place, moving to Uttar Pradesh, Bihar and Mumbai

“With communal violence having instilled the fear of life in the hearts of common man in Gujarat, a large number of migrant population in the state is leaving in search of a safer place despite calming of tempers in the state.

The migrant workers, mainly from Uttar Pradesh, Bihar and Rajasthan - mostly belonging to a minority group - have started leaving their dwellings. "We remained safe this time, but may be tomorrow we could be attacked. So we have decided to leave Gujarat," said a sobbing Zareena, mother of two.

[...]

Even the industry captains have noted the process. "A large chunk of workforce have not only decided to stay away from occupation in the wake of violence but also started migrating. The workers are moving towards UP, Bihar and Mumbai," said Gujarat Chamber of Commerce and Industry (GCCI) president Kalyan J. Shah.” (Expressindia, 4 March 2002)

### **Pattern of displacement in northwestern India during Kashmir tension (January 2002)**

- In Kashmir, international tension displaced people from border areas in Jammu, the majority of whom took shelter with friends and relatives
- In Rajasthan, no official evacuation took place, although displacement was reported; the migration was the highest in Sriganganagar, and the lowest in Jaisalmer

- Many of the families in Rajasthan have shifted their women and children out of the area, while old men stay behind
- In Punjab, the same pattern appeared, with women and children being moved to safe places, while the men remained behind to take care of their fields and cattle

### ***Kashmir***

"Mass exodus of families living in the border areas in Jammu is taking place while in the Kashmir Valley - notwithstanding the complexities of the situation there - migration has been minimal along the LoC." (The Hindu, 6 January 2002)

"The current tension between India and Pakistan and the military build-up along the international border and the Line of Control has caused the inhabitants of several dozen villages close to the border to leave their homes and seek refuge in safer areas. While most of the displaced people are staying temporarily with friends and relatives, several thousand of them are having to camp in buildings such as schools, a commercial centre and a disused factory." (ICRC, 1 February 2002)

### ***Rajasthan***

"Though no official evacuation has taken place in any of these districts, a number of people have left fearing for their lives. The migration is the highest in Sriganganagar - where the borders have good farmland and considerable population - and the least in Jaisalmer where habitations are few and far between though the border is the longest there at 471 km.

[...]

In Sriganganagar, the hapless people plagued both by preparations for war and a devastating drought last year reportedly resented the Army presence in their neighbourhood. In Hindumalkot area which has 20 villages, a good number of families - ranging from 10 to 96 per cent in various villages - have moved out. Many hamlets have only the elderly who either refused to move out or are too weak to risk a journey. In Rohirawali village, an estimated 86 per cent of the people have left their homes while in 16 villages falling under Matili Rathan police station area, 25 to 93 per cent of the families have left. In the Anupgarh sector, 90 per cent of the inhabitants have left villages curiously named 1 APM, 2 APM and 3 APM and 15 AA. In 5 K and 8 K of the sector half the population has moved out.

In Majhiwala village of Sriganganagar the exodus has been 15 per cent while it was as high as 80 per cent in Naggidhanewala and Mukan. In Kesrisinghpur and Gajsinghpur, large scale migration of people has been reported.

[...]

The authorities have identified 274 villages in Sriganganagar district alone for moving the persons to relief camps to be located at Nohar, Badra and Rawatsar and Lunkaransar in neighbouring districts of Hanumangarh and Bikaner. This is only if war breaks out." (The Hindu, 6 January 2002)

"There is still life in the 1000-odd border villages in the district as every one of them still has someone staying back for reasons varying from infirmity, fear of losing property left behind, or the absence of a place to go.

[...]

Many of the families have shifted their women and children out of the area while old men stay behind to recall the tales of the 1971 war among themselves and keep the morale high." (The Hindu, 13 January 2002)

### ***Punjab***

"These border villagers are resourceful and have a multi-layered support system to fend for themselves in case of war. They have been quick to move women and children to safer places. The men have remained behind to take care of their fields and cattle. Many of the locals, especially affluent Jat Sikh families which

take pride in their martial traditions, chose to shift their belongings at night to avoid embarrassment." (The Hindu, 6 January 2002)

### **Large number of displaced from Kashmir received by relatives, while ninety-five percent of IDPs in Assam (Northeast India) had to be sheltered in camps (2000)**

- A large section of the displaced people from the Kashmir are educated, and many of them are government employees

"The ratio of number of families staying in the camps compared to those in private rented accommodation is coming down. It was never high as in other cases of mass exodus. Advisees, mainly Santhals when they became displaced in western Assam had to be accommodated in fifty-eight relief and rehabilitation camps and more than ninety-five percent of them lived in these camps. In contrast, many Kashmiri displaced families received strong support of their community members and relatives staying in Jammu, Delhi and elsewhere. A sizeable section of the displaced people from the valley was educated and a sizeable number of them were government employees. It was thus possible for a large section of them to manage to avoid the harsh condition of living in the camps."

(Mishra, Sect.III)

## **Development Induced Displacement**

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### **Forced relocation is often traumatic to the local population and lack of co-ordination sometimes lead to multiple displacements (1999-2000)**

- Villagers are often not properly informed of the details of their displacement
- Lack of resources and access to alternative housing impede timely evacuation
- New mega-projects displace already resettled communities
- In some districts the population has been displaced several times in just a few decades
- The oustees from different projects tend to be clubbed together with those who are victims of political, religious or other persecutions

"The evacuation of the villages was carried out with brutal insensitivity towards the feelings of the villagers who, not unnaturally, were bewildered and distressed at being forced out of their homes. The villagers were not properly informed about the details of the evacuation: some did not even know where to go once they had been ordered to move. Many villagers did not take government announcements about the evacuation seriously. 'The government is always announcing things which it never carries out,' they told us. Some refused to believe that their villages would be submerged — or thought that, at worst, their lands would only be flooded when the Tungabhadra and Krishna rivers were in spate. Still others delayed moving either because they had no money to do so or because they had failed to find alternative housing and employment. The evacuation programme was so rushed that few villagers had enough time to move all their belongings to the resettlement sites. Worse still, when the villagers reached the new sites, they found them lacking in basic amenities — including proper housing.

[...]

Arguably the most culpable aspect of state-induced impoverishment of displaced populations is the phenomenon of multiple displacement. It has been documented, for instance, that as a direct result of the lack of co-ordination between the multiplicity of irrigation, thermal power and coal-mining agencies in

Singrauli, most oustees have been displaced at least twice, and some three or four times in a matter of two or three decades and 'with each displacement the villagers were progressively pauperised'

[...]

The utter casualness with which oustees are sometimes subjected to multiple displacement is described in the Bargi Tribunal report:

The plots allocated to the oustees for construction of new homes were chosen in cavalier fashion by the authorities. This becomes apparent when one learns of the fact that their carefully re-established homes — such as they were — fell victim to submergence once more without the slightest hint of a warning from the engineers and planners of the dam. Traumatized once, the loss of their security for the second time was unimaginable. For this second displacement no compensation was paid, compounding several times over the original injustice of forcing them to occupy plots barely one-tenth the size of their original holdings. The villagers had no choice but to put up the money to re-house themselves as they had no alternate shelter, or place to stock provisions and stores safe from the vagaries of weather.

[...]

To impose the trauma of forced relocation on any population once is grave enough. To do it again and again merely because of casualness or slipshod advance planning or lack of coordination by engineers and project officials reflects bureaucratic insensitivity and callousness at its nadir."

(Mander, August 1999, pp.10-14)

"The Rihand dam oustees of the early 1960s were displaced again a decade later to make way for coal mines, a third time for industries, and in the 1980s, for the Singrauli Super Thermal Plant. Soliga Tribal DPs of the Kabini dam in Karnataka are threatened with displacement a second time by the Rajiv Gandhi National Park (Cheria 1996). In Orissa, Chitkapar village was displaced by HAL-MIG, Sunabeda in the 1960s, by the Upper Kolab dam in the 1980s, and the Naval Armament Depot in the 1990s. Salandi dam DPs are expected to be displaced by uranium mines."

(Fernandes 2000, p.277)

"The oustees from different projects have been clubbed together with those who are victims of political, religious or other persecutions. Ethnic conflicts have generated hundreds of thousands of IDPs in the North-East, Assam, Tripura, Manipur, Arunachal Pradesh, Mizoram and Jammu and Kashmir. The Government has put all victims on a par because the criterion to assess pain, according to it, is suffering and all have gone through it. What makes the whole approach inhuman is the absence of real understanding. Political refugees want their identity recognised. But oustees want land in exchange for land. An ILO convention, to which New Delhi is a signatory, provides for the protection of rights of indigenous and tribal people. " (The Hindu, 30 April 2001)

# PHYSICAL SECURITY & FREEDOM OF MOVEMENT

## Conflict Induced Displacement

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### **IDPs in Gujarat complained of a lack of security and protection in camps and areas of origin (April 2002)**

- Displaced housed in camps complained of a lack of security and protection in the camps and in the neighborhoods from which they fled
- These fears severely restricted their freedom of movement
- In some cases, the police did not intervene to stop attacks, which was in direct violation of the Guiding Principles on Internal Displacement

“Principle 3 of the Guiding Principles on Internal Displacement stipulates that, “national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.” Principle 10 adds that displaced persons must be protected from attacks on their camps or settlements.

Residents of both camps visited by Human Rights Watch complained of the lack of security and protection both in the camps and in the neighborhoods from which they fled. As a result, many were unable to leave the camps for fear of being attacked or arrested by the police, who have been conducting combing operations in Muslim neighborhoods that were damaged or destroyed by mobs, and arbitrarily detaining Muslim youth returning to collect their belongings or assess the damage to their homes (see above). With no freedom of movement, the lack of police posts in the camps made it particularly difficult for residents to lodge FIRs with the police.

[...]

In the first week following the attacks, displaced persons in Ahmedabad also feared for their security within the camps. In some cases, the police did not intervene to stop attacks or incitement to violence, in direct violation of the Guiding Principles on Internal Displacement that state that internally displaced persons shall be protected against threats, incitement, and acts of violence intended to “spread terror” (Principle 11). On March 18, the Odhav camp in Ahmedabad was reportedly attacked with stones and petrol bombs. Camp residents told reporters that several similar attacks had taken place since the camp was set up on February 28. The police failed to intervene during the attacks, resulting in the deployment of army troops for the camp’s protection.

The insecurity in camps has been compounded by reports of loudspeakers blaring messages inciting Hindus to anti-Muslim violence from neighborhoods surrounding the camps. Citizens for Justice and Peace—a coalition of citizens from Mumbai and Ahmedabad that includes prominent human rights activists—has, among other activities, issued frequent appeals and updates since the start of the attacks. In their March 7 appeal the coalition reported that in certain camps in Ahmedabad in the week following the initial attacks camp residents were traumatized by “cassettes...played late at night, from the home of the perpetrators of the crime living in nearby societies, sending out the war-cry: ‘*Looto, kato, maro, Jai Sri Ram!*’ (Loot, attack, kill, [Praise Lord Ram!]).” An organizer for the Shah-e Alam relief camp, one of Ahmedabad’s largest camps, told reporters that the police were ignoring these new terror tactics.

A lack of protection has also resulted in the forced isolation of Muslims still residing in their homes. Afraid to leave their ghettos to get more supplies, many are facing acute food shortages in Ahmedabad.” (HRW, April 2002, pp. 53-54)

### **Lack of schools in camps exposes children to forced recruitment by armed groups (November 2001)**

“The representatives from Kashmir reported that there are no schools in the IDP camps and no other activities keeping the youth occupied. The children and the adolescents are therefore very exposed to forced recruitment and manipulation by the armed groups. Many schools have also closed in Assam and opportunities for young people are very limited, making them vulnerable to recruitment into the rebel groups. From the state of Nagaland it was reported that many children enter into an identity crisis, not knowing if they are Nagas, Indian or both. This confusion has made them victims of manipulations.” (NRC, November 2001)

### **UN Guiding Principles on protection from displacement violated in the case of the Reangs in Mizoram state (2000)**

- Preventive measures were not taken by the State and the Central Government to stop the violence, which led to the forced displacement of the Reangs

"The Principles relating to Protection from Displacements particularly those contained in Principles 5 and 9 were completely violated in their case. In terms of the Principle 5 the State and the Central Government were required to take all such measures which could have prevented their displacement. Effective measures were not taken by the State and the Central Government to contain the generalized violence towards the community. The Reangs under the circumstances were obliged to flee their homes. Principle 9 puts special obligation on States to protect against the displacement of indigenous minorities. The conflict between the majority Mizos and the minority Reangs had been brewing over a period of time but no special protection measures were taken by the State for their protection." (Saha 2000 p.11)

*[Internal Link to “The displacement of Reangs from the northeastern state of Mizoram (2000)”]*

### **In 1996, the Supreme Court of India directed the government of Arunachal Pradesh to ensure protection of the life and personal liberty of Chakma residents (2001)**

"On 9 January 1996, the Supreme Court of India, ruling in the case of *National Human Rights Commission vs State of Arunachal Pradesh and Anr*, directed the government of Arunachal Pradesh to ensure protection of the life and personal liberty of Chakmas resident in the state, and to process their applications for citizenship in accordance with law. The Supreme Court’s judgement was followed by a positive decision by the Delhi High Court. In the case of *People’s Union for Civil Liberties and Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh vs Election Commission of India and others*, the Delhi High Court ruled in favour of registering Chakmas and Hajongs as voters in Arunachal Pradesh. However, these court directives have been ignored." (SAHRDC 6 August 2001)

## Development Induced Displacement

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### **Tribal people, women and landless people often displaced - and discriminated against (1999-2000)**

- Tribal people are more dependent on forest and common property resources than other groups
- Fewer tribals than non-tribals are being properly resettled or getting benefits from the project displacing them
- Displaced women are often not considered a separate entity. A widow, unmarried adult daughter and a deserted woman will be considered as dependents to the male head of household
- Landless agricultural workers generally do not receive any compensation
- Persons protesting against development induced displacement often experience human rights violations

"Tribal people share the problems of other rural people but they are even more dependent on forests and common property resources, their documented legal rights on cultivable lands are even more tenuous, their ability to handle cash transactions in a market economy even more shaky, their skills for diversified livelihood not based on forests or land are even more rudimentary, and their ability to negotiate with state officials and courts even more weaker.

It is not surprising that fewer tribal oustees are able to access whatever facilities for rehabilitation are provided by project authorities compared to non-tribals. As Fernandes point out 'studies have shown that in Maharashtra only 15.18 per cent of the 10,147 tribal families eligible were granted land, compared to 31.4 per cent of the non-tribals [...]. The data from Orissa (Mahapatra 1992) and other states (Fernandes 1993) confirm this picture of fewer tribals than non-tribals being resettled or getting the benefits of the project' [...]

The vast majority of tribal people displaced by big projects are thus pushed inexorably into a vortex of increasing assetlessness, unemployment, debt-bondage and hunger. Chakraborty (1986) reports a precipitous 40 per cent fall in the income of Srisailam respondents, the large majority of whom were tribals, as compared to the pre-relocation period. Further 'the respondents' debt burden was found to have increased manifold in the post-relocation period; a sizeable part of cash compensation was reportedly used towards redeeming debts which further constrained investment into production assets and aspects required for agriculture' [...]

Some studies have effectively documented also how women and children are disproportionately burdened by displacement. The payment of compensation in cash directly disempowers women, because typically women are much less able, within the family, to influence decisions related to how the money is to be spent. Parasuraman (1999) documents the special vulnerabilities of women to displacement :

The case studies have one outcome in common. That is, any loss of access to traditional sources of livelihood — land, forest, sea, river, pasture, cattle or saltpan land — marginalizes women on the labour market. It is only when land and other sources are replaced that women at least partially regain their economic status.

Women not only suffered in terms of health and nutrition, they also lost the capacity to provide a secure future for their children. By resorting to seasonal migration they have unwittingly denied their children access to school, health care, child welfare, and other welfare services.

[...]

Another extremely vulnerable group of oustees is oustees without land, including landless agricultural workers. We have already observed that the only legal reparation to displaced persons recognised by Indian statutes today is compensation for loss of assets that are compulsorily acquired by the state for what the state designates as a 'public purpose'. However a landless family dependent on the acquired land for their livelihood, may be most severely pauperised by the displacement because it loses its only source of economic survival. However, the law and most rehabilitation policies still do not recognise this profound vulnerability.

At the margins of any society are people like the destitutes, beggars, the uncared for aged, women victims of violence and abandonment, the disabled, leprosy patients, the mentally ill, and children deprived of adult care. In normal circumstances, rural society has traditional means of social security and support for some — but not all — of these groups. These support systems collapse in times of crisis, and people who are anyway condemned to the margins of society are likely to be the first to fall by the wayside."

(Mander, August 1999, p.15-17)

***Amnesty International documents human rights violations of persons protesting against development induced displacement:***

"Action taken by the state against communities and peoples' movements including the NBA, protesting against threats to the human rights of those threatened with or undergoing displacement in the context of the development of the Narmada River are well documented. Arbitrary detention, ill-treatment and rape have been used by law enforcement agents against those protesting. While activists of the NBA are to some extent granted greater protections than their colleagues protesting against less well-known development projects by the media attention that the issue has gained, they continue to be subjected to threats and harassment, if not by the state directly then by other vested interests." (AI April 2001, Part III, section 1)

## **SUBSISTENCE NEEDS (HEALTH NUTRITION AND SHELTER)**

### **General**

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#### **Kashmiri displaced listed their demands on subsistence needs (May 2002)**

- The demands of the displaced included tentage accommodation, an increase in cash relief along with ration, special recruitment drive for displaced youths, as well as compensation for properties damaged in Pakistani shelling

“The Border Migrants Welfare Committee, sector Pallanwala, block Khour, headed by Mr Baldev Singh Bhau, chairman of the committee visited border areas including villages Pangali, Hamirpur, Garrar, Gigrial, Badwal, Gurah Maira, Panjtoot, Pallanwala, Khui Millan and Bardoh where heavy shelling and firing was continuing from across the border and assessed the situation arising out of yesterdays Pak shelling in which two persons in Gura Maira namely Gurdass Singh and Ravi Singh and about 15 houses damaged in Pallanwala and Gura Maira damaged besides injuries to 10 cattle heads.

As per a release the chairman after visiting the affected villages, went to Romal, Devipur and Naiwala camps and after listening to problems of people there accused the Government for neglecting the border migrants in every respect. The Chairman said continuous heavy shelling by Pak troops has caused great damage to the property and cattle heads of the migrants.

The committee asked the Government to look into the basic and genuine demands of the migrants and to take immediate steps for mitigating the demands of the border migrants.

The demands of the border migrants included tentage accommodation to all migrants, increase in cash relief from Rs 200 to Rs 500 along with ration, special recruitment drive for migrant youths, relief to Government employees’ families, construction of pucca accommodation, compensation in lieu of properties damaged and animals killed in Pak firing, waiving off of all loans of border migrants and also waiving off of Atta Chakki licence fee.” (The Daily Excelsior, 21 May 2002)

#### **General conditions in IDP camps in Gujarat (May 2002)**

- Over 100 relief camps in Gujarat sheltering over 100,000 displaced experienced a shortage of food, water and medical help
- The conditions in the camps in Ahmedabad were no different: no freedom of movement, lack of food, and unsanitary conditions
- The lack of police presence made the displaced vulnerable for attacks and gave them no opportunity to file their complaints

“There are over 100 relief camps scattered all over Gujarat with over one lakh (100,000) victims. There is shortage of food, water and medical help. Most government functionaries, particularly Ministers, do not bother to visit most of the camps, as their only inmates are Muslims. There is urgent need to reach food, water and medical help to the victims. The following is some of the organizations doing relief work in Gujarat - medicines (neatly labelled), clean clothes and funds are urgently needed.” (Onlinevolunteers, 30 May 2002)

### ***Conditions in camps in Ahmedabad:***

“Fifteen makeshift camps located in different parts of Ahmedabad, all within Muslim bastis, house at least 35,000 internally displaced people. It is feared that this figure may reach 50,000 once a complete survey of the city is carried out. These figures do not reflect the figures of displaced people from other towns and villages, however.

The condition in the relief camps is pathetic. Every resident is suffering from mental trauma, and the government and administration are treating them like prisoners in concentration camps: the survivors are not allowed to go out or move about freely, even for basic commodities. The immediate need is for milk, oil, grains, rice, tea and temporary building materials, like mandaps, etc., since the survivors at the moment are housed in makeshift accommodation in extremely unsanitary conditions.

Many of the survivors suffer from burns and other serious injuries; medicine and medical attention and health care is the need of the hour. There is also the genuine fear of an epidemic breaking out.” (Asian Human Rights Commission, 6 March 2002)

### ***HRW reported:***

“One of the camps visited by Human Rights Watch, at Dariyakhan Ghummat in the Shahibaug area of Ahmedabad, was formerly a municipal school for first to seventh graders and has been hosting people since February 28. The school was also used as a camp during the 1985 riots. As of the fourth week of March, the camp housed a total of 5,100 people though the numbers rose and fell depending on security conditions outside. Between March 16 and 19 for example, immediately after the March 15 events in Ayodhya that many feared would lead to more attacks, the camp absorbed 2,500 more people. Each classroom in the municipal school building, approximately fifteen by fifteen feet in size, housed fifty to sixty people, mostly women and children. The men slept outside under makeshift shelters. For over a week following the attacks, residents lived and slept in the same clothes in which they fled. Many left their homes without even shoes.

At Chartoda Kabristan, Gomtipur, the second camp visited by Human Rights Watch in Ahmedabad, residents were living in the most inhumane conditions. The camp is situated in a Muslim cemetery (kabristan). Many of its 6,000 residents were literally sleeping in the spaces between the graves. One resident remarked, “Usually the dead sleep here, now the living are sleeping here.”

Both camps were receiving assistance from NGOs and Muslim organizations in Gujarat, as well as limited food rations from the government. No police posts had been set up in the majority-Muslim camps in Ahmedabad and no security had been provided to camp residents, leaving residents unprotected and unable to register formal complaints—to be recorded as FIRs—with the police.” (HRW, April 2002, pp. 52-53)

### **Closure of IDP camps in Gujarat threatened subsistence needs of displaced (May 2002)**

- The government began a drive to close relief camps all over Gujarat by 31 May 2002, threatening the situation of displaced who will face an end to funds that provide for food and medicines

“The government has begun an all-out drive to close relief camps all over Gujarat by May 31.

[...]

While several camps in Dahod have already been closed and the others have received an ultimatum, the pressure to close down camps in Panchmahals (Godhra) is increasing.

“We think all camps in the Panchmahals will be closed within ten days,” says Prabhatsinh Chauhan, guardian minister for the district. “I plan to shift the inmates to tented accommodation. They could stay there till their devastated houses became liveable,” he added.

But the camp inmates are not reassured with the mere promise of shelter. The closure of camps also means an end to funds that provide for food and medicines. “We do not know what would happen after May 31, when all government grant to run the camps stops,” says Mehmood Sheikh, who runs a camp in Halo.” (The Times of India, 2 May 2002)

“To make matters worse, the Gujarat government is threatening closure of many camps, and forcing people back into the very villages and neighborhoods where they were brutalized. If camps organizers refuse to comply, even the minimum government subsidy of Rs. 15 worth of food grains and Rs. 5 for miscellaneous expenses per person is being withdrawn. This has already happened in Dahod District where at least 5 relief camps have been forcibly shut.” (Citizens Initiative/Aman Ekta Manch/Shanti Abhiyan, 1 May 2002)

### **IDPs in the Northeast said to live under inhuman conditions (2000-2001)**

- Government policies toward indigenous peoples that have become displaced as a result of armed conflict claimed to be inadequate
- Throughout the Northeast, conditions for the displaced are poor and no intergovernmental or international organizations are present.
- Food aid arrives sporadically and is insufficient
- IDP camps in both Assam and Tripura reportedly lack clean water, proper sanitation, mosquito nets, clothing, proper shelters and access to education

"Government policies toward indigenous peoples that have become displaced as a result of armed conflict, though sometimes well intentioned, have been woefully inadequate. Since the early 1990s, hundreds of thousands of people have been displaced in the Northeast and Kashmir. However, the government has yet to develop a coherent IDP policy. IDPs in the Northeast remain vulnerable to infectious disease, malnutrition, and rebel attacks. Hundreds of Reangs have died of starvation and disease in camps in Mizoram, and 32 people were killed in a 1997 attack on a relief camp in Tripura State. Although hundreds of Kashmiri Hindus must reside in cardboard “rooms” in displacement facilities in Delhi, Kashmiri IDPs overall have received more substantial rehabilitation packages than their Northeastern counterparts, including semi-permanent housing and educational and medical facilities."(SAHRDC May 2001)

***Although the Kashmiri Pandits in general receive more assistance than internally displaced in the Northeast, the camp conditions are criticized:***

"The Pandit community criticizes bleak physical, educational, and economic conditions in the camps and fears that a negotiated solution giving greater autonomy to the Muslim majority might threaten its own survival in Jammu and Kashmir as a culturally and historically distinctive group." (U.S.DOS, February 2001, Section 5)

***There are several reports that the conditions for displaced in the Northeast are poor:***

"Throughout the Northeast, conditions for the displaced are poor. Violence and displacement continue in some areas, and no intergovernmental or international organizations are present. Many of the displaced live in public buildings and makeshift shelters. Most receive little medical care and have no access to formal education. Many receive food aid, but it often arrives sporadically and is insufficient." (USCR 2001)

### ***Conditions in IDP camps in Assam:***

"Over 200,000 IDPs now live in 78 relief camps in Kokrajhar and Bongaigaon districts of Assam. Conditions are very poor. Shelters consist of rows of temporary sheds made of polythene and aluminium sheets. People sleep on the ground on makeshift beds of bamboo; and there is a lack of clean drinking water; and diseases such as malaria, jaundice, dysentery, diarrhoea and influenza pose a serious threat. Groups of five to six people are forced to share essentials. To supplement food rations, which are adequate for at most 10 days a month, they are compelled to consume snails, insects and wild plants. Pregnant women, children, and the elderly suffer the highest health risks in the camps. Over the past couple years, camps have been attacked repeatedly, leaving several dead and dozens injured.

