

## INDIA:

# New and protracted displacement ongoing in absence of formalised response

A profile of the internal displacement situation

22 December, 2008

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## **About the Internal Displacement Monitoring Centre**

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at [www.internal-displacement.org](http://www.internal-displacement.org).

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## OVERVIEW

### India: New and protracted displacement ongoing in absence of formalised response

*In 2007-2008, civilians in various parts of India continued to be displaced by internal armed conflict and separatist, ethnic or communal violence, as well as conflict stemming from the threat of development-induced displacement. Over one third of the country's 608 districts were affected by insurgent movements in 2007.*

*The armed movement by Maoist groups known as Naxalites was the most widespread insurgency in the country and had displaced over 100,000 people of Chhattisgarh state. Clashes between a tribal group and immigrant settlers in Assam state caused the displacement of over 200,000 people, and communal violence in Orissa state displaced tens of thousands. In Nandigram region of West Bengal state, displacement followed conflict arising from the government's plans to evict the local community and use the land for a development project.*

*Some groups displaced for years continued to be trapped in relief camps or relief colonies. Over 30,000 ethnic Bru IDPs were living in deplorable conditions in camps in Tripura state while authorities in Mizoram state refuse to allow them to return home. India's largest IDP group, the over 250,000 Kashmiri Pandits, were also unable to return after up to 18 years of displacement. More than 20,000 people in Gujarat who had fled their homes during communal violence in 2002 could not return to areas of origin for fear of further violence.*

*The Government of India has no national policy to respond to conflict-induced displacement and the responsibility for protecting this population has generally been delegated to state governments. This has resulted in a wide discrepancy of responses from state to state, and between situations within one state.*

*It is very difficult to estimate the total number of conflict-induced IDPs in India as there is no government monitoring agency and humanitarian and human rights agencies have limited access to these IDPs. The displaced whose numbers are known are generally those living in camps and registered there, and so a conservative estimate of India's current conflict-displaced population would be at least 500,000, but could be significantly higher.*

### Introduction

India has continued to experience a number of situations of internal armed conflict and separatist, ethnic, or communal violence as well as violence originating from the threat of development-induced displacement. These situations have generated hundreds of thousands of internally displaced people (IDPs) and prevented the return of many to their areas of origin.

At least 231 of the country's 608 districts were affected to varying extents by insurgent movements in 2007 (SATP, India Assessment 2007); the armed movement by Maoist groups known as Naxalites has overtaken all other insurgencies in the country, at least from the perspective of geographical spread, with various levels of mobilisation and violence impacting 18 of India's 28 states as of August 2007 (Himal South Asian, 9 September 2008). The Naxalite conflict had by December 2007 led to the displacement of an estimated 114,000 largely

indigenous people within Chhattisgarh state and from Chhattisgarh to the adjoining states of Andhra Pradesh, Maharashtra and Orissa. This conflict, described by India's Prime Minister as the "single biggest internal security challenge ever faced" by the country, has the potential to lead to further violence and displacement.

Several new situations of internal displacement emerged during 2007 and 2008. In the Nandigram region of West Bengal state, conflict broke out over the designation of land as a Special Economic Zone (SEZ) that threatened to displace the local population. Thousands of people were estimated to have been forced from their homes in the ensuing clashes. Violence in Assam in 2007 against migrant labourers from other parts of India forced thousands of them to flee the state, and ethnic clashes in 2008 led to the displacement of an estimated 212,000 people who sought safety in relief camps in the northern part of the state. Between 20,000 and 50,000 people were displaced by communal violence in Orissa state in 2008 and sought safety by hiding in jungles or moving to relief camps. While the majority of those in relief camps in Assam and Orissa had left the camps by the end of 2008, it is unknown how many of the IDPs have been able to return to areas of origin and whether the return is sustainable.

Communities living in situations of protracted displacement in 2007 and 2008 included India's largest IDP group, the over 250,000 Kashmiri Pandits who fled the Kashmir Valley from 1990 onwards. Most of this group were continuing to live in camps in Jammu and Delhi, and with separatist protests against Indian rule which had died down in recent years flaring up dramatically in 2008 following a land row, their return in large numbers in the near future did not appear likely.

In Gujarat state, over 21,000 Muslim IDPs remained afraid to return to their areas of origin, six years after communal riots had forced them from their homes. In Tripura state in the north-east, Bru IDPs displaced from Mizoram state in 1997 were languishing in deplorable conditions in relief camps and the Mizoram government continued to prevent this group from returning.

It is very difficult to estimate the total number of conflict-induced IDPs in India as there is no central government agency responsible for monitoring the numbers displaced and returning, and humanitarian and human rights agencies have limited access to them. The displaced whose numbers are known are generally those living in camps and registered there. A conservative estimate of India's conflict-displaced population, based largely on figures available for IDPs in camps in areas like Jammu, Delhi, Assam and Chhattisgarh or at identifiable relief colonies as in Gujarat, would be over 500,000.

Displaced people who have left camps have not necessarily been able to return to their areas of origin due to safety concerns and they may not have received land and property compensation. For example, many Christian families who left the IDP camps in Orissa moved to cities rather than back to their areas of origin after receiving threats from Hindus in their villages. In Assam's Kokrajhar district, displaced persons were "released" from IDP camps by authorities with a cash grant and without land compensation, leading many families to start living as IDPs outside the camps.

It is probable that many IDPs who have moved out of camps have not been able to find durable solutions to end their displacement and should still be viewed as part of India's IDP population. Taking into consideration the IDPs whose displacement has not ended after they have left relief camps, and the IDPs who were living outside relief camps who remain uncounted, it can be assumed that significantly more than 500,000 people are currently displaced by India's conflicts.

Across India, development projects are increasingly encroaching upon the land of some of the most marginalised and vulnerable communities in the country, which is leading to conflict and conflict-induced displacement. 33 million people are estimated to be displaced by development

projects in India, of whom a disproportionate 40-50 per cent are tribals (PWESCR, May 2008, p.48).

In a large-scale effort to transform India's competitiveness in the global market, the government enacted the SEZ Act in 2005 (EPW, 12 July 2008, p.25). As of November 2008, 531 of these enclaves for new industry and infrastructure had been approved, comprising 67,680 hectares of land (GOI, November 2008). Most of those displaced by the zones so far have not received either financial compensation or alternate land and housing sites, and the policy of acquiring land for them has sparked protests from local communities fearful of being displaced and losing access to their means of livelihood.

## **Jammu and Kashmir**

### *Background*

The Kashmir Valley is the most populous of the three provinces in the state of Jammu and Kashmir, and lies at the heart of the dispute between India and Pakistan which has continued since both countries became independent in 1947. The other two provinces are Jammu and Ladakh. Predominantly Sunni Muslim, the Valley hosts minority communities of Hindus (the Kashmiri Pandits, who made up an estimated two to three per cent of the valley's population prior to their displacement), Sikhs and a small number of Christians. Jammu is roughly split between Hindus and Muslims, with Hindus in a majority.

In 1989, Kashmiri Muslims opposed to Indian rule began an armed insurgency, leading to the increasing militarisation of the state, widespread abuses of human rights and the deaths of tens of thousands of people (ICG, 21 November 2002, pp.1-2).

The past few years have seen some progress in Kashmir, particularly since state elections in 2002 that were regarded as largely fair despite a separatist boycott and violence (Reuters, 14 August 2008). In November 2003, a ceasefire came into effect across the Line of Control (LOC) separating Indian and Pakistani-controlled Kashmir. The following year, India and Pakistan started a "composite dialogue" on eight issues ranging from territorial and water-related disputes, to anti-terrorism and drug trafficking measures (The Hindu, 21 July 2008). By early 2008, analysts were noting that a deep sense of conflict fatigue along with diplomatic posturing by India and Pakistan and the weakening of support for Pakistan-backed militants had ended most of the violence in the valley (San Francisco Chronicle, 9 May 2008).

In July 2008, however, central rule was imposed in Jammu and Kashmir as the state government collapsed over the issue of a controversial transfer of land to a Hindu shrine trust that sparked days of protests and rioting in the state (Reuters, 11 July 2008). The protests were among the biggest anti-Indian, pro-independence displays since 1989. Government forces tried to suppress the demonstrations violently, killing some 40 people (Economist, 3 September 2008) and injuring about 1,000. Elections are scheduled in the state by the end of 2008 to conclude the central rule (Reuters, 19 October 2008). Whether the establishment of a new state government improves the tense situation in Jammu and Kashmir and creates conditions enabling the return of displaced people remains to be seen.

### *Displacement of Kashmiri Pandits*

Kashmiri Pandits were forced to flee their homes in the Valley from 1990 onwards. They have settled elsewhere, with large numbers relocating to Jammu and New Delhi (ICG, 21 November 2002, pp.1-2). Only about 3,000 remain in the Valley (IANS, 19 November 2008).

According to Government of India estimates, there are over 55,000 Kashmiri Pandit families outside of the valley of whom nearly 35,000 are in Jammu, 19,000 in Delhi, and 1,000 in other parts of India (GOI/MHA, 2008, p.8). The long displacement of the Kashmiri Pandit community has led to a loss of identity especially among the younger generation (InfoChange News & Features, July 2008).

The Jammu and Kashmir government is assisting around 15,000 families in Jammu and the Government of the National Capital Territory of Delhi is aiding over 3,600 Kashmiri Pandit families in its territory (GOI/MOH, 2008, p.8). The assistance, albeit insufficient, is generous in comparison to the response to other IDP groups in India. In addition to basic dry rations, the aid provision includes cash relief of Rs. 1,000 (\$21) per family member per month, to a maximum of Rs. 4,000 (\$85) per family. Over 5,000 two-room tenements are being constructed at a cost of Rs. 270 crore (\$57 million) for the IDPs in Jammu, while another Rs. 20 crore (\$4.2 million) has been approved for construction of 200 flats at Sheikpora in Budgam district. The Delhi Development Authority launched a housing scheme in July 2001 whereby expandable flats have been made available to IDPs at subsidised rates. About 230 families have taken advantage of this scheme (ACHR, 30 January 2008, p.2).

The Jammu and Kashmir government has enacted two laws to protect properties left behind by the IDPs in the Valley, and allowed for 50 per cent of the value of immovable property damaged during the insurgency, up to a maximum of Rs. 1 lakh (\$2,100), to be paid in compensation. Additionally seats in technical and professional colleges are reserved for students from the IDP community (ACHR, 30 January 2008, p.2).

The central and state governments have announced various schemes to encourage the return of the Kashmiri Pandits. In April 2008, the central government announced a Rs. 1,600 crore (\$340 million) rehabilitation package encompassing financial grants for housing, government jobs, and waiver of interest loans to facilitate the return of the Kashmiri Pandits to the Valley (Times of India, 26 April 2008). Under the terms of the package, the Jammu and Kashmir government has to identify land to set up community housing projects and provide jobs to 6,000 returnee youth (Reuters, 29 April 2008). In June 2008, the Jammu and Kashmir government's relief department started for the first time to distribute registration forms to those wanting to return.

Nonetheless, most among the community remain sceptical of return due to the ongoing security concerns (ACHR, January 2007). Following the 2008 package, some supported return if the government would settle them in a secure zone and ensure property compensation, while others continuing to maintain that no return could take place until a homeland is carved in Kashmir where Pandits are settled and have their government representatives (Indian Express, 17 June 2008). IDPs also want equal employment opportunities guaranteed with their Muslim counterparts as a condition for return (InfoChange News & Features, July 2008).

In order to avoid being marginalised in the political arena, the Kashmiri Pandits have called for reservation of three assembly seats for their community in the state legislature and the establishment of three townships in the Valley for their resettlement (The Hindu, 15 July 2007). The Jammu Kashmir National United Front, a political party founded by Kashmiri Pandits, is fielding 15 candidates in the state elections that will conclude on 24 December, 2008. Over 72,000 Kashmiri Pandit IDPs have been considered eligible for voting in the state elections (PTI, 29 October 2008).

#### *Other displacement in Jammu and Kashmir*

Other groups of IDPs in the state include those who have been displaced since fleeing armed conflict in 1998 in Doda, Poonch and Rajouri districts, three of Jammu's districts where the majority of the population is Muslim, as well as civilians displaced by shelling along the LOC.

Over 2,200 Hindu families comprising almost 12,000 people fled their homes in Doda, Poonch and Rajouri districts of Jammu in 1998 after receiving threats from militants and following the killings of 27 Hindu people at Prankot in the Reasi region in 1998. More than 400 of these families have been staying at the Talwara camp in Udhampur district (ACHR, 30 May 2007). The Talwara camp was established by the Jammu and Kashmir government which provided assistance to the IDPs until 2004. The authorities then claimed funds were not available, even after a directive from the Supreme Court of India in July 2006 to provide financial assistance to these IDPs on a par with the Kashmiri Pandits (GHRD, December 2006, p.5).

In March 2006, it was reported that driven by acute poverty, IDP families in the Talwara camp were being forced to indenture their children to survive. A number of families had had to offer their children to people within and outside the state as “security” on loans ranging between Rs. 8,000 to Rs. 25,000 (\$170 to \$530). The children, between eight and 15 years old, were working as domestic help or labourers until their parents could repay the loan (Express India, 28 March 2006).

Although the state government announced Rs. 45 lakh (\$96,000) in assistance for the IDPs in Talwara in October 2007 (ANN, 13 November 2007), and people on an initial registration list dating back to 1998 received some sporadic rations and cash assistance, by early 2008 the district administration had stopped the aid once more, claiming a shortage of funds. This stoppage was reportedly causing the vulnerable among the IDPs, such as widows and the elderly, to be on the verge of starvation (The Tribune, 8 April 2008).

People have also had to flee their homes in Jammu and Kashmir due to clashes along the LOC between Indian and Pakistani forces. The 2003 ceasefire has led to improvements in the security situation and many IDPs have been able to return to their homes. However, some of the displaced, such as 1,800 families whose homes were destroyed in shelling in 2001 and who had fled to the safer areas of Sot and Lamberi until they were forced to return in 2004 by government forces, still remain without permanent houses seven years after being displaced (Rising Kashmir, 23 November 2008).

## **The North-East**

India's North-East region, comprising eight states, is a very distinct geographical, socio-economic, cultural and political entity from the rest of the country. Of India's 635 tribal groups, 213 live in the North-East. The migration of various groups over different periods of time from neighbouring areas has made the region extremely diverse in terms of race, religion, language and culture.

Conflict has become endemic in the North-East in the post-colonial era. Ethnic conflicts may reflect one or more of simultaneous conflicts between state and ethnic or insurgent groups, inter-ethnic and intra-ethnic violence (MCRG, 2006, pp.1-2). In two of the eight states, Assam and Manipur, a low intensity war is ongoing in December 2008. Over 50,000 people have died due to the violence in the North-East since India's independence and large numbers have been displaced. Exact numbers are unknown but there are believed to be up to hundreds of thousands of IDPs, with the greatest forced displacements in Assam, Manipur and Tripura (Reuters Alertnet, 22 October 2008).

The British colonial practice of settling ethnic outsiders in the North-East as cheap labour has added a migrant-native dimension to the situation in the region. In the post-colonial period, the North-East has received economic migrants and refugees from neighbouring countries, leading to competition for scarce jobs and resources. Almost all the states in the region have at one time or

another experienced political mobilisation and organised violence against migrants, and anti-outsider movements leading to victimisation and expulsion of communities of migrant origin.

“Identity politics” has become the defining theme of the post-colonial North-East political agenda and tensions towards illegal immigrants have also affected Indian citizens. Ethnic strife between “indigenous” and “foreign” groups has turned into ethnic clashes between populations that had essentially become local to the areas. In many cases, the violence has targeted civilians as insurgent and secessionist groups attack villages, massacre residents and burn houses to compel other ethnic groups to vacate disputed territory and move to ill-equipped and inadequately defended IDP camps (Peace and Democracy in South Asia, January 2005, p.60).

#### *Displacement in Assam state*

The insurgency in Assam, the largest state in the North-East, originated primarily from the issue of deportation of illegal immigrants from Bangladesh. A continuous flow of illegal immigrants led to a mass movement seeking their deportation to Bangladesh and the establishment in 1979 of the insurgent United Liberation Front of Asom (ULFA) that declared secession from India as its intended goal, but had its root in the anti-foreigner movement (SATP, July 2002). In September 2006, there was a spate of attacks by ULFA on Hindi-speaking settlers in 2007 who were mostly from the state of Bihar. The attacks continued throughout the year (Ploughshares, January 2008) and thousands of Hindi-speaking migrants were forced to flee from the districts of Tinsukia, Dibrugarh, Sibsagar and Golaghat (BBC News, 23 May 2007).

The Bodos, the largest plains tribe in Assam and among the original settlers of the state, also initiated an insurgency over the issue of dispossession of their tribal land by Bengali and Assamese settlers, as well as over the neglect of Bodo language and culture. Bodo guerilla groups became engaged in a campaign of violence against other tribal groups within Bodo areas (SATP, July 2002). Inter-ethnic clashes against Santhal tribals in 1996 and 1998 led to the displacement of over 200,000 people, with 80 per cent of the IDPs being Santhal and the rest Bodo apart from a few Nepalis and Rabhas. Assamese authorities housed the displaced in 78 makeshift relief camps in Kokrajhar and adjoining areas, and a number of them were still in the camps more than a decade later. In April 2005, there were around 126,000 IDPs in 38 camps, while in August 2006, according to the district administration, there were almost 29,000 IDPs in Kokrajhar district and over 25,000 in Gossaigaon district, bringing the total to more than 54,000 (MCRG, February 2007, pp.8-9). In November 2007, the estimated 15 remaining IDP camps still housed over 7,500 families (Zee News, 15 November 2007).

In 2007, the IDPs in the camps received ten days of rice rations per month, and even where their families had expanded, the assistance was distributed according to registration lists created in 1996. Work was not regularly available and a number of men continued to travel to neighbouring Bhutan to find work. Several woman-headed families could be found with the men being away for long periods in search of work. Left to fend for themselves and their children, a number of women had been forced into prostitution over the years of displacement (PWESCR, May 2008, pp.86-87).

A National Human Rights Commission (NHCR) delegation visiting the relief camps in Kokrajhar district in November 2007 reported that food and medical services were inadequate and the rehabilitation process very slow (Zee News, 15 November 2007). In one relief camp known as Deosri, there had in May 2008 been no consistent medical services since Médecins Sans Frontiers (MSF) had withdrawn in August 2007 (PWESCR, May 2008, pp.86-87). Few organisations in the state have addressed displaced children’s education. In Kokrajhar, where almost a third of the district’s population had come to the IDP camps in the 1990s, only the Lutheran World Federation had been providing teachers to the schools and training the teachers



(India Together, 14 August 2007). In Deosri, there were 500 children per teacher (PWESCR, May 2008, pp.86-87).

The Assam government had started a phase of rehabilitation for the IDPs from 2004 onwards under which families were provided with Rs. 10,000 (\$210) as a housing grant and then “released” without land compensation and with the grant amount too meagre to buy land. During the years the Santhal IDPs had spent in displacement, their land and villages had been taken over by the Bodo community and the IDPs remained fearful of returning home. Many of the families “released” from the IDP camps ended up settling in the areas around the camps without a durable solution to end their displacement (PWESCR, May 2008, pp.86-87).

In October 2008, clashes broke out between Bodos and immigrant Muslim settlers in northern Assam’s Udalguri, Darrang, Sonitpur and Chirang districts. The violence had its roots in a state-wide eviction drive against illegal immigrants organised by the All Assam Student’s Union in August (India Today, 10 October 2008). 54 villages were directly affected in the violence and residents of another 150 villages fled their homes fearing attacks. The clashes left 212,000 people displaced (Frontline, 7 November 2008) and the week-long violence only ended when troops and paramilitaries sent by the central government established control (Economist, 9 October 2008).

Schools and colleges were converted into 97 relief camps to house the IDPs. The conditions in the camps were described as poor, with residents lacking proper food and basic amenities. The International Committee of the Red Cross (ICRC) joined with the state branch of the Indian Red Cross to distribute essential commodities such as blankets, mosquito nets, tarpaulin and clothing to the IDPs (Newstrack India, 28 November 2008).

Most people in the camp, whether Bodo or Muslim, reported not wanting to return to their homes as they had lost faith in the state administration to protect. The Bodos claimed they did not feel safe even in the villages as they believed the government was protecting the immigrants (India Today, 10 October 2008). In November, the chief minister of Assam state announced that the situation was returning to normal barring a few small areas, and that only around 54,000 IDPs remained in the camps (Assam Tribune, 21 November 2008).

#### *Displacement in Manipur state*

The primary conflict in the state of Manipur involves affiliated tribal insurgent groups fighting against the government for separate homelands. There are as many as 18 separate active groups fighting the state (Al Jazeera, 30 October 2008). Manipur was merged fully into the Indian union in 1949, but became a state only in 1972 after a long and frequently violent agitation. The circumstances of the merger and the delay in granting statehood caused discontent among the majority Meitei population in the state, and led to the rise of insurgent groups such as the United National Liberation Front (UNLF) (SATP, July 2002).

Numerous secondary conflicts have arisen from long-standing tensions between tribal groups such as the Naga and Kuki, often as a result of changes in patterns of land tenure and distribution. Since the late 1980s, a number of Kuki insurgent groups have been struggling for a separate state within the Indian union. In recent years, several other tribes such as the Paite, Vaiphei and the Hmar have also established their armed groups and there have been frequent internecine conflicts between the groups (SATP, July 2002).

It is unknown how many people have been displaced by the waves of violence in Manipur but the Naga-Kuki clashes in the 1990s caused the largest single displacement of population in recent times, with many villages uprooted for good and large numbers moving to the state capital Imphal (MCRG, February 2007, p.28). In January 2006, over a thousand Hmar and Paite fled to neighbouring Mizoram from the Lungtullen, Parbung, Tulbung and Mawlia areas of Churachandpur district, while about 5,000 people were displaced within Tipaimukh sub-division

following clashes between a Hmar armed opposition group and the UNLF (ACHR, 23 January 2006). A repatriation package of Rs. 5,000 (\$110) and free rations for a period of four months was offered to the IDPs staying in Mizoram's Sakawrdai relief camp, and as of October 2006, 685 Hmar had returned to Manipur (Imphal Free Press, 23 October 2006).

Large numbers of villagers in Manipur's Chandel district have been displaced due to insurgency and counter-insurgency operations, and threats of improvised explosive devices (IEDs) have prevented people from returning to their homes (PWESCR, May 2008, p.88). Though the state government and other agencies have provided some interim relief to those affected by the conflict and displacement, economic security has rarely been considered in rehabilitation packages. Many IDPs have endured acute poverty, and displaced women with few livelihood options have increasingly turned towards prostitution in order to survive (India Together, 12 June 2007).

#### *Displacement in Tripura state*

Tripura is the only state in the North-East that has in recent times been transformed from a predominantly tribal to predominantly non-tribal demographic make-up, following mass migration of Bengalis from Bangladesh (SATP, July 2002). The two main separatist rebel groups in Tripura state, the National Liberation Front of Tripura and the All Tripura Tiger Force, have been fighting the government for independence for the tribal areas of the state and the removal of Bengali immigrants (Al Jazeera, 30 October 2008).

According to an estimate, nearly 120,000 Bengalis have been displaced since 1980 in the course of violent confrontations with the Tripura tribals (East-West Centre, April 2007, p.25). Another source of displacement has been a fence built along the border with Bangladesh to prevent trans-border movement of immigrants and border crime. As of June 2008, an estimated 8,700 families had been displaced as their homes and farmlands fell outside the barbed wire fence that instead of being erected on the zero line of the international border had been constructed 150 yards from the actual border upon the insistence of Bangladeshi authorities. No alternative land has been allocated to the displaced by the government (IANS, 11 June 2008).

#### *Displacement in and from Mizoram state*

Violence against the Bru (also known as Reang) tribals in 1997 by the majority ethnic Mizo group in Mizoram state forced 35,000 of them to seek shelter in Tripura; most still face difficult conditions in camps there over a decade later. The Bru have traditionally lived in Assam, Mizoram and Tripura, with their biggest concentration in Tripura where they were the second largest indigenous community until the 1940s. Those that moved from Tripura to Mizoram were always viewed as outsiders and an anti-foreigner agitation in Mizoram in 1995 prompted the Bru political leadership to make demands for an autonomous district council, worsening the traditional rivalry between them and the Mizo (East-West Centre, April 2007, p.18).

Subsequent violent clashes between the two groups in the Mamith subdivision, a Bru-dominated area in northwest Mizoram, led to the exodus of the Bru to Tripura where they began living in eight camps in Kanchanpur subdivision where conditions were poor, disease endemic and support very limited (Frontline, July 1998). The majority of the Bru displaced in 1997 still live in six camps in Tripura and it was reported in 2007 that a trafficking racket had led to the disappearance of at least 100 children from the camps (BBC News, 20 December 2007). In September 2008, India's National Commission for Protection of Child Rights undertook a mission to the Bru IDP camps following a complaint of non-inclusion of 7,000 children in a list for issuance of ration cards. The Commission noted that there was little registration of births and deaths, only occasional access to immunisation, no health facilities or primary health centres, no functional schools, no clean drinking water, poor sanitation and inadequate rations (National Commission

for Protection of Child Rights, October 2008, p.4) in the camps 11 years after the Bru had moved there.

The Mizoram authorities have taken no action to protect the houses, land and property of the Bru IDPs (ACHR, 30 January 2008). They have refused to allow the displaced population to return despite heavy pressure from the Tripura government and central authorities (BBC News, 20 December 2007) and even after a peace treaty signed with one of the Bru insurgent groups in the state, under the terms of which the IDPs would be rehabilitated in Mizoram.

In November 2008, 8,200 of the 32,000 Bru IDPs in the six camps were provided with voter identity cards ahead of Mizoram state assembly elections in December, enabling them to vote for candidates vying for five assembly seats in Mamith subdivision out of a total 40 seats in the state assembly (The Telegraph, 28 November 2008).

#### *Displacement in Nagaland state*

The conflict in Nagaland state is India's oldest as the Nagas, a loose collection of around 30 tribes, have fought for a separate homeland that includes parts of Nagaland and areas in Manipur, Assam and Arunachal Pradesh (Al Jazeera, 30 October 2008). A peace process and a ceasefire are ongoing between the Indian government and National Socialist Council of Nagalim (NSCN), the most powerful insurgent group in the state, but little progress had been made in resolving the conflict, while a turf war has been ongoing between the rival Isak-Muivah and Khaplang factions of the NSCN (SATP, India Assessment 2007). No figures are available on the number of people displaced by the violence in the state.

### **Chhattisgarh and Andhra Pradesh**

Human rights violations during an armed conflict between government forces, vigilante groups, and the Maoist Naxalites have created a major internal displacement crisis in Chhattisgarh state of central India. The Maoists in India trace their roots back to 1967 when a group of activists split away from the country's mainstream Communist Party and initiated a peasant uprising in the village of Naxalbari in West Bengal. The Naxalite movement grew quickly and attracted landless labourers and student intellectuals, but a government crackdown in the 1970s broke the group into myriad feuding factions. By the 1990s, as India began to liberalise its economy and economic growth took off, violent revolution seemed to no longer be a threat.

A Naxalite resurgence began in 2004 when the two biggest splinters of the original movement, one Marxist and one Maoist, set aside their differences and joined to form the Communist Party of India (Maoist). The underground party has an agenda for a "people's war" and a Naxalite force which government security officials and independent analysts estimate at between 10,000 and 20,000 armed fighters plus at least 50,000 active supporters has quickly consolidated power across great swathes of India's poorest regions. The central government lists the Naxalites as a banned terrorist organisation and the insurgents tax local villagers, extort payments from businesses, abduct and kill "class enemies" such as government officials and stop aid getting through to people caught in conflict areas (TIME Magazine, 29 May 2008).

Chhattisgarh, the state worst affected by the Naxalite insurgency, has witnessed over 1,000 killings, the majority of civilians, since 2004. More than 90 per cent of the incidents and casualties have been reported from the state's southern Bastar region (IANS, 11 July 2008). Since 2005, the Dantewada district in particular has been locked in a situation akin to a civil war between security forces, the insurgents and an armed vigilante force known as the Salwa Judum (SAHRDC, 9 February 2008).

Chhattisgarh's low-caste Koya and Goth Koya tribespeople have borne the brunt of the conflict (MSF, 21 December 2007). From June 2005 onwards, and especially up to 2007, government security forces joined Salwa Judum members on village raids designed to identify and remove suspected Naxalite sympathisers. They raided hundreds of villages in the Dantewada and Bijapur districts, where tribal communities make up 79 per cent of the population, and engaged in threats, beatings, arbitrary arrests and detentions, killings and burning of villages to force residents into supporting the Salwa Judum (HRW, July 2008, p.7). Thousands of villagers were forcibly relocated to government-run Salwa Judum camps near police stations or paramilitary police camps (HRW, July 2008, p.7) to prevent the Naxalites from recruiting them (TIME Magazine, 29 May 2008).

The Naxalites have been responsible for human rights abuses including abduction, hostage-taking, torture, and extrajudicial killings, including after trial by "people's courts" (ACHR, 30 May 2007). By December 2007, as a result of various human rights violations in the state and the forced relocations around 49,000 relocated villagers were living in at least 24 relief camps in Dantewada and Bijapur districts, while many others had fled to safer parts of Chhattisgarh. An estimated 65,000 villagers had additionally fled to adjoining states of Andhra Pradesh, Maharashtra and Orissa to escape the conflict; between 30,000 and 50,000 of this number were believed to be in Andhra Pradesh as of mid-2008, where many had started living in reserved forest areas (HRW, July 2008, p.7).

