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India: Kalinga Nagar police firing one year on – Orissa must ensure speedy justice for adivasi victims and address their concerns over displacement

Exactly a year after the Kalinga Nagar police firing in which 12 of the *adivasis* protesting against their displacement were killed, Amnesty International is concerned that justice continues to elude the victims and that the Orissa Government has failed to fully address their concerns over displacement and threat to their livelihood.

On 2 January 2006, 12 *adivasis* – including three women and a 12-year-old boy – were killed in police firing, as hundreds of *adivasis* protested against commencement of the construction of a proposed six million tonne steel plant (Tata Steel) at Kalinga Nagar in Jajpur district. One policeman was also killed in the violence during the protest.

In this context, Amnesty International wishes to remind the Orissa Government that it has the responsibility to:

- ensure speedy justice and adequate compensation to the victims of the Kalinga Nagar police firing. The state government must prosecute those suspected of being responsible for human rights violations, including excessive use of force, torture or other cruel, inhuman or degrading treatment;
- withdraw cases levelled against those peacefully expressing their right to freedom of expression over issues relating to development plans at Kalinga Nagar;
- announce a consistent policy of full consultation with the communities at Kalinga Nagar before any development project affecting their livelihood can take place;
- ensure full scale consultation about the human rights impact of economic decisions with those to be affected – including with *adivasi* activists and with non-governmental organizations. These are vital means through which human rights are safeguarded in the context of development;
- and
- ensure that, where populations are resettled, there are just, adequate and culturally-sensitive rehabilitation, resettlement and reparation schemes in force for those affected.

Background Information

The *adivasi* protestors belong to the Munda community and are affiliated to Bistapan Birodhi Jan Manch, a group protesting against displacement at Kalinga Nagar. Kalinga Nagar is being promoted as an industrial area by the state Government-owned Industrial Development Corporation (IDCO).

In the last five years, the Orissa Government has signed 45 agreements to set up various industrial plants in the state. Of these, thirteen major steel plants are coming up at Kalinga Nagar,

where more than 100 chrome washing plants are already in operation.

The adivasis at Kalinga Nagar allege that IDCO has been acquiring their lands either through force or at a low price and selling the same land to various companies at a high price. They also allege that they were not consulted or provided with access to information, and are excluded from the decision-making processes that affect their livelihood.

The police firing last year occurred after months of protests from adivasis who claimed that they had received inadequate financial compensation for the land acquired from them for the proposed Tata Steel plant.

Not satisfied with the State and Union Governments' offer of monetary compensation for the families of the victims of the police firing, the adivasis have been demanding:

- disciplinary action against those responsible for the deaths;
- dropping of cases against their community leaders;
- granting of equivalent farm land in lieu of land acquired from them;
- an end to further displacement due to other industrial projects in the area; and
- that the State Government recognise that the adivasis have the right to development and the use of resources in areas of their traditional habitation.

A number of developments over the last year point to a situation where time may be running out for the state government to resolve these issues of contention. The *adivasis* at Kalinga Nagar continue to barricade the proposed plant site and a few neighbouring villages and prevent entry of officials in the area until their demands are met. A memorial to the victims of the police firing has been erected there. The latest round of talks between the adivasi representatives and the State Government, held in May, have failed to provide any practical solution. Also, the judicial inquiry ordered by the state government into the firing faces an uncertain future after India's Supreme Court recently ruled that judicial inquiries should be headed by retired and not sitting high court judges.