Displaced Bengalis in Tripura live in similar conditions." (SAHRDC 2001)

### ***Conditions in IDP camps in Tripura:***

"The 36,000 displaced Reangs in Tripura live in a camp in Kanchan in conditions that Prof. K. Debbarma of Shillong University calls 'inhuman'. They lack proper sanitation, mosquito nets, and clothing, and their shelters do not have proper roofs. There is no supply of clean drinking water in the camp. According to Debbarma, the displaced take water from streams that are unclean. He said that hundreds of people have become ill or died from dysentery. Doctors from a local hospital visit the camp but lack sufficient medications. The displaced in Tripura are receiving some food aid; some also find day labor. That is causing tensions with poor local people, however, as the displaced often work for lower wages. Locals are also upset because the displaced are cutting much firewood and causing deforestation. On December 25, 1997, *The Hindu* (India) reported that 17 displaced Reangs in Tripura had died between November 3 and December 16 of starvation and disease. It said, "The situation [in the camps] took a turn for the worse after the State government suspended [the] supply of rations on December 1 to put pressure on the refugees [sic] to return to their state." Further health problems were reported in mid-1998. According to the June 6, 1998 *Statesman* (India), "More than 100 Reang refugees [sic] have succumbed to gastroenteritis in camps in north Tripura over the last fortnight."

(USCR January 2000, p.15)

"[UN Guiding] Principle 18 [on Internal Displacement] talks about making available essential food, potable water, basic shelter, essential medical services, etc. The conditions in the camps are not satisfactory as they lack basic amenities. There is no facility for education. The Central Government is meeting the expenditure in providing assistance in terms of essential food and other amenities but the same is not adequate enough considering their long stay in camps. The State Government of Tripura is also not able to provide adequate assistance as the State is currently afflicted with serious insurgency problems and ethnic conflicts. As the Reangs are not getting adequate assistance, Principle 18 stands violated to some extent." (Saha 2000 p.11)

### **Subsistence needs of displaced Nagas in Manipur (January 2002)**

- Displaced Nagas experience threats from diseases due to lack of adequate food, housing, clothing, sanitation and adequate health care provisions
- The Kakching Meira Paibis (Meitei Women's group) have allegedly obstructed the Nagas access to buy ration and other basic amenities, and have intercepted trucks with food meant for the displaced

"Unless tangible resolution emerges, the plights of the internally displaced Nagas will likely become worse, complicating the already alarming disarrayed situation and may even threaten the fragile Indo-Naga peace process. The threat from diseases is overwhelming due to lack of adequate food, housing, clothing, sanitation and adequate health care provisions. Diseases such as viral fever, malaria, Diaphoresis, etc. are

becoming common and unless immediate actions are taken up, there is a large threat of even epidemics spreading affecting the larger community. The frustrations, fears and the disparities in these relief camps may lead to many undesirable social strife endangering social harmony in the host areas and also spilling out into areas where it has not been affected so far.

[...]

Speaking to the team, Dr. Nelson Vashum, whose family also constituted part of the displaced persons and who has been providing free medical check up to the various camps in Senapati, said “diseases like viral fever, Gastro Enteritis, Diarrhea, fever and vomiting are been identified and malaria has been a common case with the changing season around the town. Timely intervention is the need of the hour with the possible threats of epidemics”

[...]

#### **Children and Women:**

The children and women folk who form the most vulnerable section of the current displaced situation cannot be taken for granted anymore. Children removed from their normal habitual place have been undergoing many emotional and mental dislocation due to abrupt and traumatic changes made at this tender age. The lack of proper space for recreation, improper sanitation, housing, clothes and the threat from communicable diseases from a hostile habitation have created conditions for physical and psychological scars. The non-recognition on the part of the state government of the thousands of displaced persons and failure to provide basic humanitarian assistance has caused a lot of emotional and physical fracas. Ms. (Dr.) Gina Shangkham, President, Naga Women’ s Union Manipur and also the coordinator for the Local Relief Committee of the UNCWG while addressing a humanitarian appeal to the Deputy Commissioners of Senapati, Ukhrul, Tamenglong and Chandel on 18 th september, 2001 drew the attention of the many displaced peoples camps and the failure of the administration to provide medicine, baby food, etc, after a lapse of more than three months where children and women have been lingering in abject indignities due to the state not wanting to take responsibility and continuing to evade the acknowledgement of the existence of the internally displaced persons.

[...]

#### ***Displaced Nagas were obstructed in accessing rations:***

Naga Women’ s Forum, Chandel through its statement published in Nagaland Post (7th August 2001) have alleged that the Kakching Meira Paibis (Meitei Women’ s group) were obstructing the Nagas access to buy ration and other basic amenities, apart from forceful economic censoring such as unloading foods from public carriers meant for the displaced Nagas.

Nagaland Baptist Churches Council (NBCC) and Council of Naga Baptist Churches (CNBC), the two apex church organizations, expressed serious concern over the plight of Nagas who had fled the Imphal valley in the wake of anti-ceasefire stir in the valley. The organizations also called upon all Naga churches, irrespective of their denominations, to request their members to bear the cost of at least one meal towards relief of those displaced Nagas. (Nagaland Post- 11 August 2001)

On 13 August 2001 nine trucks bound for Tamenglong district headquarter and loaded with rice and other essential commodities worth at Rs. 23 lakhs was intercepted by Meira Paibis (Meitei women’ s organization) of Manipur at Awangkhumou around 10 am on Sunday and robbed of the essentials. (Nagaland Post – 14 August 2001).” (NPMHR, 5 January 2002)

## Health

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### **IDPs in Gujarat were in desperate need of medical care and trauma counseling (April 2002)**

- Displaced already in need of medical attention and trauma counseling, faced overcrowded and unhygienic conditions in camps
- The spread of cholera, gastroenteritis, jaundice, as well as respiratory infections and dehydration was feared
- Even commonly available medicines were not available in the relief camp

“According to Principle 19 of the Guiding Principles on Internal Displacement, “all wounded and sick internally displaced persons shall receive to the fullest extent possible and with the least possible delay, the medical care and attention they require without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.” Principle 19 (2) adds that, “special attention should be paid to the health needs of women, including access to female health care providers and services... as well as appropriate counseling for victims of sexual and other abuses.” It continues in Principle 19 (3): “special attention should also be given to the prevention of contagious diseases.”

Residents of relief camps in Gujarat are in desperate need of medical attention and trauma counseling. In some camps, babies have been delivered without any medical support. Seven days after arriving at the Dariyakhan Ghummat camp in Ahmedabad, the residents were finally provided with sanitation facilities such as toilets, that too from a local nongovernmental organization. During the first weeks there was an outbreak of gastroenteritis in the camp and camp residents suffered from diarrhea and vomiting. Private doctors finally reached the camp a few weeks after it was set up to stem the outbreak.

By mid-April measles had broken out in the relief camps in Ahmedabad, raising fears of an epidemic. The overcrowded and unhygienic conditions in the camps—which include a shortage of toilets—have made it impossible to quarantine victims. According to a senior health ministry official in Delhi: “People are being forced to defecate in the open, ”a breeding ground for mosquitoes and fleas. “In the absence of enough tents,” he added, “people are sleeping outside, exposing themselves to the virus.” The Gujarat government and the union health ministry have started working with voluntary organizations to launch vaccination drives in the camps. With temperature soaring above 40 degrees celsius (105 degrees fahrenheit), the threat of summer diseases also loom large. The spread of cholera, gastroenteritis, jaundice, as well as respiratory infections and dehydration is also feared. The federal government announced in mid-April that it would sanction medicine worth Rs. 82.6 million for use in the camps, as requested by the Gujarat government. Although government agencies have also begun setting up medical camps, the infrastructure is reportedly inadequate. The Indian Red Cross Society has also been providing medical relief in violence-affected areas.

The psychological impact on victims of the communal violence is immense. Aid workers have cited an urgent need for counseling to help the victims cope with their trauma. Sociologist Susan Vishwanathan told *Channelnewsasia*, “The psychological degradation that comes from watching people closest to you being killed, raped, mutilated, ravaged. These [are] far greater than that of loss of material possessions.” Rape victims are also in desperate need of psychological support.” (HRW, April 2002, p.56)

#### ***Medicines were also lacking in the camps:***

“He showed a long-list of medicines which were in short supply. Even commonly available medicines like cough syrup, chloroquin, polyvitamin, brufane, paracetamol and safrocin among others are not available in the relief camp.

"There is a severe paucity of medicines in the camp," Dr Ansari said adding, most of the affected people are in a very poor shape and vulnerable to diseases.

[...]

One of the school room has been converted into a make-shift clinic in Dariakhan Gumbat camp. Patients are lying on the floor and are being given intravenous drips. There is total confusion inside the clinic and the doctor too, after working 24 hours, is very tired but he is not giving up." (Hindustan Times, 12 March 2002)

### **The health situation of internally displaced from the Kashmir conflict is deteriorating (2001-2002)**

- A study shows that the internally displaced in Jammu are experiencing both an increase in traditional illnesses and a host of new diseases
- Psychological and mental disorders are increasing
- Main reasons are problems of acclimatisation to the tropical environment, congestion, insanitary and unhygienic living conditions, inadequate medical facilities and malnutrition
- Stress caused premature ageing and manifold problems, and an alarming growth was found in diseases like diabetes and hyper-tension

"When more than 50,000 families were forced to flee the Kashmir Valley a decade ago by secessionist violence, the only wealth that most were left with was their life. Today, even that life stands threatened, for their health is failing them. The camps housing 4,100 of the 29,000 families who took refuge in Jammu, resemble the waiting rooms of a metropolitan government hospital, housing outstation patients and their several attendants.

Says Dr P K Hak, associate professor, Medical College, Srinagar, and author of a study, Kashmiri Migrants' Health Trauma, which draws upon the collective experience of displaced doctors, "While the incidence of the ailments the exiled community suffered traditionally has increased, a host of new diseases and syndromes previously unknown or rare is also afflicting them."

Blaming the disease upsurge on the migration, he adds that the problems of acclimatisation to the tropical environment, congestion, insanitary and unhygienic living conditions, inadequate medical facilities and malnutrition have exacerbated the migrants' condition.

The diseases that have made a debut among the community read like a who's who of the hitherto missing ailments in the community. Elaborates Hak, "Malaria has caused great morbidity in the community because it lacked the immunity acquired by people living in endemic areas. Overcrowding has caused a greater number of pneumonia and tuberculosis cases in the community. Skin diseases afflict almost all. Most patients flock to clinics with renal colics, renal stones and renal infections. Angina pectoris has got precipitated in a larger number of people because of the hostile conditions. Hypertension is common even in the youth."

Stress diabetes is a new syndrome. [...] A large number of displaced Kashmiri diabetics have no other visible factors except stress."

Psychological and mental disorders are epidemic in proportion. Says Dr J R Thapa, consultant neuropsychiatrist, Psychiatric Diseases Hospital, Jammu: "Reactive depression is very common in the youth. Males have overt depression. Female complaints are more somatic in nature. Older people have retarded depression. Also, borderline cases have got precipitated. It's mostly paranoid psychosis. Sensitive people have had nervous breakdowns. Even schizophrenia has got precipitated in vulnerable cases."

Adds Dr Chandramohan, head of the Psychiatric Diseases Hospital, Jammu, "People are living under constant uncertainty, which has created chronic, impending and ongoing phobias."

Neurological disorders have also increased. Says consultant neurologist Dr Sushil Razdan, "Dozens of patients have died due to heat stroke. The incidence of neurocysticercosis has also increased." Adds he, "Overall, the old, the very young and women are the worst sufferers." The repercussions have been

alarming. Analyses Dr K L Chowdhury, an eminent physician, "The whole population has aged prematurely by 10-15 years--not just in physical appearance, but in the functional deficit of various organ systems." (The Indian Express, 19 June 2001)

"Psychological and metabolic stress are leading to rise in deaths and diseases, besides dwindling birth rates among Kashmiri migrants in camps at Jammu, according to a study here.

The survey conducted here on three dwellings in migrant camps at Muthi Phase-I and II found 30 cases of asthma, 46 cases of heart ailments, 98 cases of neurotic disorders, 105 cases of diabetic, 80 cases of blood pressure and 208 cases of depression.

The survey by National Service Scheme (NSS) also found 250 deaths as against 93 births in these camps during 2001-02.

It said the inmates of the camps have lost much more than their homes and properties, including their very own identity which made them a class within their own self.

The people in the age group of 50-70 years who belong to middle class in the camps, set up with a rural background, were found having a feeling of marginalization and a sense of depressing mental stagnation.

The younger generation, the survey said, has a simmering discontent against the administrative indifference and a feeling that nobody was listening to them.

It said the camp houses people having educational qualification from tenth class to masters and even technically qualified youngmen and women.

But, lack of work has led to a feeling of alienation and thus making them an easy victims of drug menace, the survey said, adding some youngsters were in need of help from a de-addiction and psychiatric centres.

Accommodation was yet another vital problem in the camps. Living in ghetto like conditions, these migrants do feel a kind of cultural suffocation and deprivation.

Stress has caused premature ageing and manifold problems, it said, adding an alarming growth was found in diseases like diabetes and hyper-tension and many suffer from depression.

They survey also pointed out that these camp dwellers had fears of losing their language and in the process they are pained to lose their great cultural heritage and traditions." (The Daily Excelsior, 11 March 2002)

### **Reang internally displaced in relief camps are reported to run a serious health risk (2001)**

"Death stalks Reang refugees now sheltered in six camps in Kanchanpur subdivision in North Tripura district. During the last 10 days, 25 camp inmates died of malaria and gastroenteritis. The Reangs or Brus (now about 32,000 in all) who fled from neighbouring Mizoram following fierce ethnic clashes with Mizos in October-November 1997, are now a miserable lot. Uncertainty looms large over their future as several rounds of talks for their repatriation to Mizoram failed to yield any result. The Reang camps have become virtually death traps as diseases and malnutrition take their toll every year during this time. According to Tuichharai Bru, president of 'Mizoram Bru-refugee Committee,' while 25 inmates, mainly children and old persons died of malaria during the last 10 days only, the figure stood at 250 in the last one year. He alleged that the civil and health administration failed to provide adequate medical facilities to the refugees. As the reports of deaths poured in from the camps, the administration sent medical teams to the affected areas. But shortage of medicines as well health staff has made their task impossible. The two doctors now present in

the camps cannot cope with the fast deteriorating situation. Dr Shiromani Debbarma maintained that they could not arrest the occurrence of deaths for dearth of medicines. The inmates alleged that the civil administration did not take necessary steps for providing safe drinking water. For example, at Kashirampara camp out of five ring-wells, four are dried up while out of 13 mark-II tubewells, nine are out of order."

## **Food and nutrition**

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### **Government food aid is often insufficient and risk of malnutrition has been reported (2000)**

- State assistance to IDPs in Patgaon camp in Assam is said to be insufficient and only arrive sporadically
- Inadequate relief and continuing conflict could lead to further malnutrition among the displaced
- Some IDPs are not likely to benefit from normal harvests for the next three years

"Most of the displaced USCR visited receive some food aid, primarily from the state government, but aid appeared to arrive sporadically, and the displaced complained that it was insufficient. At Patgaon camp, home to 158 displaced ethnic Nepali families, the group's leader, Mr. K. B. Rana, told USCR, "We are receiving some assistance: rice, dahl, oil, and salt. But the district commissioner has said he can only assist us temporarily, and that we should move on from here."

[...]

[Mr. Thomas, of the Indian Council on Social Science,] described conditions for displaced persons in Manipur as "pathetic." Thomas, an expert on Manipur who has visited the displaced there, said, "People who have been uprooted from their homes and hearths are living dangerously on the edge." He added that inadequate relief and continuing conflict could lead to further malnutrition, sickness, and death. According to D. Kam Santhang, a member of the Zomi Council, a Paites support group, displaced Paites lack food, and have no medical facilities. There are no free medicines at the district hospital. If people are able to see a doctor they may receive a prescription, but do not have money to buy the medicines. They are "suffering physically and mentally, living hand-to-mouth.... It will take them three years to get back to normal harvests," Santhang said."

(USCR January 2000, p.15)

### ***Newspapers report that Santhal internally displaced face starvation:***

"Santhal refugee leaders said [in June 2001] they have not been getting any government relief. "We have been surviving for months together on wild roots, herbs, and even rats," said Dilip Murmu, a young Santhal refugee.

"We got five kilograms (11 pounds) of rice from the government as relief in the month of May and nothing else after that," he added." (The New Nation, 12 June 2001)

"Every morning, [...] inmates of the Joypur relief camp, near Kokrajhar, and scores of others, go out to the jungles in the vicinity to look for wild tubers and roots. Others [...] set out with axes and some other iron implements to dig out the stumps of trees, felled illegally in the past, and sell them to buyers along the highway. After all, every rupee is important. Eating a meal of mashed wild potatoes (which need to be soaked in water overnight), [...] Scores of these refugees have already started migrating to neighbouring Bhutan (no travel documents are required for Indians to travel to Bhutan) to work for daily wages. Life has been indeed difficult for these people." (The Hindu, 26 May 2000)

## Shelter

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### **Shelter was major concern for displaced fleeing tension in Kashmir (January 2002)**

- Displacement caused by Indian-Pakistan tension created an urgent need for shelter

"Mass exodus of families living in the border areas in Jammu is taking place while in the Kashmir Valley - notwithstanding the complexities of the situation there - migration has been minimal along the LoC. The exodus from Jammu - when winter is at its worst - has created an unusually high demand for makeshift tents which the authorities are not able to cope with.

[...]

"Our plight is not being taken note of," said Ram Lal, a migrant from the Akhnoor sector. The authorities have announced long school holidays as the buildings are being converted into makeshift camps. This is besides thousands of tents already pitched for migrants from Samba, RS Pura, Akhnoor, Rajouri and Poonch. A senior officer says, "we have been trying to accommodate them but the panic is pushing more and more people towards migration". (The Hindu, 6 January 2002)

### **Displaced Hindu Pandits in New Delhi can not afford proper housing while camp conditions in Jammu are poor (2000)**

- In New Dehli entire families live in separate enclosures created by cloth and cardboard
- In camps in Jammu, the tents are often torn
- Other accommodation whether in tents, tenements or government buildings is insufficient and use of sub-standards material in construction has made these accommodations unsafe

"At the Hauz Rani Community Center, one of the centers for displaced Hindu Pandits in New Delhi that USCR visited, there were some 50 families (200 people) in residence. They live in "rooms" that they have created by using cloth and cardboard to create separate enclosures for each family. The camp residents said they remain there despite the poor conditions because rent elsewhere in New Delhi is too expensive for them. One displaced man said that the average displaced person who has a job earns 3,000 rupees per month and receives 1,200 in government aid for the family. That is a total income of some 4,200 rupees (U.S. \$96) per month. The average rent for a very modest room in New Delhi is about 2,000 rupees (U.S. \$46) per month plus electricity and water."

(USCR 2000, India chapter)

"Eighteen camps have been set by the administration for the displaced people in the Jammu region. Such camps are located in Jammu. Largest camps of the uprooted people are at Purkhoo, Mishriwala and Nagrota. A large number of displaced families have been accommodated in government quarters at Top Sherkhania, Janipura, Sarwal and Reasi. These people have not been given camp – status which involves government assistance and subsidies. In Delhi, there are fifteen camps sponsored by Delhi administration in community halls spread across the city. The transit camps are located in Mar colony and Lajpat Nagar. Condition inside the camps is far from satisfactory. In quite a few camps in Jammu, the tents are generally in torn condition. The accommodation whether in tents, tenements or government buildings is very insufficient causing great inconvenience. Use of sub-standards material in construction has made these accommodations quite unsafe."

(Mishra 2000 Sect.III)

## Water needs

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### Displaced fleeing Indian-Pakistani tension in need of water (May 2002)

- People displaced by Indian-Pakistan tension faced acute shortage of water

“Mr Madan Lal Sharma, former Minister and president Jammu (rural) District Congress Committee, has expressed concern over unprovoked firing by Pakistan along LoC and International Border in Samba, R S Pura, Chhamb and Poonch sector, which has resulted into fresh migration.

In a statement here Mr Sharma urged upon the State Government to act swiftly and shift the civil population to safer places in camps with adequate arrangements of basic amenities of life like ration, drinking water, electricity and medicare.

Mr Sharma and other functionaries of the Congress party have, meanwhile, expressed concern over scarcity of drinking water in Kandi belt of Akhnoor and Khour blocks. They said that most of the PHE schemes meant for supply of drinking water through Lift Water Schemes have become defunct and the people are facing acute shortage of the commodity. Giving an example of Thorni Water Lift scheme which used to supply drinking water in Chowki Choura areas has become defunct for the last one month due to alleged negligence of PHE Department, Mr Sharma demanded that the same scheme should be made functional immediately. He urged on the authorities to press water tankers into service to make available water to the people.” (The Daily Excelsior, 19 May 2002)

# ACCESS TO EDUCATION

## General

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### **Displaced Nagas in Manipur see their education opportunities threatened (January 2002)**

- Displaced Naga students have been demanding the transfer of examination centres out of security fears
- The entering of displaced students in other schools has been limited due to problems such as odd timing for admission, difference in syllabus, difference in examination patterns, juridical limitations, etc

“The student community forms one of the most affected amongst the displaced persons in the backdrop of the recent events. Writing to the Chief Minister of Nagaland state, the All Naga Students Association, Manipur Dated 11th September 2001, cites “Life has been made very insecure and uncertain for the minority Nagas at Imphal due to numerous threats and coercion... In this hostile environment of psychological trauma, the mental health of the students are put into extreme risk to continue with their studies.” The affected students community have been demanding the transfer of examination centers to the more secure hill districts, which have been met with extreme uncooperative attitude of the officials in the department of Education. Many of the students are harassed and traumatized over the various complication faced by them, such as seeking readmission to different institutions, inaccessibility to get their enrolment or transfer documents for making alternative choices for place of studies, lack of adequate courses in the hill area institutions, etc. The parents of these victimized students along with students organization such as All Naga students Manipur (ANSAM) have taken steps to look for alternatives such as seeking admissions for schools and university in neighbouring Nagaland state. ANSAM has also approach Nagaland state Government, Nagaland Board of school Education, Nagaland University, etc, to provide affiliation to the schools and colleges for the contiguous Naga dominated areas under the administration of Manipur. However, due to various formalities involved and problems such as odd timing for admission, difference in syllabus, difference in examination patterns, juridical limitations, etc, have continued to limit the free access to learning and threatened the future of many thousand students. The dangerous potent of untimely attendance to the fears of the students and youth can cause further repercussions.” (NPMHR, 5 January 2002)

### **Education in IDP camps often provided by the displaced themselves (2000)**

"In most camps [in western Assam], there was little medical care and no formal education. In some camps, former teachers, themselves displaced, held informal classes. Residents of Kachugaon camp had started a school with no government help; some 120 children were enrolled. The displaced used a donation from Lutheran World Service to offer the four teachers at the school a small stipend."  
(USCR January 2000, p.15)

### ***Displaced Kashmiri Pandits have had better access to education, but improvements are needed:***

"While some Kashmiri Pandit students have received preferential admission to educational institutions, in general their educational needs have not been fully met. There is need for specific commitment and government action to meet the needs of IDP students." (Saha 2000 p.28)

# ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

## Employment

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### **Some displaced Kashmiris were recruited in the police force (April 2002)**

- The Director General of Police recruited 57 displaced youths on the spot in camps
- In Jammu province, the camps in which the police recruited were Purkhoo Migrant Camp and Migrant Camp Udhampur

“The Director General of Police Mr A K Suri recruited 57 eligible migrant youth on the spot at the Nagrota Migrant Camp. With this recruitment the total number of migrant youth inducted in the State Police on-spot has gone upto.

Earlier, 164 youth were recruited on-spot at Purkhoo Migrant Camp, Jammu and 33 at Migrant Camp Batal Ballian, Udhampur.

According to a police spokesman it is perhaps for the first time in the country that a State’s police chief visits remote and border areas and personally selects on-spot eligible youth for the force. So far, the DGP has recruited on-spot 4020 youth belonging to different parts of the State.

On the directions of the Chief Minister, Dr Farooq Abdullah, the on-spot recruitment drives have been carried out at various places by the DGP with a view to have best in the force and also to provide employment to the youth of comparatively hitherto unrepresented areas by taking them into police fold, the spokesman added.

The spokesman said that prior to yesterday’s recruitment at Nagrota Migrant Camp, the on-spot recruitment has been undertaken at atleast 42 places across the State.

#### ***Among these places there were IDP camps:***

[...]

In Jammu province, the places are Purkhoo Migrant Camp, Jammu border, Chatta, Malatop, Sumb and Bishnah, Bani Machhedi, Badnot, Malhar, Lowang, Hiranagar, Kote Panu, Badesar, Keri, Sunderbani, Malkhyain, Kotranka, Pindigah, Balnoi, Balakot, Haveli, Surankot, Mendhar, Marmat, Machel, Dachhan, marwah, Dessa, Neel, Batroo, Mahu Mangit, Mahore, Chassana, Deval, Basantgarh, Migrant Camp Udhampur, Tuli and Reasi.” (The Daily Excelsior, 18 April 2002)

### **Displaced Kashmiri youths face exclusion from local employment opportunities (January 2002)**

- Despite higher grades, the Kashmiri State government allegedly excluded displaced students from employment

“At Purkhoo and Muthi besides the camp inmates the Principles of the two institutes also putforth the problems being faced by the displaced students in camp schools.

An unemployed youth at Mishriwala while narrating the woes of the community alleged that State Government has closed the doors of employment for the community youth despite having the better percentage of marks than the students of Valley who qualified their examinations after mass copying during the turmoil period.

Expressing concern over the plight of displaced students an activist of PK at Purkhoo said that the students of majority community are being taken on national tours while no such provision has been kept for the displaced students.” (The Daily Excelsior, 21 January 2002)

### **Displaced Kashmiris experience discrimination with regard to secondary labour conditions (January 2002)**

- The All Displaced Kashmiri Employees Forum stated that many displaced employees have been deprived of benefits and stand lower in the hierarchy than colleagues in Valley

“All Displaced Kashmiri Employees Forum (ADKEF) has expressed serious concern over the piling up of the cases of migrant employees with Government taking no interest in solving the same.

In a statement issued here today, the Forum chief, Mr M K Tickoo alleged that despite the assurances given from time to time no concrete steps were taken by the Government to redress the genuine problems of the displaced employees.

He said many displaced employees have been deprived of pension benefits as their cases are lingering in the departments while a big chunk of the employees have been deprived of insitu promotion benefits on one pretext or the other by the authorities.