The relief camps established by the Chhattisgarh government for the IDPs have been inadequately resourced. Food rations in the camps vary significantly, and many residents are engaged in food for work schemes at less than minimum wage. In many camps there are inadequate facilities for shelter, sanitation and healthcare. Mobile health services set up in a number of the newer camps are often ill-equipped and are limited by transport and logistical problems (SAHRDC, 9 February 2008). According to a report by the National Commission for Women, "the enforced displacement is creating havoc with their normal way of living and is affecting women and children in particular."

Security remains a critical issue in the camps. Tribal groups remaining in villages in Naxalite stronghold areas are considered by security forces to be insurgent sympathisers, while those in the camps are viewed as supporters of the Salwa Judum. Security forces and Salwa Judum members in the camps have attracted attacks by the Naxalites. The risk of attack has been greater in IDP camps administered only by security forces. Naxalites attacked one such camp, known as Mariagudem, five times in the six months after it opened (MCRG, October 2007, p.12).

In some cases, security forces have assisted people in returning at least in part to their former livelihoods. In Dornapal, the largest IDP camp with 18,000 people (AFP, 29 January 2008), security forces escort people back to their villages for the day to check on the elderly and to farm their fields. However, there have been pervasive reports of abuses against people in the camps by the security forces (MCRG, October 2007, p.12). Rape by security forces has been reported to independent organisations but prosecutions have been difficult as the victims in the camps have been vulnerable to threats from the perpetrators (MCRG, October 2007, p.14).

Children in Chhattisgarh are vulnerable to recruitment by the Naxalites, government security forces and Salwa Judum groups. The Naxalites use children to gather intelligence, for security duty, to make and plant landmines and IEDs, and to fight against government forces (HRW, September 2008, p.21). The insurgents have persuaded poor families to hand over their children, aged mostly between 10 and 15 years, with promises of food and a better life in training camps. In some cases children have been taken without the consent of their parents (IHT, 22 May 2008).

Children in IDP camps have been ordered by Salwa Judum leaders to carry arms and participate in raids on villages. Prior to March 2006, the Chhattisgarh state police was actively recruiting

special police officers (SPOs). While the minimum age for SPOs is 18, the police do not deny that children were initially recruited (HRW, September 2008, p.37). Although there is no evidence of police coercion in SPO recruitments, in some cases Salwa Judum leaders, village headmen or the police have approached IDP camp residents and asked them to become SPOs, and children in the camps have chosen to do so as it provides a livelihood (HRW, September 2008, p.39).

Approximately 40 per cent of children in the camps between the ages of six and 16 are not attending schools. Many school buildings have been destroyed by Naxalites to prevent Salwa Judum and the police from using them for their operations. The Chhattisgarh government has relocated or merged around 260 schools from Dantewada and Bijapur districts since the Salwa Judum started, and permitted local NGOs to take children from IDP camps to towns and cities for their schooling. In some cases, such relocations have separated children from, or reduced their contact, with their parents in the camps (HRW, September 2008, p.52).

People displaced from Chhattisgarh to neighbouring Andhra Pradesh have settled in reserved forest areas in Khammam and Warangal districts. The Andhra Pradesh government has repeatedly evicted them unlawfully and by force, and failed to assist them. Forest department officials have destroyed their settlements and personal belongings. IDPs have been beaten, forced onto trucks and taken back to the state boundary by the forest department officials. They have also been vulnerable to harassment, abduction and other reprisals by Salwa Judum members crossing into Andhra Pradesh (HRW, July 2008, pp.82-93).

Displaced children living in Andhra Pradesh state with access to schools often drop out because they do not speak the language of instruction in the state or Telegu. In addition, many children do not possess school-leaving certificates from Chhattisgarh schools, making it difficult to enroll in local schools in Andhra Pradesh (HRW, September 2008, p.53).

The Chhattisgarh government has no policy for facilitating the safe and voluntary return of camp residents to their villages, although virtually all of them have indicated that they want to eventually return to their villages and land. Several impediments to IDPs' return remain, particularly Naxalite reprisals towards village officials and SPOs (HRW, July 2008, p.80). Additionally, the Salwa Judum burned down many villages at the time of the villager's exodus and there have been no reports of reconstruction efforts (MCRG, October 2007, p.16).

In April 2008, India's Supreme Court expressed serious misgivings over the legitimacy of the Salwa Judum, and directed the NHRC to inquire into the "allegations of large-scale human rights violations by Salwa Judum activists, Naxalites and security forces in the state of Chhattisgarh" (Frontline, 8 November 2008). In October 2008, after inquiring into 168 of the 547 allegations, the NHRC exonerated the Salwa Judum and held the Naxalites responsible for forcing it to take arms (Hindustan Times, 5 October 2008).

## **Gujarat**

Communal violence in Gujarat in 2002 led to the deaths of more than 1,000 people, mostly members of the minority Muslim community, and the displacement of between 100,000 and 250,000 people (AI, March 2007, p.8; Infochange News and Features, July 2008). The anti-Muslim violence was triggered in February 2002, when 59 Hindu pilgrims were killed in a fire on a train in the Gujarati city of Godhra. The fire was allegedly started by a Muslim mob (BBC News, 25 September 2008).

The deaths sparked off intense rioting in more than 150 towns and almost 1,000 villages, with most victims being from the Muslim community that makes up 10 per cent of the state's population (The Independent, 7 December 2007). Hindus were affected as well, particularly

economically, with thousands of small Hindu-owned businesses closing down during the violence (HRW, 30 June 2003).

Many of the displaced were forced to take shelter in about 100 makeshift relief camps set up all over the state by Muslim social leaders (Social Action, April-June 2006, p.128), with little support from the state (HRW, 30 June 2003). The onus of providing relief fell largely on the Muslim community and non-governmental groups. By the end of October 2002, the government had closed most of the camps, forcing some IDP families back into neighbourhoods where their attackers still lived and where they faced threats to their physical security (HRW, 30 June 2003).

Compensation funds provided to the residents of the camps closed were sometimes as low as Rs. 1,200 (\$26) and it was believed that the state government was failing to meet its responsibility of rehabilitation of the victims (AI, March 2007, pp.9-11). While the state government had provided shelter and rehabilitation to people affected by an earthquake in Gujarat in 2001, in this humanitarian crisis no equivalent provisions were offered to those who had been forced to vacate the camps (MCRG, October 2005)

Religious groups and civil society organisations attempted to fill the gaps by building houses and offering livelihoods assistance to the displaced. "Relief colonies" were built for displaced families on Muslim-owned land all over the state. Civic amenities such as electricity, water and waste disposal were described in 2006 as either dismal or non-existent (Social Action, April-June 2006, p.130). Many colonies were located in areas with few jobs and far from schools and health clinics. The IDPs and the religious organisations providing the bulk of the aid to them had different priorities, with the latter preferring the construction of mosques to health clinics and *madrasas* or Islamic religious schools to secular schools (EPW, 27 October 2007, p.14).

A survey conducted in 2006, four years after the communal violence, revealed that there were hardly any public services for the IDPs in the 81 relief colonies in the state (Infochange News and Features, July 2008). The colonies had become semi-permanent places of residence for those too afraid to return to their towns and villages (AI, March 2007, p.8). The residents did not possess ownership papers for their homes and could be evicted at any time (Himal South Asian, 2 October 2007). The lack of ownership papers was reportedly used as a means to declare the colonies illegitimate and deny provision of basic facilities to the displaced (Infochange News and Features, July 2008).

In October 2006, a fact-finding mission of the National Commission on Minorities (NCM) revealed that a large number of Muslim IDPs were living in "sub-human" conditions in colonies where abject poverty prevailed. The NCM report noted that the state government had failed to provide a safe environment for these IDPs or to facilitate their return. The NCM also reported that the central government had provided Rs. 19.10 crore (\$4.1 million) to assist the riot victims, but that the state authorities had returned it on the grounds that all rehabilitation work had been completed (AI, March 2007, p.9), even as the IDPs complained of receiving inadequate or no compensation (Infochange News and Features, July 2008). In its response to the NCM in August 2007, the state government acknowledged the existence of families still living in displacement, after five years of denying the existence of any IDPs in the state (Himal South Asian, 2 October 2007).

Another report submitted by members of the Indian parliament in December 2006 noted that attempts were being made by those who had intimidated the Muslim community in the 2002 riots to take over the land and property of IDPs who had been unable to return. A committee appointed by the Supreme Court reported in June 2007 that the economic conditions of the IDPs were dire, with their means of livelihood having ended since the 2002 riots and their former clients unwilling to use their services (Infochange News and Features, July 2008). Many IDPs had been forced to abandon their former vocations and work as vendors, rickshaw pullers or domestic help.

Some IDP children had dropped out of school and were working as labourers as their families could not afford the transport to the nearest schools. Many families in the relief colonies were terrified of sending their daughters to schools outside the neighbourhood following the sexual violence targeting girls from the community in 2002. Consequently, a generation of children of Muslim families are growing up less educated than their parents (EPW, 27 October 2007).

In March 2008, more than six years after the riots, over 4,000 families, or over 21,000 people, were estimated to be living in displacement in 72 relief colonies and 19 scattered clusters and houses in nine districts of the state. The districts were Ahmedabad, Vadodara, Panchmahals, Bharuch, Anand, Mehsana, Dahod, Kheda and Sabarkantha. The IDPs cited fear of locals as the reason they had not been able to return to their areas of origin. Several continued to be denied basic documentation such as ration cards and election photo ID cards (Fana Watch, 8 March 2008).

In May 2008, the central government announced that it would pay Rs. 330 crore (\$71 million) to the victims of the 2002 riots in Gujarat (BBC News, 23 May 2008). The compensation package, which includes assistance in finding homes and jobs for the IDPs may be successful to a certain extent in reducing the marginalisation of the Muslim community in the state.

## **Orissa**

Communal violence in Kandhamal district in Orissa state in eastern India displaced thousands of people in 2008. There have been long-standing tensions between Hindus and Christians in the state over the issue of religion conversion. Hindu hardliners have claimed that Christian priests bribe poor tribal and low-caste Hindus to change their faith, while Christian groups have maintained that lower-caste Hindus who convert do so willingly to escape a stratified and oppressive caste system. The situation is particularly sensitive in rural Kandhamal district where an estimated 150,000 Christians make up 23 per cent of the population (Reuters, 27 August 2008).

For several years, hardline Hindu groups in Orissa have been conducting an anti-Christian campaign that has grown violent at times, while government officials have looked the other way. In December 2007, violence broke out in Kandhamal during an altercation between Hindus and Christians over Christmas celebrations during which a number of villagers had to flee their homes (HRW, 27 December 2007).

In August 2008, violence broke out again between the communities after a Hindu spiritual leader who had opposed the spread of Christianity in the state was killed. According to the police he was killed by Naxalite insurgents, but Hindu groups blamed the Christians, and mobs ransacked churches, schools, health clinics and houses belonging to Christians (VOA News, 15 September 2008). In the month-long violence, more than 30 people were killed, 3,000 homes burned down, and over 130 churches destroyed (NYT, 13 October 2008). Indian authorities said that the violence displaced over 20,000 mostly Christian people (VOA News, 15 September 2008) while according to other estimates, at least 50,000 people were displaced (Times of India, 5 October 2008).

Government officials reported that many IDPs were hiding in jungles without any shelter or security because of the tensions (NYT, 29 August 2008). In some districts entire villages lay abandoned by Christian populations who had taken shelter in forests with little access to food or fresh water (The Guardian, 31 August 2008).

Approximately 23,000 displaced people fled to 19 relief camps which the government set up in Kandhamal (Frontline, 25 October 2008). Conditions in the camps were described as poor, with IDPs sleeping on plastic mats on the ground, receiving limited food rations and inadequate medical care (IANS, 25 October 2008). Security in the camps concerned observers, and three crude bombs exploded in one camp on 28 August (SACW, 25 September 2008). By mid-October, with the incidence of violence decreasing in the district, the total number of IDPs in the relief camps had shrunk to 13,000 (Frontline, 25 October 2008) and as of mid-November to 10,000 (IANS, 18 November 2008).

Many Christian families who left the camps did not return to their areas of origin but to safer places like the cities of Bhubaneswar and Cuttack. The displaced families reported receiving threats from Hindu groups against returning to their villages (Deccan Herald, 17 October 2008) and pressure to convert to Hinduism (NYT, 13 October 2008). Some families, however, did return to their villages and converted, after being informed that their Hindu neighbours would protect them and they would be able to regain their property if they embraced Hinduism (Hindustan Times, 10 October 2008).

## **West Bengal**

In December 2006, authorities in West Bengal state announced plans to set up a SEZ at Nandigram in East Medinipore district. The project to create a new hub for the chemical industry required at least 4,000 hectares of land, which was owned mainly by farmers. The Bhumi Uchched Pratirodh Committee (BUPC), which was formed to protest against the upcoming forced evictions, clashed throughout 2007 with supporters of the Communist Party of India-Marxist (CPI-M) which led the ruling Left Front coalition in West Bengal. The BUPC was made up primarily of farmers and activists supporting a number of political parties other than the CPI-M.

A range of abuses including unlawful killings, forced evictions, excessive use of force by police and widespread violence against women were reported from Nandigram in 2007, as well as failure by authorities to provide protection to the victims. Between January and March 2007, about 1,500 people who were primarily CPI-M supporters were forcibly displaced from their homes as the BUPC set up barricades to prevent access to some of the disputed land. On 14 March, 14 people were reportedly shot dead by police and over 150 injured in violent confrontations between the police, supporters of the CPI-M and BUPC supporters protesting against their displacement due to the proposed zone. Following this incident, the state government announced that the zone would be relocated, however, the protesters continued demanding justice and compensation for the victims of the 14 March confrontations.

In further violence in November 2007, armed supporters of the CPI-M attacked local residents with guns and IEDs in an operation to "recapture the area". They forcibly evicted people, burned down houses and destroyed property, leading the governor of West Bengal to label the Nandigram situation a "civil war." Both the state administration and the police reportedly took little action to protect the local communities against the violence, and in some cases allegedly participated in the attacks (AI, 15 January 2008, pp.3-4).

At least two relief camps were functioning at Nandigram from January 2007 for those displaced by the violence, although neither was run by the state. Approximately 1,500 IDPs were living in the two relief camps by mid-November (PTI, 15 November 2007) but the number had dwindled into the hundreds by the end of the month as the majority of displaced left the camps to stay with family and friends. Threats of violence continued for the IDPs who returned to their villages as CPI-M supporters had acquired "effective control" of most villages in Nandigram. Several women who returned to their homes after the period of violence reported receiving threats of sexual violence unless they pledged support to the CPI-M (AI, 15 January 2008, p.8).



Children were possibly the worst affected by the Nandigram conflict, with hundreds used by BUPC and CPI-M supporters as human shields or informers. In some of the villages most affected by violence in Nandigram, many children were displaced and ended up staying in homes of relatives and friends or in makeshift shelters until conditions were in place for their return (PTI, 20 November 2007).

A fresh round of violence in Nandigram in May 2008 between supporters of the BUPC and the CPI-M led around 500 people to flee to the relief camps (PTI, 5 May 2008).

### **National and international responses**

The Indian government has no national policy for those displaced by conflict, even though at least 38 per cent of the country's districts are afflicted by various insurgency movements (SATP, India Assessment 2007) and there are IDP populations in the north, north-east, east, west and centre of the country. In the absence of a national policy framework and response mechanism, the responsibility for assisting and protecting the displaced has frequently been delegated to state governments.

The response by different state governments remains ad-hoc and varied, with Kashmiri Pandit IDPs being provided with far more support than the other groups displaced by conflict. While the Kashmiri Pandits receive dry rations and Rs. 1,000 (\$21) per person to a maximum of Rs. 4,000 (\$85) per family each month, the Bru adult IDPs in Tripura state only receive Rs. 87 (\$1.90) along with 450 grammes of rice, while those under 18 receive half that amount (ACHR, 1 August 2008, p.142). The response within a state has also differed dramatically, with the state government providing relief to the Kashmiri Pandits but expressing an inability to assist the IDPs at Talwara due to a shortage of funds.

State response is particularly problematic in a state like Gujarat where the authorities have been accused of planning and instigating the violence against the Muslim population in 2002 (HRW, 29 April 2002), and where the state government did not even acknowledge the continuing displacement until five years after the violence (Himal South Asian, 2 October 2007).

State response is also complicated in the case of situations such as Chhattisgarh, where thousands of people were forcibly relocated to camps by government security forces and the Salwa Judum, but where government officials have neither a policy for facilitating camp residents' safe return to their villages nor a plan to provide adequately for camp residents in the long term (HRW, July 2008, p.71).

The lack of a national policy has allowed representatives of certain states to claim that they are powerless to make decisions to protect and assist displaced people. While there is certainly a need for a national policy, its absence does not absolve state governments from their responsibilities towards IDPs (HRW, July 2008, p.69).

Despite the lack of a national policy, the NHRC has intervened in conflict-related displacement issues related to Gujarat and Jammu and Kashmir. It has recommended that in order to protect the basic human rights of displaced people, human rights guarantees for the IDPs in India should be incorporated in appropriate legislation (NHRC, 24 March 2008).

In addition to not having a national IDP policy, the Government of India does not refer to groups such as the Kashmiri Pandits as IDPs, but instead as migrants. Consequently, even after some in the community have been in displacement for up to 18 years, the Kashmiri Pandits lack official recognition of their IDP status. The displaced people's group has been demanding

acknowledgment of its status from the central government, arguing that the migrant label implies that the Kashmiri Pandits had a choice in leaving the Kashmir Valley, and acts as a hindrance in areas such as acquiring government jobs (IANS, 31 October 2008).

In October 2007, the central government announced a National Policy for Rehabilitation and Resettlement for those forced to leave their homes by development projects. The Policy recognises involuntary displacement as a result of development activities.

International humanitarian agencies usually have not had access to displaced populations in conflict zones of India, and even where permission has been granted, international staff of organisations working in areas such as the North-East have been denied entry. Those who are able to obtain entry may be monitored and have their movements restricted (Reuters Alertnet, 22 October 2008).

The ICRC and a few international NGOs, such as Médecins Sans Frontières (MSF) and the Lutheran World Federation, are assisting IDPs in certain states. The ICRC, which assisted IDPs in Jammu in 2002, has had other offers to assist IDPs rejected by Indian authorities, as in Gujarat in 2002 (ICRC, 2002, p.186). The organisation has expressed interest in aiding conflict-affected populations in the North-East and Chhattisgarh (PTI, 30 August 2007), and became involved in assisting the IDPs in Assam following the violence between Bodo and Muslim communities in October 2008. The Chhattisgarh state chief minister has maintained that his government would welcome the ICRC presence in the Naxalite conflict zone. State government officials, however, have expressed some concern that the presence of ICRC would portray the Naxalite problem as a major conflict, rather than a socio-economic and law and order problem (Indian Express, 10 June 2008).

MSF has been operating in three IDP camps in Chhattisgarh, providing medical assistance including primary healthcare and an ambulatory therapeutic feeding programme for moderate and severely malnourished children. It also runs mobile clinics in Chhattisgarh and Andhra Pradesh states. In August 2007, it was reported that MSF had been asked to stop its programme in Dantewada district, as its medical staff were treating Naxalites despite being asked by authorities to stop all medical assistance to Naxalite cadres (Times of India, 11 August 2007). Following condemnation of this news by civil society groups, the state government released a clarification according to which MSF had only been issued an advisory to stop travelling to sensitive interior areas of the state affected by the Naxalites, out of concern for the security of its staff (ACHR, 1 August 2008).

# CAUSES AND BACKGROUND

## General

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### Four categories of internal displacement in India

- I Political causes, including secessionist movements
- II Identity-based autonomy movements
- III Localized violence
- IV Environmental and development-induced displacement

#### **SATP, India Assessment 2007:**

"At least 231 of the country's 608 Districts are currently afflicted, at differing intensities, by various insurgent and terrorist movements. Terrorism in Jammu & Kashmir (affecting 12 of the States 14 Districts), in different States of the Northeast (54 Districts) and Left Wing extremism (affecting at least 165 Districts in 14 States, estimate based on end-2005 data) continue to pose serious challenges to the country's security framework. In addition, wide areas of the country appear to have 'fallen off the map' of good governance, and are acutely susceptible to violent political mobilization, lawlessness and organized criminal activity."

#### **Lama, August 2000, p.24-25:**

##### " I Political causes, including secessionist movements

i) Since independence, north-east India has witnessed two major armed conflicts – the Naga movement primarily led by the National Socialist Council of Nagaland, and the Assam movement led by the All Assam Students Union and now largely taken over by the extremist United Liberation Front of Assam. The violence and retaliatory responses from the government and other forces opposed to the secessionists continue to generate a steady flow of displaced people.

ii) In Kashmir's 'war' between state forces and militants, the killing of Kashmiri Pandits by fundamentalist secessionist groups, the widespread anarchy created by political instability and the continuous violation of fundamental human rights by both the state and militant groups, have led to large scale displacement, mainly of Kashmiri Pandits (estimated at 250,000), to Jammu and cities like Delhi. Despite the election and restoration of a popular government in 1996, those displaced have not been able to return due to the continuing reality of sporadic massacres in Kashmir. Although conditions are miserable, the displaced find that camps offer better employment opportunities, education and security.

##### II Identity-based autonomy movements

Identity-based autonomy movements, such as in Bodoland, Punjab, Gorkhaland and Ladakh, have also led to violence and displacement. This has happened in Punjab and more recently in the Bodo Autonomous Council area of western Assam. 'Cleansing' of non-Bodo communities by the Bodos, through plunder, arson, massacre and persecution, has forced a large number of non-Bodos to flee. They now live in camps.

### III Localized violence

Internal displacement has also arisen from caste disputes (as in Bihar and Uttar Pradesh), religious fundamentalism (as in urban riots in Bombay, Coimbatore, Bhagalpur and Aligarh) and aggressive denial of residency and employment rights to non-indigenous groups by supporters of the 'son-of-the soil policy' (as in Meghalaya by the Khasi students and in Arunachal Pradesh against the Chakmas).

### IV Environmental and development-induced displacement

In order to achieve rapid economic growth, India has invested in industrial projects, dams, roads, mines, power plants and new cities which have been made possible only through massive acquisition of land and subsequent displacement of people. According to the figures provided by the Indian Social Institute, the 21.3 million development-induced IDPs include those displaced by dams (16.4 million), mines (2.55 million), industrial development (1.25 million) and wild life sanctuaries and national parks (0.6 million)."

## **Internal displacement in Kashmir**

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### **Since 1989, conflict between the central government and separatist militants made Kashmiri Pandits flee the valley (2005)**

- Jammu and Kashmir is the only majority Muslim state in the Indian union
- Territorial dispute over Kashmir between India and Pakistan has led to two wars since independence in 1947
- State elections in 1987 created strong protests among the Muslim population due to allegations of fraud
- Since 1989, opposition has led to armed insurgency, increasing militarisation of the state and widespread abuses of human rights which has led to displacement of the Kashmiri Pandit population

#### **ICG, 21 November 2002, p. 2:**

"Jammu and Kashmir is the only majority Muslim state in the Indian union, and that distinction has made the Indian government all the more determined to hold on to the territory as integral to the country's multi-cultural identity. Yet politics in Kashmir have remained highly turbulent, and there was significant opposition to Indian rule among Kashmiri Muslims even before independence. Since 1989, this opposition has led to an armed insurgency, the increasing militarisation of the state, widespread abuses of human rights and an estimated 30,000-100,000 deaths."

#### **HRW, 1999, Behind the Conflict:**

"Kashmir has been at the heart of a territorial dispute between India and Pakistan since the two nations gained their independence in 1947. Both claim Kashmir. In 1948 the then-ruler of the princely state of Jammu and Kashmir, Maharaja Hari Singh, who was holding out for independence, acceded to India on condition that the state retain autonomy in all matters except defense, currency and foreign affairs. The accession was provoked by the invasion of Pakistani raiders and an uprising of villagers in the western part of the state. Fighting between India and Pakistan ended with U.N. intervention; since 1948 the cease-fire line has been monitored by the U.N. Military Observer Group on India and Pakistan (UNMOGIP). The far northern and western areas of the state are under Pakistan's control; the Kashmir valley, Jammu, and Ladakh are under India's control. U.N. resolutions calling for a plebiscite to determine the final status of the territory have been rejected by India, which claims that because Kashmiris have voted in national elections in India, there is no need for a plebiscite. Pakistan maintains that a plebiscite should be held. Several of the militant groups in Kashmir have also called for a plebiscite but argue that an independent Kashmir should be an option. On July 2, 1972, India and Pakistan signed the Simla Accord, under which both countries agreed to respect the cease-fire line, known as the Line of Control, and to resolve differences over Kashmir "by peaceful means" through negotiation. The Simla Accord left the "final settlement" of the Kashmir question to be resolved at an unspecified future date. Since then, the Simla Accord has been the touchstone of all bilateral discussions of the Kashmir issue, even though the accord itself left the issue unresolved.

[...]

it was not until 1986 that discontent within the state found wider popular support. In that year the state's ruling National Conference (NC) party, widely accused of corruption, struck a deal with India's Congress Party administration that many in Kashmir saw as a betrayal of Kashmir's autonomy. A new party, the Muslim United Front (MUF), attracted the support of a broad range of Kashmiris, including pro-independence activists, disenchanted Kashmiri youth and the pro-Pakistan Jama'at-i Islami, an Islamic political organization, and appeared poised to do well in state elections in 1987. Blatant rigging assured a National Conference victory, which was followed by the arrests of hundreds of MUF leaders and supporters. In the aftermath, young MUF supporters swelled the ranks of a growing number of militant groups who increasingly crossed over to Pakistan for arms and training. The major militant organizations were divided between those advocating an independent Kashmir and those supporting accession to Pakistan. In the late 1980s, the groups began assassinating NC leaders and engaging in other acts of violence. Some groups also targeted Hindu families, and a slow exodus of Hindus from the valley began.

After the elections, militants of the JKLF and other groups stepped up their attacks on the government, detonating bombs at government buildings, buses, and the houses of present and former state officials, and enforcing a state-wide boycott of the November 1989 national parliamentary elections. One month later, JKLF militants abducted the daughter of Home Minister Mufti Mohammad Sayeed, then freed her when the government gave in to demands for the release of five detained militants. That event, together with a surge in popular protest against the state and central governments, led the central government to launch a massive crackdown on the militants.

On January 19, 1990, the central government imposed direct rule on the state. From the outset, the Indian government's campaign against the militants was marked by widespread human rights violations, including the shooting of unarmed demonstrators, civilian massacres, and summary executions of detainees. Militant groups stepped up their attacks, murdering and threatening Hindu residents, carrying out kidnappings and assassinations of government officials, civil servants, and suspected informers, and engaging in sabotage and bombings. With the encouragement and assistance of the government, some 100,000 Hindu Kashmiris, known as "Pandits," fled the valley."

**Marks, 2005, Faultlines no.16 :**

"In reality, the conflict, in terms of population, takes place in [...] constricted space, with Kashmir's population concentrated in the Vale of Kashmir (i.e. Kashmir Valley), and Jammu's in the valley of

that same name. Census data by decade reveals explosive population growth since independence, with the population essentially increasing by a third in each of the last two census-decades (i.e. 1981-1991 and 1991-2001). Indeed, given the 1951 census figure of 3.25 million, the present count of 10,069,917 makes for a 310 per cent increase in 50 years – with the greatest growth in the Kashmir Valley.[...]

Jammu is dominated by Hindus (62 per cent), but three of its six districts have Muslim majorities (Poonch, Rajouri, and Doda; the other three districts, which have very large Hindu majorities, are Jammu, Kathua, and Udhampur). Kashmir's six districts (Kupwara, Baramulla, Srinagar, Budgam, Pulwama, and Anantnag) all have Muslim majorities in excess of 90 per cent. Hindus, in fact, were reported to be less than 2 per cent in all districts of the division except Srinagar, where their numbers were placed at 6-8 per cent.

Since the State as a whole (certainly Kashmir Division) remains tied to the employment patterns generated by agriculture, all sources have noted post-independence employment problems, especially the high dependency ratio (i.e. the number of persons supported by the working population).

[...]

At least two decades ago, then, issues of livelihood for the young had been identified as a looming State problem, with all factors exacerbated in Kashmir by Islamic cultural traits (such as discrimination against women and preference for male offspring). Already, in 1981, more than half the State population was less than 19 years of age, with a literacy rate well below the national norm (and even lower among Muslims and especially Muslim women). Significantly, the lowest level of agricultural employment in the State was in Srinagar District (16.7 per cent), which was tied to small shop-keeping and thus dependent upon external forces for generation of employment capacity.

As this heavily Muslim district was also an area of explosive population growth, the ability of the economy to absorb youth steadily declined [...] Population density was considerably higher in Kashmir than elsewhere in the State, 251/km<sup>2</sup> as early as 1991 versus 135/km<sup>2</sup> in Jammu (and just 2/km<sup>2</sup> in Ladakh).

The upshot is a statistical case can be made that there was a demographic tidal wave of unabsorbed youthful males appearing in the late 1980s, especially in Kashmir, just as political issues discussed above called into question the legitimacy of the existing order. Yet the resulting insurgency, despite its widespread violence in both the Jammu and Kashmir Divisions, is in its origins and driving force more a Kashmir than a Jammu problem. Indeed, the increasingly Islamic nature of the insurgents and their support from Pakistan has served to enflame latent separatist sentiment on the part of Jammu. One now sees strong forces demanding independent consideration of Jammu in factors ranging from political to linguistic; and local defence forces (to be considered below) in Jammu, at least, are dominated by Hindus.[...]

[...]

