



# **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 continued to experience outbreaks of armed conflict and problematic internal security. Armed conflict and ethnically based inter-communal strife has led to widespread conflict-induced displacement in Jammu and Kashmir in the Northwest and in the states of the Northeast. Currently, more than 500,000 persons are estimated displaced by conflict. (USCR 2001 p.157).

Some 350,000 internally displaced originate from the Northwestern state of Kashmir as a result of armed conflict between Muslim separatists and the Indian armed forces. The Hindu Pandits, a minority in the Muslim dominated Kashmiri Valley, have become the targets of Muslim separatist violence. Ninety percent of the Hindus fled the valley in 1990 and are still displaced in the cities of New Delhi and Jammu (USCR 2000, p.166).

Most Kashmiri IDPs want to return, but so far the security situation in the area has not allowed for it. By the end of last year, the Jammu and Kashmir government abandoned a proposal designed to facilitate the return of Pandits to the Kashmir valley and rehabilitation of the Pandits (U.S. DOS February 2001, Section 5). With the current security situation in Kashmir, prospects for return look gloomy.

The government has reportedly 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. Schools for the displaced children have been constructed and medical care provided, but IDPs say it is not enough to cover their needs. A large number of the displaced from Kashmir have been received by relatives. Their situation is far from ideal, but government response to IDPs from Kashmir has been much more generous than the response to displaced in the Northeastern states (USCR 2000).

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 most numerous 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).

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).

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 some 157.000 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).

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 (AI April 2000, Part III, Section 3). 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; Roy 1999, p.21). 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 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 displacement (Rangachari, ... 2000, p. 116-117).

The resettlement and rehabilitation of the large number of persons displaced by development projects have been far from successful. A major obstacle has been the government's reluctance to adopt a clear "land-for-land" policy. In stead, insufficient cash compensation or poorly designed non-land based projects have 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 and fundamentalist threats and attacks make the Kashmiri Pandits flee their region (1990-2000)**

- Muslim separatists displaced approximately 250,000 Kashmiri Pandits to the cities of Jammu and Delhi between 1989 and 1996
- Renewed fighting in 1999 displaced 60,000 to 100,000 people
- Since 1999, artillery shelling of the region by Pakistan has kept many of the internally displaced persons from returning and driven others from their homes
- In October 2000, Jammu and Kashmir home minister stated that 43,510 persons remained displaced from the 1999 conflict

"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)

"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)

*The main campsites of internally displaced Kashmiri Pandits are listed on the website "Virtual Homeland of Kashmiri Pandits":*

**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)

**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 religion has been a major factor in the ethnic conflicts in the Northeast
- As many as seven major cases of conflict-induced displacement has occurred since independence
- In most cases of displacement, the government has been unsuccessful in its efforts to restore law and order and achieve ethnic harmony

"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. Fractious 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)

"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 Arunchal Pradesh."  
(Bhaumik, March 2000, pp.21, 26)

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

- Ethnic strife has become a major cause for large scale displacement
- 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 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.22-24)

"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**

- 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 May 1996, more than 250,000 persons were displaced as a result of Bodo large-scale attacks on ethnic Santhals and more than 200,000 are living in 78 relief camps located in Kokrajhar and Bongaigaon districts of Assam
- 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

Apart from communal violence in the wake of partition India in lower Assam, the entire Brahmaputra Valley plunged into violence and its resultant terror in the wake of two important movements based on the nationality, linguistic and cultural identity of the Asamiyas in 1960 and 1972."

(Hussain, December 2000 "Status of the Displaced People")

"...[A]fter 1993, the Bodos have systematically targeted 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)

"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. Ethnic tension is rife in Assam, which is home to many ethnic groups. Some groups, like the Assamese and Bodos, have lived in the region for many centuries. Others, including Bengalis, Santhals, and ethnic Nepalese, migrated there during the 1800s. During the latter part of the 20th century, many other ethnic Bengalis migrated to Assam from Bangladesh and have made Bengalis one of the largest ethnic groups in Assam. The current government of Assam is headed by Assamese nationalists who are more sympathetic to tribal groups such as the Bodos than to groups who have migrated into the area in more recent times, like the Santhals and Bengalis. 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. 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. 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. The displaced therefore remained at Balajani, struggling to survive, and expecting to be evicted at any time. 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. Bodos claimed that the attacks were in response to the murder of a Bodo girl by Santhals, but a commission of inquiry set up by Assam's state government to investigate the incident found the allegation false. The girl had been raped and killed by Bodo men who dumped her body near a Santhal village to lay blame on the Santhals. 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)

"It has been reported that there are more than 200 thousand displaced persons are currently living in 78 relief camps located in Kokrajhar and Bongaigaon districts [in Assam].

