

URGENT ACTION



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UA 147/11

Forced eviction

INDIA

2,000 families

An estimated 2,000 families from two villages of the Jagatsinghpur district, in Orissa state, India, are under the threat of being forcibly evicted from common land used for farming and cultivation. On 18 May, Orissa state authorities forcibly evicted at least 200 farmers and destroyed betel vines and farming sheds on common land. The farmers and their families are dependent on this land for their livelihood and some families, also for their housing.

Orissa state authorities are carrying out the forced evictions as part of their plan to acquire 1,600 hectares in five villages, the majority of which are common lands. This acquisition is to make way for the proposed US\$12 billion steel plant involving South Korean steel giant POSCO, the biggest foreign direct investment project in India.

According to reports received by Amnesty International, on 18 May, at least 200 farmers were forcibly evicted from the common land at Polong and Noliasahi villages. These lands were used by them for cultivating betel vines. The Orissa state authorities, aided by 150 armed police force officials, destroyed crops and cultivation sheds. The authorities also fenced off the lands, to prevent the farmers from accessing the land.

The authorities did not consult with the local communities or the local bodies or issue notices to the farmers. The authorities contended that there was no need to issue prior notice for acquiring common lands “as they belonged to the government.” They also announced that the farmers would be eligible for maximum compensation which would be calculated for the crops lost during the land acquisition process, but so far the families have not been provided with any compensation.

A further 2,000 families are at risk, with more forced evictions expected in the coming weeks. Around 1,000 villagers have commenced demonstrations against the forced evictions and are demanding an end to further forced evictions.

BACKGROUND INFORMATION

“The authorities are going ahead with evictions at gunpoint. In the early hours of 18 May, 150 police officials entered Polonga village and started destroying betel vines in the common forest lands on which at least 200 farmers are dependent; they want to take over 1,600 hectares, the majority of which are common lands, in coastal Orissa for the biggest foreign investment project in India, brushing aside our rightful claims.”

Abhay Sahoo, leader of POSCO Pratirodh Sangram Samithi, Dhinkia village, Orissa

As per India’s Forest Rights Act, 2008, common lands refers to village property which falls under the authority and sanction of local bodies and is intended to be used by local communities. Local communities have filed claims over the lands under the Act. The only public consultation done was in April 2007 when the above act had not come into effect.

Amnesty International’s mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

Earlier this year, the Orissa state authorities failed to settle local communities' claims over common lands despite two official investigations, ordered by India's Ministry of Environment and Forests, which raised serious concerns about the authorities' attempts to acquire these common lands. These investigations also revealed that the proposed steel project had violated national environmental laws and coastal regulations and that the potential negative impact on local community livelihoods had not been adequately assessed. Despite these findings, the central authorities accepted the Orissa state authorities' declaration that that no local communities living in the area have rights to the common lands.

Since June 2005, local communities in Jagatsinghpur district have protested the possible displacement and potential threats to their livelihoods from the POSCO project. Protestors have often erected barricades in the area and prevented officials from entering these villages. In June 2008, one protestor, Dula Mandal, was killed by a bomb during a clash between critics and supporters of the project. In May 2010 at least 20 protestors sustained gunshot wounds when police used excessive force against them.

The steel project is scheduled to go ahead as soon as the authorities physically acquire the necessary land.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- Urging the authorities to stop all forced evictions in Jagatsinghpur district and to ensure that any evictions are carried out in accordance with international human rights standards, including genuine consultation to identify alternatives to evictions, due process safeguards and the provision of adequate compensation and adequate alternative land for farming;
- Urging them to provide all the families who were forcibly evicted with access to effective remedies;
- Calling on them to put measures in place to ensure that the authorities carry out a comprehensive human rights and environmental impact assessment of the POSCO project, in consultation with the local communities;
- Asking them to ensure that no work begins on the project until these steps are taken and the communities' human rights are protected.

APPEALS TO:

Prime Minister

Manmohan Singh
Prime Minister's Office
152, South Block,
New Delhi 110 001, INDIA

Email: manmohan@sansad.nic.in

Salutation: Dear Prime Minister

Chief Minister of Orissa

Naveen Patnaik
Naveen Nivas
Aerodrome Road
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Email: cmo@ori.nic.in

Salutation: Dear Chief Minister

COPIES TO:

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PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 1 July 2011.