Indeed, the internal war in J&K, when scaled, does not begin to approach the levels of criminal violence present in those U.S. metropolitan areas best known for their murder rates. The 'death count' in Jammu & Kashmir for 2003 stood at 836 civilians, 1,447 militants, and 380 security personnel.<sup>35</sup> If this violence is aggregated (2,663), which is unorthodox but certainly presents the worst possible statistical picture, it scales out at 24.5:100,000 population.<sup>36</sup> This would place J&K between Memphis (24.7:100,000) and Chicago (22.2:100,000), in the 2002 murder rankings when examining American cities with populations greater than 500,000, well off the pace established by the likes of Washington, DC (45.8:100,000) or Detroit (42.0:100,000).[...]

Thus the issue, as concerns Indians, is not 'body count' alone but the totality of the dislocation. The perversion of daily life caused by the insurgency and the Government's response; the deployment to the State of substantial numbers of security forces; the inability of economic activity to respond to demographic shifts due to the all-encompassing and pervasive effect of the conflict; the looming danger of escalation to inter-state war, with the possibility that nuclear weapons will be used; these and other facets are what make the Kashmir conflict so ominous for the population and for the country.[...]"

## **Displacement in Jammu & Kashmir due to military tensions and armed clashes between India and Pakistan (December 2006)**

- The displacement of border villagers has been a common phenomenon since 1947 due to shelling and military build up along the Line of Control (LoC) and in the border areas
- The displaced belong to different communities, Muslims, Hindus and Sikhs

### **MCRG, December 2006, pp. 10-11:**

"On the basis of the team's visit to border villages of Akhnoor (Garar, Samwa, Chapriyal and Sainth) and Poonch (Birhuti, Degwar and Kerni), besides two camps for displaced persons at Akhnoor, the survey and group discussions with the displaced persons has led to the following observations:

There are broadly three different categories of displaced persons in Jammu along the international border and the disputed Line of Control (LoC) between India and Pakistan.

1. Those living in camps or in rented accommodation at their own expense way from their villages.
2. Those who are dispossessed of lands that have been mined and fenced out.
3. Those whose entire village has been fenced out. They have access to their fields and homes in the mornings and afternoons but are forced to return back to what are called cluster colonies, usually 2 to 6 kilometers away from their fields and homes.

The border people living in the camps in Akhnoor, about 40 kilometers from Jammu city were displaced in 1999 in the wake of Kargil war when the maximum brunt was borne by inhabitants of 21 villages comprising 6,070 families. Heavy shelling, mortar firing by the Pakistani soldiers and mining operations in their fields by Indian soldiers virtually left them homeless. They spent the first six months huddled in school buildings or government complexes in Akhnoor town with no relief in terms of food or health care. Six months later, the camps came up at several places on the outskirts of Akhnoor – three of which are still existing, two only partially. These comprise about 1,500 families. Rest of the people went back to their villages in phases, some in 2004 and others in the summer of 2005. But the return has not been totally voluntary. An element of coercion and the unfulfilled promise of demining their agricultural lands and providing compensation for the damaged houses by the civil administration has been a major reason for the return. The people were finally forced to return after the government forcefully shifted the schools and primary health centres and dispensaries from the camps to the villages. Out of these 21 villages on the zero line, some on the international border and some falling on the disputed Line of Control, two villages are totally empty – Chaprayal and Samwa. Both these villages are on the LoC.

The Centre has announced a package of Rs 78 crores for the border people from just these 78 villages, out of which Rs 22 crores is already released. Much of the money is likely to be spent on constructing permanent safe shelters for these villagers, on the reconstruction of their houses, (an amount which has already been disbursed but found inadequate), schools and medical health-care infrastructure. Some relief in terms of rations and meager cash doles was received by these people till last year. Some months back, the government announced extension of free rations for a period of another year, ending September 2005.

Most villagers, both those living on the camps and in the villages, said that they were not receiving this

ration or they had received it only for two months. In the twin border districts of Rajouri and Poonch, the situation in 45 border villages is alarming. They have been totally fenced out in the recent fencing operations by the Indian army (2004) and their lives are under total control of the army, the virtual absence of the civil administration in these areas adding to

their woes. The fencing, which is 6-7 kilometers inside the Line of Control restricts their movement and they are totally isolated from rest of the country. And, that alone is not their sole concern. As per a central government plan in 2001 to relocate the villages from the zero-line to the interiors, Kerni, a village comprising 106 families, in Poonch tehsil becoming the first target,

cluster colonies have now come up in most of these 45 villages. The cluster colonies are located 4-6 kilometers distance from the zero-line as well as their homes and fields.

This is a hilly area where population is scattered across the mountain range. Several of these villages were bifurcated into two by the Line of Control in 1948 or by minor adjustments ever since. Most of these villagers have divided families, some members living on the Pakistani side of Jammu and Kashmir. These villages have witnessed periodic displacements since 1948, the biggest one in 1965; mostly people intimidated by the army have crossed over to the other side. During the last sixteen years of militancy, these border villages, some of which are known to be popular infiltration routes have borne the brunt. The consequent increase in army's repressive measures has led to frequent displacements to the other side, though there are minor cases of some of them returning as well. The zero-line is excessively embedded with mines and casualties are 5 to 10 percent in almost all the villages, besides killing and maiming of cattle and sheep.

The fencing and cluster colonies have compounded the problems of the people who have already tasted the bitter pill of government neglect, as well as poor or negligible roads, health and education facilities. The people's lives are under army's surveillance all the time and they are expected to be back before dusk in these cluster colonies. They go every morning to their fields and homes, which may be a good one and half hours walk for some, work the entire day and must report back in the cluster colonies by the evening. The timings are arbitrary as per the whims of the army units in the area – in some cases, the villagers are expected to be back by 4.00 P.M. The only job that the civil administration did was to allot small pieces of land for construction of one room tenements per family in these cluster colonies for the people and announce Rs 1 lakh each family for the construction of the same. The full payment has not been released

in most cases and some people have regretted the level of corruption involved, or the disregard for the latest census, depriving some of these people of any funds. The health facilities are poor and educational facilities, barring a few villages, is not quite up to the mark. The villagers are totally dependant on the army for their needs and it all depends on the whims of the unit officers posted there to help them with medical health-care or educational facilities."

**Shekhawat/Mahapatra, June 2006, pp.6-8,10:**

"India and Pakistan share a three thousand km long border, of which one third is going through J&K. Since independence, clashes between the two countries led to several waves of displacement from villages along the border. The 198 km International Border (IB), extending from Kathua to Akhnoor, is recognised as an international border but the 778 km Line of Control (LoC), starting from Akhnoor is a de facto border. The LoC is longest unsettled line in history. The tribal invasion in J&K and later a war between India and Pakistan in 1947 were followed by agreement on Cease Fire Line (CFL) on the border. It was renamed LoC in the Shimla agreement after the 1971 war. Thus, a considerable part of the border remains undecided while some of it is well defined. Due to dispute over J&K between the two neighbouring countries, the border remains largely disturbed not only during the times of actual hostilities but even after the ceasefire because of the continued presence of the army and infiltration of insurgent groups across the LoC.

[...]

In the partition-related displacement in the state nearly 15,000 people fled from the adjoining areas of Pakistan. This can be termed first kind of displacement. The second type of displacement was from Pakistan controlled Kashmir. There was huge influx of Hindus and Sikhs from the areas of Muzaffarabad, Mirpur, Bagh, Rawalakot, Bhimber, Kotli and Jhanger. In an interview to the authors, Hardit Singh Panchi, President of the Jammu Kashmir Sharnarathi (refugee) Action Committee (JKSAC) informed that around 50,000 families had been displaced at that time. The 1965 war also led to a large-scale displacement of the people from Chhamb-Jurian area in Jammu. The 1971 war led to another type of displacement from Chhamb area. Around 4,900 families were displaced from ten villages. The Kargil war in 1999 also resulted in



the displacement of a considerable number of people from border areas all over the state. Many of them returned as soon as crisis was over. But more than 60,000 people from Akhnoor continued to live in the camps till recent times.

India and Pakistan came to the brink of war on many occasions. This led to large-scale displacement in the state, especially from the border areas. For instance, the war scare of December 2001 after the attack on Indian Parliament led to massive displacement from the border. Another war scare due to May 14, 2002 fidayeen attack in J&K also led to displacement. According to an estimate, since 1999 Kargil war to 2002 war scare, around two lakh people in the state were forced to leave their native places from borders – 22,000 from Poonch, 9,000 from Rajouri, about 1.25 lakh from Jammu and 25,000 from Kathua district.

[...]

In the wake of the ceasefire between India and Pakistan in November 2004, the [...] displaced felt the atmosphere conducive for return. The idea was, however, not devoid of problems and hurdles. After living as displaced for six years the life has changed so much that the return did not come as an immediate decision. The camp life was never a good option for them but the return too was not easy. Amidst this confusion many returned but many continued to live in the camps.

As per the information gathered during the survey, approximately 48,000 people have returned to their respective places but around 12,000 are still living in the three camps. These people are residing in the Devipur, Naiwala and Rampur colony camps. While the once largest camp, Devipur, at the time of survey in April was accommodating around 100 families, in Naiwala camp at least 400 families are still languishing. From among the 950 families living in the Rampur colony camp not even a single family had returned. In this camp people from three villages namely Chapriyal, Kachriyal and Samoo are living since June 1999. "

### **Migration of over 2,000 families due to militancy along border belt of Rajouri and Poonch districts in Jammu (November 2008)**

- From March 1997 onwards, there was an escalation in militancy-related activities in Rajouri and Poonch districts in Jammu region that share a long border with Pakistan-occupied-Kashmir
- The militants targeted civilians from minority communities, primarily Hindu and Sikh, in the area
- An incident in April 1998 in Prankot village, where 21 people from a minority community were killed by militants, led to mass migration from the area and over 2,200 families making up 11,884 people moved to safer areas of Jammu and Kashmir state
- Some of the families have been living as IDPs for more than 10 years, over 400 are staying at Talwara camp at Reasi in Udhampur district

### **SATP, 2001:**

"For most, Jammu and Kashmir is synonymous with the Kashmir Valley. A very important segment of the state, and one of the most critical areas in the conflict of the last ten years, is the border belt of two the districts of Rajouri and Poonch in the Jammu region. The two districts share a long border of over 200 kilometres with Pakistan Occupied Kashmir (PoK) in the form of the Line of Control (LoC). These districts are located to the north west of Jammu city and comprise an area of 4034 square kilometres of mostly hilly terrain.

[...]

By the beginning of March 1997, the escalation in militancy-related activities in Rajouri-Poonch was visible, as a local daily from Jammu observed, "there are disturbing reports of accelerated militant activity in the border districts of Rajouri and Poonch. The fast developing situation in these districts has security and politico-economic dimensions." Two most disturbing

developments took place in Rajouri during September 1997. In a significant departure from their usual hit-and-run tactics, in an emphatic display of defiance, the militants directly engaged with army positions around Thanamandi by occupying the heights of Rattan Pir hills. They used a wide range of arms, including mortars.

[...]

In another gruesome incident the militants struck in a big way in Swari village of Budhal *tehsil* of Rajouri, killing eight persons from the minority community, and wounding another four. The activities of the militants showed a similar trend in Poonch as well. They were particularly active in the Surankote area, where foreign mercenaries specially targeted police stations, in addition to unarmed civilians, with increased intensity.

[...]

Despite the increased activity by the security forces and the local police, the trends in militancy did not significantly decelerate. The militants remained particularly active in the Surankote area of Poonch district and Budhal *tehsil* of Rajouri.”

**Indian Express, 20 April 1998:**

“Twenty-one people belonging to the minority community were killed by militants at village Prankot in Mahore *tehsil* on Friday night leading to fresh migration from the area.

[...]

The militants, who are believed to be foreign mercenaries, dragged the victims out of their houses before killing them. They also burnt their houses, sources added. Significantly, no security forces or police have been deployed in the area though people have been migrating from here for many years due to fear of militants. The nearest police station from the site of massacre is at Thub located at a distance of 15 kms. One has to trek a hilly terrain to reach there.

Well placed sources in the district administration at Udampur said the area had been a “safe zone” for militants as it was under the operation command of the Border Security Force deployed in Rajouri district. The security forces from the neighbouring district visit the area once or twice a month as they have to trek a hilly terrain of about 40 kms from the last motorable spot at Chasna, sources added. The massacre has led to fresh migration of people from the area, with 17 families belonging to minority community reaching Reasi town today. They were shifted to Pouni and placed in the Government school there.

[...]

This is worst ever massacre in the area ever since the outbreak of militancy in the State during the last eight years.”

**ACHR, May 2007:**

“Over 2,200 families, comprising 11,884 persons had migrated in 1998 due to armed conflict from Doda, Udampur, Poonch and Rajouri regions, and over 400 of these families were staying in the Talwara camp in Reasi in Udampur district.”

**The Tribune, 19 November 2008:**

“Inhabitants of the five Assembly constituencies - Reasi, Gulabgarh, Darhal, Rajouri and Kalakot - have been putting up at the camp for the last 10 years. After infamous Prankot massacre in April 1998, mass migration of minorities was started from different areas of Reasi and Rajouri districts. After leaving their native places, these displaced people took shelter at Talwara and Pouni and, till date, they are living in same conditions. National leaders had promised all possible help to affected families, but nothing concrete has been so far done to permanently rehabilitate them.”

**Five years since 2003 ceasefire, tensions escalate between India and Pakistan (December 2008)**

- A ceasefire between India and Pakistan and a "composite dialogue" helped reduce tensions and prevent a return to a climate of all out war
- The relative decline in violence helped stabilise the economy of Jammu and Kashmir, although human rights violations persisted
- Despite several rounds of talks little progress has been made on the core issues causing disagreement
- In July 2008 one of the most serious breaches of the ceasefire occurred along the Line of Control
- Tensions and fears of the ceasefire collapsing increased between the two countries after the Mumbai terror attacks in November 2008
- Consequently some villagers living along the Line of Control began constructing underground bunkers to escape possible shelling across the Line
- As of December 2008 the situation between India and Pakistan had not reached a point of confrontation

**ICG, 15 June 2006:**

"When the third round of the normalisation talks concludes in July 2006, India and Pakistan will be no closer than when they began the process in February 2004 to resolving differences, including over Kashmir. What they call their "composite dialogue" has helped reduce tensions and prevent a return to the climate of 2001-2002, when they were on the verge of all-out war, but progress has been limited to peripheral issues. India's prime minister, Dr Manmohan Singh, and Pakistan's president, General Pervez Musharraf, have reiterated commitments to sustain the dialogue. It is unrealistic, however, to expect radical change. International, particularly U.S. support for the process will likely dissuade either side from pulling out but asymmetry of interests and goals militates against a major breakthrough.

The situation in the former princely state is far from stable. In 2004, violence in Jammu and Kashmir (J&K) diminished somewhat but it is again on the rise, amid concerns that it could reach earlier levels with Pakistani support, particularly since the two countries' priorities remain at odds. Pakistan's military government has urged India to reach a solution on Kashmir; Indian decision-makers instead stress the prior need to create an environment conducive for a stable peace, which would help, in the longer term, to resolve the issue. Should the Pakistani generals, impatient with the pace and directions of the talks, attempt to pressure India through accelerated support for cross-border militancy, the fragile normalization process could easily collapse. Within Jammu and Kashmir, the relative decline in violence has helped stabilise the economy, and tourism is again flourishing in the valley. With the assistance of international agencies such as the Asian Development Bank, the Indian government is undertaking development projects in the cities. While the human rights situation has improved in urban centres, including J&K's district capitals, it has yet to change in the countryside, fuelling Kashmiri resentment, particularly in the valley. Human rights violations are inevitable so long as there is a heavy presence of security forces. Although India attributes this presence to militant violence, it should reassess and reduce it to prevent the militants from exploiting Kashmiri alienation."

**BBC News, 29 July 2008:**

"India and Pakistan have accused each other of breaching a ceasefire in the disputed territory of Kashmir. Firing between the two armies went on for hours along the Line of Control dividing the region. India said one of its soldiers was killed.

[...]

The two sides met...to discuss the clash - one of the most serious since the 2003 truce was agreed. India and Pakistan claim the disputed region in its entirety and have gone to war over it twice since independence.

Militants have been fighting Indian rule in Kashmir since 1989 at a cost of more than 60,000 lives.

[...]

While such firing incidents across the LoC are rare, allegations of ceasefire breaches underline how fragile the peace is. The latest fighting was arguably the most serious threat so far to the November 2003 ceasefire...the Indian army accused Pakistani troops of "the biggest violation of the ceasefire in the last five years".

[...]

It is unclear exactly how the latest clash - the longest since the ceasefire was signed - began. There are some reports that Pakistani troops were carrying a white flag. India and Pakistan have accused each other of breaching the truce several times in recent months. In May, the Indian army said there had been "unprovoked" firing on two occasions from Pakistani troops, killing an Indian soldier. The latest violence comes after talks between senior officials from India and Pakistan to step up confidence-building measures in divided Kashmir. The neighbours and rivals nearly went to war in 2002 but began a peace process two years later. Little progress has been made on issues at the core of their dispute."

**CNS News, 4 December 2008:**

"Tensions between nuclear-armed Pakistan and India sparked by the Mumbai terror attacks have prompted concerns in Kashmir that a five-year-old ceasefire along the de facto border dividing the disputed territory may collapse. Indian officials blamed the banned Pakistani extremist organization Lashkar-e-Toiba (LeT) for the attack on India's financial capital, a claim denied by the group. Fears of a resumption of fighting in Kashmir were heightened when Indian Foreign Minister Pranab Mukherjee on Tuesday would not rule out a military response, and when Taliban leaders in Pakistan offered a truce to Pakistani forces and a pledge to fight alongside them against India in the event of a war. Pakistan also warned it could move 100,000 troops from its western tribal belt to its eastern border with India, including the Line of Control (LoC) frontier in Kashmir. People living in areas near the LoC are voicing concern about the possibility of new hostilities between the traditional foes."

**Daily Times, 6 December 2008:**

"Fresh tensions between India and Pakistan have scared residents along the international border and those living along the Line of Control (LoC) in Indian-held Kashmir (IHK). A Srinagar-based newspaper reported on Friday that villagers in Machil sector of Kupwara district have already started repairing and constructing underground bunkers to escape possible cross-LoC shelling...residents had constructed underground bunkers after the Kargil war in 1999.

[...]

The 2003 ceasefire had brought relief to these areas, accelerating agricultural and other activities that had been disrupted earlier. People who had migrated to nearby towns had returned and re-constructed their houses."

**XINHUA, 12 December 2008:**

"The Pakistan Air Force (PAF) has been put on alert for "aggression...Tensions between Pakistan and India are mounting as the Indian side accused Pakistan-based militant groups of involvement in the terrorist attack in India's financial center, which killed more than 170 people and injured over 200. Indian media reported ...that the Indian air force had been put on high alert.

[...]

But analysts said that the situation between the nuclear-armed rivals has not reached at a point of any confrontation."

**Biggest protests against Indian rule in Kashmir Valley in two decades (August 2008)**

- Jammu and Kashmir's biggest crisis in years began in August 2008 over a dispute between Hindus and Muslims about whether land should be given to a Hindu shrine in the region

- Land ownership is an acutely sensitive issue in Kashmir where outsiders are prohibited from owning property
- The dispute was stoked by both separtist leaders in Muslim-majority Kashmir and Hindu nationalists in other parts of India and pitted the Hindu and Muslim halves of the province against each other
- The tensions culminated in some of the biggest pro-independence demonstrations in Kashmir since a revolt against Indian rule broke out in 1989

**NYT, 9 August 2008:**

“A dispute over 98 acres of land high in the Himalayas has ignited violent protests in Indian-controlled Kashmir for more than a month and pitted the Hindu and Muslim halves of the province against each other. The Indian Army has sent thousands of soldiers to quell the disturbances, and the government is scrambling to ensure that it does not aggravate Hindu-Muslim tensions throughout India. An estimated 15 people have died in clashes with the security forces. This week, schools and shops remained closed in both Srinagar, which lies in the Muslim-majority Kashmir Valley, and Jammu, in the Hindu-majority plains. Jammu was put under curfew after Hindu nationalists staged protests, disrupted road and rail traffic, and set some Muslim-owned homes and cars afire.

About 10,000 Indian Army troops fanned out across the Jammu area to keep protesters in check. As that unrest unfolded, a strike called by Kashmiri separatists closed Srinagar for several days. Thousands of Muslims poured into the streets after Friday Prayer, shouting slogans and throwing stones at Indian security forces. The Indian Express newspaper, published in New Delhi, has called the unrest “a national political test.” A delegation of Indian government ministers and opposition leaders was to meet on Saturday with protesters on both sides. The crisis centers on a Hindu shrine that, according to local legend, was discovered by a Muslim shepherd more than a century ago. The cave shrine, known as Amarnath and situated at an altitude of more than 12,000 feet, contains a stalagmite of ice that Hindus consider a representation of Shiva, one of their most important gods.

Even through the years of bitter anti-Indian insurgency in Kashmir, Hindu pilgrims have always trekked to Amarnath. This year, half a million have come, finding shelter along the way in makeshift camps on state government land. In late May, the Kashmir state government allotted that land to the panel that runs the Amarnath shrine, which planned to erect prefabricated shelters on it for the pilgrims. Kashmiri Muslims erupted in protest. The state’s elected government collapsed, and a new governor appointed by New Delhi, Narinder Nath Vohra, revoked the land transfer early last month. In Srinagar the protests died down, but others erupted in Jammu. The city’s Hindu activists demanded that the disputed land be turned over to the shrine after all. In New Delhi, the Hindu-nationalist Bharatiya Janata Party, facing national elections in the coming months, seized on the agitation in Jammu and announced nationwide protests, which are to start on Monday.

Land ownership is an acutely sensitive issue in Kashmir, which prohibits outsiders from owning property. Many Hindus say that as India’s religious majority, they are entitled to the contested 98 acres. Many Muslims, however, see the transfer as an act of majoritarian aggression by Hindu chauvinists. The divide between Hindu and Muslim Kashmir is starkest along the national highway that links the two. A blockade imposed by Hindu nationalists has kept supplies from flowing in and out of the Kashmir Valley, with its Muslim majority. Medicines and meat are in short supply in Srinagar, while the valley’s best-known crop, apples, rot in trucks at the height of the harvest. Some Kashmiris threaten to haul their produce across the disputed Line of Control and through Muzaffarabad, in the Pakistani-administered portion of Kashmir.

Pakistan and India both claim Kashmir, an irreconcilable source of sectarian hostility since 1947, when colonial India was partitioned to create India and Pakistan. India controls southern Kashmir while Pakistan controls the northwestern part. Relations between the nations are tense, and Indian officials worry that the grievances felt by Muslims in the Kashmir Valley might be exploited by their supporters in Pakistan. The current crisis reflects the scars of yesteryear. In 1989, when the Kashmiri separatist movement began, hundreds of thousands of Hindus were forced to flee the valley, and as India fought that rebellion, many Kashmiri Muslims felt they had become suspect throughout India."

**BBC News, 26 August 2008:**

"Many parts of the Indian state of Jammu and Kashmir are still under curfew as authorities try to halt huge protests by both Muslim separatists and Hindus. Indian police are still holding separatist leaders... after they defied the curfew and attempted to lead protests. Five people have been shot dead while trying to protest in the past two days.

The restive Himalayan state is seeing some of the biggest protests against Indian rule in at least 20 years. In the Kashmiri city of Srinagar, the streets are deserted. Armoured cars are on patrol and there are road blocks on all key routes in the city. Three senior political leaders of pro-separatist parties are under arrest to prevent them leading street protests. Meanwhile, a curfew is also in force in some of the Hindu majority areas around the city of Jammu as Hindus have also been staging their own demonstrations in recent months. In the past two weeks, at least 27 people have been shot dead and 500 injured, as security forces try to restore order in the Muslim majority area.

The Indian authorities are struggling to halt the demonstrations, which were sparked by a dispute between Hindus and Muslims over whether land should be given to a major Hindu shrine in Kashmir. But it has now spiralled into the most serious crisis in Kashmir in years."

**Reuters, 28 August 2008:**

"At least 30 protesters have been killed by government forces over the past three weeks in some of the biggest pro-independence demonstrations since a revolt against New Delhi's rule broke out in Kashmir in 1989. More than 600 have been injured.

The latest deaths occurred on Wednesday when troops shot protesters who police said defied a curfew and shouted pro-independence slogans. Two protesters were killed and more than a dozen wounded.

The United Nations Office of the High Commissioner for Human Rights (OHCHR) called on Wednesday for the India government to show restraint and called for a probe into the recent killings.

"OHCHR calls on the Indian authorities and in particular security forces to respect the right to freedom of assembly and expression, and comply with international human rights principles in controlling the demonstrators," the OHCHR said in a statement.

First sparked by a row over land over a Hindu shrine, the protests quickly transformed into rallies that galvanised pro-separatist groups after years of relative calm in the region.

The crisis has strained relations between India and Pakistan, which both claim the region in full but rule in parts, damaging a tentative peace process and raising fears Kashmir could again become a hotspot between the two nuclear rivals.

Tens of thousands of people have been killed in Kashmir since the armed revolt against New Delhi's rule broke out, but levels of violence had been falling in the past few years after the tentative peace process between India and Pakistan."

**NYT, 22 August 2008:**

"Born and reared during the bloodiest years of insurgency and counterinsurgency, inheritors of rage, a new generation of young Kashmiris poured into the streets by the tens of thousands over the past several weeks, with stones in their fists and an old slogan on their lips: "Azadi," or freedom, from India. Their protests in Indian-controlled Kashmir were part of an unexpected outburst of discontent set off by a dispute over a 99-acre piece of land, which has for more than two months been stoked by both separatist leaders in Muslim-majority Kashmir and Hindu nationalists elsewhere in India.

Overnight, the unrest has threatened to breathe new life into the old and treacherous dispute between India and Pakistan over Kashmir, which is claimed by both nations and lies at the heart of 60 years of bitterness between them, including two wars. Disastrously for the Indian government, Kashmir has burst onto center stage at a time of growing turmoil in the region — with the resignation this week of Pakistan's president, Pervez Musharraf, who had sought to temper his country's backing for anti-Indian militancy here.

Even though the two countries have been engaged in four years of peace talks, India has grown nervous that the disarray in Pakistan has left it with no negotiating partner. From New Delhi's perspective, that power vacuum has allowed anti-Indian elements in Pakistan's intelligence services and the militant groups they employ to pursue their agenda with renewed vigor.

Relations between the countries have become newly embittered as Indian and Pakistani forces have engaged in skirmishes across the Line of Control that divides Kashmir between them for the first time in years. Not least, India has blamed the Pakistani intelligence services for playing a hidden role in the bombing of the Indian Embassy in Afghanistan last month, a charge that Pakistan vehemently denies.

The latest unrest here has only added to the difficulties of renewed dialogue.

How long this agitation will continue depends on both India's capacity to assuage Kashmiri separatist leaders, and their ability in turn to control the sudden eruption of rage among the young.

The largest, most intense demonstration in years took place on Monday, as tens of thousands of Kashmiris, mostly men, streamed into an open area in the city center to demand independence from India. They came in motorcycle cavalcades, and on the backs of trucks and buses.

[...]

Again and again, Kashmiris from across the political spectrum said these scenes reminded them of the peak of the anti-Indian rebellion in the early 1990s, except at that time, separatist guerrillas, aided by Pakistan, openly roamed the streets with guns. Nineteen years after that rebellion kicked off, the current demonstrations have pierced what seemed, perhaps deceptively to the Indian government, like a return of the ordinary here. Earlier this year, tourists were flocking to Dal Lake in Kashmir. Buses were running twice monthly so that Kashmiris could visit their relatives across the de facto border in the Pakistan-controlled region of Kashmir. A bookshop opened for the first time in nearly two decades.

[...]

In the last few weeks, tourists all but disappeared. Schools and offices closed. The main city hospital was filled with Kashmiris shot and wounded by Indian security forces.

[...]

The trouble in the valley began two months ago, quite unexpectedly, over 99 acres of state government land that, for decades, had been used by Hindu pilgrims on the route to a Himalayan shrine called Amarnath. In May, the authorities in Indian-controlled Kashmir authorized the panel

that runs the pilgrimage site to put up “prefabricated structures” for pilgrims. The order enraged Muslims. With state elections scheduled for this year, some politicians and separatist leaders pounced on the decision and declared it a bid to re-engineer the demography of Kashmir. Hard-line Islamists compared it to the Israeli occupation of Muslim holy lands.

The government soon rescinded the order, but nothing... actually changed — Hindu pilgrims still used the land, and they still came this year in record numbers. Nevertheless, the retraction of the original order enraged people in the Hindu-majority plains of Jammu, which is part of the same state. They, too, began agitating by the tens of thousands. And they, too, were goaded by politicians and hard-line leaders. All told over the past two months, the protests here in the Muslim-majority Kashmir Valley and counterprotests led by Hindu groups in the plains below, have left a death toll of nearly 40 in clashes with security forces. The two sides remain at each other’s throats. Muslims in the valley allege that Indian troops have been quick to halt their protests, while letting Hindus in the plains carry on their agitation. Hindu leaders in the plains were outraged that the government allowed anti-Indian separatists to march through the valley carrying Pakistani flags.”

## **Internal displacement in the North-East**

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### **Short presentation of the eight north-eastern states**

- The North-East comprises Arunachal Pradesh, Assam, Manipur, Meghalaya, Nagaland, Mizoram, Tripura and Sikkim
- North-East India is a geographically and politically isolated area with critical strategic significance for India
- The region is characterised by extraordinary ethnic, cultural, religious and linguistic diversity, with more than 160 scheduled tribes (listed in the Indian constitution) belonging to five different ethnic groups, and a large and diverse non-tribal population
- The actual number of ethnic groups comprehends over 400 distinct tribal and sub-tribal groupings

### **The Assam Homepage, 2003:**

"Arunachal Pradesh is an area of 33,000 square kilometers, that is almost entirely mountaineous. The total population of 864,558 is almost completely tribal.