Mr Tickoo alleged that migrant employees have also been deprived of the promotion benefits and have become juniors to their colleagues in Valley.” (The Daily Excelsior, 22 January 2002)

### **Displaced Nagas employed with Manipur’s government organized to address job insecurity (January 2002)**

“The displaced Nagas who are employed with the state government of Manipur have organized themselves into Naga Employees Federation to pressure the Government administration to look into their problems. The state government employees and their families who are stationed at Imphal due to the communication, economic and professional needs constitute a large section of the displaced persons. The General Body Meeting of the Naga Employees Federations held on 13th August 2001 at Senapati has endorsed the resolution of the previous meeting (4&5th August 2001) which reads- “The Federation shall submit a representation to the Chief secretary and other concern authority incorporating the following points; a) Protection of service of the employee who are displaced b) to make payment of salaries of Naga employees through the districts, irrespective of their present place of postings c) to make alternative administrative posting arrangement for all Naga Employees in the four hill districts of Chandel, Tamenglong, Ukhrul and Senapati”.” (NPMHR, 5 January 2002)

## Participation in Elections

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### **Displaced in Gujarat unwilling to vote, accusing the state of failing to address their needs (April 2002)**

- Camp residents in Gujarat decided not to vote if the peace was not restored soon
- They quoted inconsistencies between promises made and relief received as the reason not to return home

“Inmates of various relief camps in the city are unanimous about one factor other than the fact that there are hardly any amenities provided to them -- that they will not vote this time if peace is not restored immediately.

Their decision is clear: Narendra Modi may be looking for a fresh mandate but they are not prepared to exercise their franchise. The riot-hit are less than impressed with the now-overtly evident administrative strategy in coaxing the victims to go back home.

[...]

"Without rebuilding our burnt-down homes, without telling us how we would earn our living, do they expect us to cast our vote in their favour ? They now give us a paltry sum of Rs 15,000 when Rs 50,000 was promised by the Prime Minister himself for rebuilding our homes. This inconsistency between promises made and compensation given is keeping us from going back home," said Marwari, who was referring to the chief minister's Sunday-visit to the camp.

Disillusionment on the democratic structure is equally strong in Shah-e-Alam Roza camp where even on Monday riot-victims continued to flow in even as the BJP went into poll mode. Riot-hit families from areas like Danilimda and Gomtipur came in on Sunday and took the total figure to 12,500 at Shah-e-Alam camp alone.

"The camp is brimming to capacity and our requests to set up a similar camp close-by has not yet been approved by the state government. Not even the number of dead is arrived at, not a house compensation paid and only seven of the 131 families in our camp who lost their near ones to the riots have got compensated. How can anyone be in a mood to vote," lamented chief-coordinator of Shah-e-Alam Roza camp Mohsin Qadri.

Safi Memon, a volunteer at the camp, added, "But, these issues are falling by the wayside as just a couple of days back authorities from Gandhinagar began pressurising us to force these victims to go back home even if it is in an area like Naroda-Patia where 85 were burnt alive. They have even promised to give 35 kg of foodgrain to each family ready to go back. Both Congress and the BJP have failed to help the riot-struck masses, how can they expect this gross apathy to turn into votes for them ?"

[...]

Jamil-ur Rehman of the relief camp in municipal school near Dariakhan Ghummat talked of other problems dogging victims who hail from riot-torn areas like Gulbarg Society in Chamanpura, Chandkheda and Naroda-Patia.

Rehman said: "Only 50 per cent of the victims here have got the promised consolidated daily allowance of Rs 1,250. Of the promised Rs 1.5 lakh death compensation, Rs 40,000 has reached only 40 percent of victims. As regards to monetary aid for house rebuilding, filing of applications and subsequent 'panchnama' is still going on slowly. The government is blind to the riot-victims' plight." (The Times of India, 16 April 2002)

### **Polling stations in Kashmir were relocated to enable displaced to cast their votes (February 2002)**

“The Election Commission of India on the recommendations of the Chief Electoral Officer J&K has approved the relocation of polling stations in the districts of Jammu, Poonch and Rajouri. As a part of this approval, polling stations will be set up at the places where the displaced people are staying.

These polling stations have been set up at SIDCO Complex Samba, Forest office complex Dumri and Girls School Dumri. Similarly, for the migrants of Planwala polling stations have been set up in the migrant camps at Devipur, Naiwala and Bomal and Middle School Thandi Choi.

In the districts of Poonch and Rajouri 5-polling stations have been relocated in 86-Mendher segment. In Rajouri 2 polling stations have been partially relocated in 81-Nowshera Assembly segment.

The relocation of polling stations will enable the migrants of Rajouri, Poonch and Jammu to cast their votes at the places where they are staying after displacement. Similarly, the migrants of 1999 have also been provided an opportunity to cast their votes in the migrant camps itself.” (The Daily Excelsior, 19 February 2002)

### **In Tripura, more than 100,000 Bengalis who have been displaced from the Autonomous District Council (ADC) area have not been able to vote**

"More than one lakh Bengalis who have been displaced from the Autonomous District Council (ADC) area due to sustained rebel violence during the two years have not been able to vote in the ongoing ADC polls.

Only a small number of such voters asked for security and were provided with it in the Jirania area – and they voted in Burakha.

"Thousands of Bengalis who had to leave their homes in Takarjala, Jampuijala and other areas of West Tripura failed to exercise their franchise. As far as they are concerned, the elections were a farce", said the Trianmool Congress Leader, Mr. Ratan Chakraborty. The State Government's failure to provide security to three displaced people to vote exploded the myth that all was well with the Law and Order situation." (The Hindu, 6 May 2000)

## **DOCUMENTATION NEEDS AND CITIZENSHIP**

### **General**

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#### **Rehabilitation of displaced in Gujarat complicated by the destruction of personal documents (April 2002)**

“The process of rehabilitation has been further complicated by the destruction or loss of personal documents during the violence. Many relief camp residents told Human Rights Watch that their identification, education, and even medical certificates had been destroyed during the burning and looting of their homes. At the time of Human Rights Watch’s visit, no system was in place to systematically document the numbers and identities of those residing in relief camps.” (HRW, April 2002, p.59)

#### **NRC workshop stressed need of displaced for personal identification documents (November 2001)**

“In order to improve IDPs’ access to social services and to guarantee constitutional rights, participants saw a great need for issuance of personal identification documents. Currently, a number of different identity cards are used through out India. Women are often included under the family card issued in the name of the male head of household. It was strongly suggested that any unified system of personal identification card should issue individual documents, also to women.” (NRC, November 2001)

# ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

## General

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### **Development of strong Kashmiri Pandit community network has facilitated a unified position vs. the Indian government**

- Strong Kashmiri Pandit community network despite dispersal of families, loss of cultural identity and psychological stress
- A strong community network has consistently helped to sustain the struggle for survival
- Despite several groups having different political affiliations, the displaced have managed to maintain unity on questions of rights, advocacy towards the government and support to the poorer sections of the community
- Different organizations of the displaced have spread their networks in the USA and in Europe
- Some discrepancy remain on the issue of return

"Pandit homes have been taken over, jobs reassigned, and families split. There has been a change in the Pandit condition as many Pandits lead a precarious material existence. As refugees, their social organisation and political leadership have both ruptured. As a consequence, a change has taken place in Pandit self-definition, as the events of the 1990s have become interwoven with a political history that emphasises Pandit differences from the Muslim majority in the Valley. This shift in historiography was also influenced by exclusivist Muslim accounts of Kashmiri history that also gained ground during the militancy.

Finally, after the shock of the cultural and political fragmentation that followed the Pandit exodus, a new political activism is developing amongst Pandits. This activist agenda can be interpreted as a cultural self-defence mechanism; an attempt to protect a Kashmiri Pandit identity by cloaking it in the discourse of nationhood." (Evans 2001)

"Terrorism and religious extremism and consequent displacement has had devastating consequences on the socio-psychological, physical, health and demographic profile of the uprooted. Displacement has entailed deprivation of multiple rights. The damage wrought to the social base, in terms of breaking up and dispersal of families, loss of identities and psychological set up is incalculable. It has been extremely difficult for the displaced to cope up with the trauma of losing their homes and habitat and severing of cultural and community ties. As observed elsewhere too, the displaced community has seen sharp decline in the birthrate and a phenomenal increase in the death rate due to health and various psychological disorders. In spite of adversity the Kashmiri Pandits have shown remarkable resilience and unity. A very strong community network has consistently helped to sustain in the struggle for survival and existence of the displaced. In spite of several groups having several political affiliations, the unity of approach on most questions related to securing their rights, petitioning the government and for providing support to the poorer sections of the community, is note worthy. Different organizations of the displaced have spread their networks in the USA and West Europe. In recent years, they have successfully advocated the causes of their community and have brought their plight to the attention of the international community. However, the Kashmiri groups active in Jammu, Delhi and abroad differ how to respond to the measures taken by the government at securing the return of the displaced to their homes. Moreover, a vocal reaction of the community has started demanding 'Panun Kashmir' which envisages a separate homeland on the northeast of river Jhelum with Union Territory status. Not all community members are in agreement with this

demand. The younger elements are not very enthusiastic about returning to the valley. The prospect for such a return, however, is contingent on a number of conditions that do not exist today."  
(Mishra, Sect.III)

## PROPERTY ISSUES

### General

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#### **Insufficient government rehabilitation for Gujarat's IDPs obstructed their return (May 2002)**

- Prospects for return of displaced were very bleak due to violence and a lack of government rehabilitation measures
- In many camps, displaced complained about an under-valuation of property lost

"The refugees' hopes of returning home grow dimmer as the violence continues and the government's half-hearted rehabilitation measures fail to provide any real support. Prime Minister Atal Behari Vajpayee's efforts to reassure the riot-affected people during his visit to Gujarat on April 4 came rather late - 35 days after the violence began. His promises regarding relief and rehabilitation have not yet been implemented properly by the State government. The only time Chief Minister Narendra Modi visited a relief camp housing Muslims was when he trailed the Prime Minister.

During his visit, the Prime Minister promised the following rehabilitation measures to the more than 1.5 lakh [150,000] refugees:

[...]

Housing compensation in the rural areas would be Rs.15,000 for those whose homes have been partially damaged and Rs.50,000 for those whose homes have been completely destroyed. In the urban areas, the Central government would bear the cost of reconstruction on the basis of an estimate made after a comprehensive survey.

[...]

In every camp in Ahmedabad, people complained about the under-valuation of property lost. "Most of the people have got cheques for Rs.2,000 to 3,000. No one here has received more than Rs.14,000 as compensation, which is only a fraction of the actual value of their houses and belongings," said a camp organiser at Vatva. In rural Gujarat, the situation is no better. At Bamanwad village in Panchmahal district, Ganibhai Khatri's house was razed to the ground. He received only Rs.23,075 as compensation, instead of the Rs.50,000 promised by the Prime Minister. In this village the houses of around 27 Muslim families were burned. Yet, only seven families have received compensation. The government has not even recognised the presence of the relief camp in the village. Hindu neighbours of those in the camp have been helping them with food for the past two months." (Frontline, vol.19 issue 10, 11-24 May 2002)

#### **Displaced from Kashmir demand special tribunal to deal with illegal occupation of Pandit property in Kashmir (2000)**

- Displaced Kashmiri Pandits ask for compensation for the 48,000 burned or damaged houses

" Their association, Panun Kashmir, has called on the government [...] to set up a tribunal to deal with illegal occupation of Pandit property, to provide compensation for the 37,000 houses damaged and 11,000 houses burnt, to provide jobs and cash relief and to reserve parliamentary seats for the Pandits." (Saha p.27)

**Development induced displacement: most often, displaced villagers are left significantly worse off (2001)**

- Tribals and scheduled castes comprise bear a disproportionate share of the dams' social costs
- While the government promises resettlement and compensation to displaced people, most often, displaced villagers are left significantly worse off
- Last year, the state government of Madhya Pradesh reported that it has no land for rehabilitation, although 80 per cent of displaced people are in Madhya Pradesh

"Outside the courts, government policies constitute another area where the safeguarding of collective rights has been problematic. Development projects such as the construction of large dams in the Narmada Valley of Madhya Pradesh have devastated indigenous peoples and minority groups. While the dams are intended to increase farm productivity, power generation and industrial water supply, the safety risks and social and environmental costs are unacceptably high and, with better management, could be minimised. In its 2000 global survey, the World Commission of Dams reported that approximately two-thirds of the people displaced by river valley projects in India are either tribals or members of the lower castes who have the lowest incomes among the country's poor. Considering that tribals and scheduled castes comprise one-fourth of the Indian population, these groups bear a disproportionate share of the dams' social costs. In the past 50 years, over 56 million people have been uprooted as a result of dam construction, according to the 2000 survey. While the government promises resettlement and compensation to displaced people, most often, displaced villagers are left significantly worse off. Last year, the state government of Madhya Pradesh reported that it has no land for rehabilitation, an alarming statement considering that 80 per cent of displaced people are in Madhya Pradesh." (SAHRDC May 2001)

# PATTERNS OF RETURN AND RESETTLEMENT

## Return

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### **Government prepared plans to rehabilitate Kashmiri displaced (April 2002)**

- The State government prepared a plan for the return of over 100,000 Kashmiris displaced in 1989
- As per the latest figures, the number of families which migrated in 1989 and settled in Jammu division is 31,490, while as many as 21,199 families have been settled in other parts of the country

“The Jammu and Kashmir Government has prepared an action plan for the return of over one lakh Kashmiris who migrated from Kashmir owing to militancy a decade ago.

The plan, presented recently, was prepared by the Koul Committee.

The return of the migrants was one of the main election promises of the National Conference in the 1996 Assembly elections.

As per the latest figures, the number of families which had migrated in 1989 and settled in Jammu division is 31,490. This includes 27,282 Hindus, 2,303 Muslims and 1,830 Sikhs. As many as 21,199 families are settled in other parts of the country.

On the basis of wide-ranging interaction with the migrant families residing in Jammu and other parts of the country, the Koul Committee, in its report, asked the State Government to initiate a “social dialogue” through the Government as well as non-governmental agencies between the migrants and the majority community of the Valley. For this purpose, visits to the migrant camps by groups of people have been suggested. The committee has suggested revival of cultural activities and recommended a rehabilitation package for those who return within the first fortnight of arrival.” (The Hindu, 15 April 2002)

### ***But displaced showed reluctance to return:***

“There has been no encouraging response by nearly 1.25 lakh Kashmiri Pandits to return to the Valley despite an action plan amounting to Rs 2589.73 crore prepared by the Government for their return to the Valley, the Lok Sabha was informed today.

Replying to a written question, Minister of State for Home Affairs Vidyasagar Rao said the Jammu and Kashmir Government, to begin with, had identified 166 houses forming 15 clusters in Srinagar and Budgam.

The list of these clusters was published in local newspapers following which some families were personally contacted to give their consent to return to the Valley.

“Interaction meetings with some of these families were also held but none of the families have agreed to return to the valley so far,” the minister informed.” (The Daily Excelsior, 1 May 2002)

### **Security situation impeded return of Kashmiri displaced, Minister stated (March 2002)**

- A deteriorating security situation led the government to conclude that return was not possible for Kashmiri displaced
- The Minister also stated that the government is committed to their return

“The return of Kashmiri migrants is not possible till security scenario improves in the trouble-torn Valley. This was stated by the Minister of Revenue, Relief and Rehabilitation Mr Abdul Qayoom to State Assembly here today.

The Minister who was responding to a question of NC’s Sadiq Ali maintained that Government can not force these migrants to return to their homes and hearths in Kashmir in view of deteriorating security situation there.

He said Government is committed to return of the displaced Kashmiris to their homes and hearths in Valley and in this regard two committees were framed .

[...]

He said besides this another Committee was constituted under the chairmanship of Devotional Commissioner Kashmir which framed a pilot project of 43 crores as return package. "We are working on that project but due to the deteriorating security scenario it could not be given the practical shape as yet, he added." (The Daily Excelsior, 8 March 2002)

### **Unprotected and fearing for their lives, the displaced in Gujarat are unwilling to return (April 2002)**

- Displaced in Gujarat, largely unprotected by the police and authorities, have been unable and unwilling to return

“Government figures indicate that more than 98,000 people are residing in over one hundred newly created relief camps throughout the state, an overwhelming majority of them Muslim. They hold little hope for justice and remain largely unprotected by the police and local authorities. One relief camp resident asked: “The same people who shot at us are now supposed to protect us? There is no faith in the police.” A lack of faith has also kept many camp residents from approaching the police to file complaints. Fearing for their lives, or fearing arrest, many have also been unable to leave the camps to return to what is left of their homes.” (HRW, April 2002, p.6)

“Most people met by the fact-finding team stated clearly that they were unwilling to return to their villages. The scattered positioning of Muslim homes in the villages makes them feel insecure, particularly since most refugees come from villages where they are a tiny minority, vulnerable to attack at any time. Futile attempts to return since the carnage began, have only strengthened their conviction that they can only make a future for themselves in Muslim majority areas.” (Hindustan Times, 16 April 2002)

### **Gujarati displaced were threatened with closure of camps and forcible return (March-May 2002)**

- March 2002: Blaming camps to be breeding grounds for terrorism, a minister threatened to close down three camps, but the government turned his demand down
- April 2002: The Gujarat government began closing IDP camps and reportedly pressed organisers of other camps to do the same

- May 2002: The government initiated an all-out drive to close relief camps all over Gujarat by 31 May 2002
- The closure of camps meant an end to funds that provide for food and medicines

***March 2002:***

“In blatant violation of the Guiding Principles on Internal Displacement (Principle 15(d)) a local civil supplies minister in Ahmedabad, Bharat Barot, threatened to close down three camps and forcibly return camp residents to places where their security could not be guaranteed. The minister argued that the predominantly Muslim camps were breeding grounds for terrorism.

[...]

In the third week of March, Barot wrote a letter to the Minister of State for Home, Gordhan Zadaphia, asking him to dismantle the three camps in his constituency housing 6,000 people. More than three-quarters of the camps’ inhabitants are Muslim and many are residents of Naroda Patia and Gulmarg Society. Although no incidents had been reported between the camp and area residents, the letter stated that the Hindus living near these camps—in Dariapur-Kazipur—were feeling insecure because of the presence of so many riot victims. Barot also conveyed his demand to Chief Minister Narendra Modi. Barot’s plea was turned down due to severe national criticism of the role of the state government in the violence.

A thirteen-member All-party Committee on Relief and Rehabilitation (the Committee) was set up by the state government on March 16, following an announcement by Prime Minister Vajpayee in the Lok Sabha (House of the People, Indian parliament). At the first meeting of the Committee, held under the chairmanship of Governor Sunder Singh Bhandari in late March, Chief Minister Modi said that contrary to his initial proposal to close the camps by the end of March, the state would not close the camps and that the victims would not be forced to return to their homes. The Committee also agreed to deal with rehabilitation measures and proposed that they be implemented through nongovernmental organizations. The reversal was reportedly prompted by pressure by the opposition Congress party.” (HRW, April 2002, p.54)

***April 2002:***

“Virtually ignoring calls to help victims rebuild their lives, the Gujarat government has instead begun winding up camps for those displaced in two months of sectarian bloodletting.

Chief Minister Narendra Modi's government on Saturday ordered the closing down of four relief camps in eastern Gujarat's Dohad district, which adjoins Godhra town of Panchamahals district where a train torching February 27 sparked the orgy of violence that has claimed nearly 925 lives.

The Dohad camps ordered shut have 2,170 victims living in them. The government is also reportedly pressing organisers of other camps across the state -- which house about 100,000 victims -- to send the refugees back home.

The opposition Congress Party and several NGOs said the Modi government was trying to create a false impression of a return to normalcy by winding up refuge camps. They pointed out that the violence had not yet ended and many of the refugees had nowhere to go as their homes had been destroyed.

[...]

NGO activists have described the camp closure order as "vindictive," saying there was no guarantee that the inmates would be safe when they returned to their homes.

Several NGOs and inmates of relief camps have also alleged that the police are refusing to register complaints of murder, rape, arson and damage to property. They have accused the state machinery of colluding with the marauding mobs -- mostly led by Hindu zealots -- that played out a macabre dance of death in several parts of Gujarat. (Hindustan Times, 29 April 2002)

### ***May 2002:***

“The government has begun an all-out drive to close relief camps all over Gujarat by May 31.

Contrary to Prime Minister Atal Bihari Vajpayee’s assurance during his visit that the camps would continue “as long as required”, last week chief minister Narendra Modi ordered ministers to “urgently” work out a plan to close down the camps.

The ministers have two week to close all the camps. Modi is expected to seek a progress report at a cabinet meeting scheduled for Thursday.

The order comes despite the fact that only a few of the inmates of the camps have returned home. The number of inmates in rural camps remains stagnant, while in Ahmedabad, the figure is going up steadily. From 66,300 in March-end, it has grown to 80,000.

While several camps in Dahod have already been closed and the others have received an ultimatum, the pressure to close down camps in Panchmahals (Godhra) is increasing.

“We think all camps in the Panchmahals will be closed within ten days,” says Prabhatsinh Chauhan, guardian minister for the district. “I plan to shift the inmates to tented accommodation. They could stay there till their devastated houses became liveable,” he added.

But the camp inmates are not reassured with the mere promise of shelter. The closure of camps also means an end to funds that provide for food and medicines. “We do not know what would happen after May 31, when all government grant to run the camps stops,” says Mehmood Sheikh, who runs a camp in Halo.

The fact that they have complained to the police, registering FIRs and naming the people who killed their relatives and burnt down their homes, have a major part to play.

The victims fear retaliation, the authorities want the FIRs withdrawn. In fact, Sheikh alleged that at a meeting, Chauhan personally told managers of several camps that “names mentioned in the FIRs are the main hinderance for a congenial atmosphere for the inmates to return home”.” (The Times of India, 2 May 2002)

### **Displaced Nagas in Manipur blame State Administration for insecurity and have no intention of returning (January 2002)**

- The state administration was blamed for its failure in providing security and minimum humanitarian assistance to the displaced Nagas in Manipur
- It has not acknowledged the existence of the IDPs, which strengthened the resolve of almost all IDPs the NPMHR team interacted with, of not returning to the Imphal valley

“The question raised by many of the displaced persons is the hypocrisy of the state administration of Manipur whose role during the recent mob frenzy and hate campaigns against the Nagas, and the opposition to the extension of the Naga ceasefire to the Manipur state government which tantamount to anti-peace. Similarly, when the muchneeded security was required at the hilt of the mass hysteria exhibited by a section of communalist Meitei, they Nagas were abandon to their own fate to fence for themselves. When the opposition temporarily subsided in the Imphal valley, subsequent to the roll back of the ceasefire extension, the state administration, in a farce saving act, has come forward with providing security, which does not infused much confidence in the displaced Nagas, who are now determined to stay on with no intention to return to the Imphal valley again in the near future. Many of the displaced persons feel that the state administration has been one sided and no space to accommodate the views of the Nagas of Manipur

whereas, on the other hand the anti-peace Meitei agitators were given the limelight to go on with the display of terror, and thoroughly projected to the world through the controlled media, bureaucracy and the state civil/armed police force. The administration till today has not acknowledge the existence of the Internally displaced Persons which has in fact strengthened the resolve of almost all IDPs the NPMHR team interacted with, of not returning to the Imphal valley. The recent statement of the Governor of Manipur claiming that normalcy have returned in the state have made the United Naga Council to submit a 20 point facts (16th September 2001, Senapati) about the abnormality that exist and indicating the state administrations failure to initiate any confidence building measure but on the other hand continued to consistently deny the existence of the dangerous scenario. The confidential letter from the Home Secretary to the Deputy Commissioners of Senapati, Tamenglong, Ukhrul (ref.no 2/8(119)/201-HG (PT)-III Dt.5/10/01 CONFD) requesting for detail information about '10,000 Zeliangrong People who left Imphal valley are unlikely to return until the safety of their life and property is assured'. This confidential circular reflects the candid position of the state administration on the IDPs situation and its failure to take responsibility to provide security and minimum humanitarian assistance to the displaced Nagas in Manipur and which has hypocritically continued to deny the existence of the thousands internally displaced persons." (NPMHR, 5 January 2002)

### **Hindu Pandits do not foresee return to Kashmir (2001)**

- Expectations were that a return to civilian rule in Kashmir would stabilise the security situation and encourage Hindu Pandits to go back
- However, most of the Pandits who have left the Valley since 1990 are reluctant to return due to continuing violence and activism by Muslim militants
- High degree of distrust between Kashmiri Pandits and their former Muslim neighbours

"It is unlikely that most of the Pandits who have left the Valley since 1990 will return. There is a degree of distrust between Kashmiri Pandits and their former Muslim neighbours, mutual suspicion that has been further deepened by the largely indifferent attitude of the state government.[...] Today Farooq Abdullah's government is doing little to secure the return of Pandits to the Valley, but this is much the same as the gubernatorial administrations before him between 1990 and 1996. There had been great expectations, currently on ice, that a return to civilian rule would stabilise the security situation and pave the way for a return.[...] Beyond calling periodically for Pandits to return, the state government has done little to reassure Pandits that their future in the Valley can be secured. And as Balraj Puri writes, it is for Kashmiri Pandits themselves to determine when and if conditions are right to return. Balraj Puri, *Jammu and Kashmir: Regional Autonomy (A Report)* (Jammu: JayKay Bookhouse, 1999) p49

[...]

Continuing violence, and the fact that Kashmiri militant groups are not rushing to welcome the Pandits back, also reduces the likelihood of a sizeable return. Hizbullah threatened Pandits in September 1995, advising that they would 'never be allowed to settle in Kashmir' unless they joined the 'freedom struggle'.[...] And following a communal massacre in a Valley village on March 23, 1997 there were further reports of Pandits leaving the Valley.[...] All this gives more impetus to the Panun Kashmir agenda.

Several brutal communal massacres in particular have continued to deter Kashmiri Pandits thinking of returning. On January 26, 1998, 26 Kashmiri Pandits were murdered at Wandhama, a small hamlet seventeen miles north of Srinagar. Many of the victims were women and children.[...] The killings also sparked strong anger from local Muslims.[...] In the Valley, a few high profile incidents like the Wandhama killings deter returns.

In the hilly regions near Jammu, the past couple of years have seen a number of communal attacks on both Muslims and Hindus, and members of both communities have been displaced as a result.

[...]

