

URGENT ACTION

FORCED EVICTIONS RESUME IN ODISHA

An estimated 100 people were forcibly evicted on 3 March, and about 1,500 families are still at risk of forced eviction.

Government and police officials resumed forced evictions near the village of Govindpur in Jagatsinghpur district on 3 March, in continuing efforts to acquire 283 hectares of land for a steel production plant proposed by South Korean steel company POSCO. An estimated 100 people were affected.

According to local activist Prashant Paikray, the officials destroyed 24 betel vineyards on common land, which farmers and their families depend on. Officials seized 11 more plots of land with betel vineyards on 5 March, and have continued seizing land. Some farmers have received compensation for land seized. The state government has claimed that they took land with the consent of villagers, but local activists have said that while some farmers voluntarily gave up their land for compensation, many others had been forced to give up their land.

Evictions resumed a day after four anti-POSCO activists were killed in a bomb explosion in nearby Patna village. The anti-POSCO movement have claimed that pro-POSCO activists threw bombs at a home in Patna village to attack the anti-POSCO movement's president, Abhay Sahu. However, he was not at home and the blast killed four others. The police have claimed that the explosion was caused by anti-POSCO activists preparing bombs.

The authorities have not engaged in genuine consultations with the people facing eviction, or given them adequate notice. Prashant Paikary has said that the state authorities failed to settle local communities' lawful claims over common lands. The proposed steel plant has not received valid environmental clearance from the central government as required by law. Activists have also said the authorities have not obtained the consent of community representative bodies for the use of forest land for industrial projects, which is required by law.

Please write immediately in English or your own language:

- Urging the authorities to stop all forced evictions in Jagatsinghpur district and ensure that any evictions are carried out in accordance with international human rights standards, and only after genuine consultation with those affected, to identify alternatives to eviction, with adequate notice and compensation;
- Urging them to order a prompt, thorough, independent and impartial investigation into the bomb explosions that killed four residents of Patna village on 2 March;
- Urging them to recognize the individual and community claims to forest lands, as set out in the Forest Rights Act;
- Calling on them to order a thorough human rights and environmental impact assessment of the POSCO project, in consultation with local communities.

PLEASE SEND APPEALS BEFORE 19 APRIL 2013 TO:

Chief Minister, Odisha
Mr Naveen Patnaik
Naveen Nivas
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Bhubaneswar 751001
India
Fax +91 674 2535100
E-mail: cmo@ori.nic.in

Minister of Environment & Forests
Mrs Jayanthi Natarajan
Paryavaran Bhawan, CGO Complex
Lodhi Road
New Delhi 110 003, India
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E-mail: mosefgoi@nic.in

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA 33/13. Further information:

<http://www.amnesty.org/en/library/info/ASA20/005/2013/en>

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ADDITIONAL INFORMATION

According to India's Forest Rights Act, 2008, "common lands" are village property which falls under the authority of local bodies and is intended to be used by local communities. Local communities have filed claims for lands under the Act. The only public consultation for the establishment of the steel plant was done in April 2007, before the Forest Rights Act had come into effect.

Two official investigations ordered by India's Ministry of Environment and Forests have raised serious concerns about the authorities' attempts to acquire these common lands. They also revealed that the proposed steel project would violate 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 Odisha state authorities' declaration that no local communities living in the area had rights to the common lands.

The Ministry of Environment and Forests has also said that any use of forest land for non-forest purposes requires the consent of local bodies. Activists say local bodies have refused to consent to the land being used for the project.

In March 2012, a dedicated environmental court, the National Green Tribunal, suspended the environmental clearance given to the steel plant project. The court said that the Ministry of Environment and Forests had erred significantly in assessing the environmental impact of the project, and had left "lingering and threatening environmental and ecological doubts unanswered."

Name: Name: Prashant Paikary (m) and 1,500 families in Jagatsinghpur district in Odisha State, India

Gender m/f: Both

Further information on UA: 33/13 Index: ASA 20/012/2013 Issue Date: 8 March 2013