Assam, with a population of about 22 million, is the biggest state in the North East. Its native population includes the Assamese who are mostly Hindus with a few Muslims; the Plains Tribes such as the Bodos, Mishings, Kacharis, Rabhas, Lalungs and Deorias; the Hill Tribes such as the Karbis, the Dimasas and the Kukis. In addition, the Tea Garden Laborers belonging to groups such as the Santhals, Mundas and Oraons, who were brought from Central India to work in the tea plantations in the 19th century and early part of the 20th century, are beginning to get integrated into the mainstream. Finally, there are a large number of recent immigrants, mostly from Bangladesh and rest of India.

Manipur, one of the smallest states in India, has a population of about 1.8 million. There have been waves of migration of Aryans, Mongolians, and even Dravidians to Manipur over the centuries. The Meiteis , usually referred to as Manipuris constitute more than 50% of the population. The Meiteis are Vaishnavite Hindus. The Manipuri Muslims or the Pangans constitute



17% of the total population of Manipur. Nagas and Kukis also live in Manipur. The Kukis are a group of Zo or Chin people who migrated from the Chin Hills of Myanmar.

Meghalaya has a total population of 17,74,778 (1991 census). 85.53% are indigenous people. The main tribes of Meghalaya are the Hynniew Trep, a conglomerate of the Khasis and the Jayantia or Pnars, and the Achiks or the Garos.

The Nagas, with a total population of about 3 million, inhabit the hilly Patkai range running roughly parallel to the Brahmaputra Valley. This 1,00,000 square kilometer region is bound by the Hukwang Valley in Myanmar in the northeast, the plains of the Brahmaputra in the northwest, Cachar in Assam in the southwest and Chindwin in Myanmar in the east. About 40% of the Nagas live in Myanmar and the rest in India. The Nagas, who are demographically Mongolian, are divided into about forty tribes such as Angami, Sema, Lotha, Ao, Tangkhul, Chasesang, Konyak, Zeliangrong, Rengma, and Mao. Each tribe and sub-tribe speaks a different language. In Nagaland, the Assamese-based Nagamese is commonly spoken as the lingua franca.

Mizoram has a diverse population of communities such as the Lushais, Chakmas, Ralte, Paite, Baite, Pawi Dhilen, Lakher, Hmar and Piang. Most tribes are Christian (84%). Riangs and Chakmas are Buddhists (8%). There are some Hindus and Muslims. The main languages of Mizoram are Mizo, Hmar, Chakma, Lai, Mara and Ralte.

Tripura has a land area of 10,466 square miles and shares 80% of its border with Bangladesh. This geographical location has led to a situation where the native Tripurs who were 95% of the population in 1931 have been reduced to a mere 31% in the 1991. This demographic sea-change has been caused by migration of hundreds of thousand of Bangladeshis. The indigenous population is composed of 19 tribes that are collectively called Boroks. The language they use is called Kok Borok."

**Sahni, Faultlines, Volume 12, pp. 1-2:**

"These States cover a combined area of over 255,088 sq. km. (7.7 per cent of the country's territory) and, according to the 2001 Census of India, a population of 38,495,089 persons (3.74 per cent of national population). The region is characterised by extraordinary ethnic, cultural, religious and linguistic diversity, with more than 160 Scheduled Tribes [...] belonging to five different ethnic groups, and a large and diverse non-tribal population as well. The 'scheduled tribes' only refer to the tribes listed in the Sixth Schedule of the Indian Constitution, and do not reflect the actual complexity of the ethnic mosaic of the region, which comprehends over 400 distinct tribal and sub-tribal groupings.

Contrary to widespread perception, however, the tribal population of the region constitutes only about 30 per cent of the total population, though the distribution is skewed. While the 'non-tribals' dominate Assam and Tripura, over 60 per cent of the population of Arunachal Pradesh, Manipur, Meghalaya, Mizoram and Nagaland is drawn from the Scheduled Tribes.

[...]

The Northeast region has critical strategic significance and, as is often remarked, remains tenuously connected with the rest of India through a narrow corridor, the 'chicken's neck' or 'Shiliguri Corridor', in North Bengal, with an approximate width of 33 kilometres on the eastern side and 21 kilometres on the western side.[...] This constitutes barely one per cent of the boundaries of the region, while the remaining over 99 per cent of its borders are international – with China to the North; Bangladesh to the South West; Bhutan to the North West; and Myanmar to the East."

**Hussain, November 2004, p. 1, footnote:**

"The state of Sikkim has recently been formally bracketed under 'Northeast' after it has been included into the North Eastern Council (NEC), the region's apex funding and development

agency. The other seven states of the Northeast are: Assam, Meghalaya, Nagaland, Mizoram, Arunachal Pradesh, Manipur and Tripura."

### **General background to internal displacement in North-East India (November 2004)**

- The North-East has witnessed at least seven major cases of strife-induced internal displacement in fifty years
- Every state in the region is currently affected by insurgent and terrorist violence and ethnic strife is a major cause for large scale displacement
- Self-determination rather than religious, cultural or economic factors has been a major factor in the ethnic conflicts in the North-East
- The unequal tribal /non-tribal and inter-tribal power relations have also played a major role in most of the conflicts
- Since ethnic rebel groups are often not equipped to engage each other militarily, much of the violence has been directed against civilians
- Non-Bodo communities and Bengali settlers are among the targeted communities

#### **Hussain, November 2004, pp.5, 15-16:**

"What the Northeast of India is witness to are essentially ethno-national movements by [ethnic] groups to further their sub-national aspirations, often triggered by the fear of losing their distinct identity.

[...]

Four of the northeastern states, Assam, Manipur, Nagaland and Tripura, witness scales of conflict that can be categorized as low intensity wars, defined as conflicts in which fatalities are over 100 but less than 1000 per annum. Between 1992 and 2002, there have been 12,175 fatalities due to insurgency and other armed conflicts in the Northeast[...]."

#### **Sahni, Faultlines 2003, Volume 12, pp. 1-2, 4:**

"India's Northeast is the location of the earliest and longest lasting insurgency in the country, in Nagaland, where separatist violence commenced in 1952, as well as of a multiplicity of more recent conflicts that have proliferated, especially since the late 1970s. Every State in the region is currently affected by insurgent and terrorist violence,[...] and four of these – Assam, Manipur, Nagaland and Tripura – witness scales of conflict that can be categorised as low intensity wars, defined as conflicts in which fatalities are over 100 but less than 1000 per annum.

[...]

In addition, the Tirap and Changlang districts of Arunachal Pradesh witness the spillover effect of insurgencies from the neighbouring States, particularly Nagaland, Assam and Manipur.

[...]

Mizoram has remained largely free from terrorist violence since the political resolution of the insurgency in this State in 1986, [...] but the activities of the Bru National Liberation Front (BNLF) have given cause for concern, and have inflicted some civilian and security force (SF) casualties.

Illegal migration of Bangladeshi nationals into India and the use of Bangladeshi and Bhutanese territory by insurgents operating in India's North East are a grave security concern for the region.

[...]

Internal conflicts in India's Northeast are overwhelmingly conceptualised within the framework of unique ethnic identities that are threatened by, and in confrontation with, the nationalist state, which is often seen as a representative of an inchoate cultural 'mainstream'. While some of the conflicts in the region certainly fit into this general framework of interpretation, few, if any, are completely explained by it; others, moreover, are entirely unrelated to this reductionist scheme of 'freedom struggles' by ethnic minorities against the 'homogenising state'. Indeed, even where

militant groups direct their rhetoric and their violence against the symbols of the state, the underlying motives and ideologies are more correctly interpreted in terms of conflicting tribal identities and histories of internecine warfare based entirely on tribal, sub-tribal, or tribal-outsider rivalries and corresponding competition over limited resources, especially land. It is, consequently, appropriate to analyse and assess conflicts in the Northeast in terms of three basic 'faultlines':

-Tribal groups vs. the state

-Tribal vs. tribal (Internecine)

-Tribal vs. non-tribal

In any single conflict, moreover, more than one of these elements would tend to overlap, giving rise to complications both of analysis and of resolution. The multiplicity of tribal and sub-tribal groupings in each of the States in the region, and continuous re-alignments between some of these, create further difficulties.

Within such a context, mobilisation of populations along issues relating to exclusionary and conflicting tribal identities has become a basic feature, both of electoral politics and of more extreme movements, across the Northeast region."

**Bhaumik, February 2000, pp.21, 22-24,26:**

"The states have often used displacement issues to score political points against each other. The Centre has not been far behind.

[...]

The Northeast has witnessed at least seven major cases of strife-induced internal displacement in the fifty years of the Indian Republic. They are as follows: (a) the displacement of Bengalis from Assam (particularly Bodo areas) and Meghalaya; (b) the displacement of Bengalis from Tripura; (c) the displacement of 'tea tribes' in western Assam; (d) the displacement of Reangs from Mizoram; (e) the displacement of Nagas, Kukis and Paites in Manipur; (f) the displacement of Chakmas from Arunachal Pradesh and Mizoram. Except in Manipur, the displacement has spilled over to the other states – and at least twice to neighboring countries. [I]n most of the six cases listed above, the government has been rarely successful in its efforts to either restore law and order or ethnic harmony or maintain adequate levels of relief supplies and ensure rehabilitation. It has failed to stem the tide of Bengali displacement in Tripura, it has failed to control the Bodo insurrectionary activities that led to large scale displacement of non-Bodo populations in western Assam, it has failed, despite several interventions by the Home Ministry, to ensure the return of the Reang refugees from Tripura to Mizoram, it has failed to prevent the ethnic relocation of populations in Manipur in the wake of the bloody feuds and it has failed to grant citizenship to the Chakmas and the Hajongs and thus guarantee them a safe future in Arunachal Pradesh."

[..]The northeast Indian states have seen five types of displacement [...one of which is the] displacement caused by ethnic or religious strife, belatedly marked by systematic ethnic cleansing.

[...]

Since the 1980s, ethnic cleansing has become much more systematic in the Northeast and that has been the major cause of large scale internal displacement."

***For more background information, read [Insurgency in India's Northeast Cross-border Links and Strategic Alliances](#), in *Faultlines* vol. 17, Hussain, Wasbir, 15 February 2006; Baruah, Sanjib: "Citizens and Denizens: Ethnicity, Homelands and the Crisis of Displacement in the Northeast India", *Journal of Refugee Studies*, Vol. 16, No.1 2003***

### **Assam: General causes for displacement (January 2006)**

- Since the early 1960s, Assam has lost much territory to new states emerging from within its borders
- In the early 1980s, resentment among the Assamese against "foreigners", mostly immigrants from Bangladesh, led to widespread violence
- The number of militant insurgent groups, representing different ethnic groups, increased sharply during the latter half of the 1990s
- After 1993, the Bodos have systematically targeted the non-Bodo communities in the four districts they see as forming the core of their separate homeland
- The Karbi insurgent group, UPDS, is also accused of actively pursue ethnic cleansing of areas they see as belonging to Karbis

### **Britannicaindia, 2001:**

"Since the early 1960s, Assam has lost much territory to new states emerging from within its borders. In 1963 the Naga Hills district became the 16th state of the Indian Union under the name of Nagaland. Part of Tuensang, a former territory of the North East Frontier Agency, was also added to Nagaland. In 1970, in response to the demands of the tribal people of the Meghalaya Plateau, the United Khasi and Jaintia Hills and the Garo districts were formed into an autonomous state within Assam; in 1972 it became the separate state of Meghalaya. Also in 1972 Arunachal Pradesh (the North East Frontier Agency) and Mizoram (from the Mizo Hills in the south) were separated from Assam as union territories; both became states in 1986.

Despite the separation of these ethnic-based states, communal tensions and violence have remained a problem in Assam. In the early 1980s, resentment among the Assamese against "foreigners", mostly immigrants from Bangladesh, led to widespread violence and considerable loss of life. Subsequently, disaffected Bodo tribesmen agitated for an autonomous state. The militant United Liberation Front of Assam waged a guerrilla campaign for the outright secession of Assam from India until agreeing to end their rebellion in 1992."

### **Sumona Das, December 2004:**

"In a culturally diverse society like Assam, ethnic identity has grown as a crucial force often resulting in violent conflict. Autonomous demands of often different ethnic groups – Bodos, Karbis, Dimasas, Koch-Rajbanshis, Rabha-Hasongs, Tiwas, Missings – had caused serious concern to the authorities at the state as well as the center."

### **BBC, 9 December 2005:**

"Tens of thousands of Bengalis, Hindus and Muslims, were displaced all over Assam in violence unleashed during the 1960s and 1970s, particularly during six years of agitation led by students and youth groups upset by migration from neighbouring Bangladesh.

Thousands died in the riots during the agitation between 1979 and 1985 - almost 2,000 in the village of Nellie alone.

Delhi signed an accord with the All Assam Students Union in 1985 to bring the agitation to an end.

However, ethnic conflicts erupted elsewhere in the state - mostly in areas settled by indigenous tribes people like the Bodos."

***The number of militant insurgent groups increased sharply during the latter half of the 1990s:***

**Sahni, Faultlines 2003, vol.12, pp.4-5,7:**

"The latter half of the 1990s saw the mushrooming of militant organisations along tribal, religious and cultural fissures. The culture of violence propagated by the ULFA and the Bodo outfits seems to have set a pattern for a number of copycat insurgent groups. Currently, there are as many as 34 insurgent groups listed in the State, though the ULFA is the main player. Among other terrorist outfits, the National Democratic Front of Bodoland (NDFB), Bodo Liberation Tigers (BLT), United People's Democratic Solidarity (UPDS), Dima Halim Daoga (DHD), and Muslim United Liberation Tigers of Assam (MULTA) are prominent. The NDFB operates in the Bodo-areas of the State and the UPDS dominates the Karbi-Anglong and North Cachar districts. Most of the other groups listed are currently dormant.

[...]

Since its initiation, [...], both the NDFB and the BLTF have condemned the Bodo Accord, and have, since the mid-1990s, been engaged in a campaign of violence directed against other ethnic groups within 'Bodo areas'."

***The Karbi insurgent group, UPDS, is accused of actively pursue ethnic cleansing of areas they see as belonging to Karbis:***

**SATP, 29 March 2004:**

"Since its origin in 1999, with the avowed objective of establishing a land for the Karbis, the UPDS [*the United Peoples' Democratic Solidarity*- a Karbi militant group] has pursued a systematic campaign of cleansing the area of non-Karbhis. As a result, the Kukis, like the Bodos, Nepalis and the Hindi-speaking people in the district, become natural targets. Over the last two years, the UPDS has targeted the ginger-producing Kukis in the Singhasan Hill range for systematic extortion.

[...]

The UPDS action against the Kukis has brought the KRA, primarily a Manipur-based outfit, into the scene opening up another and most violent front of conflict. The group, with a declared objective of protecting the interest of the Kukis, is seen to be a serious challenge to the militancy of the UPDS, which till recently enjoyed a local monopoly over violence. Both these groups have clashed repeatedly, and have not only targeted each others' armed cadres, but also civilians, conveniently projected as the rival's sympathizers. The result is that the district has come to witness significant internal displacements, mostly into Nagaland and Manipur. More importantly, the rising violence has pushed the KNA's autonomy demand into the background."

***The NDFB is currently in peace negotiations with the federal government. ULFA has rejected invitations to talks:***

**COE-DMHA, 19 April 2005:**

"The tribal separatist National Democratic Front of Bodoland (NDFB), based in northeastern Assam state, [...] will extend a six-month ceasefire with the Indian government by another six months. The NDFB had declared a unilateral ceasefire with the government last October following a string of rebel attacks which killed about 80 people and injured 217 others in a spate of bombings and shootings mostly in Assam as well as in neighboring Nagaland state. The NDFB and the United Liberation Front of Assam (ULFA), another major tribal separatist group, both claimed responsibility. While the NDFB reportedly declared a ceasefire with the Assam government shortly after the attacks, the ULFA refused. New Delhi still has yet to formally reciprocate the ceasefire, although the Assam state government has said that it has scaled back its counterinsurgency operations against the NDFB.

[...]

Observers say that if New Delhi successfully makes a peace agreement with the NDFB, it might put pressure on the ULFA to follow suit. The two groups are Assam's largest and most influential tribal separatist groups. The 1,500-strong NDFB say they are fighting for a homeland for the tribal Bodos, most of whom are now either Hindu or Christians, and account for about 10 percent of

Assam's 26 million people. Bodos are mostly in the western and northern parts of the state. At least 10,000 people have been killed in separatist violence in Assam over the past 25 years."

***Despite peacetalks, eruption of extremist violence in the northeastern region is still common:***

**Frontline, Peace at Premium, 5 November 2004:**

"There is a spurt in extremist violence in the region. Since 1991 more than 3,000 civilians, 2,000 militants and 769 security personnel have been killed in Assam alone in insurgent attacks and counter-insurgency operations. During the same period, more than 12,000 militants surrendered. However, recruitment by militant groups continues in Assam and other militancy-affected northeastern States."

**Assam: Clashes between Karbis and Dimasas displace over 40,000 (January 2006)**

- Up to 50,000 civilians from the Karbi and Dimasa tribes were displaced during fall 2005 due to ethnic feuding
- Despite a massive operation launched by the Indian army, violence continued in the region throughout December 2005

**MSF, January 2006:**

"In late September 2005, three people from one tribe in the Karbi Anglong region of Assam were apparently killed by members of another local tribe. This provoked a spiral of violence, including retribution and general violence. A month later, 30 men, women, and children traveling on a bus in the area were attacked with machetes and killed. Houses and whole villages have been burned. People from both tribes have been brutally murdered and burned out of their houses. Why this is happening now is difficult to say. These two tribes have lived side by side from time immemorial, as they say here. It may be territorial. It may be that different tribes are struggling for recognition and autonomy and their efforts at self determination are turning to arms. It may be political manipulation. For the people affected, the end result is the same.

[...]

People on both sides became terrified and started to flee to places of safety. In total, about 45,000 people were suddenly on the move."

***Despite a massive operation launched by the Indian army, violence continued in the region throughout December 2005:***

**COE-DMHA, 28 December 2005:**

"Fresh violence broke out in Karbi Anglong district in India's northeastern Assam state today (December 28, Wednesday), as about 40 tribal militants attacked an ethnic Dimasa village, injuring two people and setting 11 houses on fire. The attack caused 80 residents of the village to flee. Police conducting a search operation after the attack, were reportedly fired on by militants in an encounter, which resulted in the killing of an ethnic Karbi militant. The attacks are the latest in a series of violent incidents between the Dimasa Halam Daoga (DHD) and Karbi United Peoples' Democratic Solidarity (UPDS) tribal militant groups in the district, that has claimed the lives of over 120 people and resulted in the burning down of over 1,000 homes since September. Up to 50,000 people have also been displaced in attacks that have included massacres of villagers by militants. The violence prompted the deployment of the Indian Army in the district in the state in early December, after the Assam state government decided to give control to the military."

See also: [Assam, Turf War in a time of Truce](#),

South Asia Intelligence Review (SAIR), 17 October 2005

Lessons not Learnt by Assam: Ethnic cleansing and internal displacement in Karbi-Anglong and NC Hills (ACHR), 7 November 2005

### **Assam: Muslims of Bengali origin evicted by nationalist groups (June 2005)**

- Large numbers of Muslims of Bengali origin fled Assam during spring 2005 due to threats and evictions
- Muslim leaders say thousands have been forced out, while local authorities say only 600-700 people were evicted

#### **BBC, 16 June 2005:**

"The people who say they are the latest victims of religious hatred are large numbers of Muslims of Bengali origin who say that they have been driven away from some districts in India's north-eastern state of Assam during the last two months.

As Assamese regional groups renew their drive against those they believe are "illegal infiltrators" from neighbouring Bangladesh, these Muslims, whose ancestors settled in Assam several decades ago, are becoming easy targets.

"The illegal migrants from Bangladesh are a major threat to our identity. We will become foreigners in our own land unless we keep these people out of Assam," says Sarbananda Sonowal, top leader of the regional party, Asom Gana Parishad (AGP).

[...]

In Howli and Bijni, small towns in western Assam's Barpeta district, I met more than 200 Muslims who have been evicted from Northern Assam districts like Dibrugarh, Tinsukia and Golaghat. I met scores more in the chars (river islands) of Goalpara district bordering Bangladesh.

[...]

The Assam administration says only about 600 to 700 Muslims may have been evicted from northern Assam districts.

[...]

Many Muslim leaders of the Congress are angry at the "indifference of the state government".

They say the number of those evicted are in thousands rather than hundreds, forced out of northern Assam in trucks.

They are compelled to travel in pitch dark to avoid police attention - and the gaze of the Assamese youth activists.

As I prepared to leave Bijni, one arrived with nearly 50 Muslims, all evicted from Dibrugarh.

Assamese groups say all those they have evicted are illegal Bangladesh migrants.

Muslims constitute nearly 30% of Assam's population which makes it the state with the second highest Muslim population after Kashmir."

### **Assam: Violence against Hindi-speaking people forced thousands to flee the state (January 2007)**

- Thousands of Hindi-speaking people, predominantly from Bihar and Uttar Pradesh, fled Assam after ULFA launched a violent campaign, ordering them to leave Assam or be killed
- The violence was triggered by a conflict over the allocation of jobs between Assamese and Hindi-speaking groups
- The outlawed United Liberation Front of Asom (ULFA), fighting for an independent Assam nation,
- Violence took place both in urban and rural areas
- In November 2003, more than 17,000 migrant workers fled Assam and were sheltered in relief camps - an unknown number remained internally displaced within Assam

#### **BBC, 9 January 2007:**

"Thousands of Hindi-speaking migrants are now fleeing in fear of the attacks.

The settlers have been visited by India's junior Home Minister, Sriprakash Jaiswal, and the Railway Minister, Laloo Prasad Yadav.

They have both tried to reassure the Hindi-speaking settlers and promised to crush Ulfa rebels.

But there do not seem to be many takers for their assurances. All across the violence-affected districts of Assam, railway stations are crowded with thousands waiting to catch the next train out of the state."

#### ***In November 2003, another spate of violence was launched against migrant workers and thousands had to flee:***

#### **Reuters Alert-Net, 21 November 2003:**

"Thousands of migrants rushed to leave India's northeast state of Assam on Friday after days of violence in which at least 34 people have died and hundreds of homes torched. Most of the dead are settlers from neighbouring Bihar state in a conflict triggered by competition for jobs in Assam. Thousands of settlers, some leaving behind their possessions, crowded railway stations across the state to catch trains headed for Bihar.

[...]

The outlawed United Liberation Front of Asom (ULFA), fighting for an independent Assam nation, on Wednesday ordered Biharis to leave or be killed. The group has been blamed for most of the killings this week. Army soldiers patrolled the riot-torn areas, set up check-points and raided possible hideouts of attackers.

#### **BBC World, 26 November 2003:**

"More than 17,000 people have fled their homes in north-east India's Assam state to escape attacks on Hindi-speaking settlers by Assamese mobs and rebels.

The refugees, mostly migrant workers from the nearby state of Bihar, are being housed in makeshift camps.

Violence erupted between Assamese and Bihari groups a fortnight ago because of a row over the allocation of jobs.

Over 50 people have died in the clashes, despite a government decision to send troops to calm the situation."

#### **Frontline, 6 December 2003:**

"The victims of these so-called Assamese-Bihari clashes are almost entirely the so-called Biharis, more correctly Hindi-speaking people from many parts of India, including, perhaps predominantly, Bihar, whose ancestors had settled down in the State or the region generations ago. The backlash began in Guwahati but spread soon to areas in Upper Assam, with the major toll being



in Tinsukia district. Two weeks after the first outbreak, the officially admitted death toll was 56. The victims, who included women and children, were hacked to death, as in the case of a whole family in Tinsukia, or stabbed or shot. The violence was not confined to "remote" areas; hundreds of houses, homesteads and settlements in Guwahati, including in the capital complex Dispur and the Guwahati University campus, were burnt. Livestock too was destroyed.

[...]

Many of the survivors have abandoned their homes and taken shelter in refugee camps. Given the spread of the Hindi-speaking people all over the State, including villages and small towns (the 1991 Census in Assam enumerated 10,35,474 persons as Hindi-speaking, although the figures do not tell how many of these are second or third generation settlers, bilingual in Hindi and Assamese, and in varying degrees of acculturation into Assamese society), no official figures of those internally displaced and those who have fled the State were given. Even the number of persons in the relief camps is constantly changing. Leaving aside the uncounted numbers of those internally displaced, about 20,000 persons, perhaps more, are believed to have fled the State."

### **Assam: Violence targeting Hindi-speaking migrants after ceasefire collapse causes their flight (July 2008)**

- Peace negotiations between the insurgent United Liberation Front of Asom (ULFA) and the central government led to a ceasefire in August 2006 that only lasted six weeks
- From September 2006 onwards the offensive between ULFA and government forces resumed
- In January 2007, ULFA began targeting Hindi-speaking migrants in five districts of Upper Assam causing people to flee the state in panic
- From May 2007 onwards, ULFA attacks resumed after a lull of three months, leading to thousands of Hindi-speaking migrants' exodus from Assam

### **IANIS, 18 July 2008:**

" Leaders of the United Liberation Front of Asom (ULFA), one of northeastern India's frontline separatist groups, said the organisation's leadership missed an opportunity to start a peace dialogue with the Indian government when it expressed its willingness to discuss all core issues raised by the outfit.

[...]

The prime minister had written a letter to the ULFA chairman in the wake of a few rounds of discussions that had taken place between the ULFA-appointed People's Consultative Group (PCG) and the central government between 2005 and 2006. The parleys had led to a temporary halt to military operations against the ULFA but the offensive was resumed in September 2006 after the talks broke down. There was a ceasefire from Aug 13, 2006. It was called off after just six weeks.

The separatist leader said the current logjam in Assam could be broken only if the ULFA and the government agreed to sit for unconditional talks."

### **The Hindu, 13 January 2007:**

"Over just four days, January 5-8, more than 70 people, almost all of them Hindi-speakers referred to conveniently as Biharis, were murdered by compact bands of heavily armed killers in a dozen separate incidents. The killings took place in five districts of Upper Assam: Tinsukia (which has accounted for the largest number of deaths so far) Dibrugarh, Dhemaji, Sivsagar, and Golaghat.

In almost all the incidents, the victims were first identified as Hindi-speaking. The men and women were overwhelmingly migrant labour, highly vulnerable with little by way of a local social base, working in brick kilns, as cowherds and milk vendors, daily wage-earners, petty traders, and the like. Not all the incidents took place in so-called remote areas. A powerful bomb explosion injuring two persons took place at the very gates of the capital complex in Guwahati on January 9.

There is little doubt that the killers belong to the separatist United Liberation Front of Asom (ULFA), whose stated objective is a `Swadhin Asom' — an independent and sovereign Assam. That the organisation has not formally claimed responsibility for these killings is neither here nor there. ULFA does not always own responsibility and sometimes even disowns responsibility when its actions lead to widespread public outrage.

Exact figures are not available but many people have fled Assam in panic after the latest killings. However, the departures are unlikely to become a mass exodus, a permanent, irreversible fact. People fled the State in panic three years ago; and when things seem to stabilise, as they always do, they returned in dribs and drabs to resume their lives. The bottom line is that the victims are so poor that they have no choice but to return to make a living of sorts. The people of Assam, too, cannot do without the services the migrant labour provides.”

**BBC News, 23 May 2007:**

“Hindi-speaking migrants have started fleeing India's north-eastern state of Assam again after a week of massacres and bomb attacks left nine dead and more than 20 injured. Separatists of the United Liberation Front of Assam (Ulfa) were blamed for the nearly 10 explosions in the third week of May, when attacks on migrants resumed in the northern districts of Dibrugarh and Sibsagar after a lull of three months. Then followed a spate of bombings stretching from the far northern district of Tinsukia to the western district of Bongaigaon.

[...]

The North-East Hindi-speakers Forum (Purbottar Hindustani Sammelan) says the exodus of Hindi-speakers has picked up again after the attacks in May [and that 100,000 Hindi-speaking migrants had fled the state between January and May 2008]. The Assam government says the claim is exaggerated, but admits that thousands of Hindi-speaking migrants have left the state since January, when Ulfa attacks started in the northern districts.”

**Assam: Internally displaced in the Bodo-Santhal conflict (December 2006)**

- In May 1996, more than 250,000 persons were displaced as a result of Bodo large-scale attacks on ethnic Santhals
- In 1997, the majority returned home, but were forced to flee after renewed fighting during 1998
- While thousands returned to their homes, retaliation from Santhals and other non-Bodo communities has, in turn, resulted in significant displacement of the Bodo population from areas where they are a minority
- More than 230,000 people remain displaced (the government says 110,000)

**MCRG, December 2006, pp. 84-85:**

"India has witnessed protracted conflicts and displacements of thousands of people in the last few decades. In Assam in the last count (August 2004) a total of 37,677 families (2,37,768 people) were staying in makeshift camps in three districts of western Assam – Kokrajhar, Bongaigaon and Dhubri. These IDPs are all but forgotten. The displacement in these areas has happened due to an ethnic community claiming exclusive rights over a space that it defines as its “homeland” on

the ground that it is the “original inhabitant” of the land. By the same token, they have held that outsiders have no right to settle there.