More recent incidents hardly create a situation of normalcy in Kashmir. On March 20, 2000, thirty-five Sikh villagers were massacred at Chattisinghpora, a village near Anantnag in Southern Kashmir.[...] Carried out by 20 unidentified armed men, the killings have added a further communal dimension to recent violence. It was the first time that Kashmir's estimated 40,000 strong Sikh community has been targeted, and it strengthens the hands of those who do not want to see a heterogeneous Kashmir."(Evans 2001)

### **The Jammu and Kashmir government has abandoned a return plan for displaced Pandits(2000)**

- A return proposal by the Jammu and Kashmir government was abandoned during 2000
- Claims that there has been little effort to facilitate the return of Kashmiri Pandits to the Valley over the past years
- Displaced from Kashmir argue that the government wants them to return to show to the international community that the situation in Kashmir is back to normal
- The government return plan was rejected by the internally displaced on security grounds

"On August 18 [2000], the Jammu and Kashmir government adopted a proposal designed to facilitate the return of Pandits to the Kashmir valley and rehabilitation of the Pandits. However, various Pandit groups criticized the proposal for failing to address the political aspirations of Pandits, failing to provide economic guarantees, failing to provide adequate security for returning Pandits, and creating special economic zones that would aggravate communal tensions. The proposal abandoned during the year." (U.S. DOS February 2001, Section 5)

"[...] over 400,000 Kashmiri Pandits – out of an original population in the Kashmir Valley of 425,000 prior to 1989 – continue to be displaced. Official records indicate that some 216,820 of them live as migrants in makeshift camps at Jammu, another 143,000 at Delhi and thousands of others are now dispersed across the country. Many of those registered at the camps have also been dispersed according to the exigencies of employment and opportunities for education, trade or business. There has been little effort to facilitate their return to the Valley over the past year (2000), as earlier attempts were neutralised by brutal campaigns of selective murder, including the killing of seven Pandits at Sangrama in Budgam district in March 1997, three at Gul in Udhampur district in June 1997, 26 in the massacre at Wandhama in Srinagar district in January 1998, and 26 at Prankote in Udhampur district in April 1998. The possibility of reversing the terrorists' ethnic cleansing of the Valley remains remote, and there are now reports of a hidden migration from some of the border areas in the Jammu region where the Hindus are a minority." (SATP, July 2001)

"Most of the displaced Pandits USCR met said that they want to return home, but could only do so if the situation there changed significantly and their security was assured. A displaced Kashmiri in New Delhi said, "The government wants us in Kashmir, regardless of the [security] situation there, because it wants the world to think that the situation in Kashmir is normal." But the displaced assert that the situation is very far from normal, and that their lives would be endangered if they were to return." (USCR 2000, Displacement from Kashmir, p.3)

"There is no recorded case of any displaced family having returned to the valley and settled there permanently again. Some families of Baramulla district have returned to their native place but they have returned under the police escort when militants fired at them. A popularly elected government under Farooq Abdullah was installed in October 1996 and return of displaced with dignity and honour was listed as the top priority of the government. On 3 November 1996, the Chief Minister exhorted the pundits to return to their home but his own government and its ministers conceded that the situation in the valley is not conducive to the return of the exiled people. The state government has set up an apex committee under the Minister for Revenue and Rehabilitation to go into the entire issue and finalise long term and short term solutions. A subcommittee headed by Financial Commissioner (Planning) was appointed to prepare an

‘Action Plan for the Return of Migrants’ .The interim report of the committee maintained that ‘ security depends more on the goodwill of the majority community than on government machinery’ and that there were no visible signs of organized mobilization of opinion by the government or non government agencies to create a climate of goodwill for social acceptability of the minority community."

(Mishra, Sect.IV)

**The Indian government insists that the Mizoram state government provide the necessary conditions for the return of all Reangs displaced into Tripura state (2000)**

- Mizos believe that the Reangs are outsiders and hence have no right to claim that they are permanent settlers
- The Chief Minister of Mizoram argues that "Reangs were not original residents of Mizoram and that only 16,000 of the refugees has a valid claim to reside in the state
- Meanwhile, the Reangs are believed to be increasingly joining the insurgent groups to wage war against the Mizos
- The Indian Government and the National Human Rights Commission has called on the Mizoram and Tripura state governments to assure the immediate and safe return of the Reangs
- In August 2000, decisions were made that Reang refugees would be resettled in Tripura and that repatriation of the entire group would be completed by year's end, but nothing had been done to repatriate them by years end

"The Mizoram Government had sent a delegation led by the State Home Minister, in October, 1997 to persuade the Reangs living in camps in Tripura to return. A programme of repatriation was also chalked out with Tripura Government. "However barring 3000 Reangs most of the Reangs refused to return to Mizoram even after the Government promised to provide adequate security by deploying Central Paramilitary Forces in the area. The State Home Minister also stated that President of the Bru Students Union on March 9,1998 warned all the Reangs who had not left the state to leave the state by March 22,1998 or face excommunication by the community or even death.

The Union Home Minister Mr. L.K. Advani during his visit to North East on September, 1998 stated that " the Mizoram Government must take back every Reang tribal now housed in relief camps in Tripura for whom the Centre is bearing the expenses and there was no question of taking back selectively. He rejected the Chief Minister Mr. Lal Thanhawla's assertion that he would take back only those Reang tribals whose names were in Mizoram electoral rolls."

The Reangs living in camps have demanded guaranteed protection from the Mizoram Government as a precondition for their return to their homeland though Mizos believe that the Reangs are rank outsiders and hence have no right to claim that they are permanent settlers. The Chief Minister of Mizoram, Mr Lal Thanhawla in a statement had said that "Reangs were not original residents of Mizoram and they had crossed over to Mizoram areas from Tripura and the Chittagong Hill Tracts of Bangladesh in search of land for jhum cultivation and that his Government had no obligation to take back the Reangs." The Reangs are believed to be increasingly joining the insurgent groups to wage war against the Mizos. A high level delegation of the National Human Rights Commission (NHRC) visited the Reang camps in Tripura. The delegation members talked to the Reang leaders and also the state officials in Tripura regarding problems of the Reangs. Later on the basis of delegation's report the NHRC wrote to the Mizoram Chief Secretary " to make necessary arrangements without any further delay so that they could go back to their villages in Mizoram. Reangs living in camps are residents of Mizoram and that it was the responsibility of the state government to arrange for their immediate repatriation." The Union Government has also requested the Mizoram authorities for taking necessary steps for early return of the Reangs."

(Saha 2000 p.7-8)

"Mizoram human rights groups estimate that some 41,000 Reangs, a tribal group from Mizoram that has been displaced due to a sectarian conflict, presently are being sheltered in 6 camps in North Tripura; conditions in such camps are poor and the Tripura government has asked the central Government to allot funds for their care. Reang leaders in the camps say that their community would return to Mizoram if they were granted an autonomous district council, allotted a set number of seats in the Mizoram Assembly, and granted financial assistance for resettlement. The Mizoram government rejected these demands and maintained that only 16,000 of the refugees had a valid claim to reside in the state." (U.S. DOS, Section 2 d)

***Talks have been held between the Central Government and State Governments in Tripura and Mizoram on repatriation of displaced Reangs (2000, but conclusions of reintegration of Reangs had not been implemented by the end of 2000):***

"[On 7 August 2000] Union Home Minister, Shri L.K. Advani held a meeting with Chief Minister, Tripura, Shri Manik Sarkar and the Mizoram Home Minister, Shri Tawnluia to discuss the problem of repatriation of displaced Reangs from Mizoram who are settled in camps inside Tripura. Union Home Secretary, Additional Secretary (Home), Chief Secretary, Tripura and Joint Secretary (North East) in the Union Home Ministry were also present. It was noted that the National Human Right Commission had in October 1999 after discussions with the State Governments of Mizoram and Tripura and the representatives of Ministry of Home Affairs and after the visits to the camps, had made the following observations.

i. The Reangs living in refugee camps in Kanchanpur sub-division of Tripura are lawful inhabitants of Mizoram and the Government of Mizoram is obliged to take them back in accordance with the agreement made with the Union Home Minister in November, 1997. The Government of Mizoram should take all necessary steps to impart a sense of confidence and security to the refugees who fled from Mizoram in the wake of some ethnic tension in September-October, 1997. Dispute, if any, regarding the number of refugees, can be resolved by joint verification at the camps by a committee comprising the representatives of Government of Tripura and Mizoram and the Ministry of Home Affairs who would consult fully with a representative of the Reang refugees.

ii. The Government of India is requested to play active role on priority basis to arrange repatriation of the Reangs to Mizoram in accordance with the decision taken in the meeting of Union Home Minister in November, 1997. The Ministry of Home Affairs is further requested to impart urgent and special attention to the safety and security of the Reangs returning to their villages in Mizoram.

iii. The Ministry of Home Affairs, Government of India, State Government of Mizoram and Tripura shall keep the Commission informed of the progress made in the matter at regular intervals of at least once in two months.

2. It was noted that there were 311511 [sic: 31,511] displaced Reangs (6956 families) in these Camps in Tripura. Government of Tripura informed that they had sent the full details of the displaced persons to District authorities in Mizoram for verification.

3. Representatives of the Government of Mizoram agreed that they had received the list on 7 July, 2000 and the process of verification is on.

4. It was urged by the Union Home Minister that the verification should be expedited and the process of repatriation commenced at the earliest.

After discussions, the following decisions were taken:-

i. The first phase of repatriation of 16000 displaced persons verified by the Government of Mizoram who have been displaced from Mizoram would be completed by 30 October, 2000.

ii. In the second phase, there would be further verification of balance person left in the camps and thereafter, such of those who were found to have been displaced from Mizoram would be repatriated back by 31 December, 2000.

iii. Simultaneously tripartite talks would be held between Government of India, Government of Mizoram and Reang representatives to bring about a settlement of outstanding issues and an end to violence. (MHA- GoI, 7 August 2000)

"On August 7, following his meeting with Tripura chief minister Manik Sarkar, Union Home Minister L.K. Advani announced that an initial group of Reang refugees would be resettled in Tripura by October 31, and that repatriation of the entire group would be completed by year's end. However, while an NHRC staff member also visited Tripura to inquire into the situation of the Reangs, by year's end nothing had been done to repatriate them." (U.S. DOS, Section 2 d)

***Some recommendations for the successful return of the Reangs to Mizorama state (2000):***

"The Government of Mizoram had shown reluctance in accepting all the Reangs living in camps in the past. Both the Central Government and the NHRC have given categorical directions to the State Government of Mizoram to accept all the Reangs but the directions have not yet been complied. The fact that the directions of NHRC have also been ignored by the State Government is quite serious. Concerted efforts of the State and the Central Government can only bring about their return. Most of the Reangs would return to their villages if proper security arrangements are made. In order to assure them that no harm would come to them, such security arrangements should continue for sufficiently long period of time. It would be necessary to take strong action against the insurgent outfit "the Bru National Army" who would try by all means to prevent their return.

It would be necessary to provide adequate assistance to the Reangs on their return. They have demanded that adequate compensation should be paid for the houses which have been destroyed during the generalized violence. As the Reangs are basically dependent on subsistence agriculture in the hilly terrain and their economic conditions being very poor, it would be necessary to continue the assistance now being given in relief camps for few months after their return."

(Saha 2000 p.13)

[Internal link: [The Displacement of Reangs from the northeastern state of Mizoram \(2000\)](#)]

**Disagreement on the definition of legal residents of Mizoram is a major impediment for return of the Reang displaced population presently living in relief camps in Tripura (2001)**

- The Government of Mizoram claims to have completed the process of identifying the "legal" Reang residents of Mizoram and have placed the figure at a little over 10,000
- The Government of Tripura maintains that the actual number is over 31,000
- Both the State Government of Tripura and the Union Government urges the State Government of Mizoram to expedite the return of the displaced persons
- The Mizoram home minister said repatriation of Bru/Reangs from Tripura camps should not be implemented until the Bru National Liberation Front (BNLF) laid down arms

"The State government claims to have completed the process of identifying the "legal" Reang residents of Mizoram and have placed the figure at a little over 10,000, reports UNI. With this, the Mizoram administration has literally rubbished the claims made by Tripura that over 31,000 Reangs living in the northern refugee camps belonged to the State. The announcement could have far reaching effects on the demographic profile of the region as Mizoram can now refuse entry to over 20,000 Reangs/Brus who were claiming to be residents of the State. Placing the Reangs under two categories, the State administration claimed that while 10,142 refugees now languishing in Tripura refugee camps were the original residents of

Mizoram, the rest had come from Assam, and parts of Tripura itself. According to the State government, while 8,396 Reangs were the residents of the Aizawl district, 1,746 belonging to the southern district of Lunglei. Talking to UNI, Aizawl deputy commissioner C Ropianga claimed that the list prepared by the administration was based on records and not interviews. "Therefore, any Reang who could produce sufficient, documentary evidence on his citizenship would be added to the list," he said, adding that the administration had exhausted all means of identifying more people. In August last year, Agartala had sent a list of 31,600 Reang residents of Mizoram living in refugee camps in Tripura. But, according to the State government, since the list did not mention the details of their villages, subdivisions, Assembly segments and polling station, the administration failed to trace their antecedents. The State Home department then referred the matter to Tripura asking for complete details of the claimants. During 1997-98, several thousand Reangs had fled to Tripura fearing repression from Mizos after a forest game watcher was killed by suspected Reang rebels in October 1997. The Mizoram government has so far maintained that the Reangs were forced to leave Mizoram by the Bru National Liberation Front (BNLF), a Reang militant outfit, demanding an autonomous district council for Reangs." (The Assam Tribune, March 21, 2001)

"[...] [The Chief Minister in Tripura] Sarkar told reporters on Friday that he had discussed with Union home minister L K Advani about the 30,000 Bru/Reangs, temporarily sheltered in North Tripura district, during his recent visit to New Delhi.

According to Sarkar, Advani expressed dissatisfaction over the Mizoram government not taking any steps to solve the longstanding problem.

"We have given shelter to Bru/Reangs on a humanitarian ground and how long one can provide help to them", the chief minister asked.

While Tripura government claimed that 31,919 Reangs belonging to 6,114 families fled Mizoram and were in six camps, Mizoram government contended that it could identify only 11,015 belonging to 1,627 families as bonafide residents of Mizoram.

Mizoram home minister Tawnluia recently said repatriation of Bru/Reangs from Tripura camps should not be implemented until the Bru National Liberation Front (BNLF) laid down arms.

He said the government turned down the BNLF proposal to hold tripartite talks involving the Union home ministry as the issues were under the purview of the state." (Times of India 4 August 2001)

***The Central Government questions the position of the Mizoram authorities:***

"The Reang problem persists without any solution and the Government of Mizoram has, however, not shown the desired urgency to implement the decisions.

[...]

The continued presence of a large number of displaced Reangs from Mizoram in camps in Tripura is a security threat to both Tripura and Mizoram. There are reports of recruitment of idle youth who are getting increasingly frustrated from the camps to the ranks of the Bru National Liberation Force (BNLF), a BRU militant group.

[...]

The State Government of Mizoram would need to expedite the return of the displaced persons to bring normalcy to the State." (GOI, Annual Report 2000).

**Limited access to land hampers return - meanwhile, state support is often gradually reduced (2000)**

- Resettlement grants often used for mere survival
- No vacant land is available, and IDPs can not afford to buy land

"The Bengalis USCR visited at Balajani camp, who had been displaced for three years and had already received "resettlement grants" designed to help them make a new start, no longer received government assistance. Most had used their resettlement grants just to survive, since they had nowhere to resettle or to begin again. [...]

The displaced in western Assam express deep concern about the uncertainty of their future. The majority cannot return home because they lived in the so-called forest areas. The local authorities have told them that they cannot stay in camps and receive assistance indefinitely. But the authorities are unable to help the displaced, virtually all farmers, to find any alternative. None has the means to buy land, and there is no vacant land where they can simply settle."(USCR January 2000, p.15)

## **Resettlement and Rehabilitation**

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### **India lacks national law or policy on resettlement and rehabilitation (2000)**

- Often the people affected by the dam receive better rehabilitation packages than those affected by canals and other works
- The Indian Constitution dictates that resettlement and rehabilitation is the responsibility of individual union states
- Only three states have separate laws on rehabilitation: Maharashtra, Madhya and Karnataka
- Two public sector companies have formulated policies on resettlement and rehabilitation: Indian National thermal Power Corporation and Coal India Ltd.
- The Draft National Policy on Rehabilitation from 1998 acknowledges that displacement results in "state-induced impoverishment"
- The same draft policy states that "no developmental project can be justified if a section of society is pauperised by it"
- In 1998, the Government of India rejected the draft policy on rehabilitation and approved the Land Acquisition (Amendment) Bill

"Among the most significant adverse social impacts of dams are those that result from forceful (or involuntary) displacement of human populations from their home, fields, towns and regions.

[...]

[In this case study] Displacement was caused not only by the dam itself, but also by canals and other dam structures and infrastructure. Though the social impacts of all such displacement are essentially similar, often the people affected by the dam receive better rehabilitation packages than those affected by canals and other works. This occurs partly because sometimes the canals and other structures are completed long before or after the dam and much more attention is focused on the dam than on the other structures. Also, as the number of people affected by dams is usually (though not always) greater than that affected by canals and other works, the latter have a weaker voice." (Rangachari, ... November 2000, pp. 110-111)

"Despite the grim and harsh realities of displacement and Resettlement & Rehabilitation, there is no national policy on the subject. Under the Constitution, rehabilitation is the responsibility of individual states. [...] In the absence of a national comprehensive rehabilitation policy and act on displacement and rehabilitation, the whole process of dealing with the issue of displacement remains ad hoc and piece-meal even today. There is no uniform approach adopted by individual states towards the DPs-PAPs. [...] The three state governments which have separate Acts on rehabilitation are Maharashtra, Madhya Pradesh and Karnataka. Apart from these, two other states, namely Orissa and Rajasthan have come out with policies on R & R. Besides the state laws and policies, two public sector companies have also formulated policies on R & R of DPs. They are:

- a) The NTPC, which promulgated its policy in 1993 and a revised version in the same year.
- b) Coal India Ltd., which promulgated its policy in December 1994.

After a few earlier drafts (1993, 1994), the Ministry of Rural Development has finally come up with the Draft National Policy on Rehabilitation in 1998. This draft policy has some positive features. In the first place it does acknowledge that displacement results in “state-induced impoverishment”. It also recognises that “no developmental project can be justified if a section of society is pauperised by it.” In brief the draft policy seems to correct the shortcomings of the existing legal regime and to a large extent tries to bridge the gap between the constitutional aspiration of social justice and the anti-people and anti-poor law on acquisition.

It is significant to note that at about the same time the draft policy was drafted, the same Ministry also finalized the Land Acquisition (Amendment) Bill (LAB), 1998 widely regarded as anti-people and which actually ignored the draft policy on rehabilitation. Not unexpectedly, on the 31st of October, 1998, the Union Cabinet approved the Land Acquisition (Amendment) Bill, 1998, the Union Cabinet rejected the Draft National Policy on Rehabilitation.” (Dias, September 2000, p.11-13)

### **Gujarat government expressed uncertainty on how to resettle displaced living in Shah-e-Alam relief camp (May 2002)**

- Camp leaders in Gujarat plead with the authorities to be resettled at a place other than their home areas
- The authorities were not ready to agree on the need to provide the displaced with a separate piece of land to resettle, fearing further polarisation
- Officials acknowledged that the return of Muslims to Hindu majority areas would be the most problematic

“Even two months after the carnage struck the Naroda-Patia, Naroda and Saijpur areas of Ahmedabad, killing more than a hundred during the post-Godhra violence, the Gujarat government has no clue on how to resettle the several thousand survivors of the gruesome tragedy currently living in the Shah-e-Alam relief camp.

Chief minister Narendra Modi gave no assurance to the camp chief Mohsin Quadri and Ahmedabad Shehar Ekta Samiti member Mohammedhusen Memon, who met him here on Saturday, pleading that they be resettled at a place other than their original place of living.

[...]

Yet, Quadri admitted, "The CM and the state officialdom are still not ready to agree on the need to provide these victims with a separate piece of land for them to resettle." Said a senior bureaucrat involved in relief work, "In the official thinking, it is not possible to create more segregated localities. If segregation is allowed, including for Naroda-Patia victims, this would further polarise the two communities." During his visit here on April 4, even the prime minister had advised against this, it was suggested.

As on Saturday, the total number of people officially living in the Shah-e-Alam camp is 10,537, down from the "peak" it reached on April 12 -- 12,183. Say officials, the nearly 70,000 Muslims staying in 45-odd camps in Ahmedabad could be categorised in three - those living in Muslim majority areas; those living in mixed localities; and those living in Hindu majority areas. Of these, except 4,500 of Shah-e-Alam, 1,500 of Juhapura and 1,500 of Dariakhan Ghumat, all could return if psychological atmosphere is created.

Already, people had started returning. The Juhapura camp has 5,154 as against 6,630 a month ago, the one at Jamalpur has 1,341 as against 2,223 earlier, the one at Behrampur has a mere 826, as against 3,082. Agreed Quadri, "One cannot run the camps permanently. People will have to return home. It is so hot inside. They are doing it wherever they can. Only the poor are staying put. The surveys should take place, proper compensation be provided with and security be provided so that return takes place early."

Officials say, the first category of people living in the camps could easily return home, as they faced no security threat. As for the second category, security and police patrolling on a permanent basis would have to be created. "It is the third category, which has suffered the most, is facing the most acute problem. We have failed to find a solution for them," a senior bureaucrat said. "It is urgently required to expedite the survey of the property damaged and implementation of a reasonable livelihood package. Once this is done, people will start going back." (The Times of India, 5 May 2002)

### **Vote-bank factor and Hindu sentiments are obstructing resettlement of Gujarat's displaced (May 2002)**

"Government officials linked to rehabilitation measures in Ahmedabad, where there are 65,000 refugees still staying in camps, admit that even to suggest resettlement sites is sacrilege.

"The fact is that there is land available for resettlement only on the outskirts of Ahmedabad but none, politicians or residents, would like a chunk of Muslims to be resettled in their area. The politician would not want it because of the vote-bank factor and residents because they don't want a Muslim ghetto around."

[...]

Modi gave no assurance to Shah-e-Alam camp chief Mohsin Quadri and Ahmedabad Shehar Ekta Samiti member Mohammedhusen Memon, who met him here on Saturday, pleading that they should be resettled at a place other than their original place of living. "The chief minister or state officials are still not ready to agree on the need to provide these victims a separate piece of land for resettlement," said Quadri.

Officials say that even in eastern Ahmedabad areas like Rakhial, Ramol, Chandola, Pirana, Narol and Vatva, pockets could be found to resettle some of the victims as large tracts of land belong to the revenue department. But even here, the vote dynamics in the assembly constituencies would get upset." (The Times of India, 8 May 2002)

### **Rehabilitation and return for Gujarat's displaced hindered by damage to property and insecurity (April 2002)**

- While the Indian government announced plans for the reconstruction of homes and places of business, work had yet to start as of April 2002
- Activists in the state also pointed to problems related to damage assessments of Muslim properties and homes
- The insecurity and ongoing violence in the state made it impossible for most displaced persons to return to their homes

#### ***The government promised rehabilitation:***

"Vajpayee also announced that those whose homes were completely damaged in rural areas would receive Rs. 50,000 while those whose homes had suffered partial damage would receive Rs. 15,000. In urban areas rehabilitation measures would be worked out after a comprehensive survey. Vajpayee added that victims would not be resettled along communal lines. The federal government will also bear all the expenditure for the reconstruction of damaged homes. Those who lost shops and commercial establishments would also be compensated.

[...]

***In reality, no construction was started as of April 2002:***

Principle 28 of the Guiding Principles on Internal Displacement state that it is the responsibility of the authorities to establish the condition and provide the means to allow internally displaced persons to return voluntarily and in safety and dignity to their homes, and to permit the full participation of the internally displaced to plan and manage their return or resettlement. Principle 29 of the Guiding Principles on Internal Displacement also states that it is the responsibility of the authorities to assist returned or resettled internally displaced persons to recover, or obtain compensation or reparations for their property and possessions that they lost or dispossessed of during displacement.

While the Indian government has announced plans for the reconstruction of homes and places of business (see above), extensive government surveys of the extent of the damage have yet to take place.

An organizer of the Dariyakhan Ghummat camp told Human Rights Watch in March that no work had begun on the construction of new homes.

[...]

Activists in the state have also pointed to problems related to damage assessments of Muslim properties and homes. Speaking on conditions of anonymity, an attorney told Human Rights Watch: “The police *panchnama* [statement of witnesses] is being done in the victim’s absence. Let’s say I had two lakhs [Rs. 200,000] worth of damage in my home, the police will only write that there is Rs. 25,000 worth of damage.”

The process of rehabilitation has been further complicated by the destruction or loss of personal documents during the violence. Many relief camp residents told Human Rights Watch that their identification, education, and even medical certificates had been destroyed during the burning and looting of their homes. At the time of Human Rights Watch’s visit, no system was in place to systematically document the numbers and identities of those residing in relief camps.

The insecurity and ongoing violence in the state has made it impossible for most displaced persons to return to their homes. Human Rights Watch was told numerous times that residents did not feel safe in their neighborhoods. Some stated that their attackers were still roaming the streets. Residents also feared being arbitrarily detained by the police in their neighborhoods (see above). Press reports also document instances in which Muslim families were threatened by Hindu mobs, armed with swords and other weapons, as they attempted to return to their homes.

Until the government of Gujarat ends the environment of impunity, addresses those responsible for the attacks, including police and state government officials, provides adequate protection for all those affected by the ongoing violence, and ensures that those displaced can either recover, or be fully compensated for their property and possessions lost during the violence, internally displaced persons will be unable to return to their homes.” (HRW, April 2002, pp.58-59)

**Government declared rehabilitation of Kashmiri displaced top priority (April 2002)**

“Minister of Revenue, Relief and Rehabilitation, Mr Abdul Qayoom today reiterated that the rehabilitation of Kashmiri migrants was the top priority of National Conference (NC) Government.

Replying to a question of Ashok Sharma of Congress, the Minister said that 33,948 migrant families have been registered with Relief Organisation upto January 2002. Besides it 1,362 cases are under process, he added.

The Minister informed the House that 118 families from District Doda are also registered with the Relief Organisation under orders from State High Court.

Mr Qayoom said 21,199 families have migrated to the other parts of country.

He said the total number of registered families got reduced from 52, 959 to 26,619 due to cancellation and suspension of ration cards from time to time on various grounds from 1991 to 1995.

He said Centre has released a financial assistance of Rs 45,308 lakh for the relief and rehabilitation of migrants upto March 2002.” (The Daily Excelsior, 6 April 2002)

### **Displaced Bodos and Adivasi in Assam see their wishes for rehabilitation realized with a State funded rehabilitation package (February 2002)**

- Bodo and Adivasi displaced sheltering in camps expressed their willingness to return or resettle
- The State government stated that they were ready to fulfill these wishes and drew up a four-phase rehabilitation plan

“The Centre has agreed in principle to fund a Rs 33 crore rehabilitation package to resettle an estimated 180,000 Bodo and Adivasi refugees languishing in makeshift relief camps in Kokrajhar district alone since 1996 after they fled their homes in the wake of bloody ethnic riots between the two communities, authorities said on Tuesday.

