

AMNESTY INTERNATIONAL

Public Statement

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India: Need for effective investigations and prosecutions as political violence continues in West Bengal

Amnesty International is concerned at reports of an upsurge in political violence since 6 November in Nandigram, eastern Midnapore (West Bengal), which has led to at least nine deaths, more than 15 persons injured and the displacement of hundreds of local inhabitants.

Amnesty International is particularly concerned at reports that state officials may have been complicit in attacks on farmers belonging to the *Bhumi Uchched Pratirodh Committee* (BUPC – Anti Displacement Committee) – an organization formed in late 2006 to protest against their possible displacement due to planned construction of a industrial project in the area.

Human rights organizations have reported that violence erupted on 6 November as armed supporters of the ruling Communist Party of India-Marxist (CPI-M) fired several rounds at local farmers belonging to the BUPC. The state police reportedly failed to take action against the armed men, and also to fulfil their duty to protect the local population. The firing was followed by retaliatory attacks by armed supporters of the BUPC. Also, four of those killed, believed to be CPI(M) supporters, died while manufacturing bombs, the reports added.

Over the last year, as violence has escalated between CPI-M which leads the ruling Left Front coalition in West Bengal and farmers linked to the BUPC, at least 25 persons have been killed and more than 100 injured. At least 20 women have reportedly been sexually assaulted during the violence, with at least 2,000 people displaced from their homes. The majority of the displaced are living in makeshift camps, unable to return to their homes for fear of being caught up in the violence.

Violence was sparked in January 2007 after sustained protests from local farming communities because they feared that the industrial project would lead to their mass displacement. In March 2007, 14 persons, mostly local residents were killed when police and armed men, widely believed to be affiliated with the CPI-M, opened fire on demonstrators. After the incident, the state government has said it would relocate the project, but outbreaks of political violence have continued.

Amnesty International remains concerned that, following the deaths of several persons in Nandigram in January and in March 2007, the Government of West Bengal failed to order impartial inquiries into the killings. Additionally, the organization is further concerned that the state government successfully petitioned the Kolkatta high court to stay the investigation, ordered earlier by the court, to be carried out by India's Central Bureau of Investigation (CBI), into the March violence.

Amnesty International is concerned about the lack of progress in the criminal investigation into the March violence. Ten CPI-M supporters, arrested by the CBI in connection with the firing, were later released on bail after the investigation was stayed. The state police filed cases against several persons, but investigation into these cases have not progressed further. State police cite difficulties of access in certain barricaded areas prone to violence in Nandigram as a reason behind the lack of progress.

Amnesty International believes that the continuing unrest in Nandigram has been aggravated by the failure to effectively investigate and to prosecute those individuals believed responsible for violence incidents that have resulted

in the death of at least 25 persons over the last year.

Amnesty International calls on the Government of West Bengal to:

- o pave the way for an impartial and independent inquiry into the Nandigram violence during the past year, promptly make the findings public and to bring to justice those believed to be responsible for the violence in proceedings that meet international standards of fair trial and do not impose the death penalty;
- o ensure that all state officials, including police personnel, who are suspected of being responsible for human rights violations, including excessive use of force, torture or other cruel, inhuman or degrading treatment are brought to justice in proceedings that meet international standards of fair trial and do not impose the death penalty;
- o ensure the safe return of all displaced communities to Nandigram and neighbouring areas;

Background

The Nandigram industrial project, requiring at least 4,000 hectares of land to establish a Special Economic Zone (SEZ), was to be jointly developed as a chemical hub by the state-owned Industrial Development Corporation and the Indonesia-based Salem group of companies. The Government of West Bengal is to announce an alternate location for the project.

The protests at Nandigram followed unrest in Singur (West Bengal) in December 2006, when opposition parties and a number of farmers, when threatened with displacement by state government attempts to acquire farm land for a Tata Motors' automobile manufacturing project, staged demonstrations. The West Bengal state government plans to set up at least six other major industrial projects, including SEZs, in the state, necessitating the acquiring of at least 10,000 hectares of land.

In a bid to boost national economic growth, India has been promoting SEZs across the country. The policy of acquiring and for such industrial projects continues to spark protests from local communities fearing land displacement and threats to their sustainable livelihood.