Kokrajhar is one of the 23 districts of Assam and can be described as the gateway to the northeastern region of India. Both road and rail touch this district at Srirampur before they go on to other districts in Assam and the other northeastern states. The district has a total area of 3,169.22 sq. km. and a total population of 9,30,404 according to the Census 2001. The Bodo community comprises the majority in Kokrajhar district. It also has a sizeable Rajbongshi and Santhal population in addition to Muslims, whose fast increasing population is generally attributed to the infiltration from Bangladesh. Kokrajhar is now the headquarters of the Bodoland Autonomous Council created in 1993. The demand for regional autonomy by the plains tribes of Assam had its impact on the Bodo people living in this district as well. The Plains Tribe Council of Assam (PTCA) was the organisation that first spearheaded the movement for a separate state of 'Udayachal' for the plains tribes of Assam living in the northern bank of the Brahmaputra Valley. Later on, the All Bodo Students' Union (ABSU) came to the fore and started a movement for a separate state of Bodoland. The agitation was vigorous and also violent from 1985 to 1992 till the State Government worked out an accord with the ABSU. The Bodoland Accord was signed on 20 February 1993, by which the Bodoland Autonomous Council (BAC) came into being. The present BAC area is spread across seven districts of the state. In some areas under the BAC there were more than 50 per cent non-Bodo population composed of Asamiya Hindus, Asamiya Muslims, Rabhas, Na-Asamiyas Muslims, Bengali Hindus, Santahlis and Nepalis. In fact in large part of BAC Bodos didn't constitute a simple majority. This dissimilarity stalled the process of clear demarcation of the boundaries of BAC and Assam state's refusal to hand over the non-Bodo majority areas further complicated the matters. This vindicated the stance of separatists National Democratic Front of Bodoland (NDFB), who had opposed the accord. And, therefore as argued by many in order to establish their majority and gain complete hold over the territory ethnic cleansing process started. The ethnic cleansing started with large-scale attack on Muslims of Bengali descent in October 1993. These migrants, mostly peasants, had taken over land throughout Assam, initially causing displacement of ethnic Assamese and the tribal peasantry. In the 1980s the

Assamese agitators targeted them and a decade later they became the targets of the Bodo militants. This continued in 1994 and resulted in massacre of around 100 Muslims, mostly women and children, and some 20,000 were displaced in Kokrajhar and Bongaigaon districts. In 1995-96 Bodo militants started attacking the Bengali Hindus and finally in May-June 1996 launched massive attacks on the Adivasis throughout western Assam. However, unlike Muslims, the Adivasis and Bengali Hindus formed their own militant groups and started attacking Bodo villages. The Adivasi Cobra Militants of Assam (ACMA) and Bengali Liberation Tigers, a group formed by Bengali Hindus, teamed up and attacked several Bodo villages after the massive Bodo-sponsored violence of May-June 1996. After this initial outbreak, conflict between the two ethnic groups became a regular feature in western Assam. In 1998, the violence intensified just when some of the displaced people were returning home. Thousands fled their villages again, exacerbating the displacement. After 1993, the Bodos have systematically targeted the non-Bodo communities in the four districts they see as forming the core of their separate homeland.

In 1997, the majority of the refugees returned to their original villages and homesteads, with government provided rehabilitation grants. However, 23,000 families, designated “encroachers” (illegally occupying homestead lands), were unable to return. In addition, there were about 3,000 families who – despite having received rehabilitation grants – were unable to return to their original homes, living in small huts made of bamboo and plastic sheets, close their to their original villages or on relief camp sites. However, violence erupted in 1998 on two occasions, causing people to once again flee to the safety of the camps. More than 110,000 people from the Santhal-Bodo conflict still remain in relief camps. Assam officials say only about half of the quarter million displaced people were still left in relief

camps. Assam government records, as of December 2005, indicates that only 33,362 displaced people were left in the camps in Kokrajhar district and 74,123 were left in the camps in Gosaigaon district. According to official reports, in January 2004, 19 camps housed Santhals, three housed Bodos and one the Rabha ethnic group."

See also [Hidden Truth of Ethnic Clash Between Boro Tribe and Santhals in Assam, India, Narzary, Pralip Kumar, 2006](#)

### **Assam: Clashes between Bodos and Muslim settlers displace over 150,000 (November 2008)**

- The Bodos are the largest plains tribe in Assam and since the 1990s have organised themselves in pressure and insurgent groups
- Bodo communities have been targeting immigrant Muslims of Bengali decent describing them as illegal infiltrators from Bangladesh
- Rioting between the two communities began in August 2008 and after a span of a few weeks reoccurred with intensity
- The main areas affected were Udalguri and Darrang districts where 54 villages were directly impacted by incidents of arson or mob attacks, and locals fled another 150 villages out of fear of attack
- At least 150,000-212,000 people were displaced during the clashes

### **IPCS, October 2008:**

"The Bodos are the largest plains' tribe in Assam, settled primarily along the northern bank of the Brahmaputra River. They once held sway over Assam, only to be scattered and submerged in later times. Since the early 1990s, the Bodos have organised themselves into insurgent as well as pressure groups, to assert their rights, which have substantially impinged upon the territorial rights of the other communities in Assam. The Bodo Accord of 1993, which attempted to bring to an end, years of arson, violence and instability, sought to identify areas where the Bodo population exceeded 50 per cent as 'Bodo Areas', to be brought under the direct administration of the Bodo Autonomous Council (BAC). An unintended consequence of this provision has been the recurring organised ethnic cleansing in areas where the Bodos do not yet constitute 50 per cent of the population. The failure and subsequent collapse of the BAC notwithstanding, Bodo leaders, drawn either from political or community-based organisations or insurgent factions, have participated in these movements. Their targets sometimes were the adivasis (tribals from outside Assam, brought to work in the tea plantations) and sometimes, the Muslims (Bangladeshi or otherwise). Between 1996 and 1999, several deaths were reported and large internal displacement of the population occurred due to prolonged ethnic clashes between the Bodos and Santhals.

According to the 2001 Census of India, 31 per cent of Assam's population is Muslim. It is however, not clear, how much of the total Muslim population in the State is constituted by Muslim migrants from East Pakistan or Bangladesh. Estimates regarding illegal migrants from Bangladesh range from a few thousand to several millions. This constant flow of primarily economic migrants has been the source of frequent turmoil in Assam."

### **BBC News, 6 October 2008:**

"There have been long-running tensions in Assam state between indigenous peoples and settlers.

Thousands of people have fled their homes in the latest wave of violence, seeking shelter in camps set up by the police.

[...]

Over the last two months, members of indigenous communities such as the Bodos have been targeting immigrant Muslims of Bengali descent, describing them as "illegal infiltrators" from Bangladesh...

The Muslim leaders say most of their people came to Assam before Bangladesh came into existence in 1971 and obtained Indian citizenship legally, adds our correspondent."

**India Today, 10 October 2008:**

"As ethnic clashes between Bodos and immigrant Muslims from Bangladesh broke out, 49 died and 1.5 lakh were rendered homeless. The bloodletting that soaked four districts of Assam-Udalguri, Darrang, Sonitpur and Chirang-had a colour, and it was a Pakistani green. It all started with the All Assam Students' Union (AASU) organising a state-wide eviction drive against illegal migrants in the second week of August.

Tension between Bodo villages and the surrounding ones, inhabited mainly by immigrants, grew amid allegations that terrorist elements like Harkat-ul-Jihad-e-Islami and SIMI were active among them. Rakesh Swargiyari, a Bodo youth caught stealing a goat from the Muslim-dominated village of Mohanpur in Udalguri, was the trigger. When he returned home badly thrashed, his tribesmen decided to retaliate. Mohanpur's Muslims rose to the violence of the occasion, and the communal powder-keg exploded.

Most people in the relief camps- whether Bodos or Muslims-are not keen to return to their homes as they have lost faith in the administration. Though the Government has deployed army and paramilitary forces, the Bodos claim they don't feel safe even in the camps as they think that the Government is protecting the immigrants."

**Frontline Magazine, November 2008:**

"The clashes that broke out on October 3 between Bodos and immigrant Muslim settlers in Northern Assam's Udalguri and Darrang districts led to the displacement of over two lakh people. Some fled when their homes were burnt, while others were driven to relief camps by the fear of attacks. Villages on either side of National Highway 52, which passes through the two districts, were turned into virtual battlegrounds.

The clashes left 55 dead: 39 immigrant Muslim settlers, 10 Bodos, two Garos, one Bengali Hindu, one Assamese, and two unidentified people. There were 31 dead in Udalguri alone, where the clashes broke out first: 19 Muslim settlers, nine Bodos, and three others. There were 21 dead in Darrang, where the violence soon spread: 17 Muslim settlers, one Bodo, and three others. In Chirang district, an immigrant Muslim woman, who was seven months pregnant, was shot dead by unidentified gunmen. An adult and a child belonging to the community were killed in Baksa district.

Official reports said 54 villages were directly affected by incidents of arson and mob attacks, in which 2,505 houses were either completely burnt or partially destroyed. The residents of about 150 other villages fled their homes out of fear though there was no attack in their villages. Sixteen Army columns were deployed in Udalguri and Darrang districts and troops carried out flag marches to restore people's confidence. Companies of the Border Security Force (BSF) and the Central Reserve Police Force (CPRF) were also deployed. Yet, panic-stricken villagers continued to flock to the relief camps and their numbers swelled to 2.12 lakh.

The State government asked for 21 additional companies of paramilitary forces and got 14 companies for deployment in the two districts. Curfew was clamped, and the police and the security forces were asked to invoke the provisions of the Indian Penal Code to shoot at sight whenever they spotted anyone indulging in rioting or any other form of violence.

[...]

The seeds of the October violence were sown in the middle of August when clashes broke out between the two communities at Routha in Udalguri district and later spread to Darrang and Sonitpur districts, claiming 17 lives. The riots began on August 14 following the killing of a Bodo youth by supporters of a bandh called by the Muslim Students Association, Assam. The bandh had been called in protest against the harassment of Indian citizens in the name of identification of illegal Bangladeshi migrants. The incident led to violence in different parts of the three northern Assam districts where many homes were burnt. A total of 14,279 people sought shelter in nine relief camps. There was a spillover effect in Lower Assam's Chirang district where a Muslim couple was shot dead.

The pattern of violence in the October clashes indicated that both sides had stockpiled weapons such as bows and arrows, machetes, sticks and crude bombs after the August clashes. That such a thing could happen seems to have escaped the attention of the administration and intelligence agencies."

### **Tripura: Displacement due to construction of fence along the border with Bangladesh (September 2005)**

- The building of a fence along the border of Bangladesh has created several controversies between the two countries - sometimes leading to exchange of fire between the border forces
- The fence has led to the eviction of an unknown number of people, around 70,000 people in Tripura only

### **Kumar, 8 April 2005:**

"A number of issues have plagued the bilateral relationship between India and Bangladesh in recent times. But India has been seriously concerned about two issues. First is use of Bangladeshi territory by the insurgent groups who are operating in northeastern India for anti-India activities. India is also concerned about illegal immigration which has reached serious proportions in recent years. India sought Bangladesh cooperation to sort these issues, but its requests fell on deaf ears. What is worse, steps taken by India to check cross border terrorism and illegal immigration have been resented by Bangladesh. Its result has been regular skirmishes between the border guards of two countries.

India shares its largest border with Bangladesh which is also extremely porous. The border runs through jungles, hills, villages, paddy and jute fields, making it easy to cross. There is also a small riverine portion. Five Indian states border Bangladesh, including four in India's troubled northeast where dozens of militant groups are fighting for full statehood, more autonomy or independence. Dhaka denies the presence of rebel camps, calling the allegations baseless, but the issue remains a thorny one in ties between India and Bangladesh. This border also faces problems like illegal immigration, smuggling, arms trafficking, drug trafficking and trafficking of women and children. To deal with some of this problem India had suggested joint patrolling of the border to which Bangladesh did not agree. However, Bangladesh agreed for coordinated patrolling, but that was not sufficient to solve problem of this magnitude.

As a result, India has been forced to take its own steps. To check problems like illegal immigration and arms trafficking, India decided to erect barbed fences. It had seen its positive impact on the north western frontiers. It wants to replicate the same experience on its eastern border too. So far, it has managed to fence over a third of the 4,894 kilometers (3,034 mile) long border with Bangladesh.

[...]

Since February this year, tension has increased manifold on Indo-Bangladesh as BDR has tried to stop the fencing work on a number of occasions. India had to temporarily stop erecting fences near Anwarpur and Kashinagar border in Akhaura sub-district of Bangladesh due to resistance by the Bangladesh Rifles (BDR) and villagers on February 16 and February 17. BDR, joined by local people, attempted to stop BSF on February 23 to raise barbed wire fence at Khernal in Kasba sub-district. Tension also mounted on Chuadanga border as BDR alleged that BSF was pushing in people in Bangladesh.

Bangladesh Rifles (BDR) declared a red alert on February 26, in about 100km frontier areas in Kushatia. BDR troops were seen patrolling and taking position in Mujibnagar, Dariapur, Bajitpur, Sholomari, Tetulbaria, Kazipur, Buripota and other frontier areas supposedly to resist the BSF's bid to push in Bengali-speaking Indian nationals into Bangladesh.

A serious dispute arose between Bangladesh Rifles (BDR) and Border Security Force (BSF) of India on March 4 on fencing work on Kasibari border at Ramgarh of Khagrachhari district. Indian and Bangladeshi border guards exchanged fire for over three hours. BDR also enforced a red alert on Bangladesh frontiers while locals fled their houses fearing escalation of firing between the border forces. Besides, tension is also prevailing at Singimari of Lalmonirhat, Chakpara of Chapainawabganj and at Chuadanga border over fencing. BDR has also planned to resist if India tries to send back illegal immigrants.

To diffuse the situation in Ramgarh of Khagrachhari Bangladesh Rifles (BDR) and Border Security Force (BSF) held a meeting at Subrum in India on March 5. But that meeting remained inconclusive and both sides blamed each other for the situation. However, it was agreed that the issue of fencing would figure again during the deputy director general level meeting between BDR and BSF to be held in Agartala of India on March 14, followed by a director general level meeting in Dhaka on April 14.

After a few days' lull, Bangladesh Rifles (BDR) and Border Security Force (BSF) exchanged several thousands bullets in two skirmishes over construction of fences along the border at Singimari in Lalmonirhat and Ramgarh in Khagrachhari on March 9. Both sides agreed to a ceasefire after telephonic conversation between Rangpur BDR sector commander Col Lutfar Rahman and acting Kuchbihar BSF sector commander PK Tripathy. A flag meeting was also held between BDR and BSF on March 10 on the zero line in Singrimari border during which both sides agreed to resolve the problem as per international border rules.

India also tried to discuss this issue at the political level. The Indian High Commission in Dhaka requested the government to instruct Bangladesh Rifles (BDR) not to resist Border Security Force (BSF) of India from constructing barbed wire fences at some places within 150 yards of the no man's land. The request was made in a letter sent to the foreign ministry on March 14. It also said that fencing work by the BSF has been underway since 1989 and greater part of the fence is located at or beyond 150 yards from the zero-line on the Indian side. However, in specific areas mainly due to the existence of villages, or as necessitated by terrain conditions the fence had to be built within 150 yards. India has formally conveyed details of villages, houses and population within 150 yards of the zero-line to Bangladesh."

**ACHR, Human Rights Report 2005 - Tripura:**

"Tripura has a large number of people displaced because of increasing land alienation, insurgency and fencing of Indo-Bangladesh border. "

**The Telegraph, 13 March 2005:**

"The Centre has deputed a team of three officials to determine the amount of funds required to compensate over 10,000 families displaced by the erection of a barbed wire fence along Tripura's 856-km-long border with Bangladesh."

### **Tripura: 4,500 tribals displaced by insurgent groups (May 2006)**

- 4500 tribals displaced since March due to atrocities by insurgents
- the displaced settled near security camps and main roads in all four districts of Tripura
- the rehabilitation of tribal families announced to be undertaken by concerted effort by the state government
- programs to ensure right of the land promised to be taken up with seriousness by a committee formed at divisional level

KanglaOnline, 19 May 2006:

"Altogether 4500 tribals including women have been displaced in Kanchanpur and Longtarai valley area of North Tripura due to atrocities of the outlawed militant outfit NLFT and their subsidiary BNCT since March last. The state tribal welfare minister Mr. Jiten Choudhury alleged that NLFT militant, the arm force of opposition INPT were attacking the tribals who had voted for the CPI (M) in the recently held assembly election.

Mr. Choudhury said 483 tribal families in Kanchanpur subdivision, 253 families in Longtarai valley subdivision and 250 families in Khowai subdivisions have been displaced by the NLFT and BNCT militants. 'These families are suffering greatly and in addition 448 more families have been driven away from other hilly regions under kanchanpur, Gandacherra and Longtarai valley subdivisions' he added.

[...]

Presently the displaced people settled nearby security camps or main roads in all four districts of Tripura and would be rehabilitated.

[...]

Chief Minister Manik Sarkar pointed out that rehabilitation of the tribal families in reorganized cluster villages would not be the responsibility of a particular department but would be a concerted effort of all

departments of the state government. Chief Secretary V Thulasidas apprised the meeting of the plight of the tribal families through video demonstration. He however made it clear that only those families would be

brought under the program that would be interested to take the facilities.

Programs to ensure right of the land of the tribal families who lived traditionally in the forest areas would also be taken up with all seriousness. A committee formed at divisional level with concerned DFO, SDM

and senior officials of the tribal welfare department would conduct a survey for the purpose. The committee will submit a report, which will be sent to the union ministry of forest and environment."

### **Tripura: Internal displacement due to conflict between tribals and non-tribals (July 2004)**



- In Tripura, there has been serious ethnic conflict between the tribals and the non-tribal Bengalis since the 1980s
- In response to the Bengalis' rapid attainment of majority status in the state, tribal militant groups have sought to establish autonomous areas by attacking Bengali communities
- More than 4000 people have died in Tripura since the ethnic riots of 1980, the same number have been kidnapped and more than 100,000 Bengali settlers have been internally displaced according to BBC
- In June 2004, the state government estimated that more than 20,000 persons were displaced from rural areas due to extremist violence
- No information has been found regarding the situation of the internally displaced Bengalis, but anecdotal information suggests that they remain non-assisted. Some choose to go to Bangladesh
- While some of the main insurgent groups have started peace negotiations with the government, other insurgent groups signal that they will continue to fight
- 

**Saha, pp. 8-10:**

"Tripura, is a tiny hilly State of 10,486 sq.km in the North East of India. It is bounded by Bangladesh in the North, West and the South having 930 k.m of the international boundary and the States of Assam and Mizoram in the East. The Bengalees and the greater Tripura tribal community comprising of as many 19 tribes constitute the major bulk of the population. The Tripuris are the numerically largest tribe followed by the Reangs. The other tribes in the state are Halam, Jamatiya, Bhil, Bhutia, Chaimal, Chakma, Garoo, Khasia, Kuki, Lepcha, Lushai, Mog, Munda, Noatia, Orang, Santhal and Uchais. The State since 1980 has witnessed serious ethnic conflict between the tribals and the non-tribal Bengalees. This had resulted in the internal displacement of thousands of Bengalees as well as tribals from time to time.

[...]

The internal displacements in the State have been due to (i) the clashes between the tribals and the non-tribals (ii) the attacks by the tribals and the Bengalee insurgent groups in isolated villages (iii) the fleeing of the villagers fearing retaliation from the other community. The pattern of insurgent attacks since 1993 shows that the tribal insurgent groups not only attacked the non-tribals but also resorted to the burning of their houses. The tribals living near the villages which were attacked by the insurgents often had to leave their villages fearing retaliation from the non-tribals.

[...]

The tribals in the State had resented the influx of the Bengalees from the erstwhile East Pakistan. But the Government as a matter of policy settled them in the State and had provided rehabilitation assistance. The influx of large number of Bengalees over a long period of time brought about demographic changes in the State whereby the tribals got marginalized. The percentage of tribal population in 1951 was 36.85% when the major influx of Bengalees after partition of India in 1947 had already taken place. The percentage of tribal population came down further to 30.94% in 1991 as influx of Bengalees continued in the later years. The census figures of 1931 and 1941 show that the State was a tribal majority State." In 1931, the tribal population was 203,327 as against the non-tribal population of 179,123. In 1941 the tribal population was 256,991 as against the non-tribal population of 256,091."770 Bhattacharya S.R, op.cit, 39 0 As early as 1954 Sardar Patel the then Union Home Minister had said that no more Bengali displaced persons should be brought in the State. But the influx of displaced Bengalees continued which gradually changed the demographic composition of the State reducing the status of the tribals to that of minority.

[...]

The Central and the State Governments ignored the tribal protests. The tribal organizations like Seng-krak and others strongly protested against the influx of the displaced persons. The other tribal insurgent groups the ATTF and the NLFT demanded a separate State for the tribals.

[...]

The decision of the State Government to create the ADC [autonomous council] in 1982 did not meet the aspirations of the tribals. The Council has emerged as another tier of administration. Because of the administrative hurdles and the constraints of resources it has not played any meaningful role in addressing the grievances of the tribals.

[...]

The general resentment of the tribals afforded an excellent opportunity to the insurgent groups to establish themselves. They successfully exploited a series of tribal concerns to mobilize the tribals. Initially they raised the issue of restoration of land alienated by tribals, expulsion of foreigners etc. In the initial years they did not enjoy the support of the tribals but gradually by show of strength and terrorization they succeeded in bringing a substantial number of the tribals under their control.

The domination of the insurgent groups increased as they committed one daring act after the other. In course of time they acquired more sophisticated arms. They also established contact with other insurgent groups in the North-East. They could get shelter in their areas whenever the security forces pursued them. Moreover taking advantage of the terrain they could cross over to Bangladesh. The situation got further complicated with the multiplicity of the insurgent groups.

[...]

The insurgents targeted particularly the non-tribals in rural areas killing them indiscriminately including women and children and burning their houses. The government failed to provide security to non-tribals living in scattered villages. The Bengalee insurgent groups also resorted to the acts of violence against the tribals."

***In June 2004, the state government estimated that more than 20,000 persons were displaced from rural areas due to extremist violence:***

**The Hindu, 25 July 2004:**

"The terror in the hills has forced several thousand villagers leave their dwellings in search of safer homes. Deserted and run down houses are common all along the Agartala-Udaipur highway near Bagma, about 30 kilometres south of Agartala. Similarly, several families have moved closer to urban centres from the remote villages.

Early last month, Bengali inhabitants displaced from Takarjala, Jampuijala, Kendraicherra, Prabhapur and Jugalkishore Nagar in West Tripura district due to extremist-related violence, approached the Government for rehabilitation in cluster villages with adequate security. Farmers, small traders and agricultural labourers form a major chunk of these displaced people.

The Revenue Minister, Keshab Majumdar, said in the Assembly session last month that 20,494 persons were displaced from seven sub-divisions largely due to extremist activities. Bishalgarh sub-division in West Tripura district bore the brunt of it with a little over 13,000 persons leaving their habitats.

Official figures indicate that 4,340 families have been affected in Longtarai sub-division, 1,196 in Kanchanpur sub-division, 504 in Gandacherra sub-division and 509 in Sadar sub-division.

The State Government has been providing a relief of eight rupees for a person every day, but not exceeding Rs. 45 for a family.

Loss of habitat, and hence, the source of livelihood, has pushed most of these predominantly agrarian families to poverty. Many have virtually turned wanderers taking houses on rent wherever they can or living with relatives. Those who prefer to stay back are left to buy peace from extremist groups by paying "taxes".

Though most of the State is under the Armed Forces (Special Powers) Act, the militant groups operate at will. More than 300 personnel of the Central Reserve Police Force, Border Security

Force, Assam Rifles and local police have died in ambushes. The militants have also kidnapped over 2,500 persons; many are still untraced even after payment of hefty ransoms. Last month, a group of NLFT militants swooped down on a convoy of public transport vehicles on the Assam-Agartala Highway and kidnapped 25 traders who are yet to be traced."

***No information has been found regarding the situation of the internally displaced non-tribals, but anecdotal information suggests that many are not assisted. Some choose to go to Bangladesh:***

***As of May 2004, BBC reported that more than 100,000 Bengali settlers have been internally displaced in Tripura:***

**BBC News, 6 May 2004:**

"More than 4000 people have died in Tripura since [ethnic riots of 1980], the same number have been kidnapped and more than 100,000 Bengali settlers have been internally displaced in Tripura due to the rebel violence."

### **Tripura: Internally displaced Bru/Reang from Mizoram (March 2005)**

- Ethnic conflict between the major tribal group Mizo and the minority Bru/Reang has resulted in the flight of 15,000 to 50,000 (U.S. State Department says 41,000) Reangs since 1997
- The violence started when a political party of the Bru/Reang demanded an Autonomous District Council for the Reangs within Mizoram
- The Bru/Reang are living in camps in the neighbouring state of Tripura
- 12 rounds of peace talks between the Government of Mizoram and the insurgents have now led to the signing of an agreement which includes the repatriation and rehabilitation of the displaced Bru/Reangs

**Deccan Herald, 17 August 2003:**

"The Reangs, second largest tribal group of Mizoram, had long been demanding setting up of an Autonomous District Council (ADC) based on 6th schedule of the Constitution in Reang-dominated areas of Southern Mizoram. The demand had been raised under the banner of a new party called Reang Democratic Party (RDP). Long-accustomed to treating Reangs as 'bonded labourers and slaves', the majority Mizo tribesmen have looked upon the Reang demand with deep hostility."

**Saha, 2000, pp 6-7,10:**

"The exodus of Reangs to the adjoining Cachar in Assam and north Tripura started in October 1997 following generalized violence against their community. The controversy started when the Bru National Union, a political party of Reangs formed in the early 90s, in a general assembly meeting in September 1997 passed a resolution demanding an Autonomous District Council for the Reangs within Mizoram. There was a strong reaction from Mizo Student Federation(MZP) who said that "if the Reangs wanted to divide or disintegrate Mizoram further, it would be better that they go away. The resolution demanding Autonomous District Council could not be accepted by MZP. If the Reangs go ahead with their plan, the MZP was ready to fight against such a demand. Mizoram is the only land Mizos have and it could not be lost to foreigners or other communities." The Reangs who crossed over to Tripura spoke of "a fear psychosis following the killing in October,1997 of 10 Reangs, allegedly by the MZP. The flow was not stopped, suggesting tension and lack of security. MZP went on the rampage after the murder of a Mizo forest warden allegedly by the Bru National Liberation Front.

An armed militant group called the Bru National Army (BNA), believed to be the Militant Wing of the Bru National Union (BNU), was formed in 1994 to protect, develop and uplift the Reangs. According to the Bru leaders, their cultural practices were obstructed and they were forced to adopt Mizo names and Mizo languages as their medium of instruction instead of the native Kokbarak. The Bru leaders also alleged that the names of about 20,000 Reangs were deleted from the Electoral Rolls.

The Mizos have always lived in isolation and they have a very strong attachment to their homeland. Thus the moment any minority tribal groups talks of autonomy and demands creation of separate District Council for themselves. Mizos consider it as an attempt to fragment the Mizo State further and it becomes a very emotive issue. To counter such demands such minority tribal groups are branded as outsiders who have settled in Mizoram. And all sorts of attempts are made for de-legitimising their claims by deletion of names from the voters' list, questioning the census report, etc. Any minor incident can provoke a violent reaction from the majority tribal group. In the case of Reangs, killing of a forest warden allegedly by Bru National Army resulted in burning of hundreds of houses of Reangs in many villages and killings of many Reangs. The entire Reang community was considered as the enemy of the Mizo people. Consequently, panic gripped the Reang community and many of them were forced to flee their homes. The insurgent groups affiliated to the minority tribal groups take full advantage of such a situation and project that it is they who can protect the interest of the minority tribal groups. The Bru National Army, the insurgent outfit of the Reangs claims to protect the interests of the Reangs. The Reangs in the adjoining State of Tripura are the second largest tribal community in the State. The internally displaced Reangs from Mizoram took shelter in Tripura with the hope that they would get support from the Reang community of Tripura. Before proposing a possible course of solution, it is proposed to consider U.N. Guidelines on Internal Displacement in the context of internally displaced Reangs. Though the guidelines have not been adopted by any country, they may help the Reangs to make their demands to the State and the Central Governments. Moreover, these guidelines would make the State and the Central Governments aware of their responsibilities."

**SAHRDC, March 2001:**

"In Mizoram fearing persecution from the ethnic majority Mizos, 15,000 to 50,000 Reang tribals have fled their homes since 1997 and found shelter in north Tripura, border villages of Assam and the Chittagong Hill Tracts of Bangladesh. In order to accelerate the repatriation process, the Tripura government discontinued food rations and medical services in some camps, causing at least 16 people to starve to death. At least 260 IDPs died as a result of inadequate shelter and unclean water, and around 1,400 reportedly became seriously ill. Additionally, displacement camps are susceptible to attacks and mismanagement, for which the National Human Rights Commission castigated the Mizoram government in a 1998 report."

***In January 2005, the Supreme Court issued notice to the involved state governments asking them why they have not taken steps to rehabilitate the Reangs:***

**Rediff.com, 13 January 2005:**

"The Supreme Court has issued show-cause notices the Ministry of Home Affairs and the Mizoram and Tripura governments asking them why they have not taken steps to rehabilitate the Reang community in Mizoram."

***Twelve rounds of peace talks have been held between BNLF and the Mizoram Government, and the parties were expected to hold final talks and sign a peace agreement on 6 April 2005. After a delay, an agreement was signed a few weeks later:***

**Deccan Herald, 31 March 2005:**

"The stage is all set for the signing of a peace accord between the Mizoram government and the Bru National Liberation Front (BNLF), an underground outfit of minority settlers in the state. This comes in the wake of 12 round of talks which discussed the main issue of Bru (Reang) refugee repatriation from six camps in North Tripura.

