

# AMNESTY INTERNATIONAL

## Public Statement

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### **India: Authorities must ensure justice for victims of Kalinganagar shootings six years ago**

Authorities in Orissa should no longer delay justice for the victims and survivors of the Kalinganagar police shootings six years ago when 12 *adivasis* (Indigenous people) were killed and 37 others injured, Amnesty International said today. Police opened fire when *adivasis* were protesting against the forcible acquisition of their lands and habitats and the insufficient compensation they received.

The shootings evoked widespread condemnation and prompted India's federal authorities to reconsider the current framework for land acquisition. They were the first in a series of attacks on *adivasis* and other marginalized communities protesting against forcible land acquisition for corporate-led industrial and extractive sector projects in India during the last six years.

On 2 January 2006, 12 *adivasis* – including three women and a 12-year-old boy – were killed and 37 others injured, as hundreds of *adivasis* protested against the construction of a six million tonne Tata Steel plant at Kalinganagar in northern Orissa. One policeman was also killed when the protests turned violent. The *adivasis*, from the *Munda* community who live in Orissa and the neighbouring state of Jharkhand, wanted to renegotiate the acquisition of lands and habitats.

The Orissa authorities have extended several times the term of the judicial inquiry into the police shootings. The inquiry, successively led by three different judges of the Orissa high court, remains inconclusive. The state authorities have also failed to act against police involved in shootings of *adivasi* protestors in March, April and May 2010, which killed Laxman Jamuda, a 50-year-old *adivasi* leader, and injured 40 other protestors at the same time as they were facing attacks from private militias trying to forcibly evict them to facilitate construction of a common road corridor.

Recently leaders of the *Bisthapan Birodhi Jan Manch*, the anti-displacement group which had organized the protests, told Amnesty International that the protesting *adivasis* were still awaiting full redress for the Kalinganagar attack. They have lost their lands and habitats in the 5,000 hectare industrial complex at Kalinganagar which now has 17 projects in the extractive sector.

The Orissa authorities have an obligation to ensure justice for the victims and survivors by prosecuting those officials, police personnel and others suspected of being responsible for human rights violations, in proceedings which meet international standards of fairness.

Amnesty International urges the Orissa authorities to seriously address the ongoing negative impact of the forcible acquisition of lands and habitats in Kalinganagar on the affected *adivasi* communities in full consultation with them. In particular, any person whose human rights have been violated should have access to justice and to an effective remedy and reparations.

Amnesty International also urges authorities in India to include, in the new legislation, provisions for an open and transparent process to seek the free, prior, informed consent (FPIC) of *adivasi* communities on all future plans whenever they propose to acquire their lands and habitats for development projects.

#### **Background**

At least 50 persons – mostly *adivasis* and farmers - have been killed and more than 100 others injured in several police shootings and other incidents while protesting against forcible acquisition of their lands and habitats for corporate-led industrial projects in India during the last six years. In a majority of cases, the authorities have yet to prosecute those responsible for the violations. Moreover, new legislation, aimed at reforming the existing legal framework for land acquisition for corporate-led industrial projects, is still awaiting enactment in India's Parliament.

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