[...]

There are more than 20,000 Muslim inmates in 18 relief camps located in Kokrajhar and Bongaigaon districts since 1993. It was pointed out in the state legislature on April 4, 2000 that all these displaced persons are leading a dehumanized life in makeshift unhygienic relief camps. The state government provides them food only for five days a month. [...] 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")

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

- The inter-ethnic conflict in Manipur has been among the various tribal groups and has not directly involved the majority Meiteis
- 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 aided, abetting and stocking the Naga-Kuki conflict
- Ethnically mixed villages, once common in Manipur, have virtually ceased to exist
- 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

"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")

"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)

Kukis and Paites have been displaced in Manipur, where the Meiteis are the majority ethnic group. 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)

***A ceasefire between the National Socialist Council of Nagaland (NCSN) and the Indian government has created strong protests from other Manipuris***

"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. Last week's 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)

### 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
- This had resulted in the internal displacement of thousands of Bengalees as well as tribals from time to time.
- 

"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)

***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-kraak 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 an 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)**

- 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 population has grown to some 65,000 and is now the third largest ethnic group in the state of Arunachal Pradesh
- 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

"At the time of the partition of India, the Chakmas, a tribal, mostly Buddhist group whose ancestral home is in the Chittagong Hill Tracts (CHT) of what is now Bangladesh, wished to be part of India. However, the British assigned the CHT region to Bangladesh. Since the partition, a steady stream of Bangladeshi Muslim settlers have migrated to the CHT. Chakmas, who made up 98 percent of the CHT's population in 1947, now represent only 52 percent of the population. In 1964, the construction of a dam in the CHT caused the displacement of tens of thousands of Chakmas, many of whom migrated to what is now

Tripura State in India. New Delhi decided to resettle some 40,000 of the Chakmas and 10,000 closely related ethnic Hajong—who it knew were sympathetic to India—to the problematic border area with China, in what is now the state of Arunachal Pradesh. Arunachal Pradesh (A.P.) is an isolated, sparsely populated state inhabited mostly by tribal groups. 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. In 1996, India's Supreme Court ruled that the Chakmas were eligible for Indian citizenship because of their long stay in India. The Court called on the A.P. government to protect the Chakmas. It said, "The life and personal liberty of each and every Chakma residing within the state shall be protected and any attempt to forcibly evict or drive them out of the state by organized groups...shall be repelled." The A.P. state government has ignored the ruling and continues to press New Delhi to remove the Chakmas from the state. 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)

## **Development induced displacement**

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### **National development in post-colonial India based on mega-projects often displacing large numbers of rural population (1999-2000)**

- · Some 3,300 big dams have been constructed in India in the last 50 years
- · 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.

"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.

[...]

Some 3,300 big dams have been constructed in India in the last 50 years. 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

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#### Global Displacement Figures (2000-2001)

"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)

#### *In the 2000 Report, USCR reported the following figures:*

US Committee for Refugees estimates that approximately 527,000 persons have been displaced from Kashmir (350,000) and Northeast India (177,000) as a result of armed conflict.

(USCR 2000, p.166, USCR January 2000, p.2-3)

#### **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)

**By the end of 1999, USCR estimated a total of 177,000 internally displaced in Northeast India (January 2000)**

#### 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)

### **Other estimates of internal displacement in Northeast India (2000-2001)**

- Estimates from Assam vary between more than 200,000 and more than 87,000
- Between 31,000 and 41,000 Reangs from Mizoram are estimated displaced in relief camps in Tripura
- In addition to the displaced Reangs, one estimate suggests at least 80,000 Bengalis to have have been uprooted from their home since the Left Front came to power in 1993. USCR quotes that at an estimated 25,000 Bengali are internally displaced
- In Manipur, 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, but there are no available estimate of the current number of internally displaced
- 3,000 Chakmas have become internally displaced in Arunachal Pradesh

***Displacement figures from Assam vary between more than 200,000 and more than 87,000 persons;***

"Over 200,000 IDPs now live in 78 relief camps in Kokrajhar and Bongaigaon districts of Assam." (SAHRDC 2001)

"It has been reported that there are more than 200 thousand displaced persons are currently living in 78 relief camps locted in Kokrajhar and Bongaigaon districts [...] out of which 70,000 are children."