According to official sources in Aizwal, the agreement is schedule to be signed on April 6 next and then the process of refugee repatriation would start following a certain action plan. After thorough discussion in a bi-party meeting in Aizwal in early March, BNLF has raised certain issues for clarification on the draft agreement that delayed the process for a week, sources added.

BNLF supremo Surjyamani Reang said the main issue from their side highlighted in the meeting was the accommodation of Bru refugees staying in Tripura camps at resettlement centres and provision of ration for an year.

He pointed out that the post of the secretary of the 'Special Development Project' as agreed upon for the socio-economic amelioration of the Brus 'has to be reserved from our community.'

[...]

The BNLF supremo wanted absorption of all the 195 cadres of his outfit in the Indian Army on the pattern of Bodo Liberation Tigers and ex-gratia for the families of those killed in encounters.

The Centre has agreed to grant Rs 80,000 each for the families of those who surrender. He also demanded reservation of 10 per cent jobs for the Brus in the central and the state establishments.

The Union government has also sanctioned a rehabilitation package of Rs 28.63 crore for the resettlement of the refugees. Surjyamani Reang said the Bru Liberation Front of Mizoram in nexus with an influential outfit of Tripura is putting heat on the BNLF to scuttle the peace process.

But he said that the BNLF is committed to peace. BNLF took arms in 1999 against the atrocities on minority Reangs. About 30,000 Reang tribes had left home in 1997 following atrocities by the Mizos and took shelter in North Tripura."

### **Tripura: Protracted displacement of Bru from Mizoram ongoing despite a peace agreement (December 2008)**

- The signing of a peace agreement between the Mizoram state government and the Bru insurgents in 2005 has not led to an end to the displacement situation for the Bru in Tripura
- The peace agreement between the Mizoram government and the Bru National Liberation Front has not fully resolved the conflict as another interlocutor in the last round of talks, the Bru Liberation Front of Mizoram has not endorsed it
- The Mizoram government also claims that not all the Bru in the Tripura camps are genuine residents of Mizoram even though 94.22 per cent of the Bru IDPs have at least one official document proving that Mizoram is their natural place of inhabitation

### **IANIS, 14 February 2007:**

"The much-awaited process of repatriation of 33,000 Reang tribal refugees from Tripura to Mizoram hangs in the balance with the latter being reluctant to take them back. Over 300 tribal refugees are planning to launch a weeklong sit-in demonstration here from Feb 20 over the issue.

[...]

The Reang (locally called 'Bru') tribal refugees have been living in six north Tripura camps for the past 10 years after they fled Mizoram following ethnic clashes with the majority Mizos. They are

familiar with the traditional shifting cultivation, also called slash and burn, and locally known as 'Jhum'.

A union home ministry team...visited the refugee camps and talked to the leaders who presented them with a six-page memorandum.

[...]

In April 2005, the Mizoram government and the militant Bru National Liberation Front (BNLF) signed an agreement after 13 rounds of talks to solve the decade-old ethnic crisis, leading to the surrender of about 1,040 militants of the BNLF and Bru Liberation Front of Mizoram (BLFM).

The memorandum presented to the home ministry team demands, among other things, immediate four-corner talks between the centre, the Mizoram and Tripura governments and the MBDPF. It says, "The series of events, including signing of agreement for surrender of militants, have proved to be useless for a durable solution to the problems of both refugees and Reang tribals in Mizoram."

#### **East-West Centre, 2008:**

"After 13 rounds of talks, Surja Moni Reanga and Solomon Prophul Ushoy of the Bru National Liberation Front (BNLF) signed a Memorandum of Understanding with the Mizoram State Government in April 2005. The Mizoram State government agreed to repatriate genuine Bru refugees living in camps in Tripura State. They also agreed to change the name "Reang" to "Bru" in the Mizoram list of scheduled tribes. The BNLF agreed to lay down arms and come out from underground."

Seeking to protect the rights and dignity of their ethnic group, Bru/Reang organizations have sought an autonomous district council or regional council and reparation of Bru/Reang who were displaced after 1997 Mizo attacks on their settlements following the initial demand for a Bru/Reang homeland within Mizo State. The accord has not resolved the conflict because another interlocutor in the last round of talks, the Bru Liberation Front of Mizoram, has not endorsed it. Now the BNLF and the Mizoram State Government disagree as to whether the Memorandum of Understanding was an agreement between the Bru/Reang and Mizo communities (the BNLF's stand) or between the BNLF and Mizoram State Government (the government's stand)."

#### **ACHR, 10 December 2008:**

"By the end of 2007, the government of Mizoram failed to repatriate the Brus from the relief camps in Tripura. The Bru indigenous peoples had fled to Tripura in 1997 following organized attacks against them by the Mizos. The state government of Mizoram has refused to repatriate the Brus on the ground that not all of them were genuine residents of Mizoram and due to the opposition from the influential Mizo NGOs including Young Mizo Association (YMA) and Mizo Zirlai Pawl (Mizo students union, MZP). Although the Brus themselves claim that there are 29,000 persons in the relief camps in Tripura, the government of Mizoram claims that only 543 Bru families (3,189 persons) fled the state in 1997."

On 26 April 2005, a Memorandum of Understanding (MoU) was signed between the Government of Mizoram and the Bru National Liberation front (BNLF), an insurgent group. In the MoU, the state of Mizoram admitted its obligation/duty to repatriate and resettle the Reangs/Brus, but again questioned the "genuineness" and/or bonafide inhabitation of the Reangs/Brus. The MoU was signed without the consent of the Brus living in relief camps.

About 1,000 members of the Bru National Liberation Front (BNLF) have so far laid down their arms after the signing of the MoU with the government of Mizoram in April 2005 and the government has provided them with rehabilitation in Mizoram. Yet, in March 2007, the state government of Mizoram entrusted three Mizo non-governmental organizations - the Young Mizo Association, Mizo Hmeichhe Insuihkhawm Pawl (the apex body of the Mizo women) and Mizo Zirlai Pawl (Mizo students union) to verify the credentials of the former Bru rebels. All of the

groups are well known for their anti minority stands. The NGOs reportedly identified 40 former Bru rebels as non-residents of Mizoram.

The contention of the state of Mizoram is false. In October-November 2007, the Mizoram Bru Displaced Peoples Forum (MBDPF) conducted an on-the-spot survey of 5,328 families residing in the six relief camps at Kanchanpur sub-division of Tripura. According to the survey of the MBDPF, 94.22% of the Reangs/Brus in the relief camps have at least one document each, issued by the State of Mizoram, its local authorities as well as constitutional bodies, namely, the Election Commission of India to prove that their bonafide/natural place of inhabitation is Mizoram."

### **Manipur: Clashes between ethnic armed groups is the main threat for the civilian population (2007)**

- Over 1,000 individuals have been killed and as many as 130,000 persons have been displaced since inter-ethnic strife between the Nagas and the Kukis started in mid 1992
- The Indian Central Government and its agencies have allegedly aided, abetting and stocking the Naga-Kuki conflict
- Ethnically mixed villages, once common in Manipur, have virtually ceased to exist

### **Sahni, Faultlines 2003, vol.12, pp. 9-11, 2003:**

"Nearly 90 per cent of the landmass of Manipur comprises its hill areas, and the remaining 10 per cent constitutes the Imphal Valley. The Valley is home to the Vaishnavite (Hindu) Meiteis, who comprise more than 50 per cent of the State's population, and the Muslim Meitei-Pangals. The hills are exclusively reserved for the 'tribals' – mainly Nagas and Kukis. The State has a peculiar land tenure system – the Manipur Land Revenue and Land Reform Act – under which the hill tribes are allowed to settle in the Valley, but no Meitei or Meitei-Pangal is allowed to buy land or settle in the hills. The Meiteis are, moreover, classified as non-tribals, and consequently denied benefits under various reverse discrimination provisions that create reservations in jobs and educational institutions for the tribals.

The insurgency in Manipur entered its 38th year in 2002. [...] Among the 35 insurgent groups in the State, as many as 18 are reported to be currently active. The primary conflict in the State involves various insurgent groups, constituted along tribal affiliations, fighting against the Government for sovereign or separate homelands. A multiplicity of secondary conflicts has arisen out of tensions between various ethnic and tribal subgroups, often as a result of changes in patterns of land tenure and distribution.

[...]

After peaking in 1997, insurgent violence has remained at an unstable plateau over the past three years [...]. As in other conflicts in the Northeast, however, the situation is not a matter of a simple opposition between the government and outlawed revolutionary groups arraigned against it. The various militant groups have been substantially criminalised and there is overwhelming evidence of a complex web of collusion between terrorist outfits and various political parties."

### **Hussain, November 2004, pp.8-9:**

"The Kuki-Naga riots that rocked the state of Manipur in the mid-nineties, mainly during 1992-1993, leading to the deaths of hundreds of people [...], is another clear example of inter-ethnic battles in India's Northeast over territorial control. Both the Nagas and the Kukis are fighting for separate homelands and their territories overlap. Members of the two groups have frequently clashed in the past too for control of the lucrative heroin trade route through Moreh, an Indian outpost close to the border with Myanmar. The key factors that have prompted the Kuki-Naga clashes include the desire of the Nagas, particularly the rebels, to ease out the Kukis who form a sizeable chunk of the population in the four hill tribal-dominated districts in Manipur that they have

set their eyes on. This also led to the emergence or consolidation of the Kuki insurgent groups that also resorted to violent means to counter the Naga rebel actions or to defend the community, often located in remote hill-top hamlets. The Nagas in Manipur, including the United Naga Council, Manipur (UNCM), have been openly seeking the merger of the Naga areas in Manipur into the adjoining state of Nagaland.

[...]

According to an estimate 750 Kukis lost their lives and a total of 1,14,300 others belonging to both Naga and Kuki communities have been displaced during the conflict."

### **Shashikumar, V.K. in Himal, 2007**

"Armed ethnic groups have parcelled Manipur into tribal fiefdoms, and are now holding the state's economy for ransom. Two groups – the Meitei-dominated United National Liberation Front (UNLF) and a faction of Naga insurgents, the National Socialist Council for Nagalim-Isak Muivah group (NSCN-IM) – are at constant loggerheads, jeopardising the state's growth potential. "There are many armed groups in Manipur because arms are easily available. If you have two pistols, you can form a group and start collecting money from the people, from the state government departments," explains R K Meghen, alias Sanayaima, the reclusive 65-year old leader of the UNLF.

National Highway 39 passes through Senapati District of Manipur, an area that particularly illustrates the complexities of a region where tribal hostilities have assumed layer upon layer of competing influences. Rival histories, competitive jostling for identity and geographic location, and other such dynamics have combined to make the hidden war in this area almost intractable. Senapati District is a stronghold of the NSCN-IM, and the Naga underground elements here virtually run a parallel administration. "I have to collect tax, and you will have to give it to me voluntarily," says Brigadier Phunthing of the NSCN-IM.

In addition to the Senapati and Ukhrul hill districts in Manipur, the NSCN-IM also lays claim to the state's southern hill districts of Tamenglong, Churchandapur and Chandel. The group is demanding the integration of these districts to form a state called Greater Nagaland. But this goal is in direct competition with the UNLF's agenda of an Independent Manipur. Caught in the crossfire is the Kuki tribe, which hope to claim the hill districts for a separate Kuki state. "In Manipur there are three communities: Kukis, Nagas and Meiteis. So you can't have a solution for one and ignore the others, if you want the entire region to be in a situation where there is peace, stability and tranquillity," says Seilen Haokip, a spokesperson for the Kuki National Organisation.

The Kukis, primarily hill tribals, say the British divided their traditional lands of Zale'n-gam, between India and Burma. Modern Zale'n-gam runs from the Sagaing Division in Burma in the east, to the Nantalit River in the north, to the Burmese Chin state in the south. The Kuki National Organisation (KNO) agitates for statehood for Kuki-dominated areas in Manipur within the Indian Constitution. "If India wants us to be part of the Indian union, we are happy to do that. Then recognise our territory by way of statehood," says Haokip. "The KNO's objective is to find solutions within the framework of the Indian Constitution. We firmly believe in being Indian."

Divided by the Indo-Burmese border, the Kuki community wants New Delhi to constitute the state of Kukiland, culled from the Manipuri hill districts. They also claim to have petitioned Rangoon to delineate a similar state in Burma. This writer recently visited the jungle camps of the Kuki National Army in southeast Manipur, and saw armed Kukis training close to the India-Burma border, near Moreh. The Kukis have eight armed factions, which are all united under the KNO. Currently the Kukis are maintaining a ceasefire with the Indian Army in accordance with an agreement signed in August 2005. The pro-India stance of the Kuki National Army (KNA) allows them to carry arms and keep training despite the ceasefire.



[...]

### **Manipur Intifada**

The NSCN-IM claimed nearly 900 Kuki lives during the ethnic cleansing of the 1990s. The Kuki militia does what the army cannot – it protects Kuki villages from both the UNLF and the NSCN-IM. Its force is 1500 men strong, and is armed with an array of weapons. “At present, we use AK-47s, M16s, DC and 60mm mortars,” says Major D J Haokip of the Kuki National Army. Like the Nagas, the Kukis are deeply suspicious of the Meiteis. “When the NSCN-IM aggressed on us, and from 1992 to 1997 slaughtered us, where was the UNLF?” asks spokesman Seilen Haokip. “Did they ever prevent the NSCN-IM from killing Kukis? Were they able to protect them if they did? 900 would not have died – 350 villages were uprooted, more than 50,000 have been displaced.”

[...]

The UNLF’s rebellion has been ongoing against the Indian state since 1964. Now it plans to take the war out of the jungles and into the streets of Manipur, by sparking civil unrest.

[...]

The Manipur People’s Army is a well-oiled guerrilla force. Wireless radios, intimate familiarity with the terrain, and local intelligence have helped them to successfully take on the Indian Army over the past decade. The force’s cadres walk the mountains with practiced ease, even though most of them are not hill people, but rather Meiteis from the Imphal Valley. For these rebels, war with the Indian Army is all about fighting for their “freedom”. The UNLF contends that the Merger Agreement, signed in 1949 between Maharaja Bodh Chandra Singh and then-Home Secretary V P Menon, was flawed. It soon became the bone of contention between the Meitei secessionists and the Indian government. According to the UNLF, from 1947 to 15 October 1949, the day Manipur officially merged with India, Manipur was in fact an independent country. Manipuri secessionists say that any accession was actually the annexation of an unwilling people, and herein lies the genesis of the Manipur-India conflict.

What is worrying is that the conflict shows no signs of letting up. Instead, it continues to draw youngsters such as Chinjacha, a national sports champion, into a bloody battle with the Indian Army. “I was a good martial-arts player,” Chinjacha recalled. “I was a kickboxer, and I won three or four medals at the state level, and also at the national level.” Alienation is what drives these young guerrillas. The Manipur People’s Army does not pay its fighters, but it has high morale and could fight on for years.

[...]

Nonetheless, without a creative political and administrative strategy in place, the central government is preparing for a new phase of military operations. In fact, India has begun transferring military equipment to Rangoon in advance of a major joint military operation against Indian separatists based in the Burmese frontier. Reports suggest that New Delhi has given Burma an unspecified number of T-55 tanks, armoured personnel carriers, 105mm light artillery pieces and mortars. The India-Burma joint military action is intended to search and destroy camps of insurgent groups such as the National Socialist Council of Nagalim-Khaplang faction (NSCN-K), the United Liberation Front of Assam (ULFA) and the UNLF."

### **Manipur: Ethnic clashes and security operations displaced thousands during 2006 (January 2007)**

- Conflict between armed ethnic groups has repeatedly displaced the civilian population

- Several episodes of displacement were reported during 2006

**The Sangai Express, 8 March 2006:**

"To take stock of the ground reality of the large scale exodus of Hmar villagers of Churachandpur to neighbouring Mizoram, a high level team of Ministry of Home Affairs today visited the relief camps where over 500 displaced persons are putting up.

The Central team headed by RR Jha, Director of Relief Operation landed at Mizoram in a helicopter this morning and later the officials held a crucial meeting with the displaced persons, local volunteers and officials of Mizoram Government, informed Babloo Loitongbam, who along with four other human rights activists are camping there to study the situation.

Sadly the human rights activists of Manipur were not allowed to join the meeting with the Central team, Babloo lamented.

About the number of displaced people staying at Mizoram camp, Babloo said it would be over 500 as some of them have gone to their relatives' houses.

But till the people are not secure enough to return back at their respective villages in Churachandpur and they wanted fool proof security there so that no underground cadre can penetrate inside, Babloo, who is the executive director of Human Rights Alert said."

***The displaced population returned during summer 2006. It has since been documented that the civilian population were subject to widespread abuses: torture, mass rape and looting:***

**SIPHRO, 15 January 2007:**

"A fact-finding team as 'Civil Society Team on Internally Displaced People from Tipaimukh Sub-Divisions' headed by Ms. Aram Pamei (NPMHR [The Naga Peoples Movement for Human Rights] and Rongmei Lu Phum) as the Convenor and Babloo Loitongbam (Human Rights Alert) and Joseph R. Hmar as the Co-Convenors (Hmar Students' Association) with Wanhengbam Joy Kumar (Human Rights Law Network), and Elizabeth Hrangchal (interpreter) from 5th - 10th March 2006 investigated the alleged incident and confirmed the facts. The team interviewed the displaced people, rape victims, village authorities and concerned local organizations and cross-sections of the community as well as organizations based in Aizawl, Mizoram. They also met the CO, PBS Lamba of 13 Dogra Regiment and Captain Viplove at the army camp office. While the report of the team is being stalled, the following facts are based on the report filed by Ms. Aram Pamei", said the NPMHR (South Sector) statement issued by its convenor Phamhring Sengul.

It alleged that the cadres of the said armed resistance groups in January 2006 raped 21 women (some of them were raped in the Church compound) and tortured 402 persons (petition filed by the Village elders of Lungthulien to the FFM Team on their visit); paraded (including women and children) and restricted people from going to work. "They fired indiscriminately, forbade people from praying, and destroyed and looted properties. It is disgraceful that such groups fighting for Justice and liberation of the people would indulge in such dehumanizing acts," informed the NPMHR.

The Naga rights body also alleged that the underground groups (UGs) had planted landmines/IEDs in the surrounding jungles of the communities that has killed and maimed many lives adding that the extremely vulnerable situation has led people to flee their homes and villages resulting in hundreds of internally displaced people languishing in refugee camps who were supposedly repatriated but are yet to adequately rehabilitated and restituted.

NPMHR then strongly condemns "the heinous crime perpetrated by the United Liberation Front (UNLF) and Kangleipak Communist Party (KCP) on the villagers of Parbung and Lungthulien in Tipaimukh area of Manipur."

***Displacement was also reported in January 2006:***

**Web India 123.com, 23 January 2006:**

"Over a thousand Hmars and Paites have fled to neighbouring Mizoram while about 5,000 have been displaced within Tipaimukh sub-division following alleged attack and threats by the members of the armed opposition group, United National Liberation Front of Manipur.

The conflict has reportedly started following the clash between the members of the UNLF and Hmar People's Conference (Democratic) on January 6. "

***Civilians reportedly also fled fighting between government army forces and the UNLF:***

**Web India 123.com, 22 January 2005:**

"The Manipur government would be helping the people displaced due to the battle between United National Liberation Front (UNLF) and army at Churachandpur and Jiribam in Manipur.

[...]

Manipur government officials said here today that about 700 to 1000 villagers of Parbung and Lungthulien, Tipaimukh have left their villages due to fighting and moved towards neighbouring Mizoram.

Officials said the villagers were scattered at Sakordai, Vaitin, Khopurah, Vervek and Parvachawn in Mizoram."

### **Manipur: Displacement of Nagas (2006)**

- A cease fire agreement signed by the Central Government with the National Socialist Council of Nagaland (Issac-Muivah) [NSCN (IM)] to extend the cease-fire by another year without territorial restrictions create violent protests, especially in Manipur
- While Nagaland welcomes the agreement, it was seen as intruding upon the territorial integrity of the neighbouring States of Manipur, Assam and Arunachal Pradesh
- Violent protests led to the displacement of at least 50,000 Nagas and an unknown number of non-Nagas in Manipur and Nagaland
- No information have been found about the situation of the displaced from the 2001 unrest - whether they have returned or resettled elsewhere
- In 2005, rival factions of the Nationalist Socialist Council of Nagaland have also clashed on several occasions, but only one report has been found about displacement of the civil population

***Decades of conflict between Naga groups and government forces as well as other ethnic groups created massive displacement of the civilian population, but no estimate exists of the total number of people that were displaced during the conflict:***

**Chadda, Maya, 2006:**

"On 14 August 1947, the Naga Nation declared its independence from British colonial rule. On the following day, India declared its independence, including Naga areas that had been very lightly administered by the colonial authorities. This was the beginning of the confrontation between the Nagas and the independent state of India, although the Naga demand for self-determination can be traced back to the 1930s. At issue was the Indian attempt to consolidate the nation-state, and the Naga desire for complete independence. It must be noted that, even at this point, the Naga population remained divided over the status of Naga homelands. Since the mid-1950s, this conflict has been violent, sometimes genocidal.<sup>60</sup> The post-1947 history of the Naga struggle for self-determination can be divided into separate phases: the first is from the mid-1950s, when armed conflict began, until the latter half of 1970s, when the Nagas became highly factionalized. According to the National Socialist Council of Nagaland (NSCN), between 1954 and 1964, over 150,000 lives were lost through armed conflict, torture and other forms of political terror throughout Nagaland.

[...]

The second phase began from the early 1980s, when the underground 'national workers', as the guerrillas were called, began to split up and form factions under rival leaderships. These factions then merged to constitute the main groupings found today: the National Socialist Council of Nagalim, which is negotiating for an overall settlement with the Government of India; the NSCN (Khaplang) and several others. The Khaplang faction publicly warned that, 'If the Centre arrives at a unilateral settlement with the NSCN-IM, it [the NSCN-K] would "start a revolution"'.<sup>61</sup> The Khaplang faction fears being excluded from a deal and maintains that the Naga conflict is 'an "Indo-Naga-Myanmar issue"'.<sup>63</sup> Over the years, the Naga insurgency has established close ties with other disaffected groups and created a web of relationships between armed groups and insurgents in the north-east. This is largely a result of prolonged militarization of the north-east and enduring confrontations between the insurgent Nagas and the Indian security forces. The Naga insurgent groups have established sanctuaries in Naga-inhabited areas of Burma/Myanmar.

[...]

The western Nagas have also clashed with the Government of Burma/Myanmar, particularly since the 2005 India-Burma/Myanmar agreement of mutual support against the Naga insurgency. There has also been an attempt to find an inter-tribal consensus within the larger Naga nation. The Naga Hoho (the apex council) initiated a reconciliation campaign and held talks with all factions and groups to prevent internecine clashes and to present a united Naga voice while negotiating with New Delhi.<sup>65</sup>

Simultaneously, the Naga leaders held talks with Indian envoys outside India, while both sides have adhered to a ceasefire in Naga areas. The Naga population in Nagaland is over 1 million according to the 2001 census; a further 1 million are scattered over Assam, Manipur and Burma/Myanmar.<sup>66</sup> They are spread over an area of some 37,000 square miles straddling the official boundary of India and Burma/Myanmar, from just south of the Chinese border. The conflict between the Nagas and India is as one of the most persistent and least-known struggles of indigenous peoples in the world today.

[...]

Since 1997 there has been a ceasefire between the Indian government and Naga militants, and a dialogue to end the conflict. The Naga leaders seem willing to consider a loose arrangement that recognizes their right to self-determination and co-sovereignty short of absolute independence. But the peace process has run up against a serious obstacle, namely the Naga demand for the unification of all Naga-inhabited areas. This would mean redrawing the territorial map of the north-east to which Manipur, Assam and Arunachal Pradesh would strongly object."

***After June 2001, a ceasefire between the National Socialist Council of Nagaland (NSCN) and the Indian government lead to protests and a new wave of displacement of Nagas due to violent protests in neighbouring states. More than 50,000 Nagas fled Manipur following the riots due to fear of revenge attacks. The number of Nagas remaining displaced is***

***unknown. The Naga International Support Centre says most have returned to their villages.***

***By the end of July 2001, the Government of India announced that the ceasefire with the NSCN (IM) would be extended to Nagaland only. A peace agreement is still being discussed and the ceasefire extended (as of April 2007):***

***There were incidents of fighting between Meiteis and Nagas as well as Meiteis and Kukis during 2003 which displaced an unknown number of people living in the hills of Manipur (May 2003):***

**Hussain, SAIR, 13 October 2003:**

"The 'homeland war' is once again rocking the Northeast Indian State of Manipur, as the majority Meitei community is gripped by apprehensions that New Delhi is pushing ahead with a secret plan to slice off the Naga inhabited areas of their State, and merge them with the adjoining Nagaland State as part of a possible deal with the separatist National Socialist Council of Nagalim (Isak-Muivah faction, NSCN-IM). The Indian Government is engaged in peace negotiations with the NSCN-IM.

Stoked by this fear, there has been a fresh Meitei uprising to protect their State's territorial integrity. The trouble began early last week, resulting in renewed confrontation with the Nagas, both within Manipur, as well as in nearby Nagaland."

**Phanjoubam Pradip, SAIR, 26 May 2003:**

"For almost a week [...] after clashes between two underground militant organizations, the United Kuki Liberation Front (UKLF) and the [Meitei insurgent group] United National Liberation Front (UNLF) in the Chakpikarong sub-division of the Chandel district, in Manipur, residents of a number of villages were subject to widespread fear, forcing many to flee their homes. Although the exact numbers are not known or disclosed, both the underground organizations acknowledged having suffered casualties. Clashes between underground organizations are not altogether new in this area, but the tragedy has been not so much theirs, as it has been for the unarmed and hapless public, most often impoverished villagers in sparsely populated peripheries of the State."

***Rival factions of the Nationalist Socialist Council of Nagaland have also clashed on several occasions, but only one report has been found about displacement of the civil population:***

**The Telegraph, 9 December 2004:**

"Fresh clashes between rival underground groups in some areas of Tousem subdivision of Tamenglong district has resulted in an exodus of villagers from these areas to safer places, reports reaching here said. Nearly 500 villagers of Azuram and Chramram, two neighbouring villages in Tousem sub-division have fled their respective villages in apprehension after fighting broke out between NSCN (IM) cadres and a combined group of NSCN (K), UNLF and KNF in the region.

[...]

Since the area is located in the remotest part of Tamenglong district and no security forces are deployed there, figures of casualties on either side could not be ascertained till late evening, but fleeing villagers have reported seeing many injured cadres on both side being evacuated from the spot."

## **Arunachal Pradesh: Threats and discrimination against Chakmas (2000- April 2004)**

- The Chakmas and Hajongs are legal residents of India. In 1964, the Government of India granted migration certificates into the country to approximately 35,000 Chakmas and 1,000 Hajongs
- The Chakma and Hajong population has grown to some 65,000 (as of 2000) and is now the third largest ethnic group in the state of Arunachal Pradesh
- The Chakma and Hajong communities remain stateless, disenfranchised, discriminated against by state authorities and the target of attacks by xenophobic groups in the state
- Both local groups (The All Arunachal Pradesh Students' Union), and the state government have called for the Chakmas' expulsion from Arunachal Pradesh
- Local groups have violently displaced at least 3,000 Chakmas, a figure which is likely to increase
- During 2003, the All Arunachal Pradesh Student Union (AAPSU) gave a quit notice on the Chakmas and Hajongs in last June and demanded that the Chakmas be deported from Arunachal Pradesh

### **USCR, 2003:**

"In Arunachal Pradesh, residents have protested the presence of the Chakmas, who began arriving from the Chittagong Hill Tracts of Bangladesh in 1964. Many residents still view the Chakmas as refugees, despite a ruling of India's supreme court in 2000 directing the government to grant the Chakmas citizenship. In June, the All Arunachal Pradesh Students Union vowed to launch a "vigorous mass movement" to drive out the Chakmas."

### **SAHRDC, 6 August 2001:**

"Some historical background is necessary to understand the devastating nature of the present situation. The Chakmas of Arunachal Pradesh belong to a tribal group that has for centuries inhabited the Chittagong Hill Tracts (CHTs) of Bangladesh. Despite the fact that most of the inhabitants of the CHTs are either Buddhist or Hindu, the region became a part of Pakistan with the partition of India in 1947. In 1964, communal violence and the construction of the Kaptai hydroelectric dam displaced nearly 100,000 Chakmas. A large number of these displaced people sought refuge in India.

Nearly 1,000 members of the Hajong tribe, a Hindu group from the Mymensingh district of Bangladesh, were also settled in these areas. In the more than 30 years since their resettlement, the Chakmas and Hajongs have built villages, developed the land granted to them and paid state taxes on their land. Additionally, they have become integrated into the social fabric of Arunachal Pradesh and established strong ties to the region. Many of these Chakmas and Hajongs, who now number about 65,000, were born in India and know no other home.

The Chakmas and Hajongs are legal residents of India. In 1964, the Government of India granted migration certificates into the country to approximately 35,000 Chakmas and 1,000 Hajongs. The migrants were settled by the Government of India in the erstwhile North East Frontier Agency, an area that comprises the present-day districts of Lohit, Changlang and Papumpare in Arunachal Pradesh. These certificates indicated legal entry into India and the willingness of the Government of India to accept the migrants as future citizens. Additionally, under the Indira-Mujib Agreement of 1972, it was determined that India and not Bangladesh would be responsible for all migrants who entered India before 25 March 1971.