During the past week, authorities in the district held talks with relief camp inmates who expressed their willingness to return to their villages or be resettled elsewhere provided the government pays them their promised one-time rehabilitation grant of Rs 10,000 per family and ensured their protection with proper security cover.

"We are making definite plans to send the relief camp inmates back or resettle them elsewhere. The State Government has already asked contiguous districts around Kokrajhar to identify land to resettle those inmates who had been encroachers on forest land when they fled in the wake of the violence," Kokrajhar Deputy Commissioner Ashish Kumar Bhutani told this writer by telephone today.

The administration has, in fact, made a four-phase rehabilitation plan for the ‘refugees.’ In the first phase, it would like those inmates who actually hail from revenue villages to return with the existing normal security arrangements. The second phase will be for those inmates who would return with ‘minimum additional security cover.’

The third phase will be for the inmates from really vulnerable villages where a police post will have to be put up. The last and final phase of resettlement will involve those inmates who were encroachers on forest land, and, therefore, cannot be asked to return and reoccupy those places.

Funds and availability of adequate security personnel are the two main factors that is holding the administration back from making arrangements for the rehabilitation of the inmates.” (The Sentinel, 20 February 2002)

### **Displaced Bengali Muslims in Assam say assistance for rehabilitation is insufficient (2000)**

"Most of the Bengalis displaced in the early 1990s later returned home, but others remain displaced. In Assam’s Kokrajhar District, USCR visited Balajani camp, home to some 2,800 Bengali Muslims who have been displaced since 1995. The camp’s residents are despondent. They have moved their camp several

times already, had not received assistance for 15 months at the time of USCR's visit, and saw no prospect for a long-term solution to their plight. In 1997, most members of the group received a government reintegration grant of 10,000 rupees (\$230) aimed at helping them to re-establish themselves, but they had used the money to buy food and basic necessities. Shortly before USCR's 1998 visit, representatives of the Assam state government had told the group that they must vacate Balajani, but had not provided them any alternative location."

### **In Tripura, the Opposition Government has demanded a rehabilitation policy for conflict induced IDPs (2001)**

"Opposition Congress has demanded a specific rehabilitation policy and action plan for the internally displaced families, both Bengalis and tribals who had to leave their villages following militant atrocities and communal flare-ups. The demand came close on the heels of about 600 Bengali displaced families agitation programme at Rabindra Shata Barshiki Bhawan recently. Though the displaced families left the Rabindra Bhawan complex after about 30 hours of agitation when the West Tripura District Magistrate Manish Kumar and SP Anurag assured them of some immediate rehabilitation packages and security, Congress which was leading the stir, decided to carry on with the issue further. The issue expected to sway the public sentiment in favour of the opposition party to a great extent particularly in the rural areas where thousands of Bengali families have been rendered homeless and, virtually, a floating population. PCC president Birajit Sinha speaking at a press conference at the Congress Bhawan said, "there has been no action on the part of the State government for the internally displaced families in the State in the wake of insurgent attacks, massacres and communal riot; The government is overtly indifferent to the plight of these families." He claims that there are more than one lakh [100,000] displaced persons in Tripura. Nevertheless, in the wake of the sudden agitation programme which had all potential to snowball in other parts of the State turning the situation all the more grave, and took the government machinery off guard, the district administration decided to set up five camps for the 678 families displaced in the recent ethnic clashes besides providing with employment, food and medical facilities." (The Assam Tribune, 9 October 2001)

### **Dispersed resettlement destroys social networks and traditional support systems (August 1999)**

- Displaced families from 19 affected villages in Gujarat have been resettled in over 150 locations
- Closely knit tribal communities have been dispersed in unfamiliar regions
- When the displaced population is not offered new agricultural land, self-employment strategies have to be pursued
- Few alternatives to land-based compensation have been successful
- Social and cultural incompatibilities make integration difficult
- Sometimes different displaced communities are resettled on the same land

"Communities of oustees are often fragmented and randomly atomised, tearing asunder kinship and social networks and traditional support systems. The Gujarat government in settling displaced families of Sardar Sarovar has depended mainly on voluntary sale of agricultural land. Therefore, closely knit tribal communities have been dispersed into tens of villages in the unfamiliar Baroda region. Official reports confirm that displaced families from 19 affected villages in Gujarat have been resettled in over 150 locations, driven by open-market availability of agricultural land.

With the destruction of community and social bonds, the displaced are mired in anomie and a profound sense of loneliness and helplessness. The inflow of money creates greater pressure on family bonds. The

outcomes are psychological pathologies and alcoholism, common among displaced populations. As one despairing oustee remarked to the Independent Review led by Morse: 'Our society is not here. We are like dead people. What is the purpose of living like dead people?'[...]

It has been documented that this greatly enhanced psychological and psycho-social stress caused by involuntary resettlement heightens morbidity and mortality.

[...]

In the wake of the reluctance to adopt and operationalise a land-for-land policy, the challenge for project authorities and state governments under pressure to rehabilitate the oustees has been to find sustainable non-land based livelihoods.

Even in non-crisis rural situations, most states have failed to foster successful self-employment strategies under programmes like the discredited IRDP. The chances of success amidst the multiple disabilities and 'spirals of impoverishment' that involuntary resettlement imposes are even more remote.

The writer of this paper has witnessed how in the Hasdeo Bango Project of Madhya Pradesh, for instance, some four million rupees were spent on a poultry farm, for 12 beneficiaries who were given 100 birds each. It ran for a few months till the birds suddenly died of some illness, and the farm has since been closed, the buildings gradually reduced to ruins.

One major exception to the general rule of difficulty in finding suitable avenues for economic diversification of oustees into non-land based activities, is fisheries. Each of these projects creates large reservoirs, and the impounding of such large quantities of water creates tremendous potential for new livelihoods from freshwater fisheries. The experience in Hasdeo Bango, however, was that in the absence of scientific management, fish yield declined rapidly. The state government for many years did not recognise the reservoir as a valuable source for livelihood for the oustees and instead fishing rights were auctioned in the open market. Fishing contractors in cohorts with officials of the fisheries department, used brute force to block oustees from fishing in the reservoir, and the officials confiscated their boats and nets.

The experience in Bargi was similar, but with the facilitation of Medha Patkar of the Narmada Bachao Andolan and Dr. B.D. Sharma of the Bharat Jan Andolan, a people's organisation 'Bargi Bandh Visthapith Evam Prabhavit Sangh' was formed. They organised civil disobedience by mass fishing and blockage of fishing auctions. Finally, the state government gave exclusive rights for fishing and sale to federations of cooperative fishing societies in Bargi in 1994 and subsequently the Hasdeo Bango and Tawa in 1997.

[...]

A frequently neglected, but extremely serious problem, is the unwillingness of host populations to accept resettled oustees in their midst. The problem is that rarely do there exist large unoccupied areas available for resettlement of oustees (and such as exist are unsuitable or degraded lands). Where they are settled amidst existing settlements, there is inevitably competition for scarce resources and jobs. There may also be social and cultural incompatibility. In most cases, the displaced people are at a disadvantage in these conflicts : because they are outsiders, because of their economic fragility and frequent social vulnerability. If such conflicts are not mitigated, the result can be distress sales by resettled oustees, resulting *de facto* in one more forced resettlement on even more disadvantaged terms."

(Mander, August 1999,pp. 13-14)

"Some [displaced] who were resettled on the periphery of other villages have been robbed, beaten and chased away by their host villages. There have been instances when displaced people from two different dam projects have been allotted contiguous lands. In one case, displaced people from *three* dams – the Ukai dam, the Sardar Sarovar dam and the Karjan dam – were resettled in the *same* area. In addition to fighting amongst themselves for resources – water, grazing land, jobs – they had to fight a group of landless labourers who had been sharecropping the land for absentee landlords who had subsequently sold it to the Government.

(Roy 1999, p.63)

# HUMANITARIAN ACCESS

## General

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### **India shuns international scrutiny and thereby impedes international humanitarian access to IDPs (January 2000)**

- Most of Northeast India, host to some 177.000 IDPs, is off limits to foreigners
- US Committee for Refugees has tried to gain access to the IDPs but the Indian government has denied such access
- India also denies UNHCR access to most refugees and IDPs in India

"Although India is a democracy, which suggests some level of transparency and accountability, the Indian government shuns international scrutiny or involvement in anything it considers an "internal af-fair." Most of Northeast India is off limits to foreigners (the British colonial administration was the first to limit access to the area;6 post-independence govern-ments have maintained the restrictions). [...]

The international community's lack of access to refugees and internally displaced persons in India was a major factor in the decision to produce this report. USCR and others have tried to gain access to these populations, but the Indian government has denied access. The Indian government's strong opposition to international scrutiny of its internal affairs, including refugee issues, is well known and long-standing. India is not a signatory to the UN's 1951 Refugee Conven-tion. It does, however, have a seat on UNHCR's Executive Committee (EXCOM). New Delhi continues to deny UNHCR access to most refugees in India even though it sits on the EXCOM. It does not permit the agency direct contact with Burmese Chin refugees in Mizoram State, Bhutanese refugees in northwest India, Tibetan refugees living in various regions, or the estimated 100,000 Sri Lankan refugees living in camps in the state of Tamil Nadu. India does permit UNHCR to assist urban refugees, most of whom live in New Delhi, and for some time permitted UNHCR to interview Sri Lankan refugees who were repatriating, but only at the point of departure."

(USCR January 2000, p.4)

### **Absence of Indian request impeded humanitarian assistance to IDPs after Gujarat violence (April 2002)**

"The Indian government has not as yet made a public request to the U.N. or international humanitarian organizations to provide assistance and protection to those displaced by the communal violence. Without such a request, it is difficult for U.N. and international humanitarian organizations to provide relief assistance to the internally displaced in Gujarat.

As of April 16 the Indian government had not made any requests to the United Nations Development Programme (UNDP), a leading U.N. agency in India, or to the United Nations Office for the Coordination of Humanitarian Assistance (UNOCHA) to provide assistance to the relief camps. Officials from these agencies told Human Rights Watch that they were unaware of any efforts by the U.N. to address the humanitarian needs of those affected by the violence in Gujarat." (HRW, April 2002, p.57)

## **International humanitarian access to the Northeast could prove beneficial not only to IDPs but also to Indian State and National Governments (2000)**

- First, permission for an exploratory trip should be sought in discussions with State and National governments
- A second step towards international humanitarian access could be to route assistance through the government
- At the same time, the displacement situation and the distribution of aid should be monitored by the international donors
- International organisations should take advantage of the knowledge of local NGOs and research groups in order to monitor the multiple conflicts and potential IDP situations in India
- National and state governments need to be told that an international agency's presence may be of help to them, rather than undermine their position
- Since both State and National governments are increasingly hard pressed for resources, they may end up welcoming international assistance
- Access to rebel groups may also be necessary to secure uninterrupted routing of aid

"UN organisations should adopt a phased approach to intervention in an IDP situation. An attempt to rush humanitarian assistance in a natural calamity situation may be welcome, but the Indian government may be circumspect about allowing direct assistance to IDPs. To begin with, it may be advisable to route such assistance through the government, but it is equally important for international organisations to send their representatives to the zone of conflict to monitor the extent of displacement and assess whether aid routed through the government is reaching the victims.

The first phase could involve negotiations with the federal government and government(s) of those states where the IDP problem has arisen. There should first be a survey of the extent and the intensity of the IDP situation. Permission and security back-up should be sought for an exploratory trip to identify IDP situations. In attempting to reach areas where internal displacement has taken place, the services of some local NGOs/ research groups should be enlisted to help in making an assessment of the IDP situation. It is therefore important to identify and maintain contacts with such organisations and groups on a regular basis. These groups/organisations can also be used to set up preliminary contacts with the IDPs and any group/organisation representing them (not militants, but those representing the displaced peoples and have a limited agenda of securing aid/rehabilitation for the displaced). Since most IDP situations originate from low-intensity conflicts (with the potential to become a civil war), it is important for international organisations to monitor all low-intensity conflict situations on a regular basis; which is where the network becomes so important.

While developing the network of research groups/NGOs, it is important to select them on the basis of their actual field contacts, knowledge and expertise to assess/ influence an IDP situation in their areas as well as their willingness to fulfill a definite role within the overall strategy of gaining access. A network of armchair intellectuals is just no good. International organisations, as part of their overall strategy to gain access, should identify NGOs which can generate reliable data on internal displacement, monitor aid routed through government or even take up that role at some point of time and help out with rehabilitation. If governments deny UNHCR access to conflict zones producing IDPs, the UNHCR should have a well-oiled network of local NGOs supported by it to intervene decisively to implement the Guiding principles without getting into a row with the government.

Once preliminary contacts have been developed and some initial quantum of aid routed through the government, the concerned international agencies should insist on being allowed an exploratory trip. The federal government and the state government (s) concerned should be clearly told that the desire to route humanitarian aid should not be seen as undermining national sovereignty. In fact, it is important to tell

governments that timely humanitarian assistance enhances the government's credibility. The IDPs are least bothered about where the aid originates. They are interested in receiving it for sheer survival. The second phase involves exploration of the IDP situation and whether it is big enough to merit international assistance.

There is no reason why international agencies should get involved in an area where sudden skirmishes between two ethnic groups have led to displacement of a few thousand people and only for a while. The federal government may be quite capable of dealing with it. International agencies should only get involved if the displacement is substantial and continuous and if the resources and the willingness of the government is found to be lacking in dealing with the IDP situation. So direct exploration and simultaneous negotiations for final access would mark the second phase in the strategy of access, if preliminary contact and situation assessment constitutes the first phase. Quite often, an international agency's expressed desire to get involved itself may work as a deterrent - governments may become more active and more willing to place resources to handle IDP situations.

For instance, an international agency's expressed desire to be present in western Assam or in Tripura may itself deter Bodo groups from pursuing ethnic cleansing, because the Bodo or Tripuri militant groups value the importance of global opinion in the pursuit of their political objective to secure a homeland. National and state governments therefore need to be told that an international agency's presence may be of help to them, rather than undermine their position.

The final phase would entail actual presence, if possible, and taking control of the routing of aid - if not, its actual distribution - and kick-starting the rehabilitation process. Since governments, particularly of the states, are increasingly hard pressed for resources, they may end up welcoming international assistance, if that is routed through them. Since the government of Assam is finding it difficult to pay even salaries to their employees regularly, and Tripura's fiscal condition is not much better, they may welcome international aid to Santhal/Bengali displaced persons or the Reang IDPs. Both these states are now open to foreigners, a foreign tourist does not require a Restricted Areas Permit (RAP ) to visit Assam, Tripura or Meghalaya. That would make things easy. And since an international agency's presence is likely to raise interest in the IDP issue in the foreign media, the government may find that welcome as well, because that would pressure any rebel group with an ethnic cleansing programme to cover its violent face. Access to rebel groups may also be necessary to secure uninterrupted routing of aid. Most rebel groups in Northeast India are on the Internet and mailing them on their websites elicit an instant response. Those who are not on the web may be reached through their overground collaborators - something that the network can identify for the agency. A working relationship with the Indian security forces is important, and, with the government evolving unified commands for counter-insurgency operations, the point to approach for access may become clearer."

(Bhaumik February 2000, p.13-14)

## NATIONAL AND INTERNATIONAL RESPONSES

### National Response - General

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#### **Government of India does not officially recognize displaced persons as IDPs and has no coherent IDP- policy (1999-2001)**

- Kashmiri IDPs overall have received more substantial rehabilitation packages than their Northeastern counterparts
- The Indian Government does not recognize the IDPs from Kashmir as IDPs – reportedly out of concern that this might attract international attention and involvement
- Assistance to IDPs is minimal and the government does not support the displaced's search for long-term solutions, such as return or resettlement
- In the Northeast, the government has largely delegated the protection and assistance responsibility to state and local authorities
- The lack of policies and procedures for responding to IDPs' needs is of great concern given the potential for large scale displacement as a result of growing Hindu nationalism

"Government policies toward indigenous peoples that have become displaced as a result of armed conflict, though sometimes well intentioned, have been woefully inadequate. Since the early 1990s, hundreds of thousands of people have been displaced in the Northeast and Kashmir. However, the government has yet to develop a coherent IDP policy. IDPs in the Northeast remain vulnerable to infectious disease, malnutrition, and rebel attacks. Hundreds of Reangs have died of starvation and disease in camps in Mizoram, and 32 people were killed in a 1997 attack on a relief camp in Tripura State. Although hundreds of Kashmiri Hindus must reside in cardboard "rooms" in displacement facilities in Delhi, Kashmiri IDPs overall have received more substantial rehabilitation packages than their Northeastern counterparts, including semi-permanent housing and educational and medical facilities." (Daily Star, 15 July 2001, Star Magazine)

"Internal displacement is not a massive problem in India but the government's inadequate response has exacerbated the suffering of those internally displaced. Indeed, there is little information about the conditions of most IDPs in India or what the Indian government is doing to address the problem. The Indian government for the most part bars international visits to areas of conflict (in Jammu-Kashmir and the northeastern states), and it does not invite or allow international assistance. This reflects its strong opposition to international involvement in its internal affairs as exemplified by its long-standing policy toward refugees: the Indian government provides its own resources to assist refugees but refuses UNHCR access to most refugees in the country.

While the Indian government does set up camps, build some houses and provide limited cash and other assistance for the IDPs from Kashmir, it does not officially recognize them as IDPs (reportedly out of concern that this might attract international involvement); the assistance is also minimal, and the government does not help the displaced find long-term solutions to their plight. But even this restricted help is far more than what is done for IDPs in India's isolated northeast states, where there are tens of thousands or possibly hundreds of thousands of IDPs from different ethnic, linguistic and tribal groupings (among these Santhals, Kukis, Paites, Bengalis, Reangs, and Chakmas). Displacement in the northeast is caused largely by interethnic feuds and fighting over diminishing land and resources and longstanding insurgencies against the central government. Minorities have regularly sought to assert their identities and

protect themselves both against the centralizing pressures of the government and the influx of outsiders, in particular Bengali Muslims and Hindus, many displaced from present day Bangladesh, as well as others attracted by the area's mineral and agricultural wealth.

The government's response to internal displacement in the northeast has largely been to leave the responsibility to state and local authorities, who in many cases are neglectful. Food aid has been reported to be erratic while shelter, medicine and education have hardly been provided. Nor have efforts been made to resettle and provide land to those who can not return to their home areas. The low priority accorded the plight of IDPs and the limited resources provided by the central government for them have largely resulted in substandard conditions for these populations.

This absence of policies and procedures for dealing with IDPs and the government's failure to invite outside assistance is of especial concern, given growing Hindu nationalism in India and the potential for the country to produce many more IDPs. [...] To date, neither UN agencies nor international NGOs have exerted much effort to gain information about IDPs in the northeast or in Kashmir, or to press the Indian government to address the issue more effectively. Nor have there been any international or regional initiatives to try to bolster whatever efforts the Indian government does make to ameliorate the conditions of IDPs."

(Cohen 1999, The Case of India)

## **National Response- Kashmir**

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### **Kashmir State government responded to the needs of displaced (May 2002)**

- Displaced fleeing renewed shelling in the border area were provided with arrangements by the district administration including free ration, medicare facilities, drinking water, shelter and electricity

"The Minister for Power, Mr. S.S. Slathia today visited the border migrant camps at Ragal, Rajpura, Chakra, Hiranagar and Marheen in tehsil Hiranagar of Kathua district to take stock of situation arisen due to the un-interrupted shelling from across the border. The District Development Commissioner, Kathua, Mr. B.D. Sharma, S.P. Kathua, and senior officers of various departments accompanied the Minister.

Speaking to the migrants, Mr. Slathia said that they have shown great courage and determination in the similar situations earlier also and expressed hope that they will face the present challenges also with the same courage and determination.

The Minister said that Government is fully aware of the problems of border migrants. For mitigating the sufferings of the border inhabitants, he said, necessary arrangements have been made by the district administration which includes free ration, medicare facilities, drinking water, shelter and electricity. For shifting the old aged persons from the border villages to the camps, Mr. Salathia directed SP, Kathua, to make adequate arrangements of transportation.

The Minister said that Government is also contemplating to provide compensation to those farmers whose land is brought under the mines.

Similarly, he said that 9 kg. free ration is being provided to each member of the migrated family. Besides, he said, that relief compensation of Rs. 200 for the purchase of fodder per family per month is being also provided.

The Minister assured the migrants that relief compensation for the month of April and May, 2002, would be provided to them within days.” (The Daily Excelsior, 20 May 2002)

### **Kashmir: several politicians criticized State government for neglect of displaced (March 2002)**

- The spokesman of the BJP party criticised the State government for its neglect of the plight of the displaced
- JMM leaders observed that displaced families in camps have received insufficient support from the authorities and need to be looked after by the Government

#### ***BJP:***

“General secretary and spokesman of the Bharatiya Janata Party (BJP) Dr Nirmal Singh has lambasted the State Government for maintaining a criminal silence over the miseries of displaced border people.

Dr Singh who along with other BJP leaders visited the camps of border migrants at Khour, Jourian and Devipur today enquired about their problems.

[...]

He expressed concern over the plight of these migrants saying conditions in their camps are pathetic. The State Government has announced to provide 300 grms of atta to each day per person without any aid or assistance . "No other relief has been so far provided to these displaced families", he said, adding "most shocking is that the State Government has denied even ration to dependents, families, parents and children of the serving soldiers.

Dr Singh further said that adequate number of tents have not been issued to the displaced families and those who have been issued are already shattered and tattered. He asked the Government to immediately issue tents to these migrants.

During their interaction with Dr Nirmal Singh, displaced people informed him that local authorities have maintained a criminal silence over their miseries. They alleged that they were being given the contaminated ration and the large chunk of kerosene oil meant for them is sold in black market.

Dr Singh assured them that he will take up the matter with concerned authorities and the Central Government.” (The Daily Excelsior, 26 March 2002)

#### ***JMM:***

“The leaders of Jammu Mukti Morcha led by its president, Prof Virinder Gupta, visited Katra and migrants camps at Devipur and Naiwala besides Pallanwala town and addressed meetings there.

[...]

The JMM team observed that migrant families putting up in the camps are getting insufficient support from the authorities which too is not regular and that only 2900 tents have been provided to 6000 families putting up at Devipur camp. Each family was being paid Rs 200 and ration at the scale of 9 kg per head per month, while the families of Government employees were being provided nothing.

They are living in miserable and pitiable conditions and need to be looked after by the Government at par with Kashmiri migrants viz minimum of Rs 600 per head per month, suitable increase in the ration scale and kerosene oil and independent tentage to each family including those of Government employees.

The JMM team further observed that a number of families and daily wager individuals who are living outside the camps are not being provided any assistance by the Government. The Morcha demanded that all

such people who have been affected due to disturbances on borders should be taken care of and be provided financial and other required help.” (The Daily Excelsior, 31 March 2002)

### **Some Kashmiris displaced in 1990 have not been receiving relief assistance after 12 years (March 2002)**

- Some 20 families who fled heavy shelling in October 1990 have not been compensated by the authorities yet
- Houses of all these twenty families were completely damaged in the Pakistani shelling and the entire area was later mined by the Defence personnel

“Although a large number of families have exfiltrated to Pakistan occupied Kashmir (PoK) from Keran sector of Kupwara district of Kashmir valley, but those families, which preferred to remain in India, have been facing brunt of the callous attitude of the authorities.

About 20 families of the Bore and Jumagand Kantha hamlets of Keran sector which preferred not to exfiltrate have yet not been provided any compensation by the authorities. This was announced by the National Conference member in the Upper House, Mr Nasir Khan while raising a question in the House.

Mr Khan said that Pakistan soldiers resorted to heavy shelling in the October month of 1990 resulted into exfiltration of large number of families to PoK. He said that 14 families of Bore village and 6 families of Jumagand Kantha of Keran sector preferred to stay on Indian soil. All these 20 families were shifted to the safer places by the local authorities on October 11, 1990 due to heavy firing.

Houses of all these twenty families were completely damaged in the Pakistani shellings and entire area was later mined by the Defence personnel. These displaced families took shelter in the Keran area to protect their lives.

Mr Khan further said that though these families have been given Rs 1000 per family as cash relief and free ration but all these twenty unfortunate families have not been given any compensation for their houses which were completely damaged in the Pakistani shelling. Mr Khan further informed the House that Revenue officials donot dare to visit those areas to assess the loss. He demanded that compensation should be given to these families.

Mr Khan said that Bour and Jumagand Kantha are the areas which are located just on the LoC and now the entire area has been mined to stop infiltration.” (The Daily Excelsior, 24 March 2002)

### **HESK provided mobile laboratory facilities for education of displaced Kashmiri children (April 2002)**

“Besides setting up the employment oriented vocational training centres, the Hindu Education Society Kashmir (HESK) has decided to provide free facilities of science practical to the migrant children through mobile laboratories in their respective camps.

This was disclosed by the president of the Society, Mr A K Dewani while addressing a press conference here today.

He said the Society is also starting Mass Communication, journalism, Entrepreneur Development Programme (EDP) and Computer Awareness Programme in GMC College Srinagar.

He said the Society has decided to introduce remedial coaching to lift the level of the students comparatively weak in studies.

Mr Deevani giving further details said the HESK is one of the oldest NGOs of KPs established in 1943 for setting up educational institutions in different localities and of different standards.” (The Daily Excelsior, 10 April 2002)

### **CSSS distributed relief in Kashmiri IDP camps (March 2002)**

“Catholic Social Service Society (CSSS) of J&K has been actively and constantly involved in bringing relief to the people in the border refugees camps in the aftermath of the tension between India and Pakistan after the attack on Indian Parliament.

According to a press release, as first phase of relief work and intervention, CSSS in collaboration with Caritas India distributed dal, rice, atta, sugar, tea, milk powder, phenyl, candles, salt, bathing and washing soap to 1040 selected poor families of border migrants refugees camps namely Devipur, Batehra, Raipur, Malpur, Sobka, Gudapattan, Dumi, Kaleeth in Akhnoor tehsil and in Samba sectors.

[...]