(Hussain, December 2000 "Status of the Displaced People")

"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)

### ***Figures from Manipur:***

"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 Okruk 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)

### ***Figures from Tripura:***

"Central Intelligence agencies have reported on the extent of internal displacement in Tripura during the past two years. One estimate suggests at least 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 1.5 lakhs [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)

### ***Figures from Arunachal Pradesh***

"[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:

*"Displacement 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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**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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### **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)"*]

## 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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#### **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)

## Health

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### **The health situation of internally displaced from the Kashmir conflict is deteriorating**

- 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 stated as being problems of acclimatisation to the tropical environment, congestion, insanitary and unhygienic living conditions, inadequate medical facilities and malnutrition

"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)

## **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)

## **Shelter**

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### **Displaced Hindu Pandits in New Delhi can not afford proper housing and 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)

## ACCESS TO EDUCATION

### General

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#### **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

### Participation in Elections

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**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 Governmen'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)

# 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

"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 .

Inspite 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. Inspite of several groups having several political affiliations, the unity of approach on most questions relayed 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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#### **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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### **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 in 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 atleast 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 \(2000\)](#)]*

**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 - Development Induced Displacement

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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 weeks, 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)

### **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 Evem 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)

### **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- Conflict Induced Displacement

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#### **Government of India does not officially recognize displaced persons as IDPs (1999-2000)**

- 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 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
- Food aid has been insufficient and shelter, medicine and education have hardly been provided
- 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

"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)

#### **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
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"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 [displaced] 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 (although 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 Gandhi 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)

### **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)



## **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)

## **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
- Ousteas 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 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**

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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)

### **International community plays virtually no role regarding internally displaced persons in India (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)

#### **Conference resolution on internal displacement in India (1999)**

- The Asia & Pacific Regional Conference on 'Education for Human Rights', jointly organised by the UNESCO, World Peace Centre and National Human Rights Commission, adopted a resolution expressing concern over government apathy towards 'internally displaced' people in the country
- The resolution claims that no serious steps have been taken either by the government of India or any international Human Right body to protect the internally displaced people

"Responding to two presentations made by Ashwani Kumar Chrungoo, president, Panun Kashmir Movement and J Stanny, Director, of Surat-based Legal Aid and Human Rights Centre, the Asia & Pacific Regional Conference on 'Education for Human Rights', jointly organised by the UNESCO, World Peace Centre and National Human Rights Commission, which concluded in Pune on Saturday, adopted a resolution expressing concern over government apathy towards 'internally displaced' people in the country.

The four day meet criticised the government, National Human Rights Commission and international Human Right bodies for not taking steps to protect internally displaced people.

"It is unfortunate to note that Kashmiri Pandits have been internally displaced because of religious fanaticism and no serious steps have been taken either by the government of India or any international Human Right body which needs to condemned the action," the resolution, moved by Stanny said.

It further stated that "It is also sad to note that religious fanaticism is spreading in other parts of the country, causing internal displacement. The Dangs district of Gujarat is a case in point wherein a couple of villages Christians have been force to flee".

Stanny, who has just returned from Pune, said displacement ``is taking place in the name of development, big dams and mega projects in tribal areas for which there is no proper rehabilitation policy".

Stanny did not agree with one of the issues discussed at the meet that was relating to primary education. Delegates felt that once primary education was made compulsory, people would be aware of the human right mechanism and defend their own rights. According to Stanny, to attain human rights education, people need to be stable, they need to have their basic amenities. Panun Kashmir Movement president, Chrungoo, while highlighting the suffering of the Kashmiri Pandits, suggested a full-fledged authority at the UNESCO level be established to save the culture, language, education and religion of the Kashmiri Pandit." (Indian Express, 8 February 1999)

### **UNHCR encouraged to negotiate access to IDPs 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) Delhi 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)

### **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)

### **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)

## 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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