Many Chakmas and Hajongs also have the right to citizenship and the right to vote.

[...]

To date, not a single Chakma or Hajong has been included in the electoral rolls.

[...]

The Government of Arunachal Pradesh has systematically denied the Chakmas and Hajongs access to social, economic and political rights to which they are entitled under Indian and

international law. It has conducted a three-pronged strategy of discrimination against them – denying them political rights, economic opportunity and access to basic social infrastructure. Additionally, the State Government has not checked the intimidation and threats issued by the AAPSU. In fact, on occasion it has openly supported AAPSU activities. The Chakmas have been suffering forcible eviction at the hands of the State Government for decades – one particular village in the district of Changlang, Vijoypur, was reportedly destroyed on three occasions, in 1989, 1994 and 1995.

The State Government has steadily dismantled basic social infrastructure in Chakma and Hajong settlements, rendering these people ever more vulnerable. All persons legally resident in India are entitled to ration cards if their income falls below a specified amount. In October 1991, the State Government discontinued issuance of ration cards to Chakmas and Hajongs, many of whom live in extreme poverty. In September 1994 the State Government began a campaign of school closing, burning and relocations that have effectively denied the Chakmas and Hajongs their right to education. Schools built by the Chakmas using local community resources were closed down or destroyed. Also, health facilities in Chakma and Hajong areas are all but nonexistent."

**USCR, January 2000, p.10-11:**

"Over the years, the Chakma population has grown to some 65,000; they have become the third largest ethnic group in the state, which has a total population of only some 500,000. The tribal groups' resentment toward the Chakmas has also grown. In recent years, both local groups, most notably the All Arunachal Pradesh Students' Union (AAPSU), and the state government itself, have called for the Chakmas' expulsion from A.P.

[...]

Local groups' antagonism has turned violent, and as many as 3,000 Chakmas have become internally displaced. An unknown number of others have left the area altogether. Be-cause of the growing tension over the issue, USCR is concerned that violence toward the Chakmas will increase, resulting in greater displacement."

***Chakma residents are sometimes threatened by indigenous groups:***

**IPCS, 19 September 2003:**

"Two pertinent issues arise. First, the All Arunachal Pradesh Student Union (AAPSU) had served a quit notice on the *Chakmas* and *Hajongs* in last June and have threatened a widespread agitation unless the refugees are deported from Arunachal Pradesh. While its mainstream leadership and the state government are pursuing peaceful protest, the threat of violence and consequent threat to refugees comes from radical elements within the indigenous community who take to the path of violence to evict 'aliens' from their 'land'. The Convener of the Core Committee on Deportation of *Chakma* Refugees (CCDCR), *Domin Loya*, delivered a threat recently when he stated that New Delhi's belligerent stand allowing the *Chakmas* to settle in Arunachal might force some people to take up arms and fight them.

This problem poses imminent threats to security at different levels. The threat of violence by radical elements within the community, the seeds of which lie in the formation of the Eastern India Liberation Tigers Front (EILTF), could result in another prolonged insurgency movement given the fact that militancy tends to develop its own dynamics. This has generated a counter-reaction from the refugees, with a section of *Chakma* and *Hajong* refugee youths having crossed over to Bangladesh to smuggle in arms. The prospect of a violent ethnic conflict looms large on the horizon, unless a timely resolution to the problem is found."

## **Displacement of Nepalis in North-East India (March 2007)**

- Nepali IDPs has failed to draw much attention first, due to their small numbers and because they tend to move around
- Nepalis have been displaced both in the states of Assam, Manipur and Meghalaya

### **Haldar, Chiranjib, March 2007:**

"The process of migration of the Nepalis in Northeast India, Darjeeling, and Southern Bhutan began about two centuries ago with the recruitment of Gorkha soldiers into the British Indian Army after the treaty of Sugauli (1816). The British who wanted a hardy labour force for their tea plantations facilitated the Nepali migration to Darjeeling while in Sikkim, the Nepalis served as a wedge to contain the Bhutias.

Anti-Nepali feeling in Northeast India was first observed during the Assam Movement. Although the targets were the illegal migrants from Bangladesh, the Nepalis were also included in the anti-foreigner discourse. Allegations of Nepalis from Northeast India crossing over to side with the Lhotshampas and of their leaders, fleeing to Assam, probably encouraged the targeting of Nepalis in Northeast India in ethnic assertions and backlashes. They were largely caught in the crossfire between the Assamese anti-foreigner agitation and the Bodo Movement.

Although the government of India had clarified its position on the Nepalis early in February 1984 - that those in possession of the Restricted Area Permit would not come within the definition of 'illegal migrants' and stood protected - their position was soon threatened by the agitation for a separate Bodoland. The Nepali population in the Bodo Autonomous Council (BAC) areas in Western Assam was only 2.5 per cent and in no way large enough to constitute a threat to the Bodos. However, the presence of the Nepalis along with the 63 per cent non-Bodos (Bodos make up 34 per cent) constituted a major threat according to the Bodos. During the ethnic cleansing of these areas a considerable number of Nepalis were displaced.

In Manipur, the sentiment took the form of a movement that in 1980 manifested itself in direct attacks on the Nepalis, compelling many of them to relocate and flee to safer areas. Meghalaya, saw similar sectarian violence in 1987. The violence primarily targeted the Nepali minority living in Shillong, Jowai and other parts of Meghalaya, which had over 150,000 Nepalis. Most of the Nepali people fled but the worst affected were the dairy farmers who had to give up their occupation and leave the state. Today, most of the displaced from Meghalaya and Manipur are settled in Rupandehi, Jhapa, Banke and other parts of Nepal's terai region, besides Kathmandu and Pokhara. The anti-foreigner upsurge also spread to Mizoram and Nagaland where again Nepalis suffered violence and eviction."

### **Nath, in Peace and Democracy in South Asia, January 2005, pp. 57, 58, 66, 67:**

"Anti-foreigner movements almost all over Northeast India, triggered by the son of the soil agitation in Assam, the Assam Movement (1979-85), which sought out Nepali and Bangladeshi migrants to be deported to their respective countries of origin, have made these migrants vulnerable to growing instances of nativist backlash.

[...]

the issue of the Nepali IDPs has failed to draw much attention first, due to their small numbers and second, due to the apparently mobile nature of the community that makes it easy to ignore the many complexities that affect this community in recent times in Northeast India.

[...]

The Nepali population in the Bodo Autonomous Council (BAC) areas in Western Assam, which the Bodos see constituting their own homeland was only 2.5% on an average and in no way large enough to constitute a threat to the Bodos. But the presence of the Nepalis along with the 63%



non-Bodos (Bodos are 34%) constituted a major threat. In the ethnic cleansing of these areas a considerable number of Nepalis were displaced from the villages of Amteka (Betini), Patabari, Malivita, Koila etc. Besides, these in an attack on the Amteka Betini village in the Kokrajhar district, which had combined Nepali and Adivasi residents, along with the Adivasis, about 15 – 20 Nepali families also shifted to nearby villages. Similarly about 20 – 25 families from the Mangalchara forest village and about 20 – 25 families from the Khalasi forest villages were displaced in the ethnic clashes. In all these cases it was apparent that the Nepalis were not directly hit but were caught in the crossfire.

[...]

The anti-foreigner sentiment was evident in the other states of Northeast India as well. In Manipur, the sentiment took the form of a movement, manifesting itself in direct attacks on the Nepalis in 1980 compelling many of them (who were made the domicile community in 1947) to shift houses and flee to safer areas [...]. Meghalaya, another state in the Northeast, saw similar sectarian violence in 1987. Actually, in Meghalaya, tensions existed since 1931 between the Nepalis and the Khasis because of the damage done by the former's buffaloes and the indiscriminate cutting down of forests by them to make room for their increasing herds [...]. In 1987, the violence primarily targeted the Nepali minority living in Shillong, Jowai and other parts of Meghalaya, which had over 150,000 Nepali population. The Nepali labourers in the coalmines in Jowai were the first targets, from where it spread to other parts of Meghalaya. A weekly magazine reported: 'Dozens of innocent children of Nepalese working in Jowai coal-mines died of hunger because

their parents did not return to their home even weeks after the incident.'[...] Violence involved killings, burning of Nepali villages and schools and finally their deportation by the state government in complicity with the police [...]. Most of the Nepali people fled and the worst affected were the dairy farmers who had to give up their occupation and leave the state. Today, most of the displaced from Meghalaya and Manipur are settled in Rupandehi, Jhapa, and Banke and other parts of Nepal's *terai*, besides Kathmandu and Pokhara.[...] The anti-foreigner upsurge also spread to Mizoram and Nagaland where the Nepalis who have been domiciled for years, suffered violence and eviction.[...]"

## **Internal displacement in West-Bengal**

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### **Displacement reported in the West-Bengal district of North Dinajpur due to clashes between border guard forces (February 2005)**

- Tensions have increased between the border guard forces of India and Bangladesh
- Skirmishes and sometimes raids into eachother's territory have led to episodes of displacement

#### **Kumar, 8 April 2004:**

"A number of issues have plagued the bilateral relationship between India and Bangladesh in recent times. But India has been seriously concerned about two issues. First is use of Bangladeshi territory by the insurgent groups who are operating in northeastern India for anti-India activities. India is also concerned about illegal immigration which has reached serious proportions in recent years. India sought Bangladesh cooperation to sort these issues, but its requests fell on deaf ears. What is worse, steps taken by India to check cross border terrorism and illegal immigration have been resented by Bangladesh. Its result has been regular skirmishes between the border guards of two countries.

India shares its largest border with Bangladesh which is also extremely porous. The border runs through jungles, hills, villages, paddy and jute fields, making it easy to cross. There is also a small riverine portion. Five Indian states border Bangladesh, including four in India's troubled northeast where dozens of militant groups are fighting for full statehood, more autonomy or independence. Dhaka denies the presence of rebel camps, calling the allegations baseless, but the issue remains a thorny one in ties between India and Bangladesh. This border also faces problems like illegal immigration, smuggling, arms trafficking, drug trafficking and trafficking of women and children. To deal with some of this problem India had suggested joint patrolling of the border to which Bangladesh did not agree. However, Bangladesh agreed for coordinated patrolling, but that was not sufficient to solve problem of this magnitude.

As a result, India has been forced to take its own steps. To check problems like illegal immigration and arms trafficking, India decided to erect barbed fences. It had seen its positive impact on the north western frontiers. It wants to replicate the same experience on its eastern border too. So far, it has managed to fence over a third of the 4,894 kilometers (3,034 mile) long border with Bangladesh."

**The Telegraph, 27 February 2005:**

"[In Moragati (North Dinajpur)] The fluttering red flag and deserted villages are a pointer to how things have been in this border area, shuddered out of lull by blazing guns and a failed bid at truce.

The Border Security Force (BSF) is on alert and ready for "any eventuality", just like their counterparts on the other side of the Nagar river.

Bullet-ridden walls and roofs bear testimony to the exchange between the border forces, allegedly started by the Bangladesh Rifles (BDR) after the BSF objected to the construction of a stone embankment along the river.

BSF sources said the construction was being carried out despite an embargo on such work within 150 m of the border. The BDR apparently resumed construction late on Friday evening after halting it following early Indian objections.

"When we objected to the violation of the agreement between the two countries, they opened fire," said Rakesh Chauhan, the commandant of the BSF's 32 Battalion here, some 20 km from Islampur.

The BSF source said the BDR fired over 100 rounds, while the BSF replied with around 50 shots. There were no casualties on either side.

Yesterday morning, the two commandants met on the Indian side. "The talks fell through as the BDR refused to see reason. Their commandant, Mustafizur Rehman, returned unconvinced," a senior BSF officer said. "We are on alert as BDR personnel have taken up positions on their side. We are ready for any eventuality."

The men of two small settlements on the Indian side, Pakhargaj and Singatgaj, have moved the women and children to safety. Upset over the turn of events, they blamed the BSF for not warning them about tension along the border."

**Displacement in Nandigram region due to conflict originating from threat of development-induced displacement (July 2008)**

- The central government of India approved the Special Economic Zone (SEZ) Act in 2005 leading to protests and conflicts among people threatened by displacement due to the zones
- Throughout 2007, tensions over a proposed SEZ in Nandigram region of West Bengal led to a series of violent incidents that caused the displacement of thousands of people from their homes
- A range of abuses including forced evictions were reported from Nandigram in 2007

- Supporters of the ruling Communist Party of India- Marxist (CPI-M) and farmers belonging to an anti-displacement front or the BUPC had two major clashes in March and November 2007 to gain control over parts of Nandigram which led to violence and displacement

**EPW, 12 July 2008:**

"In a large-scale effort transforming India's competitiveness in the global market, the United Progressive Alliance (UPA) government currently in power enacted the Special Economic Zones (SEZ) Act in 2005. The gusto with which the state is approving special economic zones under the SEZ Act (404 formally approved SEZs so far, comprising 54,280 hectares of land [GoI 2007]) is indicative of a new mantra of growth and development...Estimates of numbers of people to be displaced by the approved SEZs are as yet unavailable. People's struggles against displacement to be caused by SEZs however, are already intense and in some cases, violent.

The violence witnessed in Nandigram in the state of West Bengal (a Communist Party of India (Marxist) ruled state) is a case in point. In March 2007, 14 people died in police firing when protesting notification of land acquisition of 25,000 acres of land under the LAA 1894 for an SEZ towards a chemical hub slated for the Salim group of Indonesia. None of the local residents whose lands were to be acquired had been consulted or informed prior to this notification by the concerned authorities and the people of the area organised themselves by blocking access to their area only to encounter violent state retaliation. The government backed out of its claim of approval for the SEZ in the aftermath of state and nation-wide protests and inquiry by concerned citizens' groups and the media, and even as the violence subsided in the following months, people organised under the banner of the Bhumi Uchhed Pratirodh Committee (BUPC) to resist any further land acquisition moves by the state.

Things reached a violent climax again in November 2007 as political factions and the BUPC struggled to assert control over the area and the entire region became a battlefield of sorts when a non-violent protest march of around 15,000 people by the BUPC was met with violence by ruling party and other political party cadres; many people died...and around a thousand houses were damaged or burnt down. Even as investigations and fact-finding missions to Nandigram were underway, the government, under enormous pressure, promised to move the controversial SEZ to Nayachar, a less fertile and cultivated stretch of land."

**HRW, 14 January 2008:**

"Throughout 2007, tensions over control of land in Nandigram led to a series of violent incidents between supporters of the ruling Communist Party of India-Marxist (CPI-M) and farmers belonging to the Bhumi Uchhed Pratirodh Committee (BUPC). Protesting villagers blockaded the Nandigram area to oppose a government plan to acquire land for industry. Instead of responding appropriately to violations of the law by protesters, the authorities appeared to treat the protest as a challenge to the CPI-M and used excessive force against the protesters. BUPC members were also responsible for acts of violence. At least 30 people were killed, hundreds injured, and thousands displaced from their homes.

In November, CPI-M supporters and armed thugs forcibly ended the blockade. In retribution for the protest, they attacked villagers supporting the BUPC, burned down their homes, threatened further violence if villagers went to the authorities, and humiliated them by compelling them to join CPI-M rallies. The state administration removed police posts before CPI-M supporters advanced into the area, strongly suggesting governmental complicity in the abuses."

**AI, 15 January 2008:**

"Throughout 2007, Nandigram has experienced violence as CPI-M supporters and farmers belonging to the *Bhumi Uchched Pratirodh Committee* (Anti-displacement front, BUPC) clashed with each other in attempting to gain control over parts of the area. On 28 December 2006,

authorities at the neighbouring port town of Haldia circulated a notice announcing plans to set up a Special Economic Zone (SEZ) at Nandigram under the Government of India's Petro-Chemical Petroleum Investment Region(PCPIR) scheme.<sup>1</sup>The project, envisaged as a chemical hub, reportedly required at least 4,000 hectares of land for the proposed SEZ, which was to be jointly developed by the state-owned Industrial Development Corporation and the Indonesia-based Salim group of companies. The land is owned by local farmers.

The BUPC had been formed to protest against forced eviction and displacement of local inhabitants, mostly farmers, as a result of this project. It consisted of activists owing allegiance to several political parties including the Trinamool Congress (TMC), Socialist Unity Centre of India (SUCI), Bharatiya Janata Party (BJP), Congress(I) and former supporters of the CPI-M.

A range of abuses including unlawful killings, forced evictions, excessive use of force by police, widespread violence against women, as well as failure of the authorities to provide protection to the victims, denial of access and information to the media and human rights organisations, harassment of human rights defenders and the continuing denial of justice to the victims have been reported from Nandigram during the year. The scale of such abuses recently intensified when violence broke out towards the end of October between supporters of the ruling CPI-M, and supporters of the BUPC.

In January and March 2007, at least 25 people, mostly local residents, were killed and more than 100 injured and at least 20 women sexually assaulted by armed supporters of the ruling CPI-M, after 1,500 people, mostly CPI-M supporters, were forcibly displaced from their homes as the BUPC set up barricades to prevent access to some of the disputed land. On 14 March, 14 people were reportedly shot dead by police and over 150 injured in violent confrontations between police, supporters of the CPI-M and BUPC supporters protesting against their displacement due to the proposed industrial project. After this, the Government of West Bengal announced that the industrial project would be relocated. However the BUPC continued its blockade as it doubted that the Government of West Bengal would in fact relocate the project. Protests continued in Nandigram with the demands for justice and compensation to the victims of the 14 March firing being added to the existing demands.

[...]

During the latest outbreak of violence in Nandigram beginning on 6 November 2007, at least 15 people were reportedly killed, 100 injured and hundreds of people were displaced as groups of armed supporters of the CPI-M commenced an operation to "recapture" the area. Media and human rights organisations reported large scale violence initiated by armed CPI-M supporters, and alleged inaction by the state's law enforcement agencies who, according to the reports, failed to take steps to protect local inhabitants.

Reports stated that armed CPI-M supporters rode their motorcycles into the area on 6 November, attacking local residents with guns and home-made bombs and fighting with BUPC supporters. On 12 November, two units of the paramilitary Central Reserve Police Force (CRPF) were deployed in some of the areas in which violence had occurred, reportedly only after CPI-M supporters had stopped blocking their route. Subsequently five more units of the CRPF were deployed. In the meantime, for over five days CPI-M supporters had reportedly established control of the area, forcibly evicting and displacing scores of people and attacking BUPC supporters and other local residents while looting and burning down houses and destroying property. During this period, the media and human rights organisations were excluded from the majority of these areas as CPI-M supporters blocked the main highways.

[...]

Reports from survivors, eyewitnesses, and relief workers alleged that months of discussions had taken place in the town of Khejuri between CPI-M supporters on their plans to "recapture"

Nandigram. CPI-M supporters, armed with weapons, had reportedly been mobilized from other parts of West Bengal and neighbouring states of Jharkhand and Bihar. Both the state administration and the police reportedly took little action to protect the local communities during the violence, and in some cases were alleged to have participated in attacks. The reports also stated that CPI-M supporters were involved in searching villages, detaining and interrogating persons suspected to be close to the BUPC and seizing weapons.”

## **Internal displacement in Central India**

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### **Central and East India: displacement on the increase because of fighting between leftist extremist groups and government forces (January 2007)**

- Indian Maoists, known as the Naxalites or Naxals, are waging a growing low-intensity insurgency against the government in several states
- Naxalite groups are rapidly increased their influence in Central India. The movement is also becoming more centralised after the major Naxalite group, Communist Party of India Marxist-Leninist - People's War (CPML-PW) merged with the Maoist Communist Centre of India (MCCI) to create the Communist Party of India (Maoist)
- Displacement of the civilian population is growing, both due to the government-led campaign against the Naxalites that has included forcible displacement of local tribes and because people flee increasing insecurity
- In Chhattisgarh, counter insurgency measures such as the creation of a popular movement to resist naxalite groups, Salwa Judum, has led to the displacement of tens of thousands of people

#### **Stratfor, 16 January 2006:**

"The Indian Maoists are known as the Naxalites or Naxals, a general name given to numerous groups in India that are waging a low-intensity insurgency against the government in several states. These revolutionary Maoist groups developed from a division in the Indian communist movement that corresponded with the Sino-Soviet split in the early 1960s. Since 1967, the Naxalites have been waging what they call a class struggle against the Indian government, with the aim of establishing a communist regime. Over the years, one Naxalite group, the People's War Group, has targeted Indian police, government officials, multinational corporations, landlords and other institutions in the name of their class struggle.

In return, New Delhi has waged a campaign against the Naxalites that has included forcible displacement of local tribes that are sympathetic to the Maoists. In addition to overt pressure from federal police and paramilitary forces, the Indian government reportedly has used vigilantes to attack the Naxalites and their supporters. In addition, several states run private armies and other organizations whose job it is to terrorize the Naxalites, the Naxalites say. In Jharkhand state, for example, the government has sponsored hunts by villagers — backed by police — for Naxalites and their sympathizers. The Naxalites, believing these actions are intended to tame or to drive out tribal elements that resist the entry of multinational corporations, have vowed to lead a popular insurrection against the government. This insurrection is warranted, they say, in order to combat what they see as oppression of the peasant class. The insurrection will include raiding government arsenals in order to arm tribes in the so-called "Red Corridor" running south from Nepal.

According to the Maoists, the attacks will occur in Jharkhand, Orissa, Chhattisgarh, Madhya Pradesh, Andhra Pradesh and Maharashtra states. The Dandakaranya region of Orissa state, which has witnessed a campaign by India's government to forcibly displace Naxalite

sympathizers among the local tribes, was specifically mentioned. In addition, the Central Committee told the Indian journalists that its cadre also will target banks and the Dandakaranya-Visakhapatnam natural gas pipeline.

[...]

Foreign investment in India's high-tech sector — including plants operated by Motorola, Dell and IBM — is critical for the country's economic growth. The Maoists therefore can be expected to attack the high-tech industry — and the government can be expected to rigorously defend it. Should the Naxalites make good on their recent threats, the security situation in India could deteriorate further."

***In Chhattisgarh, counter insurgency measures such as the creation of a popular movement to resist naxalist groups, Salwa Judum, has led to the displacement of tens of thousands of people:***

**AHRC, 17 March 2006, Executive Summary and p. 43:**

"Since the launch of Salwa Judum, an anti-Naxalite campaign, in Dantewada district of Chhattisgarh in June 2005, the Adivasis, who constitute 78.51% of the total population of Dantewada, have become victims of the conflict between the Naxalites and the State government of Chhattisgarh. Though majority of the cadres of the Naxalites are Adivasis, they are not the decision makers. "Commander" Kosa, the secretary for the Naxals in Chhattisgarh hails from Andhra Pradesh.

[...]

Similarly, the Salwa Judum campaign has been taken over by the State as a full-pledged counter-insurgency programme. The Adivasis are the pawns of both the parties of the conflict. They are also the perpetrators as well as the victims of the undeclared civil war. In 1980s, the Naxalites, the ultra-left wing armed opposition group, made inroads into Bastar region from neighbouring Andhra Pradesh. Then Madhya Pradesh government had little semblance of presence in the Bastar region. The plight of the dispossessed and exploited Adivasis provided the classical situation for starting a communist revolution. As the Naxalites took over the tasks meant to be done by the State and provided protection to the Adivasis against exploitation by the corrupt officials, police, forest department officials, timber mafia, money-lenders etc, it was not difficult for the Adivasis to relate to the ideology of the Naxalites. The Naxalites gradually increased their influence day by day."

**AHRC, 10 January 2007:**

The following issues mainstreamed the Naxalite conflict in 2006:

First, with 48.5% of the total killings being reported from Chhattisgarh, the Salwa Judum campaign with its disastrous consequences such as the violations of the right to life by the Naxalites and the security forces and Salwa Judum cadres, forcible displacement of 43,740 persons as of 31 December 2006 and abdication of the law and order to the lawless and unaccountable Salwa Judum cadres brought national and international spotlight on the Naxalite conflict in India.

Second, the Naxalite conflict has spread to new areas in 2006. According to the 2005-2006 Annual Report of the Ministry of Home Affairs, Naxal violence in 2005 was reported from 509 police stations across 11 states. In 2006, Naxal violence has been reported from 1,427 police stations in 13 States.<sup>2</sup> Among the Naxalite affected States, Chhattisgarh, Andhra Pradesh and Jharkhand were most severely affected, followed by Maharashtra and Orissa.

Third, the attack on Jehanabad jail in Bihar on 13 November 2005 by the Naxalites was followed up by the simultaneous attacks on the State Armed Police camp, the local police station, sub-jail, treasury, tehsil office and a telecom tower in Udayagiri town of Gajapati district of Orissa on 24 March 2006 in which 40 prisoners were freed, three policeman were killed and arms were looted.<sup>3</sup> Similarly, the killing of 13 Central Reserve Police Force personnel at Kanjkiro, 62 kilometers from Bokaro, Jharkhand on 2 December 2006<sup>4</sup> was followed up with the detention of

the Tata-Kharagpur passenger train near a deep forest between Gidni and Chakulia stations in Jharkhand on 10 December 2006.<sup>5</sup> These incidents raised the spectre of the Maoists' increased striking capability reminiscent in neighbouring Nepal.

Fourth, the easy access to small arms by the Naxalites, hitherto known only in the North East and Jammu and Kashmir, came to the fore.

[...]

Fifth, while the security forces continued to violate human rights, the chilling massacres of the unarmed civilians by the Naxalites in 2006 were unprecedented.

[...]

Across the Naxalite affected areas, the edifice of the State structure remains weak and the State governments have virtually failed to deliver to the citizens even the basic amenities. Consequently, the law and order approach in the areas where there is neither law nor order remained dominant.<sup>13</sup> The Naxalites while frowning at the lack of development systematically targeted all such governmental buildings that could provide shelter to security personnel and virtually blocked all development initiatives.

Increasing conflicts as a result of the acquisition of lands either for Special Economic Zones (SEZs)

or development of industrial projects without free, prior and informed consent and without proper and appropriate relief/rehabilitation of the displaced persons in more ways than one mainstreamed

the Naxalites' worldview as never before."

Read also

[\*\*\*Maoists in Orissa Growing Tentacles and a Dormant State , in Faultlines vol. 17, Nayak, Nihar, 15 February 2006\*\*\*](#)

### **Chhattisgarh: the conflict intensifies (March 2007)**

- Maoist insurgency intensifies and affects 13 of India's 29 states
- insurgency results in thousands of people being displaced
- while some tribal people support the Maoists, they also suffer brutally at their hands
- villagers forcibly recruited to fight on both sides

#### **Reuters AlertNet, 14 March 2007:**

"India's Maoist insurgency has intensified over the last two years and is beginning to attract the kind of national and international attention formerly reserved for troubled Kashmir or the northeast.

This guerrilla war, waged mostly from the forests of central and eastern India, now poses the country's biggest internal security threat, analysts say.

Around 13 of India's 29 states are affected by Maoist violence.

Also known as Naxalites, the Maoists say they are fighting on behalf of the rural poor and landless and want to build a communist state.

However, the poor are also victims of the insurgency because of brutal, forced membership campaigns.

In many states, private armies and vigilante groups, often government-sponsored, have sprung up to counter the Maoists. These have also forcibly recruited villagers, who are thus caught between the two.

Tens of thousands have been displaced by the fighting between Maoists and counter-insurgents.

In one of the worst-affected states, Chhattisgarh, over 40,000 tribal people have been moved to inadequate government camps. A respected human rights group says there is an "unacknowledged civil war" in the area.

India's government took a new stance on the Maoist insurgency in spring 2006, pulling the affected states together to coordinate their response. It said it would combine improved policing with socio-economic measures to defuse grievances that fuel the Maoist cause.

[...]

Maoists have a presence in 13 of India's 29 states, but control only tiny pockets within them. There are signs that the conflict may be spreading, however. In 2005, 509 police stations in 11 states reported Maoist-related violence, according to the government. In 2006, some 1,427 police stations in 13 states reported violence, according to The Asian Age newspaper.

In the worst-affected state - Chhattisgarh - tens of thousands of tribal people have been displaced to government camps and, according to a respected human rights centre, there is an "unacknowledged civil war".

[...]

Naxalites have easily found support among those who feel stranded by India's surging modernisation. The indigenous people (adivasis), in particular, have historically been subject to discrimination, displacement by large development projects and government failure to ensure food security, say campaigners.

Of the 20 million Indians displaced by development projects between 1960 and 1995, 56% have been tribal people, though they make up only 8.1 percent of the population.

The current programme of globalisation and liberalisation in rural India is thus likely to increase the conflict. In addition, two recent events have fuelled the Maoists' new ascendancy.

Firstly, several internal factions, including the People's War Group, who were previously preoccupied with fighting each other, united in September 2004 to form the Communist Party of India (Maoist).

"We have now organised most of the communist revolutionaries in India," the PWG said at the time.

Secondly, the success of the Maoists in neighbouring Nepal has raised morale and increased manpower, according to Mallika Joseph of the Institute of Peace and Conflict Studies in New Delhi.

In 2005 both countries' Maoists publicly stated their intention to work with each other to spread communism.

[...]

Partly because of this cohesion, there has been a dramatic increase in Naxalite violence, particularly in the states of Chhattisgarh, Andhra Pradesh and Jharkhand.

One study, conducted for the Prem Bhatia Memorial Trust, said that by February 2005, Naxalite influence extended over 155 districts in 15 states, affecting close to 300 million people across 7,000 towns.

In November 2005, the authorities were shaken by a Maoist attack on a prison in Jehanabad in Bihar. Some 250 Maoist prisoners were freed, and a paramilitary leader was executed.