The beneficiaries in the refugee camps and the other people in the localities blessed the organising team and had great appreciation for this commendable effort of CSSS of J&K. CSSS will continue its relief programme in the coming months also.” (The Daily Excelsior, 28 March 2002)

### **Government spent rs 700.000 to upgrade facilities in IDP camps in Kashmir (February 2002)**

- An amount of about Rs. 7 crore has been spent to improve the infrastructural facilities in Kashmiri Migrant Camps, such as the water supply, various R&B schemes, electric facilities, the drainage system, accommodation of school buildings, as well as sanitation

“An amount of about Rs. 7 crore has been spent to improve the infrastructural facilities in Kashmiri Migrant Camps.

This was stated at a review meeting to review the pace of improvement of infrastructural facilities in Kashmiri migrant camps.

[...]

Addressing the meeting, Mr. Qayoom said that the Government is committed to provide better and improved civic amenities to the migrants. He said that the present Government has recorded tremendous achievements in order to ameliorate the suffering of the displaced Kashmiris, who are putting up in various migrant camps. He said that it has been our endeavour to look after the welfare and betterment of these people.

[...]

An amount of Rs. 2.33 crore has been spent to provide for better water supply to various migrant camps which include migrant camp, Purkhoo-III, Mishriwalla, Nagrota, Battal Balain, Udhampur and for providing parallel line connection at Muthi-II.

The meeting was informed that an amount of Rs. 55 lakh has been spent under various R&B schemes, which include replacement of AC sheets to one-room tenements at migrant camps at Mishriwalla, Nagrota and Muthi-I. An amount of Rs. 8 lakh has been spent on construction of approach road at migrant camp, Battal Balain, Udhampur and migrant camp Purkhoo-III

In order to provide better electric facilities to various migrant camps, an amount of Rs. 1.35 crore have been spent, which include electric supply at Purkhoo-III, installation of sub-station at Purkhoo-III, providing and fixing of Sodium vapour lights at various migrant camps, replacement of cables and improvement of existing power distribution system at migrant camp Mishriwalla, Nagrota, Battal Balian, Muthi-I & II and Purkhoo.

To provide better drainage to the camps, an amount of Rs. 1.13 crore have been spent, which include drainage schemes at Purkhoo-III, Mishriwalla-I, Nagrota-II, Battal Balian-I, Udampur and Kathua.

The meeting was informed that an amount of Rs. 14.5 lakh have been spent under Jammu Development Authority for construction of additional accommodation of school buildings at Muthi-II and Purkhoo-I, besides, improving the existing road at migrant camp, Nagrota. An amount of Rs. 6.7 lakh has been spent to plug the leakage in migrant camps at Kathua.

Rs. 16 lakh have also been spent to complete the incomplete 98 one-room tenements at migrant camp Mishriwalla. Similarly, Rs. 2 lakh have been incurred in construction of crate bund at migrant camp at Mishriwalla.

The meeting was informed that to repair and renovate sanitation block and construction of additional septic tanks at migrant camps at Muthi-I & II, Rs. 7 lakh have been spent.

The meeting was also attended by the Development Committee Members of various migrant camps, who put forth their demands. They also demanded setting up of a contingency fund to meet any emergency.” (The Daily Excelsior, 3 February 2002)

### **Frustrated over absence of government assistance, many Kashmiri displaced not certain whether to vote (February 2002)**

- Displaced having fled the Kargil war in 1999 faced starvation in camps as the Government had not released the cash assistance for over three months
- The government's assistance of seven kgs of flour and two kgs of rice besides 10 litres of kerosene oil and Rs 200 per member a month was labelled insufficient by the displaced
- Due to lack of proper attention provided to sanitation in the camps, fears were present for an epidemic outbreak of diseases

“[...] about three years have passed since June 99 when the people of Pallanwalla sector had to migrate from their houses due to Pak firing and had to settle themselves in so-called migrant camps. But till today no concrete and viable steps have been taken to accommodate and minimise their problems properly. The state as well as Central governments have made so many promises and announcements for the resolution of their problems permanently, but all these promises and announcements have remained in the files and died in the air.” (The Daily Excelsior, 10 February 2002)

“Skeptical about political parties thousands of border migrants from Pallanwala Sector and Pargwal Island in Akhnoor Tehsil have yet to decide on exercising their franchise in February 21 by elections of Jammu, Poonch Lok Sabha seat or not.

Fed up with the political parties, these migrants putting up at different camps squarely blame all politicians whether in ruling parties or opposition for their present plight who they allege have done nothing in practical to ameliorate their lot.

No election fervour is witnessed in these camps though polling is just 20 days away. At Devipur camp where over 2000 migrant families are putting up since 1999 Kargil war that led to the border skirmishes between India and Pakistan, people are totally unconcerned for elections which they said have become a routine affair since 1996. [...]

Though their main anger is against the ruling Party but they also blame the other opposition parties for maintaining a stoic silence on their plight. The border migrants of Akhnoor putting up at Devipur, camps are virtually facing starvation as the Government has not released the cash assistance for over three months now.

[...]

There is much resentment among the Parghwal Island migrants putting up in various schools at Domana who have not so far been deprived of the cash assistance till date by the Government. These migrants allege that many of them would have died of starvation had not a philanthropist organization opened a daily free Langer for them.

"So far we are undecided on casting the vote in the by elections of this month as no political party showed interest during the last three years in mitigating our problems ", alleged Mr Sehdev Singh, vice president Border Migrant Committee.

[...]

"We are facing starvation as Government is only providing seven Kgs of flour and two kgs of rice besides 10 litres of kerosene oil and Rs 200 per member a month, he said, adding this is too meager to feed us". As the Government schedule is 600 grams of rice a day which means that 18 kgs of rice or flour be issued for a month per head but we are being given half of that, which is totally injustice.

[...]

The total insanitation prevails in the camp as the lavatory blocks constructed a year back have been locked by the authorities for unknown reasons, alleged Baldev Rao another camp inmate.

Due to lack of proper attention provided to sanitation system in the camp there is every apprehension of epidemic, but the authorities are taking no pains to redress the problem, he said, adding even the dispensary is not functioning properly in the Camp.

He said we will vote for the Party that promises allotment of ten marlas of land at safer places for construction of houses so that people can shift there during border tension.

Same were the views of the migrants of Pargwal island putting up at Domana Higher Secondary School. Over 800 migrant families from different villages of the Island are putting up in the School but they are totally unconcerned for elections.

The majority of the migrants in this camp were of the view that they will refrain from casting their vote as all political parties cold shouldered them during the testing times.

"Who pleaded our cause and fought for our rights", said Hari Singh of Zamana Villa. What can be more callousness of Government towards us that since our displacement we have not been paid a single pie as cash assistance, though Government promised to pay Rs 200 per member a family, he added.

We would have died of starvation had Mr Shamsher Singh Sarpanch not come to our rescue by installing a community Langer with the help of some philanthropist." (The Daily Excelsior, 2 February 2002)

### **Kashmir State administration provided displaced with food and shelter, and supported IDP students (December 2001)**

- The Kashmir Housing Minister stated that the state administration provided food and shelter to displaced fleeing Indian-Pakistani tension in December 2001

"Kashmir Housing Minister Ghulam M Shah said the state administration was battling to provide food and shelter to the thousands who had evacuated their villages near India's shared border with Pakistan.

[...]

"We have built hundreds of makeshift camps in 27 government schools and colleges. We have created an emergency 10-million-rupee (210,000 dollar) fund for housing and relief operations," he added." (Common Dreams News Center, 30 December 2001)

Some of the migrated villagers have been given shelter by district administration in Samba schools on temporary basis and food and other relief materials have been provided. (Expressindia, 27 December 2001)

### **Displaced persons from Kashmir reject the official government classification of them as "migrants" (2000)**

- IDPs argue that a migrant is a person who chooses to leave his home, while they have been forced to leave their homes and become displaced

"One of displaced Kashmiri Pandits' primary complaints is that the government of India does not officially recognize them as internally displaced persons, but rather terms them "migrants."The camp leader at Muthi camp in Jammu told USCR, "We are not migrants, we are displaced persons.... The previous government imposed the 'migrants' label on us. A migrant is a person who chooses to leave his home; we have been forced to leave our homes and become displaced." (USCR 2000, India chapter)

"The Kashmiri Pandits have not been declared as IDPs by the Government of India. "PANUN KASHMIR" an Association of the Kashmiri Pandits submitted a memorandum on November 16, 1995 and also filed a petition on November 24, 1995 (Annexure 'B') before the National Human Rights Commission (NHRC). In which it was prayed that the NHRC should issue a declaration that the circumstances leading to their migration amounts to "practice of genocide". It was also prayed that they should be declared as IDPs and NHRC should extend all the facilities and rights which accrued to them by virtue of being internally displaced persons like the right to *non-refoulement*, right to seek asylum, right to relocation in safe zones, right to humanitarian assistance to live the minimum standards of civilized life, etc. It was demanded that having accepted the fact that they are IDPs, NHRC should advise the Government of India to devise legal and formal mechanism of implementing the recommendations of the Representative of UN Secretary-General on IDPs and that NHRC should persuade Government of India to invite the Representative of UN Secretary-General on IDPs to meet the IDPs from Kashmir valley so as to enable him to study and analyse fully the issues involved. It was also prayed that NHRC should commit itself to their *non-refoulement* and ensure that they are not coerced to return to their original places against their free will and that NHRC should persuade the Government of India to commit itself to the same. The Government of India's reply to the Commission was that "after due consideration, the Government was of the view that the word *migrant* was more appropriate for the Kashmiri Pandits." (Saha, 2000, pp. 3-4)

## National Response - Gujarat

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### Promised rehabilitation for Gujarat's displaced was largely absent (May 2002)

- The PM promised a rehabilitation package to Gujarati displaced, including compensation for loss of family and property, educational assistance, and food aid
- These promises were left largely unfulfilled, while the government neglected to provide basic facilities such as tents, fans and toilets in adequate numbers

“The refugees' hopes of returning home grow dimmer as the violence continues and the government's half-hearted rehabilitation measures fail to provide any real support. Prime Minister Atal Behari Vajpayee's efforts to reassure the riot-affected people during his visit to Gujarat on April 4 came rather late - 35 days after the violence began. His promises regarding relief and rehabilitation have not yet been implemented properly by the State government. The only time Chief Minister Narendra Modi visited a relief camp housing Muslims was when he trailed the Prime Minister.

During his visit, the Prime Minister promised the following rehabilitation measures to the more than 1.5 lakh [150,000] refugees:

The families of those killed would be paid Rs.1 lakh each from the Prime Minister's Relief Fund, in addition to the Rs.50,000 being given to each of the affected families by the State government.

Those who suffered permanent disability in the violence would be given Rs.50,000.

Housing compensation in the rural areas would be Rs.15,000 for those whose homes have been partially damaged and Rs.50,000 for those whose homes have been completely destroyed. In the urban areas, the Central government would bear the cost of reconstruction on the basis of an estimate made after a comprehensive survey.

The Centre would bear the entire cost of rehabilitation of orphans and widows.

Children in relief camps would be provided textbooks and one set of school uniform each.

Free ration of 35 kg for two months to below-poverty-line families in the violence-hit areas.

Most of the families of those killed have not received compensation because they are unable to produce proof of death, says Mohsin Kadri, organiser of the Shah Alam relief camp, the largest in Ahmedabad, which shelters 13,000 refugees. He points out that in the Shah Alam camp only seven of the 131 families which have lost their members have received cheques for Rs.40,000. They are supposed to get an additional Rs.70,000 in the form of government bonds. This still does not add up to the Rs.1,50,000 promised by the government. Yet, Ahmedabad Collector K. Srinivas insisted that his administration had paid compensation in 206 instances in the city and only 37 families remained to be paid.

In every camp in Ahmedabad, people complained about the under-valuation of property lost. "Most of the people have got cheques for Rs.2,000 to 3,000. No one here has received more than Rs.14,000 as compensation, which is only a fraction of the actual value of their houses and belongings," said a camp organiser at Vatva. In rural Gujarat, the situation is no better. At Bamanwad village in Panchmahal district, Ganibhai Khatri's house was razed to the ground. He received only Rs.23,075 as compensation, instead of the Rs.50,000 promised by the Prime Minister. In this village the houses of around 27 Muslim families were burned. Yet, only seven families have received compensation. The government has not even recognised the presence of the relief camp in the village. Hindu neighbours of those in the camp have been helping them with food for the past two months.

In the cities, the poor have been stranded within the ghettos on account of the curfew. Mostly casual labourers, they have been without work for the past two months. The Prime Minister had promised 35 kg of free rations to below-poverty-line families. But the stocks have yet to arrive in the ration shops. Collector

Srinivas said the government had increased the allotment to 70 kg and stocks would be distributed in May. However, many may still be excluded because of the criteria set for below-poverty-line classification.

Hardly any action has been taken on the Prime Minister's promises regarding the rehabilitation of orphans and widows. Children in the camps were not given the promised textbooks and uniforms. In fact, some children studying in private schools in Vadodara could not sit for their examinations because their parents did not have the money to pay their fees.

Every family in the relief camps was supposed to receive a cash dole of Rs.1,250 to compensate for the loss of immediate belongings, including clothes and shoes. The government suddenly woke up and started distributing the dole a day before Vajpayee was scheduled to arrive. At the Dariya Khan Ghummat camp at Shahibaug in Ahmedabad distribution of the dole was stopped when it became known that the Prime Minister would not be visiting the camp. Only half of the 1,000-odd families received their cheques. Even in the Shah Alam camp, distribution of the cheques started the evening before Vajpayee's arrival and stopped when he left. Only 1,400 of the camp's 2,200 families received the dole.

Besides failing to fulfil the Prime Minister's promises, the government has neglected to provide basic facilities such as tents, fans and toilets in adequate numbers. The Shah Alam camp has 38 toilets for 13,000 people. Even this many were installed a day before Vajpayee's visit. With the temperature reaching 45°C, the illnesses are on the rise. "Government doctors are not regular and their medication is not effective. We have to call private doctors to the camp," said Kadri. In the Surendranagar camp in Ahmedabad, the government arbitrarily reduced the number of refugees from 4,000 to 2,200. Accordingly, supplies were also reduced. "The government officials stopped taking into account those who had received housing compensation. These people still cannot go back to their homes. Attacks continue every day," said Farukhbhai Pathan, a camp organiser. "But the government refuses to provide for them anymore." (Frontline, vol.19 issue 10, 11-24 May 2002)

### **SEWA, a Gujarati labour union, helped displaced in camps to rebuild lives (May 2002)**

- It focused on economic activities, such as bidi and agarbatti rolling, sewing, mattress making, and paper-bag making
- SEWA also focuses on children, whose childcare centres in the five camps are recognised by the government
- The SEWA promoted local health cooperative and the SEWA Health Team provided daily healthcare services and coordinated with the municipal corporation and the government health services
- The literacy team from the SEWA Academy conducted classes for young boys and girls and also adults on their request
- It assessed the housing damage and reconstruction needs of 15,250 houses

“The Self-Employed Women’s Association, SEWA, is a labour union of informal women workers.

[...]

#### ***Economic activities:***

Our work at the camps prompted us to restore or set-up the following livelihoods immediately – bidi and agarbatti rolling, sewing, mattress making (light mattresses called *godhris*), and paper-bag (*lifafa*) making. An in-house ‘rozgar team’ was set up to provide immediate work of at least Rs 40 per day per member.

The first economic activities to get organised were bidi and agarbatti rolling. Over the years, having organised thousands of these workers, we had built up a rapport with merchants and contractors. They were ready to provide work even at the relief camps, but as the contractors were unavailable or unwilling to

supply work at the camps, they turned to SEWA. We became the link between the merchants and the workers, and women were back at work rolling bidis or agarbattis.

Next we provided sewing machines at all relief camps. In shifts, women began to sew – mainly salwar kameezes at present, earning Rs 12 per set. They were given cut-pieces prepared by a local cutter, often from the relief camp itself. In this way, the garment workers began to earn again. Some began selling salwar-kameezes to others at the camps, since most inmates had fled with only the clothes on their back.

Making paper bags has proved to be a popular activity at all five camps. We now see that even older children and men have joined in this work. Since the space required to make bags is small, it is convenient for women to do this work. The members are provided with old magazines and gum, and given a day’s training to prepare the bags. These bags are then sold to merchants and shopkeepers. SEWA’s Health Cooperative has also bought paper bags for use in its chain of medicine shops, thus promoting solidarity between workers.

Finally, members have started to make mattresses at the camps. These ‘godhris’ are prepared from old sarees and bits of scrap cloth available in the market. The women are given a kit containing a saree and scrap cloth pieces in a fixed proportion, along with needles and thread to sew the mattress. This work has started in all the five camps.

A woman can earn Rs 36 a day if she sews three mattresses daily, which is easily doable. The godhris are mainly bought by camp inmates.

***Economic Activities at Five Relief Camps Where SEWA is Working***

	No. of Women
Bidi rolling	350
Agarbatti rolling	700
Garment sewing	53
Paper bag making	85
Mattress making	50
Total	1238

This restoration of work at the camps is a beginning. SEWA is planning to develop a Livelihood Security Fund for the affected families where working capital, work tools and equipment is available in kits to women. We will also help workers by linking them to markets and marketing outlets for their products.

While SEWA’s thrust has always been on employment, we realize that without social security services – healthcare, childcare, insurance, shelter and education – economic self-reliance is not possible. In fact, we see social security as being integral to work and livelihood security. Therefore, we began our social security service provision from the relief camps themselves.

***Children:***

Between 80 to 200 children are taken care of at five childcare centres, one in each camp. The children express their feelings by drawing and singing. [...] The school-going children have been given textbooks and take daily lessons for three hours. In one camp, the children have been temporarily enrolled in the nearby municipal school.

SEWA has collaborated with the Integrated Child Development Scheme (ICDS) of the Government of Gujarat. The childcare centres in these five camps are recognised by the government. The food supply for the children is provided by the ICDS. SEWA, through its catering cooperative, Trupti, prepares food such

as *sukhdi* (mixture of Indiamix flour, jaggery and *ghee*) and *ladoos* on alternate days and distributes these to the children.

**Health:**

The SEWA promoted local health cooperative and the SEWA Health Team, provides daily healthcare services and coordinates with the municipal corporation and the government health services. Mobile health vans conduct routine check-ups at all the camps as also provide medicines. Our team facilitates and coordinates with the vans and other government and private facilities. The health cooperative arranges referral services.

Every week a gynaecologist, a paediatrician and an ophthalmologist carry out check-ups. Patients on longer term treatment for tuberculosis or thalassemia are taken to their respective hospitals so that their treatment is continued.

Relief Camp	No. of Patients
Aman Chowk, Bapunagar	2160
Anand Flat, Bapunagar	1541
Kisan Society, Danilimda	942
Bakarshah's Roza, Saraspur	3685
Bombay Housing, Saraspur	753
Total	9081

SEWA organisers at the camp involve camp residents and local committees in cleaning the campsites every day. They also guide them on proper disposal of garbage and left-over food. Proper cleaning of toilets and mobile and temporary toilets has been organised, including spraying of disinfectant.

**Literacy:**

The literacy team from the SEWA Academy conducts classes for young boys and girls and also adults on their request. Two hour classes are conducted daily. There are different timings for different age groups. The young girls at the camps, in the age group of 7 to 14 years, have started learning Gujarati. So also preschool lessons introducing alphabets and numbers. Close to 120 girls attend literacy classes in three camps.

**Housing reconstruction:**

The housing damage assessment and needs assessment for reconstruction of 15,250 houses has been completed, with support and inputs from KSA Design Planning Services (KSADPS). A detailed report with plans and sketches and cost estimates for reconstruction is ready. SEWA is linking up with the government to design the housing compensation package based on this assessment.” (SEWA Relief Team, May 2002)

**Gujarat government disbursed funds for rehabilitation and resettlement of displaced (May 2002)**

“The Gujarat government has disbursed Rs 42.38 crore for rehabilitation and resettlement of the violence affected people in the state.

Talking to reporters here on Wednesday, Agriculture Minister Purushottam Rupala and Urban Development Minister I K Jadeja said that a sum of Rs 5.15 crore were paid in 12,798 cases for damage to earning assets.

They said that 82,025 violence affected people were taking shelter at 84 relief camps and a sum of Rs 9.61 crore had been spent for their management and essentials commodities like foodgrains.

During a survey carried out by 54 teams, 17,239 houses had been found damaged partially and 5,356 houses totally in the violence and a compensation of Rs 18.22 crore had already been paid to the affected people, they added.

The ministers further said that Rs 5.91 crore had been paid as compensation to kins of 557 deceased and Rs 26.34 lakh to 1,020 injured persons. For compensation for households a sum of Rs 257.17 lakh has been paid, whereas Rs 63.21 lakh has been disbursed as cash doles.” (The Times of India, 16 May 2002)

### **Gujarat government accused of discrimination in compensation and relief distribution for displaced (April 2002)**

- NGOs accused the state government of discriminating against Muslim victims of violence
- Authorities have also reportedly stopped relief trucks sent by Muslim charities to the camps
- The responsibility of providing food, medical support, and other supplies for victims of violence rests largely on local NGO and Muslim voluntary groups

“Nongovernmental organizations have accused the state government of discriminating against Muslim victims of violence who are being looked after almost exclusively by Muslim organizations and local NGOs. Although the vast majority of the victims of the violence belong to the Muslim community, reports indicate that the few camps in Ahmedabad which are hosting Hindus are visited more frequently by government authorities and received more regular rations. While larger camps housing Muslims have virtually no official support, the Kankaria camp for Hindu victims, for example, is run by a deputy collector (local government official). Authorities have also reportedly stopped relief trucks sent by Muslim charities to the camps, citing alleged reports that the trucks might be smuggling arms.

[...]

Vajpayee also announced that those whose homes were completely damaged in rural areas would receive Rs. 50,000 while those whose homes had suffered partial damage would receive Rs. 15,000. In urban areas rehabilitation measures would be worked out after a comprehensive survey. Vajpayee added that victims would not be resettled along communal lines. The federal government will also bear all the expenditure for the reconstruction of damaged homes. Those who lost shops and commercial establishments would also be compensated.

Press reports indicate that a majority of the family members of those killed have yet to receive their compensation disbursements. A coordinator for the Shah-e-Alam camp in Ahmedabad told the *Times of India* that only seven out of the 131 families in the camp who lost family members had received compensation. An organizer for the Dariyakhan Ghummat camp added that Rs. 40,000 of the Rs. 150,000 to be allotted each family had reached 40 percent of the victims in his camp.” (HRW, April 2002, pp.57-58)

“Muslims have also been denied equal access to relief assistance. Government authorities are also reported to be absent from many Muslim camps. In sharp contrast to the international and Indian community’s response following a massive earthquake in the state in January 2001—when millions of dollars in aid from the international community and civil society poured into the state—the onus for providing food, medical support, and other supplies for victims of violence rests largely on local NGO and Muslim voluntary

groups. [...] Members of the victims' community are managing many camps' day-to-day operations." (HRW, April 2002, pp.6, 52)

### **NGOs criticized Gujarat State government's response to the needs of displaced (March 2002)**

- Displaced in Gujarat faced unacceptable delays in government assistance reaching relief camps, inadequate provisions of medical, food, and sanitation supplies
- Aid workers continue to report an acute shortage of food, cooking oil, sugar, medical supplies, clothes, and blankets in Ahmedabad
- In the week after the initial violence, police and authorities allegedly obstructed the work of relief workers, or failed to provide protection
- Moreover, the government refused to transport the rations to the displaced

"A serious problem facing internally displaced persons in Gujarat is the lack of access to humanitarian assistance. Problems have included unacceptable delays in government assistance reaching relief camps, inadequate provisions of medical, food, and sanitation supplies, and a lack of protection for relief workers seeking to assist victims of violence. Under Principle 18 of the Guiding Principles, internally displaced persons are guaranteed the right to an adequate standard of living. Principle 18 states that "competent authorities" should provide internally displaced persons with essential food and potable water, basic shelter and housing, appropriate clothing and essential medical services and sanitation "regardless of the circumstances, and without discrimination." The state government of Gujarat has so far failed to comply with these standards.

Government aid, mainly food rations, did not reach the camps until at least a week after the onset of attacks. The amounts received have been inadequate to fulfill the camps' daily food requirements. Aid workers continue to report an acute shortage of food, cooking oil, sugar, medical supplies, clothes, and blankets in Ahmedabad. A report in the *Hindustan Times* added that camps housing thousands of people had only six toilets each and people were receiving only sixty grams of wheat a day.

In the week following the initial attacks police and members of the city administration obstructed the work of NGOs and other organizations attempting to deliver relief supplies to relief camps and to the walled area of Ahmedabad. A number of local and international NGOs were either refused access or denied the protection they needed to be able to provide assistance, in violation of Principle 26 of the Guiding Principles that calls on states to protect persons engaged in humanitarian assistance, as well as their transport and supplies, from attacks or other acts of violence.

[...]

An organizer of the Chartoda Kabristan camp told Human Rights Watch that while the government had provided some food supplies, the amounts given were not enough to fulfill the camp's daily requirements. Moreover, in what was described as a "government boycott," the government refused to transport the rations to them and told them to get their own trucks and pick them up themselves. Without security or transportation, this was often a difficult demand to fulfill. On the road leading to the Chartoda Kabristan camp, Human Rights Watch saw numerous trucks owned by Muslims that had been completely destroyed by fire during the attacks.

Muslim organizations have also been providing the camp with much needed supplies. The organizer for the Chartoda Kabristan camp stated: The government has given wheat, rice, milk and other things, but more has come from organizations and what the government gives is not nearly enough to complete the daily food requirements. Running the camp itself, or at least supplying food, costs Rs. 115,000 a day. The government also hasn't given any wood for the fires or for cooking or given any dishes. Rs. 5 (about U.S.\$

0.10) per day per person was also allocated. This declaration was made on March 6 but the money has not been received. All the Islamic movements are helping.

On April 4 Prime Minister Vajpayee announced a federal relief package for the “riot victims” that included two months free rations for those families living below the poverty line in areas affected by violence. The package also included a free set of textbooks and a school uniform for children living in relief camps. When announcing the package, the Prime Minister warned that relief provisions should be distributed without discrimination based on communal lines.” (HRW, April 2002, pp. 55-56)

## **National Response - Northeast**

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### **The United Naga Council highlighted authorities’ failure to acknowledge the situation of the displaced Nagas (January 2002)**

- The United Naga Council blamed the Manipur administration for its failure to acknowledge the IDP situation
- It also stated that Manipur Police and Manipur Rifles created a sense of fear among the Nagas by refusing to provide security measures in Naga localities and those on transit from place to place
- Local Peoples organizations particularly the United Naga Council Working Group (UNCWG), Committee on relief and rehabilitation have tried to organise relief to the displaced

“United Naga Council through its public appeal, through the local medias (Nagaland Post- 24 July 2001), has stated that the Manipur administration has so far failed to acknowledge the IDPs situation apart from providing basic humanitarian assistance to the displaced persons. UNC also stated that Manipur Police and Manipur Rifles have created a sense of fear among the Nagas by refusing to provide security measures in Naga localities and those on transit from place to place. Paradoxically “ their presences near Nagas have become threat in itself.”

