

# AMNESTY INTERNATIONAL

## Public Statement

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### **India: Avoid forced evictions in Jagatsinghpur, Orissa**

Amnesty International is concerned at reports of escalating violence in Jagatsinghpur district in the eastern Indian state of Orissa. Farmers here are fearful of forced eviction by private militias. The state government is proposing to displace these communities in order to make way for a new industrial project. Despite the escalating violence and abuse, Amnesty International is concerned that the state police have not taken any action to protect local communities in the district. The organisation is further concerned that full consultation on the potential displacement has not been undertaken with the communities by the state government.

Reports say tension has been high in Jagatsinghpur district over the last week after a 500-strong armed militia encircled the villages of Dhinkia, Nuagaon and Gadakujang and started attacking farmers. Over the last 20 months, the farmers have erected barricades at Balithutha and elsewhere in order to protest attempts to displace them in order to enable the South Korean firm, POSCO to construct an integrated steel plant. During the recent attack, more than 20 protestors have been injured in attacks by militias using country-made weapons including crude bombs. At least one protestor has been taken hostage by the militias. Reports also indicate that despite the fact that around 1,000 police officers have mobilized in the area, they have not acted to protect the communities.

Amnesty International urges that lessons should be learnt from the unfortunate episodes of violence which took place in Kalingar Nagar in 2006 (also in Orissa) and Nandigram (in neighbouring West Bengal) in 2007, where local communities were protesting possible displacement due to the planned construction of an industrial project. The use of disproportionate violence by the police resulted in 13 deaths in Kalinga Nagar in January 2006. In Nandigram, over the last year, at least 34 people, mostly local farmers, were killed by private militias.

Amnesty International wishes to remind the Government of Orissa that it has a responsibility to ensure the protection of the human rights of all individuals under its jurisdiction. This duty arises from India's Constitution, which guarantees all Indian citizens the right to the protection of life and personal liberty (Article 21) and the equality of all persons before the law (Article 14).

Amnesty International also wishes to remind the Government of Orissa of Principle 9 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which says that "law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particular serious crime involving great threat to life, to arrest a person presenting such a danger and resisting their authority or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives." Any action by the police must be proportionate and should avoid unnecessary injuries to civilians.

Amnesty International urges the Government to carry out full consultations with affected communities on the human rights impact of its actions, including in relation to plans to carry out evictions. vital means through which human rights are safeguarded in the context of development.

Amnesty International seeks to remind the Government of the need to promote, protect and respect human rights within its economic and development policies. The organization reiterates that sustainable development cannot be measured solely in terms of economic indicators: it should be seen as a holistic process that embraces a range of factors, including the development of civil society, the strengthening of the rule of law and the fulfilment of the human rights of individuals and groups in the civil and political, social and cultural as well as economic spheres.

In this respect, the organization reiterates its demand that the Government of Orissa should:

- avoid forced evictions;
- announce and implement a prior and consistent policy of full consultation with local populations before putting in place any measures which could affect their human rights and livelihood opportunities; and
- ensure that, where it is proposed to resettle populations, there is just, adequate and culturally-sensitive rehabilitation, resettlement and restitution of their homes and other property.

### **Background**

Since June 2005, Jagatsinghpur district has witnessed frequent protests against possible displacement following the Government of Orissa's decision to enter into an agreement with POSCO to enable the latter to set up its integrated steel plant. Since February 2006, protestors have erected barricades in the area where the plant is to come up and prevented officials from entering several villages. The area witnessed violence in February, April and September 2007.