[...]

On 13 August 2001 nine trucks bound for Tamenglong district headquarter and loaded with rice and other essential commodities worth at Rs. 23 lakhs was intercepted by Meira Paibis (Meitei women’s organization) of Manipur at Awangkunou around 10 am on Sunday and robbed of the essentials. (Nagaland Post – 14 August 2001) In a brief interview with the Kohima Bureau of Nagaland page on 19th August 2001, Jonathan, a Naga member of legislative assembly of Manipur, commented “ever since the birth of Manipur in 1972, Nagas in the hill districts were not given equal treatment. The Meitei legislators always suppressed the voices since they are in majority in the state assembly. Everything is concentrated only in Imphal valley. See, still there are no proper educational institutes, medical facilities, roads and communication not to talk of other facilities. Even the centrally sponsored schemes for the hills are always diverted to Imphal valley before reaching the Naga people and false utilization certificates were issued to the central government of India. Also the tribal welfare funds are used for the payment of salaries of the Manipur state government employees.”

The President, United Naga Council the apex Naga organization in the state of Manipur which supports the extension of current cease-fire to all Naga areas shared to the NPMHR investigation team that so far the administration of Manipur has not been forth coming in aiding the IDPs and except for a brief visit by the personal assistant to the Governor of Manipur assuring security for the displaced persons to return to the Imphal valley. The Indian Army personnel’s in Senapati, Ukhrul and Tamenglong Districts have rendered humanitarian assistance to the displaced naga families.” (NPMHR, 5 January 2002)

***Local initiatives are taken to address the needs of the IDPs:***

“NPMHR along with various other developmental NGOs and local organization have come together to systematically gather and compile data on the IDPs situation in the southern Naga areas under Manipur administration. Local Peoples organizations particularly the United Naga Council Working Group (UNCWG), Committee on relief and rehabilitation have been trying hard to put the relief works in a more organized way. The Committee on Relief & Rehabilitation monitors regulates and administers the relief operation in order to maintain equity with the distribution of relief to the many Relief camps, which still continues to sprout up overtime. Local support NGO’s are also chipping in to assist the humanitarian crisis of the long-term engagement of the IDPs. Long term policy on identifying rehabilitation and resettlement packages are being explored and worked upon. The conditions of Internally Displaced Persons situation will increasingly become volatile unless timely intervention is made to address the issue to manage and control it from spiraling out into another inhumane catastrophe.

[...]

NPMHR appreciates the support rendered and the much needed relief packages contributed by various Peoples Organisation, NGOs and well wishers which has been coming intermittently in the past weeks to meet the humanitarian challenge of housing, food, clothing and medical needs for the internally displaced Nagas from the Imphal valley. So far the contributions has been internally generated from the Naga communities in and around the affected areas.” (NPMHR, 5 January 2002)

**Government of India neglects displaced communities in the Northeastern states (January 2000)**

- The Government of India appears to lack an understanding of the scope, complexity, and severity of the internal displacement in the Northeast, leaving the door open for the problem to escalate
- Decades-long neglect of the region has resulted in underdevelopment and stiff competition for available resources, one of the very causes of the displacement
- India’s lack of response seems more a case of neglect than of willful abuse – nothing indicates that the government deliberately mis-treats the displaced
- India appears to lack any formal mechanisms for how the national or state governments should respond to situations of internal displacement
- Ethnic or tribal-based self-help associations, local NGOs, civic groups, religious organizations, and sometimes even insurgent groups have assisted the internally displaced in the Northeast

"Responsibility for the displaced lies with the government of India. However, it has not formulated concrete policies to address the causes of the displacement, to assist the displaced, or to help them find long-term solutions. New Delhi appears to lack an understanding of the scope, complexity, and severity of the displacement, and has largely relinquished its responsibility to the state governments. The Indian government’s indifference to the displaced in the Northeast is also consistent with an aspect of New Delhi’s (and the former British administration’s) decades-long neglect of the region. That neglect, which has resulted in underdevelopment and stiff competition for available resources, is one of the very causes of the displacement. Nevertheless, USCR found no indication that the Indian government deliberately harms or mis-treats the displaced in the Northeast, or that its response (or lack thereof) to them arises from hostility. India’s response seems more a case of neglect than of willful abuse. Compared to the myriad social and economic problems that the government of India faces, it may consider the situation of some 177,000 displaced persons in the Northeast a minor issue (although the same should not apply to the governments of the six Northeastern states). That is of little comfort to the displaced, however, and certainly does not justify New Delhi’s inattention to them.

[...]

India appears to lack any formal mechanisms for how the national or state governments should respond to situations of internal displacement. Rather, responses to displacement follow patterns that exist for

responding to other types of welfare needs, natural disasters, or conflict situations. One Santhal source told USCR, “The national government plays no role [with the displaced]. It is indifferent. It leaves everything to the Assam government. The government of Assam says that it spends 1.7 million rupees per day [\$39,000] to assist the displaced, yet all that the [dis-placed] get is rice and a bit of salt—and they get that irregularly. They receive no medical care, there’s no clean drinking water, and no sanitation.” Another Santhal man USCR interviewed called it a question of will. “Both the state and national governments have the ability to help the displaced. If they have the will to do something, they can. If they don’t [have the will], they won’t,” he said.

[...]

India’s central government has been very passive in its response to internal displacement in the Northeast. New Delhi has, in effect, relinquished responsibility regarding the displaced to state and local governments. Its only involvement has been to provide states minimal funds to assist the displaced.)

[...]

However, no indication exists that the government of India is deliberately causing the displacement of its citizens in the Northeast (al-though its neglect of the region ultimately results in displacement).

[...]

State and local government responses have been inconsistent, with individual states demonstrating different levels of concern and committing varying degrees of resources. According to Bhaumik, “In Assam, the government has acknowledged the displacement and has set up camps. In Manipur, the government has set up camps twice, both times for Kukis. But it is more reluctant to accept the existence of displacement.” Several other local actors have come to the aid of the displaced, but their response has been sporadic, and their resources usually meager. These local groups include ethnic or tribal-based self-help associations, local NGOs, civic groups, religious organizations, and even insurgent groups themselves. Their roles have also varied from state to state. While the governments in Assam and Tripura appear to have led in aiding the displaced, in Manipur (particularly in the case of displaced Paites), Paites' self-help organizations have taken the lead, although there, too, the government has provided some aid.

[...]

In the Northeast, New Delhi does not address the causes of ethnic conflict. At times, it responds to the violence associated with the conflicts, but it does not address the causes per se. This is particularly problematic because displacement continues. By not taking steps to prevent future displacement, the government is leaving the door open for the problem to escalate. The government responds to the displaced in the Northeast as it might to victims of a natural disaster—that is, as a population needing temporary assistance. It does not respond to them as a group for whom it must find solutions, nor does it address the need to prevent further displacement. Conditions in camps and centers for the displaced in the Northeast are inadequate and far below the standard one would anticipate in a UN-assisted refugee camp. However, they are not dissimilar to those in which many other disadvantaged Indians live."(USCR January 2000, pp. 2, 16,18)

### **Short term and "ad hoc" support to IDPs in camps in western Assam (2000)**

- The state government supplies food but the displaced say it is insufficient, and the quality substandard
- Overall conditions in the camps are reportedly poor and there is little organization and administration
- The government of Assam has only provided rehabilitation to six per cent of the displaced persons
- The rehabilitation of the displaced persons is still uncertain

"During its visits to camps for the displaced in western Assam, USCR learned that aid is inadequate and its delivery is inconsistent. Overall conditions in the camps were poor. There appeared to be little organization or administration. The government’s response to the displacement appeared ad hoc, with little attention paid to long-term solutions for the displaced. At a meeting with a local government official in Kokrajhar

District, in western Assam, the government's inability, or unwillingness, to grasp the scale or complexity of the problem on its hands was plain. The official said that while the government has been providing the displaced assistance, it cannot do so indefinitely, not only because of economic constraints, but for the good of the displaced themselves. He said, "How long can we give the displaced rations? They are becoming lazy." When asked how he thought the displaced should support themselves, he said that since they are farmers, they should return to farming. But when asked if they could return to the land on which they were living before and farm there, he said they could not, because it is forest land and the government has decreed they cannot live there. The official conceded that the logical conclusion is that "the administration must find a way to rehabilitate them elsewhere, on non-forest land." However, when asked if the government was in the process of doing that, he replied that it was not, because there is no other land available. According to Debbarama, the Tripura state government has assigned some personnel to administer the Reang camps. He said that government officials register the displaced and regularly check them, but that their purpose is not to assist but to "ensure that people don't leave." The Tripura government supplies food, including rice, dahl, and occasionally fish. But the displaced say it is insufficient, and the quality substandard. NGOs help supplement what the state government gives. The displaced have set up a "refugee committee" to speak on their behalf. According to local newspapers, as of mid-1998 the state government in Tripura had spent more than 17 million rupees [\$390,000] assisting the displaced. In Manipur, Thomas said, "The first time that the government of Manipur gave any assistance to the displaced was in May/June of 1998. It gave the equivalent of U.S. \$1,200." There's been virtually no assistance from other sources; only a bit from churches and local NGOs," he added. According to Zomi Council member Santhang, "The government of Manipur did not organize camps" for the 15,000 Paites displaced as a result of the Kuki-Paite conflict. He said that the Zomi Council took the lead not only in assisting most of the displaced, but also in helping them to rehabilitate. "The government has supplied rice, mosquito nets, and blankets, but only for some of the displaced," he added. The Manipur state government has also promised to pay each displaced Paites family a rehabilitation grant to rebuild their homes, but at the time of USCR's 1998 visit, had given the grant to only 80 families. The government had also promised to give compensation grants to the families of the 290 Paites who were killed in the conflict, but had given those only to 100 families by August 1998."

(USCR January 2000, p.16)

"The government of Assam granted RS 10,000 (roughly \$250) each to some families. Besides, the government of Assam allotted houses to 1,758 Bodo and Santhal families under the central government sponsored scheme called 'Indira Awas Yojana' (Indira Ghandi Housing Scheme). As a result, 5,000 inmates have left the relief camps recently. [...]

This is not even 6 per cent of the total displaced persons awaiting rehabilitation. There are more than 200 thousand inmates living in relief camps out of which 70,000 are children. [...]

Needless to say, Assam is among the very badly governed states in India. Whatever the state has done is far from adequate. The food supplied by the government includes only rice and salt and sometimes 'dal' (lentil). The monthly ration hardly meets the requirements for a week. Some inmates were killed while they were trying to collect fuel/fire wood from the nearby forest!

The rehabilitation of the displaced persons is still uncertain. Neither the central nor the state government has the will to resolve the problem. Whatever has been done is absolutely inadequate. They can not go back to their abandoned villages. Their lands have been occupied by 'others'. They have lost their cattle. Those who were displaced from the 'reserved forests' cannot go back because of judicial bar against the settlement inside the reserved forest now. Even those who were displaced from the 'revenue' village cannot go back because of threat to their lives. The state cannot provide security in the villages. For the state it is easier to provide them security where they live together collectively as a community of displaced persons in relief camps. [...] Both exclusivist ethnic movements and the post colonial Indian state are insensitive to the problems of the displaced persons." (Hussain, December 2000)

## **Governmental response to IDPs from Kashmir much more generous than response to displaced in the North Eastern states (1990-2000)**

- The assistance received by Kashmiri internally displaced is better than in the Northeast, conditions are poor nevertheless
- The government has spent U.S.\$ 62.9 million on food and financial aid for IDPs in Jammu and Kashmir since 1990
- Another US\$ 4.6 million has been spent on compensation for burnt down houses
- State governments have prime responsibility for implementation of policy, but work in collaboration with national authorities
- Half of the 29,000 displaced Kashmiri families in Jammu receive government assistance and the other half are former government workers still receiving full salaries or retirement benefits
- Schools for the displaced children have been constructed and medical care is provided – but some IDPs say it is not enough to cover the needs

"Most IDPs from Kashmir live in Jammu (some 240,000 people) or Delhi (around 100,000 people), where the government aid they receive is substantially greater than that given to their northeastern counterparts. Displaced Kashmiri Pandits receive a monthly allowance, food aid, semi-permanent housing, medical and educational facilities, and many former government workers are still paid their full salaries. Nevertheless living conditions are poor; the dwellings are mere 'cardboard rooms' lacking proper drainage systems and other basic amenities." (SAHRDC March 2001)

"Many displaced Pandits receive cash assistance and food aid from the Indian government. Former government workers continue to receive full salaries or retirement benefits. Nevertheless, some displaced Kashmiris complain that government assistance is inadequate." (USCR 2001)

"The NHRC released a 39-page report in June 1999, in response to a petition from Hindu Pandits alleging that genocide had been committed against them. The NHRC found that the crimes against the Pandits "fall short of the ultimate crime: Genocide," but stated that compensation to the community had been inadequate. As a result, the Government's monthly subsistence payment to Pandit families was increased." (U.S. DoS, February 2001, Section 5)

"The Indian government's response to displaced persons from Kashmir has been significantly different from its response to displaced persons in the Northeast. B.D.Babyal [Jammu and Kashmir state government's deputy commissioner for relief] said that the Indian government spends 26 million rupees (U.S. \$597,000) per month just on financial and food aid for the displaced. In Jammu and Kashmir alone, that has totaled some 2,741 million rupees (U.S. \$62.9 million) since 1990. He added that the government has spent another 200 million rupees (U.S. \$4.6 million) on compensation for displaced persons whose homes were burned down. Babyal adds that the Jammu and Kashmir state government's policy toward the displaced is shaped by a high-level committee chaired by the revenue minister. He noted that the state government works in collaboration with the national government, "but as far as implementation of policy, the primary responsibility is with the state." Of the 29,000 displaced Kashmiri families in Jammu, some 14,200 families (some 59,500 people) receive government assistance as displaced persons. Another 14,800 families (almost all Hindus) are headed by former government workers, to whom the government of India has continued to pay full salaries (or retirement benefits) since their displacement in 1990, even though most are not actually working in any government job. According to Jammu official Babyal, those living outside camps who receive government assistance are given a monthly cash payment of 1,800 rupees (U.S. \$41) for families of four or more, plus a food-aid package consisting of rice, flour, and sugar. For the first six or seven years after their displacement, most displaced Kashmiris in Jammu lived in tents. Over the years,

many obtained rented accommodation in Jammu or Delhi or moved elsewhere in India or abroad. The government constructed some 4,600 one-room, semi permanent houses for those who remained in the camps.

According to Babyal, the Jammu government has also built ten primary schools and three high schools for displaced children, and provides medical care to the displaced, including paying for 28 doctors based at the camps.

Nevertheless, when USCR visited the camps, residents complained of lack of government help for education and medical care. In Muthi camp, the camp leader said that there is a small dispensary, but that the government doesn't provide any medicines for it. He said that the displaced have access to local hospitals, but that, unlike local people, they are not given free medicines.

In New Delhi, according to Surinder Kher, vice president of the Kashmir Samiti, a Kashmiri Hindu association, the government of India recognizes some 21,000 displaced Hindu Pandit families (about 100,000 people). A majority of the displaced are dispersed throughout the city, living mostly in private accommodations, though some 2,000 to 3,000 continue to live in 14 camps for the displaced. Those living outside the camps receive the same government assistance as displaced Hindu Pandits living outside of camps in Jammu. Those living in the camps receive 1,200 rupees (U.S. \$27), plus housing, electricity, and some food aid."

(USCR 2000, Displacement from Kashmir, p.1-2)

## **National Response- Development Induced Displacement**

**The National Human Rights Commission (NHRC) states that resettlement and rehabilitation of persons displaced by land acquisition should form a part of Land Acquisition Act' (2001)**

- The National Human Rights Commission (NHRC) criticizes the fact that the State Governments are allowed to determine resettlement and rehabilitation policies specific to each project
- People's movements defending the oustees have forced authorities to take more responsibility
- A Draft National Policy, Packages and Guidelines for Resettlement and Rehabilitation, 1998 (NRR 1998) has been under preparation by the Government of India since the mid-1980s
- Most state governments either do not have rehabilitation policies or legislation, or where these do exist, they are not being implemented
- The National Human Rights Commission states that provisions relating to the resettlement and rehabilitation of persons displaced by land acquisition for developmental projects should form a part of the Land Acquisition Act
- NHRC also states that return and resettlement arrangements should be provided in advance, before actual acquisition of land takes place.

"The Land Acquisition Act from 1894 makes displacement easy but doesn't mandate the resettlement of the dispossessed. Compensation is given only for *patta* land (individually owned), the market value of which is defined by the state."

(Fernandes 2000, p.277)

"It is significant that whereas the statute books arm the state with what many perceive to be draconian powers of compulsory land acquisition, there is still no national law — not even a national policy — for ensuring that rehabilitation is an enforceable right of persons affected. The preferred way has been instead to allow the concerned state governments and funding institutions to work out policies specific to each project.

[...]

It is chiefly under the impact of people's movements, supported by painstaking empirical social science research, that the state has in recent times acknowledged that its responsibility for rehabilitation extends beyond the payment of market value for compulsorily acquired assets. However, the state in India has continued to resist the laying down of the nature of its precise responsibilities for rehabilitation in the form of even a comprehensive policy statement, let alone legislating the right to rehabilitation as a legally enforceable right. The infirmity of political will underlines the importance not merely of a policy, but of legal and institutional mechanisms for its enforcement."

[...]

For their part, most state governments either do not have comprehensive rehabilitation policies or legislation, or where these do exist in whatever form, the governments themselves are observed to have directly or tacitly blocked their implementation. The state governments of Madhya Pradesh and Maharashtra, for instance, have passed laudable laws that provide for acquisition of land in the command area of big dams for rehabilitation of oustees, but these are only enabling provisions and the state governments have chosen not to exercise these powers for any project. The Karnataka legislature adopted a bill on resettlement, but the state government has blocked its implementation by failing to fulfil the formality of putting it up to the State Governor for his formal assent. Most state governments rely not on law or universal policies, but instead on ad hoc administrative instructions, in conformity with the bureaucratic preference for what is described as a 'case-by-case approach'."

(Mander, August 1999, pp.25-26)

"The [National Human Rights] Commission has taken the view that provisions relating to the resettlement and rehabilitation of persons displaced by land acquisition for developmental projects should form a part of the Land Acquisition Act itself (or an appropriate separate legislation) so that they are justiciable.

Concerned with the plight of persons displaced by Mega-projects, the Commission has been pursuing this matter with the Ministry of Rural Development, Government of India, seeking to ensure the early finalisation of a draft policy on this subject.

A petition was received from the National Committee for Protection of Natural Resources (NCPNR), wherein it was mentioned that the Land Acquisition Act, 1894, which was still in force and was proposed to be amended by the Government, did not contain any provision for resettlement and rehabilitation of the people affected by projects. The Committee requested that the Commission may consider this matter in its entirety and make suitable recommendations to the Government, specially at a time when the Government was considering a comprehensive Land Acquisition (Amendment) Bill, which did not deal with aspects relating to resettlement and rehabilitation.

Considering this issue in its meeting held on 21 December 2000, the Commission decided to pursue this matter with the Government. A detailed discussion was held with the Secretary, and senior officials of the Ministry of Rural Development on 13 February 2001. The Commission was informed that the Bill had been finalized and was with the Ministry of Law. The group of Ministers had also considered and finalized the policy regarding rehabilitation and resettlement. The Bill would now be submitted to the Cabinet for consideration

The Commission expressed the view that it was desirable to incorporate the rehabilitation and resettlement (R&R) package in the Land Acquisition Act itself as an ILO convention, to which India is a party, provides for the protection of rights of indigenous and tribal people. In addition, the incorporation of R&R package in the law will ensure the R&R of Project-Affected-People in a systemic manner. The provision for R&R in

the law itself will help to avoid litigation and consequent delays and prevent cost overrun of the projects. Once the R&R package is provided in the law, there will be uniformity in dealing with the cases by the Courts. The R&R facilities should be provided in advance, before actual acquisition of land takes place. The Commission also noted that, in a number of cases, land was acquired in excess of that which was required, adversely affecting the land holders on the one hand and wasting of the resources of the State on the other, as the excess land was not put to use by the project authorities. A properly drawn project document, with estimates of expenditure involved in R&R, would curb this tendency. Further, in the interests of transparency and full information to the people likely to be affected by a project, a Committee consisting of representatives of Government, the industry/agency for which land is proposed to be acquired and the project affected people, should have detailed consultations before the land is acquired [...]" (NHRC March 2001)

### **Victims of large dams often not consulted or even informed of their displacement (1999)**

- Villagers are often not properly informed about which villages/land will be submerged and when
- Information on rehabilitation packages, entitlements and choices are often not provided
- Villagers often have to gather information from survey teams, officials passing by and even from stone markers showing reservoir levels

"From the inception of planning of most projects, through various stages of displacement and resettlement, it is to be expected that those likely to be negatively affected by the projects would be consulted and kept informed in such a way as to enable them to best rebuild their ravaged lives.

This, however, is very far from being the case. There is typically bewilderment and confusion among resettlers in virtually every large project about even the precise contours of submergence — which villages or segments of villages would be submerged, and when. The indefensible experience of the Bargi Project on the Narmada has been recorded, in which 70,000 villagers from 101 villages were informed that they would be displaced. But when, without prior warning, the reservoir was filled, 162 villages were submerged displacing 114,000 people [Roy 1999; Desai 1993].

Again, typically oustees are rarely consulted or even informed about the phasing and content of their rehabilitation package, their entitlements and their choices. This is partly because of bureaucratic lassitude and insensitivity, but as a MARG (Multiple Action Research Group, a respected activist research group) team finds, misinformation may not always be by oversight.

In all the villages visited so far by the MARG team, the level of information that the oustees had regarding the dam, submergence and subsequent displacement due to them, was lamentably low. By and large the oustees had received little or no information from official sources i.e. the authorities formally required to communicate relevant information. As other officials seldom or never visited these villages, it was from the survey teams who had either come to take down details of their family, landed property etc. or lay stone markers, or during the site visits, that the villagers had gathered stray information about their subsequent submergence or resultant displacement. In the absence of any proper information the oustees had guessed from looking at the stone markers, the extent of loss of land.

The forest department, on its part, was adopting an equally callous attitude. None of the forest villages was officially informed by the forest department about their possible submergence and displacement. The villagers had gathered information from passing officials, neighbouring villages and surveys teams belonging to the irrigation department, who had come to survey the land and to lay stone markers showing reservoir levels. Sometimes it was some junior official of the forest department or the forest guard, who passed on the information, not as a matter of duty, but in the course of conversation or when asked by the villagers.

Lack of information is in itself a very serious matter, but even more unforgivable is the incomplete and defective information being provided to the people. For example, some of the oustees have been told that they will get compensatory land *only* if they go to Gujarat, and that too a *maximum* of 5 acres [ i.e., 2 ha] irrespective of the area of land lost, whereas under the Award, they are entitled to get a *minimum* of 5 acres as compensation *either* in Gujarat or in Madhya Pradesh. Some oustees from the villages of Kukshi *tehsil* have been told that cash compensation will be paid to them in instalments, though the Award specifies that it is to be given in a lump-sum. [Ganguly Thukral 1989:52–53, 56–57]"  
(Mander 1999, p.5-6)

" A study done in Madhya Pradesh in 1987, three years after work on the Sardar Sarovar dam commenced, showed that people did not know which villages would be submerged, when and how many of them would be displaced, whether they would be resettled, or what compensation would be paid. This situation is not specific to Sardar Sarovar but true about most projects."  
(Fernandes 2000, p.278)

### **Cash compensation: a poor and short lived substitute for a lifetime of livelihood security (August 1999)**

- Indian law provides for cash-compensation for compulsorily acquired individual assets, mainly land or houses
- Victims of displacement receive compensation for their property at a rate below the market rate
- The compensation paid does normally not allow the displaced to replace lost land or houses
- Compensation is only offered to persons in possession of undisputed legal title
- Community assets like grazing grounds and forests are not compensated for under the Land Acquisition Act
- Payments are delayed and uncertain, and the oustee is vulnerable to graft in the disbursement of compensation
- Ousteers often deplete cash compensation in short periods and a lifetime of livelihood security or shelter could be squandered in months

"The only significant reparation for displaced persons guaranteed by law is the payment of monetary compensation for compulsorily acquired individual assets, mainly land or houses. However, the manner in which the law is framed and interpreted ensures that the displaced land-owner or house-owner is always the loser.

[...]

Some of the major problems leading to the undervaluation of compensation are as follows:

The practice is to pay compensation for lost fixed assets like agricultural land at the prevailing market rate, calculated as an average of registered sales prices of land of similar quality and location in the preceding three or five years. However, it is an open secret that most land transactions in India are grossly undervalued to evade registration fees. Therefore, the oustee receives a rate which is much below the market rate, and the solatium of 30 per cent (or even 100 per cent as is being proposed in a new draft Land Acquisition Act (LAA) Bill under consideration with the Government of India) is far from enough to bridge the gap between the market and the registered prices. In Scheduled Areas (areas with high tribal concentration listed in the Constitution for special state protection ), the problem is compounded by the fact that the law restricts sale of land by tribals to non-tribals to prevent tribal land alienation. This otherwise

progressive measure has the unintended outcome of further depressing the market price of land and quantum of compensation to the the tribal land oustee.

Land and houses are paid for at the alleged market value rather than 'replacement value'. To consider only one typical example, the Fact-finding Committee on the Srisailam Project (1986) found that the replacement value of one acre of dry land was around Rs 5000, and for one acre of wet land Rs 13,800. The compensation actually paid (including solatium) was only Rs 932 and Rs 2,332 respectively. In this way, the amount paid as compensation was five times less than the amount that would be required by the oustees to purchase agricultural land of equivalent quantity and quality.

The Fact-finding Committee found a similar discrepancy in the amount of money paid as compensation for houses. In their survey, the villagers set the value of a stone house at Rs 11,564 and a hut at Rs 2,500. However, the Government paid an average of Rs 5,561 for stone houses. For huts, the government paid an average of Rs. 645—that is, one-third of the value estimated by the villagers [Fact-finding Committee on the Srisailam Project 1986:258] .

Typically land prices shoot up sharply around any large project because of enhanced demand for land and in anticipation for irrigation, likewise houses are depreciated in value for age. In this way, oustees are not compensated for their land or houses at rates which would enable them to buy land or construct houses elsewhere similar to those that are lost. In projects like the SSP, the Gujarat government is providing land to oustees purchased at open market prices, and this has been found to be much higher than the rates at which compensation was paid.

Compensation is only for persons in possession of undisputed legal title. In any average Indian village, the tyranny and corruption of the *patwari* or village accountant charged with the responsibility of maintaining land records ensures that land records are neither accurate nor updated, and this complicates the chances a land-owner will be able to prove title and secure compensation.

Tenants, sharecroppers, wage-labourers, artisans and encroachers are usually not considered eligible for compensation because they do not have legal title to agricultural land, whereas they are paradoxically the most vulnerable and in need of support.

Community assets like grazing grounds and forests, which again may be critical for the livelihood of the poorest, are not compensated for under the LAA.

The value of the land is calculated as on the date of the gazette notification and interest is liable to be paid only from the date of taking possession up to the date of payment of full compensation. The LAA thus does not take into consideration the escalation of the market value between the time of notification and the date of actual possession.

The limited provisions in the LAA to challenge the rate of compensation are, in practice, inaccessible to the indigent and illiterate oustees, because they may not be aware of the legal nuances or else cannot afford the expensive remedy of courts. Even those that are able to access courts fritter away a substantial proportion of the gains that they achieve in legal costs. The Srisailam Fact-Finding Committee noted in this regard :

Only those landowners who were familiar with the legal details of the Land Acquisition Act — and who had connections in the city — took their cases to court. Others who were unaware of the Act lost their opportunity to appeal because they accepted the initial compensation payment without protest.

Those who went to court had to spend considerable sums of money on lawyers' fees and other expenses. In some cases, a percentage of the money awarded in compensation was taken by the lawyers — many of whom charged far more than their usual fees. Significantly, the courts ruled in favour of all those who appealed — ordering increases in compensation ranging from 12 to 254 per cent. However, in most cases, the appellants benefited little owing to the high legal costs involved. [Fact-finding Committee on the Srisailam Project 1986:258]

Payments are delayed, uncertain and the oustee is vulnerable to graft in the disbursement of compensation.

Even more lethal for rural oustees is the provision that whatever compensation is fixed, is paid as a rule in cash rather than kind. Especially tribal people, but to a lesser degree most rural people, have little experience in handling cash. Many studies have recorded how cash compensation is depleted by oustees in short periods, by fraud, for repayment of old debts, in liquor and conspicuous consumption. The roar of Hero Honda motorcycles, raising a trail of dust in village roads, is ubiquitous wherever compensation has been disbursed. A lifetime of livelihood security or shelter is squandered in months, sometimes weeks, condemning displaced persons to assured and irrevocable destitution."

(Mander, August 1999, p.8-10)

"Furthermore, the low compensation for assets is based on the principle of 'eminent domain': that land without an individual *patta* (individually owned) is *terra nullis* (nobody's land), open to acquisition by any party. But Indian law does not recognise the socially-established community rights that are basic to the livelihood of Common Property Resource (CPR) dependants."

(Fernandes 2000, p.277)

### **Some basic suggestions on how to better respond to the needs of the development-induced IDPs in India (2000)**

- The South Asia Human Rights Documentation Centre urges the Indian Government to use the Guiding Principles as a framework for assistance
- The Government should also strengthen its institutional capacity to assist IDPs
- Affected populations should benefit directly and sustainably from the project forcing them off their land
- Rehabilitation packages should be designed together with the affected population
- Provision of new land should be the cornerstone of the rehabilitation policy
- Host communities' consent must be sought before displaced communities are relocated

#### ***The South Asia Human Rights Documentation Centre states:***

"It is clear that the Government of India must do more to protect the fundamental rights to life, security and dignity of the IDPs. Not only is current assistance and protection inadequate, government policy towards IDPs is inequitable, with Kashmiri Pandits receiving more assistance than their tribal Northeastern counterparts. Additionally, through the reduction of food rations and medical assistance, the government ignobly pressures IDPs to return to areas in which they feel unsafe.

To redress these problems the Government needs to develop a strong legal and institutional framework. The Guiding Principles on Internal Displacement, submitted to the UN Commission on Human Rights in 1998, provide a sound ethical and pragmatic foundation for such a framework for IDPs. Drawing heavily from existing international treaties and conventions, the Guiding Principles include the rights of IDPs to assistance and protection without discrimination. The Constitution of India also affirms basic rights to life, food, and shelter. Together, these legal obligations can help structure a workable solution to these problems.

The Government should also strengthen its institutional capacity to assist IDPs by enhancing communication between vulnerable populations, their state governments and the central government. Displaced women, as household managers, must be involved in decision-making and assistance distribution to IDPs. Existing channels between displaced groups, administrations and security forces must be made

more transparent in order to improve protection and prevent army abuses such as rape, arbitrary arrest and murder.

Finally, assistance and protection for IDPs in India must be supplemented by the vision and political will to bring lasting peace to the Northeast and Kashmir. Causes of conflict should also be addressed along with the symptoms of conflict such as internal displacement." (SAHRDC 16 March 2001)

"The goal of [a policy for compensation, resettlement, and rehabilitation] must be to facilitate affected populations to directly and sustainably benefit from the project. Such a rehabilitation package must be negotiated with affected populations to constitute a legally enforceable right. Detailed planning for rehabilitation must be integrated into project planning, and phasing must be tailored to the interest of the oustees rather than construction schedules. Populations whether affected directly or indirectly must be eligible and compensation must enable replacement of lost livelihoods, shelter and assets. Land-for-land must be the cornerstone of the rehabilitation policy, based on compulsory acquisition from larger holdings in the command area. Important non-land based assistance could include exclusive fishing rights in the new reservoir. Physical relocation, where unavoidable, must be in resettled communities at sites and habitats selected by the resettlers with the consent of host communities, and basic facilities must be assured in advance. The policy must contain special measures for most vulnerable groups and people."  
(Mander 1999, p.28)

"The solution to 'unconsented displacement' is the recognition that a development process must be based on reasoned choice of the people, and that it should legally protect their right of participation in every step that effect their future. Since most DPs/PAPs are illiterate, they may not comprehend the project in detail. The solution is so simple that it should have been in place by now. It merely requires to be translated into a language and in a manner they understand.

They have to be involved in the identification of potential DPs/PAPs, the assets in jeopardy, and the criteria for compensation – all of it explicitly establishing their inalienable right to compensation as CPR-dependents and service providers. Recognising their assets as their livelihood, not merely as a marketable commodity, is an important step in revaluing their humanity.

Among the steps required to prepare DPs/PAPs for abrupt transfer from a semi-monetised to a formal economy are literacy and technical training, and psychological and cultural acclimatisation.

The inevitable time lag between the decision and implementation of a project can be used for familiarisation. The decision on Sardar Sarovar in Gujarat and National Aluminium Corporation (NALCO) in Orissa, for instance, was taken in the 1960s, but it was implemented in the 1980s. this 20-year hiatus could have been utilised for a literacy and skill-inculcation drive.

[...]

Interactive resolution is basic to resettlement and rehabilitation. The decision to implement the project must follow a participative and transparent process. It can invest the displaced with the self-reliance and self-confidence they need to tide over the trauma that so often convert displacement into a human-made disaster."

(Fernandes 2000, p. 278-279)

## **International Response - General**

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### **The Indian Government sees no role for the international community on the issue of protection and assistance to IDPs (2000)**

- The Indian Government argues that international attention to IDPs has to remain within the bounds of the concept of national sovereignty and that
- international actors have no role in displacement caused by development projects

- The Government also argues that the Guiding Principles on Internal Displacement do not have intergovernmental approval

"...the primary duty and responsibility of protecting and assisting the IDPs is that of the State concerned. International action with regard to IDP should remain within the bounds of the concept of sovereignty, which should not be diluted in any manner. [...] Within countries, the law of the land has to prevail, and what is important is to ensure that these laws reflect a high level of protection for the human rights of all persons. With regard to displacement occurring on account of development projects, my delegation is of the view that in democratic societies, such decisions are made by the elected representatives of the people. We do not believe that external agencies have a role in this." (Permanent Mission of India to the United Nations Office – Geneva April 2000 p.5-6)

"International action must be at the request of the governments concerned. We do not share the opinion [...] that some governments might not have the capacity or be willing to discharge their responsibilities. No evidence has been presented for this sweeping charge. [...] There are also the Guidelines on IDPs, prepared by the SG's Representative, which do not have intergovernmental approval; however, it is these that the UN system seems to find most attractive." (Permanent Mission of India to the United Nations Office – New York July 2000 p.1-3)

### **US Committee for Refugees encourages the international community to take a more active stand on IDPs in India (2000)**

- USCR finds it appropriate for the international community to more actively urge the government of India to address the issue of internal displacement
- To avoid unsolicited international help, India should do the job adequately itself
- India cannot fail to protect and assist the displaced, prevent others from doing so, and yet reject the international community's humanitarian interest in the fate of those affected
- USCR makes the following recommendations to the International Community:
  - - States with close relations with the government of India should encourage it to address the IDP situation
  - - The IASC Working Group should monitor the IDP situation in India and explore the need for international involvement
  - - International NGOs with a presence in India should provide direct assistance to the displaced

"[G]iven the poor conditions for displaced Indians, New Delhi's policy void regarding them, and its meager, irresolute response to them to date, it is entirely appropriate for the international community more actively to urge the government of India to address the issue of internal displacement and adequately respond to the needs of the displaced. The government of India has stated that it supports UN humanitarian assistance programs where these are provided "with the consent of the affected countries and on their appeal" and where such assistance respects "the primacy of the role of the affected State in the initiation, organization, coordination, and implementation of humanitarian assistance" within its territory. New Delhi has so far not initiated, organized, coordinated, or implemented adequate efforts on behalf of its displaced citizens. If it does not want unsolicited international help in doing so, it should take steps to ensure that it does the job adequately itself. If India is unable to provide such assistance, it should invite international assistance. There are intergovernmental, international, and nongovernmental organizations that might be willing and able to assist. India cannot, however, fail to take steps to protect and assist the displaced, prevent others from doing so, and yet reject the international community's humanitarian interest in the fate of those affected."

*On this issue, the USCR makes the following recommendations to the International Community:*

"States that have influence or close relations with the government of India should encourage it to address the situation for internally displaced persons as outlined above.

International agencies should closely monitor the situation of internally displaced Indians and encourage New Delhi to act should conditions for the displaced deteriorate. The Working Group of the UN's Interagency Standing Committee, which helps the UN's Emergency Relief Coordinator to assist displaced persons worldwide, should also monitor displacement in India. If problems persist, and the government of India does not take appropriate steps to remedy the situation, the Working Group should explore the need for international involvement, how it can come about, and what form it should take.

International NGOs with a presence in India should provide direct assistance to the displaced through their local staff and partner agencies. Church organizations, in particular, could do more on behalf of members of their congregations who are displaced. The international community could also support the organization of seminars focusing on internal displacement in India as a means of informing and sensitizing humanitarian and human rights organizations in India regarding the situation of internally displaced persons.

(USCR January 2000, p.18-19)

## **International response - Kashmir**

### **The ICRC distributed aid to displaced from Kashmir (February 2002)**

- Between 25 January and 1 February 2002, the ICRC distributed family parcels comprising food (lentils, sugar, oil), hygiene products and blankets to displaced families

"The current tension between India and Pakistan and the military build-up along the international border and the Line of Control has caused the inhabitants of several dozen villages close to the border to leave their homes and seek refuge in safer areas. While most of the displaced people are staying temporarily with friends and relatives, several thousand of them are having to camp in buildings such as schools, a commercial centre and a disused factory. After consultations with the civilian authorities of the Indian state of Jammu and Kashmir, and working in cooperation with local members of the Indian Red Cross Society, the International Committee of the Red Cross (ICRC) assessed the needs of some 2,600 families living in public buildings in the districts of Jammu, Rajouri and Poonch.

On the basis of its findings, between 25 January and 1 February the ICRC distributed family parcels comprising food (lentils, sugar, oil), hygiene products and blankets to these displaced families. The aim of the programme is to supplement the aid in the form of cooking fuel and staple foods that is being provided by the local authorities. Most of the displaced depend for their livelihood on their crops and livestock, so have little in the way of savings. They are experiencing great difficulty in providing for themselves and their children, especially in the wintry conditions now prevailing in these mountainous areas.

The ICRC will continue to monitor the needs of the displaced, alongside its ongoing detention-related activities in Jammu and Kashmir." (ICRC, 1 February 2002)

## **Kashmiri IDPs call on the Indian government to invite the UN Special Representative, Francis Deng (2000)**

- In a petition to the National Human Rights Commission, the displaced Pandits demanded that the government implement the recommendations of the Representative of the UN Secretary-General on IDPs and invite him to meet the IDPs from the Kashmir valley
- The Indian National Human Rights Commission has expressed understanding of their position and called on both the state and the national governments to provide more support for the Pandits

"The Indian government does not regard the Kashmiri Pandits as IDPs. In a petition to the National Human Rights Commission in 1995, the Pandits demanded that the authorities should extend facilities and rights (non-refoulement, humanitarian assistance, right to seek asylum, etc) by virtue of their internal displacement. The petition also demanded that the government implement the recommendations of the Representative of the UN Secretary-General on IDPs and invite him to meet the IDPs from the Kashmir valley. The Commission felt that the Kashmiri Pandits did not fit into the typical definition of IDPs particularly in view of the benevolent attitude shown them by the government. In its response to the Commission the government argued that the word migrant is a more appropriate description of the status of the Kashmiri Pandits. While official policy is to create conditions for their safe return, the Kashmiri Pandits allege that both the central and J&K governments have not done enough to ameliorate their conditions in exile or to find a permanent solution to their problem. The Commission has expressed understanding of their position, called on both governments to provide more support for the Pandits and made suggestions of how they might do so."

(Saha 2000 p.26-27)

## **International Response - Gujarat**

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### **The ICRC distributed tools for Gujarat's displaced to enable them to restart work (May 2002)**

- The ICRC was set to distribute work tools at relief camps across Gujarat so that people could start going back to their work
- In April 2002, Prime Minister Atal Bihari Vajpayee announced a Rs 20 million relief package for Gujarat, but routed it through the Red Cross and not the State Government

"Thousands of Muslim survivors of the sectarian violence in Gujarat may finally start picking up the threads of their lives again, thanks to the efforts of the International Red Cross Society.

The global relief and rehabilitation group is set to distribute work tools at relief camps across Gujarat so that people can start going back to their trades.

Backed by a corpus of Rs 20 million from the Prime Minister's Relief Fund, the Red Cross has devised a "Back To Work" scheme and is currently busy identifying likely beneficiaries.

Once it readies a list of people - among them carpenters, motor mechanics, electricians and the neighbourhood clothes ironers - the Red Cross will start to supply them with kits containing work tools.

Many would be given carts too, on which they can sell their wares.

"Thousands of Muslims at the relief camps want to rebuild their lives but have no tools to work with," Red Cross secretary general Vimala Ramalingam said here. "Our "Back To Work" programme aims to help them earn a livelihood."

Red Cross volunteers from its national headquarters here and six branches in Gujarat are moving around the relief camps in the State preparing a list of intended beneficiaries. The distribution of tools is likely before month-end, Ramalingam said.

"When people first came to the camps, their basic requirements were different. Now we find that many want to go back home but we can't help them because, in many cases, there is no home to go back to. So we decided to help them at least in reviving their work so that they can start earning again."

[...]

As the Gujarat Government, which has been accused of backing the Hindu mobs, failed to provide relief and rehabilitation to the survivors, outfits like the Red Cross stepped in to provide financial and logistical support to them.

[...]

The Red Cross has already distributed 10,000 "hygiene kits" that include toothpowder, bathing soap and detergents and cooking oils.

[...]

In April, Prime Minister Atal Bihari Vajpayee announced a Rs 20 million relief package for Gujarat, but routed it through the Red Cross and not the State Government, prompting many to say that Vajpayee had lost faith in Gujarat Chief Minister Narendra Modi.

"The Prime Minister's Relief Fund wanted us because we are neutral and we don't practice any discrimination," Ramalingam said. There have been allegations that Modi's administration discriminated against Muslims while disbursing relief.

"The Government has given the victims some funds but they are insufficient. We are giving them utensils so that those who can do go back to their homes." (The Central Chronicle, 13 May 2002)

### **HRW's recommendations on national and international response for Gujarat - extracts relating to IDPs (April 2002)**

- HRW made recommendations to the State Government of Gujarat, the Government of India, India's Donors and Trading Partners, International Lending Institutions, International Humanitarian Organizations, and United Nations Agencies

#### **"To the State Government of Gujarat:**

Improve security in violence-affected areas and relief camps by increasing the number of police officers—including officers from minority communities—and the number of outposts where needed. Where necessary, army units should continue to be deployed to keep the peace.

[...]

The government set up police desks in temporary camps, to receive and record complaints, and forward them to police stations having jurisdiction.

[...]

- Ensure that state police register and investigate all cases of communal violence regardless of the religious background of the victim. Police posts should be set up in relief camps expressly for this purpose. The national government and government of Gujarat should establish civilian review boards or civilian ombudsman committees composed of judges and lawyers to examine whether cases are being adequately investigated. Police found to have violated their duties should be dismissed and prosecuted where appropriate.

[...]

- Implement state and federal relief packages for victims of communal violence—including disbursement of compensation for family members of victims killed in the violence, the reconstruction of homes and places of business, and the provision of food rations and other relief supplies for all persons displaced or dispossessed by the communal violence in a nondiscriminatory manner and in accordance with international human rights law and the U.N. Guiding Principles on Internal Displacement.
- Restore without delay all documents necessary for the enjoyment and exercise of legal rights that were lost or destroyed in the course of the communal violence. These include passports, personal identification documents, and birth, marriage, and education certificates.

**To the Government of India:**

[...]

- Request and encourage United Nations relief agencies, including the United Nations Development Programme (UNDP), the United Nations Children Fund (UNICEF), the World Food Programme (WFP), the World Health Organization (WHO), and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), as well as international humanitarian organizations to provide relief and rehabilitation assistance to all those displaced and dispossessed by the communal violence, without discrimination.
- Provide U.N., international humanitarian organizations, and local nongovernmental relief agencies full, free, and unimpeded access to all those displaced and dispossessed by the communal violence.
- United Nations human rights bodies and experts should be invited and encouraged to visit India:

[...]

The Special Representative of the United Nations secretary-general on internally displaced persons.

[...]

**To India's Donors and Trading Partners:**

- Urge the Indian government to make an official request to U.N. relief agencies and international humanitarian organizations to provide relief and rehabilitation assistance to those displaced and dispossessed by the communal violence, and ensure that the U.N. and international relief agencies are allowed full, free and unimpeded access to all those displaced and dispossessed by the communal violence.
- Provide funding to the government of India to deliver relief and rehabilitation assistance to those displaced and dispossessed by the communal violence and take steps to ensure that such assistance is delivered in a nondiscriminatory manner and in accordance with international human rights law and the U.N. Guiding Principles on Internal Displacement.

[...]

**To International Lending Institutions:**

[...]

- Assistance to state authorities should be conditioned on concrete actions to assist internally displaced persons who seek to return to their homes and ongoing provisions for monitoring programs to this end.

**To International Humanitarian Organizations:**

- Explore with the Indian government ways to expand existing relief programs to address the humanitarian needs of those displaced and dispossessed by the communal violence in Gujarat, without discrimination and in accordance with international human rights law and the U.N. Guiding Principles on Internal Displacement. Assistance should focus on health and sanitation, food and nutrition, social and psychological support, shelter, and educational needs of the internally displaced, as well as rehabilitation and reconstruction assistance to facilitate the safe return of internally displaced persons to their own homes and communities.

[...]

**To United Nations Agencies:**

- The UNDP should immediately deploy a U.N. inter-agency assessment mission to Gujarat state to determine the assistance and protection needs of those displaced and dispossessed by the communal violence. Such a mission should include experts on health and sanitation, food and nutrition, shelter, social and psychological support, education, and protection drawn from U.N. agencies that have programs in India, such as UNDP, WFP, WHO, UNICEF, and the United Nations Development Fund for Women (UNIFEM). Particular attention should be paid to the protection and assistance needs of women, children, the elderly, and the disabled.
- Based on the findings of the inter-agency assessment mission, U.N. agencies should seek to provide emergency relief to those displaced and dispossessed by the communal violence in Gujarat on a nondiscriminatory basis and in full accordance with international human rights law and the U.N. Guiding Principles on Internal Displacement. Special attention should be paid to the health, nutritional, medical, educational, and psychosocial needs of those affected by the violence.” (HRW, April 2002, pp. 9-12)

## **International Response - Northeast**

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### **International community plays virtually no role regarding internally displaced persons in Northeast (2000)**

- The international community plays no role with IDPs due to the Indian government's deliberate effort to keep international involvement at bay
- However, conditions for displaced Indians are said to not reach the gravity that would warrant international intervention over the objections of the government of India.
- International media rarely refer to violence and displacement in the Northeast
- Despite the restrictions in place, international NGOs could provide more information on the situation through their local staff
- Religious organizations, in particular, could play a more active role

"Given the Indian government's deliberate effort to keep the international community at bay on issues regarding refugees and internally displaced persons, it is not surprising that the international community plays virtually no role regarding internally displaced persons in India.

[...]

[However]conditions for displaced Indians generally do not reach the gravity that would warrant international intervention over the objections of the government of India.

[...]

Several books and articles have been written, mostly by Indian scholars, about the displacement in the Northeast, but these have primarily reached only an Indian audience. The international media rarely refer to the political and ethnic violence in the Northeast, less yet the displacement there. UNHCR cannot visit the region. Very few international NGOs work there, and those that do rely primarily on local staff. Northeast India is not, however, totally isolated from the world, and channels for international involvement with the displaced do exist, despite the restrictions in place. International NGOs could provide more information on the situation through their local staff. They could also provide direct assistance to the displaced through their local staff and partner agencies. Religious organizations, in particular, could play a more active role. Most of the displaced in Manipur and Tripura are Christians. The Protestant denominations to which they adhere could much more actively provide direct support through church mechanisms. International advocates for refugees and the displaced could also pay much more attention to the issue. Even if unable to

visit the area easily, they could cultivate closer working relations with local NGOs, human rights groups, academics, and others who are familiar with the situation. (USCR January 2000, pp.17-18)

### **UNHCR encouraged to negotiate access to IDPs in Northeast and to enforce the Guiding Principles in India (March 2000)**

- When appropriate, the UNHCR or similar organisation should enforce the Guiding Principles and critical humanitarian assistance should be provided to IDP communities in great need
- Some state governments, resenting heavy IDP flows, have welcomed foreign NGOs and might welcome UNHCR and other UN bodies

"...the federal government in India has so far discouraged foreign NGOs or multilateral organisations like the UNHCR from intervening even in standard refugee situations, let alone on internal displacement issues. The UNHCR was kept away from the camps sheltering nearly sixty thousand Chakma and other tribal refugees, who had fled into the northeast Indian state of Tripura from Bangladesh's Chittagong Hill Tracts. [F]or eleven years, the UNHCR was not allowed anywhere near the camps in Tripura because (a) India believed in a bilateral solution of the refugee problem with Bangladesh (b) the UNHCR intervention was seen as capable of internationalising the Chittagong Hill Tracts issue and would have adversely reflected on India's not-so-well-known backing to the PCJSS and its armed wing, the Shanti Bahini (c) Dehli was uncomfortable in letting UN organisations into the Northeast, an area where entry of foreigners, even tourists, was almost totally barred until recently, and where such entry is still quite restricted in the four states. [...] I wonder, though, whether the federal government or the Tripura government would welcome the UNHCR to the Reang camps. Where two state governments are not involved and the displacement has largely taken place within a state, like in Manipur, the chances of UNHCR being allowed to handle an internal displacement situation seems remote at least for the moment. The UNHCR or similar organisations need to evolve a strategy to negotiate access, and enforce the Guiding Principles and provide critical humanitarian assistance to beleaguered communities, when the situation demands. [...] Belatedly some state governments, who resent receiving heavy IDP flows, have welcomed foreign NGOs and might be welcoming UNHCR and other UN bodies"  
(Bhaumik p.27)

## **References to the Guiding Principles on Internal Displacement**

### **Known references to the Guiding Principles (as of June 2002)**

- Training on the Guiding Principles

### **Reference to the Guiding Principles in the national legislation**

None

### **Other references to the Guiding Principles**

None

### **Training on the Guiding Principles**

**NRC training workshop: The Global IDP Project of the Norwegian Refugee Council (NRC) together with**

the Centre for Refugee Studies of Jadavpur University (Calcutta) held a training workshop on the Guiding Principles in the city of Calcutta, India. The workshop was part of a global NRC effort to disseminate and explain the Guiding Principles to representatives of governments, NGOs, the UN agencies and the displaced themselves, in order to ensure better protection and assistance to internally displaced persons.

Date: 28-30 November 2001

Documents: Norwegian Refugee Council, Workshop on the UN Guiding Principles on Internal Displacement: Calcutta, India 28-30 November 2001

[Link to document](#)

## ABBREVIATIONS AND ACRONYMS

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AAPSU	Arunachal Pradesh Students' Union
AI	Amnesty International
ATTF	All Tripura Tiger Force
BNA	Bru National Army
BRU	Bru National Union
CHT	Chittagong Hill Tracts
DPs	Displaced Persons
DPs/PAPs	Displaced persons and Project Affected Populations
EXCOM	UNHCR's Executive Committee
GoI	Government of India
MARG	Multiple Action Research Group
MZP	Mizo Student Federation
NBA	Narmada Bachao Andolan [Movement to Save Narmada]
NHRC	National Human Rights Commission
NSCN	National Socialist Council of Nagaland
NLFT	National Liberation Front of Tripura
NTPC	National Thermal Power Corporation
Lakh	One Lakh = 100,000
LAA	Land Acquisition Act
LAB	Land Acquisition (Amendment) Bill
LoC	Line of Control
PCJSS	Parbatya Chattaram Jana Sanghati Samiti (the organization of the tribal people of the Chittagong Hill Tracts)
R & R	Resettlement and Rehabilitation
Rs	Rupies
SATP	South Asia Terrorism Portal
SAHRDC	South Asia Human Rights Documentation Centre
USCR	US Committee for Refugees
U.S. DOS	U.S. Department of State

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