In 2006, the Naxalites demonstrated increased capacity for violence. They pulled off some high profile attacks such as the killing of 13 Central Reserve Police Force personnel at Kanjkiro in Jharkhand, in December; and they detained the Tata- Kharagpur passenger train near a deep forest between Gidni and Chakulia stations in Jharkhand in the same month. They have carried out massacres of unarmed civilians that are both "unprecedented" and "chilling", according to the ACHR. In addition, they appear to have increased access to small arms: hauls have included nearly 900 rockets in Andhra Pradesh in September, and over 500 landmines in West Bengal.

Indian police believe there are around 20,000 hardcore Maoist militants, though others put the figure at 10,000.

Prime Minister Singh called a meeting of chief ministers of Naxalite-affected states in April 2006, to develop inter-state coordination in fighting the Naxalites.

They planned an approach that would combine increased security measures with accelerated development.



[...]

Although many tribal people support the Maoists, they have also suffered brutally at their hands. The Maoists demand that each family supply one member as a cadre for their ranks. Maoists support themselves by extorting "taxes" from local people. They exact punishment, including execution, on those who resist them.

In Chhattisgarh, the humanitarian situation is particularly bad, and prompted the ACHR to investigate in March 2006.

In one district of this state - Dantewada, an area of 1.1 million people - the government has "outsourced" its war on the Maoists by recruiting villagers to lead the fight.

They operate under the umbrella of a movement known as Salwa Judum, which means "Purification Hunt" or "Peace Campaign" depending on who you ask.

But Salwa Judum, too, has committed atrocities and villagers have been forcibly recruited to the movement.

Villagers now face retribution from either side if they support, or appear to sympathise with the other.

The authorities have evacuated entire villages to makeshift Salwa Judum camps, ostensibly to keep them safe from Maoist attacks. Tens of thousands of tribal people now live there, far from their farms and livelihoods."

#### **COE-DMHA, 15 March 2007:**

"At least 50 policemen were killed in a large-scale Maoist attack on a remote security post in Dantewada district in eastern Chhattisgarh state. The attack was one of the largest by the Maoists in the state. Hundreds of rebels reportedly overwhelmed the post, manned by 75 policemen, in a pre-dawn raid, and seized weapons and planted landmines before escaping. According to Chhattisgarh's police chief, 12 security members were injured and another five rebels were killed. Dantewada is the district worst-hit by violence in Chhattisgarh, the state worst-hit by Maoist violence in India. Maoist rebels are reportedly active in 10 of the state's 16 districts. Violence has increased in Chhattisgarh since the grassroots Salwa Judum (Campaign for Peace) was launched by the state government in June 2005 to galvanize civilians and tribal people against the Maoists. Since then, more than 700 people have died and over 60,000 displaced as the powerful Maoist rebels have retaliated against the movement. Tribal leaders have complained that many Salwa Judum cadres are poorly armed, some with only bows and arrows, against the well-armed Maoists. Official forces in the state also reportedly have limited resources. The rebels are active in at least 15 eastern, central, and southern states, and form what observers call a "Red Corridor" from Nepal down into southern India. In 2005, more than 669 people died in Maoist violence across the region, while 372 people, including 154 civilians, were killed in 2006. Half of the 2006 casualties occurred in Chhattisgarh. The New Delhi-based Institute for Conflict Management said today that rebels spent much of last year collecting arms, and that Maoist violence is expected to increase in the upcoming months. The Maoist movement claims to fight for the rights of the poor and landless, and relies on local support for its operations."

#### **Maoist insurgency and counter-insurgency spreading and leading to displacement in central India (July 2008)**

- The Maoist insurgency is spreading and moving to cities from rural centres
- In 2007, for the first time the conflict killed more people than the Kashmir conflict
- Indian security force response to the Maoist insurgency has not been at the same level as the ones in Kashmir and the North-East
- Maoists have been responsible for killing and abducting enemies and using coercion and force to win support among villagers

- The Salwa Judum civil militia, armed by the Chhattisgarh state authorities to fight the Maoists, has forcibly displaced villagers to camps
- The counterinsurgency strategy of the Chhattisgarh government, with Salwa Judum at its core, has worsened the situation and unleashed civil strife in the state
- The central government is planning to establish a special unit trained in counter-insurgency and jungle-warfare tactics to fight the spread of the Maoists

**Reuters, 14 July 2008:**

“...Maoist rebels are encircling urban areas, upgrading their weapons and mounting frontal attacks on security forces. While expanding their influence in the countryside, Maoist rebels are spreading to cities, including the capital New Delhi, through a web of front organisations to boost their network...Indian Maoists say they are fighting for the rights of the poor and landless, an insurgency that Prime Minister Manmohan Singh has described as India's biggest internal security threat.

The rebels have at least 22,000 combatants, armed with light machine guns, automatic rifles and rocket-propelled grenades. Some of the weapons are made in secret factories, officials say.

Security analysts say the rebels, who have a presence in at least 13 of India's 29 states, are consolidating in rural belts outside big cities and towns and building buffer zones.

[...]

The rebels stumped security experts last month when they attacked a highly trained counter-insurgency squad in the eastern state of Orissa with automatic weapons and rocket-propelled grenades, a far cry from the archaic .303 rifle and locally made pistols they had used previously.

The Maoists regularly use landmines and grenades to attack vehicles of security forces, power lines, government buildings, rail lines and factories, aiming to cripple economic activity over a large area...India's response to the threat has lacked the enthusiasm shown in tackling militancy in the disputed northern region of Kashmir and the northeast, experts say.”

**Time, 29 May 2008:**

“The combined force — which Indian government security officials and independent analysts now estimate at between 10,000 and 20,000 armed fighters plus at least 50,000 active supporters — has quickly consolidated power across great swathes of India's poorest regions.

[...]

The rebels tax local villagers, extort payments from businesses, abduct and kill "class enemies" such as government officials and police officers, and stop aid getting through to people caught in the cross fire.

...Include government security forces, civilians and the Naxalites themselves, and the conflict killed 837 people in 2007, enough to make it deadlier than the Kashmir conflict for the first time ever.

[...]

India's Naxalites [are] killing and abducting enemies and using coercion and force to win support among the very same villagers they claim to be liberating. To protest state "exploitation," the Maoists regularly order farmers in their regions to stop growing food or to raise the sale prices for certain items. Farmers who defy such bans have been summarily executed, say human-rights groups...Naxalites also regularly terrorize village folk and warn them not to move to government-controlled areas.

To boost the numbers and quality of new recruits and to rearm and retrain existing police officers, New Delhi has massively increased funding over the past few years. But much of this money — 45% last year — goes unspent and coordination between state police and the better-equipped

and better-trained paramilitary units sent by the central government to help in the worst-hit areas is weak. "

[...]

The Salwa Judum movement has also forced at least 60,000 people out of their villages (to prevent the Naxalites from recruiting them) and into temporary camps: sad, cramped settlements that are quickly taking on the air of permanence. The Salwa Judum movement has worsened the situation, draining the countryside of potential informants and convincing thousands of people that the Indian state really is as bad as the Naxalites say it is. A central government committee has recommended closing the camps and disarming the special police officers, whom India's Supreme Court recently termed illegal.

Government security officials and independent observers say the Naxalites have begun to reorganize along more formal military lines. The rebels still use bows and arrows, knives and ancient rifles, but have begun to stock up on machine guns, land mines and mortars, and are building increasingly sophisticated roadside bombs. Based on documents seized in the past year, Indian intelligence agencies estimate that Naxalite Inc. now has an annual budget of \$250 million, much of which comes from extorting road contractors and mining companies, and from taxing hundreds of thousands of poor villagers. That money, analysts say, is funding the Maoists' efforts to improve their reach into — and ability to strike — urban areas."

**Asia Times, 20 March 2007:**

"An important trigger and target of Maoist attacks over the past year has been civilians who are part of the Salwa Judum - the Chhattisgarh government's initiative to arm villagers to fight Maoists on behalf of the state. Salwa Judum was initially thought to be a voluntary initiative of villagers in Maoist areas, who were fed up with the Maoist violence and wanted to fight the rebels themselves. It was touted by the government as a peace movement.

However, soon it became apparent that while some people in these villages might indeed be weary of violence, Salwa Judum was in fact government-sponsored and a civil militia, and tribals were being forced to join it. While a part of Salwa Judum's work involved political work, ie, propaganda against the Maoists, it also had an armed wing, which was seen as the tribal face of the police fighting the Maoists.

Soon, Maoists started targeting members of the Salwa Judum. Camps in which Salwa Judum members lived or buses in which they traveled were targeted by the Maoists. Hundreds of Salwa Judum members have been killed in the 18 months since it was formed.

The counterinsurgency strategy of the Chhattisgarh government, with Salwa Judum at its core, has unleashed civil strife in the state. Tribals have gotten caught in the crossfire between Maoists and the state. In the past, the Maoists targeted forest officials and police. Now it is tribals seen to be members of Salwa Judum who have become targets of Maoist ire. The 39 Special Police officers who were killed in last week's attack on the Rani Bodli police outpost were part of the Salwa Judum.

Entire villages have been emptied as tribal communities flee from the burnings, lootings and killings. The civil war in Chhattisgarh has driven more than 50,000 people out of their homes and into camps. Government authorities claim that the tribals are seeking refuge in the camps; tribals tell a different story. They maintain that they are forced into the camps.

The land on which the tribals live is rich in minerals and other resources. Human-rights activists say companies backed by the government that are keen to extract the area's mineral wealth want the tribals to leave the land. Salwa Judum has become a convenient way to drive the tribals out of their land and into camps."

**Indian Express, 30 July 2008:**

"Taking cognizance of the growing Maoist violence in the country, now spread over 13 states, the Government has decided to establish a specialised commando unit to fight the Naxal menace. COBRA (Command Battalions for Resolute Action) will be a 10,000-men strong force, with 10 battalions, and take on the People's Liberation Guerrilla Army, the military wing of the CPI (Maoists).

Sources in the Ministry of Home Affairs stated that the proposal for setting up COBRA has been finalised and will be sent to the Union Cabinet for final approval. The creation of this new force is also being viewed as an admission by the Government of the fact that central paramilitary forces and state police have proved ineffective in dealing with the worsening extremist problem.

Once the proposal is approved by the Cabinet, the commando force is expected to be raised within six months and be ready for deployment within a year. The personnel will be vigorously trained in counter-insurgency and jungle-warfare tactics for six months and will report to the CRPF.

The force will be on the lines of Andhra Pradesh's Greyhounds, the elite anti-Naxalite unit that has been lauded for its successes against extremists in the state. Greyhounds are also currently spearheading anti-Naxalite operations in Chhattisgarh, Orissa and Andhra Pradesh.

[...]

The demand for creating a separate anti-Naxalite force, which specialises in counter-insurgency and jungle warfare, has been made by several Naxal-affected states over the past few years. However, the proposal took a final shape only after Prime Minister Manmohan Singh called it the biggest internal threat to the nation's security. The security apparatus has been particularly worried after the two Maoist attacks in Malkangiri district of Orissa."

## **Internal displacement in Gujarat**

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### **Gujarat: displacement due to communal violence (April 2002-2003)**

- Hindu-Muslim violence in 1969, 1985, 1989, and 1992 caused increasing ghettoization of the Muslim population
- In 1998 and 1999, Hindu nationalist groups attacked Christian communities
- The 2002 violence was historically unusual, both because of state involvement and the involvement of all societal classes
- The violence in Gujarat started after Muslims attacked Hindu activists travelling by train
- Between 28 February 2002 and 2 March 2002 Hindu retaliation killed hundreds and displaced more than 100,000 Muslims
- Although the attacks were defined as 'spontaneous', human rights organisations stated that they were planned with extensive involvement of state and police

### **HRW, April 2002, pp. 45-46:**

"Communal violence is not new to Gujarat. Successive episodes of Hindu-Muslim violence (in 1969, 1985, 1989, and 1992) have resulted in the increasing ghettoization of the state's Muslim community, a pattern that promises to reinforce itself as Muslim residents once again look for safety in numbers and refuse to return to what is left of their residences alongside Hindu neighbors. After the experience of earlier riots, many Muslim establishments had also taken Hindu names. Those too were selectively targeted for attacks using lists prepared in advance. The current climate also cannot be divorced from heightened conflict in Kashmir, India's deteriorating relations with Pakistan, and the VHP's ongoing temple construction campaign in Ayodhya.

Hindu nationalist groups were also directly responsible for the spate of violence against the state's Christian community in 1998 and 1999.

[...]

Between December 25, 1998, and January 3, 1999, churches and prayer halls were damaged, attacked, or burned down in at least twenty-five villages in the state. Scores of individuals were physically assaulted, and in some cases tied up, beaten, and robbed of their belongings while angry mobs invaded and damaged their homes. Thousands of Christian tribal community members in the region were also forced to undergo conversions to Hinduism.

[...]

A history of communal violence has left its mark. Over one hundred areas in Gujarat have long been declared "sensitive" or violence-prone by state authorities, yet few, if any, of the state's many guidelines on preventive measures to address communal violence at the first sign of trouble were implemented following the Godhra attack."

**HRW, July 2003, Compounding Injustice, p.4:**

"In 2002, India experienced its greatest human rights crisis in a decade: orchestrated violence against Muslims in the state of Gujarat that claimed at least 2,000 lives in a matter of days. On February 27, 2002, in the town of Godhra, a Muslim mob attacked a train on which Hindu nationalists were traveling. Two train cars were set on fire, killing at least fifty-eight people. In the days following the Godhra massacre, Muslims were branded as terrorists by government officials and the local media while armed gangs set out on a four-day retaliatory killing spree. Muslim homes, businesses, and places of worship were destroyed. Hundreds of women and girls were gang-raped and sexually mutilated before being burnt to death. In the weeks that followed the massacres, Muslims destroyed Hindu homes and businesses in continued retaliatory violence. According to one official estimate, a total of 151 towns and 993 villages, covering 154 out of 182 assembly constituencies in the state, were affected by the violence."

**HRW, July 2003, Compounding Injustice, p. 6:**

"The destruction, enmity, and insecurity left by the communal violence in Gujarat forced more than one hundred thousand Muslims into more than one hundred makeshift relief camps throughout the state, some located in Muslim graveyards. Between June and October 2002, the government unilaterally began to close the camps, forcing thousands of victims either to enter unofficial relief camps or to return to villages and neighborhoods where their security was continually threatened."

**HRW, 2003, World Report- India:**

"Human Rights Watch's investigations, and those of Indian human rights groups, revealed that much of the violence was planned well in advance of the Godhra attack and was carried out with state approval and orchestration. Gujarat is headed by the Bharatiya Janata Party (BJP), a Hindu nationalist party that also heads a coalition government at the center. State officials and the police were directly involved in the violence: In many cases, the police led the charge, using gunfire to kill Muslims who got in the mobs' way. The groups most directly responsible for this violence against Muslims included the VHP, the Bajrang Dal (the militant youth wing of the VHP), and the Rashtriya Swayamsevak Sangh (National Volunteer Corps, RSS), collectively forming the *sangh parivar* (or "family" of Hindu nationalist groups)."

**International Initiative of Justice, December 2003, p. 156:**

"Reports indicate that the violence was State wide, affecting at least twenty-one cities and sixty-eight provinces. Information from these areas also suggest a consistent pattern in the methods used, undermining government assertions that these were 'spontaneous' 'communal riots.' There is more than enough evidence to show how there was State complicity in the attacks all along. As one activist noted, 'no riot lasts for three days without the active connivance of the State.' 2000 people were killed in the violence although the official figure is 762 (822 including Godhra). 2500

people are 'missing' (or killed) according to unofficial estimates and around 113,000 people were displaced and were living in relief camps.<sup>155</sup>

Attacks on Muslims took place in 19 districts of Gujarat, and were particularly intense in 8 districts along the northeast and southwest axis. These were Ahmedabad, Sabarkantha, Panchmahals, Mehsana, Anand, Kheda, Vadodara, and Dahod. The attacks took place in distinct phases. These districts were engulfed in the most organized armed mob attacks between February 28th and March 3rd when most of the attacks were concentrated. This was the most intensive, bestial and horrifying phase of violence, marked by large scale hacking, looting, raping and burning men, women and children to death. Mobs continued to be on the rampage until mid-March. Nowhere were the mobs less than 2-3,000, more often they were over 5-10,000 in number.

[...]

Another horrifying feature of the violence in Gujarat was the speed and extent to which the violence simultaneously spread to rural areas, in some cases to places that had no history of communal tension. In Sabarkantha district, 94 villages were affected."

### **Thousands are still internally displaced and live in "relief colonies" (March 2007)**

- AI concerned about the ongoing impact of communal violence on the Muslim minority in Gujarat
- climate of alienation and fear deliberately fostered among the minority
- thousands of displaced by 2002 violence still reside in "relief colonies"
- witnesses to the massacre unable to return to their places of origin due to insecurity and threats
- Central Government urged to expand its modest relief and rehabilitation package

#### **AI, 8 March 2007:**

"Five years since the 2002 communal violence in the Western Indian state of Gujarat in which more than 2,000 people were killed, Amnesty International remains concerned about the ongoing impact of that violence on the Muslim minority in Gujarat.

Amnesty International is particularly concerned that:

1. The direct victims of that violence and their relatives continue to face serious challenges and obstacles in securing justice;
2. An overwhelming number of the criminal cases relating to the Gujarat violence remain uninvestigated and unresolved, or closed with the result that the majority of the perpetrators of the violence have gone unpunished and remain at large in the state – this is despite the reopening of 1,594 cases for reinvestigation after the Supreme Court of India (Supreme Court) order in August 2004;
3. The plight of those internally displaced from their homes as a result of the violence is a continuing one. As many as 5,000 families are living in "relief colonies" without basic amenities or official recognition from the Government of Gujarat. The Government of Gujarat however continues to assert that all those displaced as a result of the violence have been rehabilitated;
4. Human rights defenders, tenaciously engaged in pursuing justice for the victims of the violence, face frequent harassment;
5. There is an ongoing practice of social and economic boycotting of Muslim communities in the state.

Amnesty International believes that, five years on, the Government of Gujarat remains unrepentant for its failings to protect the Muslim minority and to ensure that victims obtain justice, truth and reparations. The organization strongly disagrees with the claim by the Government of

Gujarat (under the leadership of the Bharatiya Janata Party (BJP) who were also in power during the 2002 communal violence) that normalcy has returned to the state.

Human rights activists report that a climate of alienation and fear has been deliberately fostered among the Muslim minority in Gujarat since the violence in 2002.(1) Reports of this alienation have recently been corroborated by the findings of a Central government-appointed high level Committee led by a former Supreme Court judge, Rajinder Sachar (the Sachar Committee), and mandated to look into the "social, economic and education status of the Muslim community in the country."(2) Commenting on the committee's findings, which had been tabled before the Indian parliament in November 2006, one of the committee members, Prof. T. K. Oommen, stated that Gujarat continues to reel under a state of "economic apartheid and ghettoization"(3) of Hindus and Muslims and that "ever since the 2002 riots, the polarization of communities in Gujarat has acquired a physical dimension."

[...]

An estimated 250,000(20) individuals were displaced as a direct result of the Gujarat violence. The vast majority of them have reportedly left the state or have moved to other mostly Muslim localities within the state. An approximate 5,000(21) families are still living in what are being referred to as "relief colonies" in four districts of Gujarat - Panchmahals, Sabarkantha, Dahod, Anand and in the cities of Ahmedabad and Vadodara. Aman Biradari(22) which conducted a detailed survey of these colonies in December 2006, defines a relief colony as one in "which residents have come from entirely a different area within village/city or from outside of it." Over the last five years, they point out that these habitats have become permanent places of residence for those who are too frightened to return home. There are an estimated 81 "relief colonies" which are mostly located in urban areas. The size of each colony greatly varies. According to the survey conducted by Aman Biradari, there are 14 colonies which contain up to 15 families, about 15 colonies with 31-50 families, a further 15 colonies with 51-100 families whilst the largest six colonies have 151-210 families residing within them."

**AVHRS, 23 March 2007:**

"As recognition of the continued suffering of the survivors of the Gujarat carnage in 2002, and as a statement of reparation, the Central Government's announcement of a relief and rehabilitation package of 106.57 crores, though modest, is long overdue and welcome. Regrettably the package focuses on ex-gratia payments for those who died, on injury compensation, and to a lesser extent on compensation for damage to residential and some commercial properties. We urge the Central Government to expand the scope of the package to bring into its framework the rights to relief, rehabilitation, and reparation for the thousands who still remain internally displaced due to the violence in 2002, and who have really been in the forefront of this latest chapter in the struggle for recognition.

In recent months, the survivors of the Gujarat carnage have been bringing to public attention the continued internal displacement of over 25,000 Gujarati Muslims, who still live scattered across 7 districts in Gujarat in approximately 69 shabby colonies entirely constructed by NGOs. They live without any amenities or livelihood opportunities because they cannot return to their homes. Yet, their existence continues to be denied by the State Government.

A complaint seeking relief and reparations for these 5,000 families was filed with the National Commission for Minorities (NCM) in August 2006. In October 2006 the NCM visited 17 of these colonies. The NCM's report finding the State Government guilty of blatant neglect was a welcome sign that at least at the Centre there was some recognition of the rights of this internally displaced population."

**CJPCC, 15 March 2007:**

"As far as rehabilitation is concerned, the fact is that survivors and eyewitnesses of the Sardarpura massacre cannot return to Shaikh Mohalla in their native village and are still living as refugees at Satnagar in a neighbouring district. Survivors of the Gulbarg massacre cannot return to their middle class housing colony. Survivors of the Ode massacre cannot return to their village.

Well over four years after the carnage, only a few victim survivors of Naroda Gaon and Patiya have returned to their locality. Even after Supreme Court orders have been issued, the security provided to witnesses is inadequate and threats continue."

## **Internal Displacement in Orissa**

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### **Communal violence leads to displacement of tens of thousands (October 2008)**

- There is a long history of tensions between religious groups in Orissa state with Hindu leaders accusing Christian missionaries of forcing low-caste Hindus to convert, charges denied by the Christians
- For several years extremist Hindu groups have been conducting an anti-Christian campaign in Orissa that has grown violent at times
- On Christmas day in 2007, there were clashes between Hindus and Christians that led to a number of villagers fleeing their homes
- In August 2008, four leaders of a right wing Hindu extremist group were killed allegedly by Maoists, but the group blamed Christians for the incident
- Retaliatory attacks led to deaths, destruction of property and large numbers of Christians fleeing their homes, especially in Kandhamal district of Orissa

#### **HRW, 27 December 2007:**

"Violence first broke out on December 24 during an altercation between Hindus and Christians over Christmas celebrations in Orissa's Kandhamal district. A group of Christians then attacked the vehicle of a local leader of a right-wing Hindu organization. In retaliation, Hindu mobs burned down at least 19 churches, and attacked church officials. Christians then began to attack Hindu properties. A number of villagers... fled their homes to escape the violence. The state government failed to act quickly, leaving vulnerable groups at risk, which enabled the violence to escalate over the last four days. The exact death toll in these clashes is still unknown, though the media have reported the deaths of at least eight people. For several years, extremist Hindu groups in Orissa have been conducting an anti-Christian campaign that has grown violent at times, while government officials have looked the other way."

#### **ACHR, 29 August 2008:**

"On 23 August 2008 four leaders of the right wing Hindu fundamentalist Vishwa Hindu Parishad (VHP) including 90 year old Laxmananda Saraswati were killed by unidentified gunmen at the VHP *ashram* in Jalespata, Kandhamal. No one claimed responsibility for the murder. While the government held the Maoists responsible for the killings, the VHP blamed Christians for the incident. Christian leaders condemned the killings but the VHP reacted predictably calling a dawn-to-dusk Orissa *bandh* – strike - on 25 August 2008. Since that time the entire district has been closed down by the VHP. The VHP activists have blocked all entry roads with logs. Law enforcement personnel have limited access to remote areas of the district. The press has been barred. India's Minister of State for Home... has been denied access to the areas on the grounds of lack of security. In this closed off district of Kandhamal it appears that the VHP is being allowed to carry out mass killings of the local Christian community.

The Asian Centre for Human Rights has been informed by local sources that over 50 persons have been killed so far. Because of restrictions on movement and lack of security, it is not possible to verify all the names. However, reports of further killings continue to rise worryingly. Large numbers of Christians have fled their villages. Some 5000 people are now living in seven



relief camps at Chakapad, Tikabali, G. Udaygiri, Raikia, Baliguda, K.Nuagoan and Phiringia. According to informed sources, 200 villages have been affected. Hundreds of churches including house churches have been burnt down.

An attack on the Christian community has been expected for some time. On the Christmas Day in 2007 there were systematic attacks on the Christians documented by the National Commission for Minorities in the region. And the communal tensions are well known. Despite these very clear warnings, the State government has failed to take any steps to address the tension or react in accordance with the gravity of the situation.”

**Associated Press, 14 October 2008:**

“The recent violence began after Hindu activists blamed Christians for the slaying of a Hindu leader killed in Orissa on August 23. Retaliatory attacks left scores dead, dozens of churches destroyed and thousands of people homeless, despite the government's claim that Maoists killed the Hindu leader.

[...]

There is a long history of tension between the religious groups in Orissa because Hindu leaders accuse Christian missionaries of forcing low-caste Hindus to convert, charges denied by Christian leaders. The Christian leaders blamed the violence on radical Hindu groups, including the Bajrang Dal and the World Hindu Council, organizations loosely affiliated with the hard-line Bharatiya Janata Party. The BJP rules Orissa and Karnataka, the two states that have seen anti-Christian violence, and is looking to challenge the ruling Congress Party for power in New Delhi.

Roughly 2.5 percent of India's 1.1 billion people are Christians, while more than 80 percent are Hindu. India is officially a secular nation.”

**NYT, 13 October 2008:**

“India, the world's most populous democracy and officially a secular nation, is today haunted by a stark assault on one of its fundamental freedoms. Here in eastern Orissa State, riven by six weeks of religious clashes, Christian families...say they are being forced to abandon their faith in exchange for their safety. The forced conversions come amid widening attacks on Christians here and in at least five other states across the country, as India prepares for national elections next spring.

The clash of faiths has cut a wide swath of panic and destruction through these once quiet hamlets fed by paddy fields and jackfruit trees...In Kandhamal, the district that has seen the greatest violence, more than 30 people have been killed, 3,000 homes burned and over 130 churches destroyed...Across this ghastly terrain lie the singed remains of mud-and-thatch homes. Christian-owned businesses have been systematically attacked. Orange flags (orange is the sacred color of Hinduism) flutter triumphantly above the rooftops of houses and storefronts.

India is no stranger to religious violence between Christians, who make up about 2 percent of the population, and India's Hindu-majority of 1.1 billion people. But this most recent spasm is the most intense in years.

It was set off, people here say, by the killing on Aug. 23 of a charismatic Hindu preacher known as Swami Laxmanananda Saraswati, who for 40 years had rallied the area's people to choose Hinduism over Christianity. The police have blamed Maoist guerrillas for the swami's killing. But Hindu radicals continue to hold Christians responsible.

[...]

Behind the clashes are long-simmering tensions between equally impoverished groups: the Panas and Kandhas. Both original inhabitants of the land, the two groups for ages worshiped the same gods. Over the past several decades, the Panas for the most part became Christian, as Roman Catholic and Baptist missionaries arrived here more than 60 years ago, followed more recently by Pentecostals, who have proselytized more aggressively.

Meanwhile, the Kandhas, in part through the teachings of Swami Laxmanananda, embraced Hinduism. The men tied the sacred Hindu white thread around their torsos; their wives daubed their foreheads with bright red vermilion. Temples sprouted.

Hate has been fed by economic tensions as well, as the government has categorized each group differently and given them different privileges.

The Kandhas accused the Panas of cheating to obtain coveted quotas for government jobs. The Christian Panas, in turn, say their neighbors have become resentful as they have educated themselves and prospered. Their grievances have erupted in sporadic clashes over the past 15 years, but they have exploded with a fury since the killing of Swami Laxmanananda.”

## **Information about displacement of Dalits**

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### **Displacement of Dalits (February 2007)**

- Residential segregation curtails Dalits' right to freedom of movement and residence
- Dalits vulnerable to migratory labor
- Dalits affected by forced displacement in the aftermath of episodes of caste violence

### **Center for Human Rights and Global Justice & Human Rights Watch, February 2007, pp. 45-46:**

"Dalits' right to freedom of movement and residence within India is curtailed by residential segregation, by conditions which make Dalits vulnerable to migratory labor and by the forced displacement of Dalits in the aftermath of episodes of caste violence.

#### **a. Forced Migration of Dalits**

For Dalits, among the poorest and least powerful of India's inhabitants, the choice of where to live is rarely a choice in any meaningful sense. Because Dalits are rarely able to own land (see Section VIII(D)(4)) they are unable to produce their crops for their own consumption or sale in the market.<sup>240</sup> Given the limited amount of jobs and resources in India, and other economic hardships such as droughts, Dalits are often forced to migrate in search of work.<sup>241</sup>

#### **b. Forced displacement of Dalits**

The right of Dalits to enjoy freedom of movement and residence is further eroded by large-scale forced displacements of Dalit communities following episodes of caste-based violence. In a typical scenario, Dalit villages are attacked by neighboring upper-caste villagers. Dalits are assaulted during the attack, while their homes and property is looted or destroyed.<sup>242</sup> Dalits then settle in and languish for months on temporary and inadequate homes on government property.<sup>243</sup> The police offer little in terms of security in these cases, either ignoring Dalit calls for help, or actively participating in the violence and looting.<sup>244</sup> Redress is not to be found from the local government either—aside from distributing nominal amounts in compensation or promising construction of new homes, little is done to help the displaced Dalits return home or to prosecute those responsible for the attacks.<sup>245</sup>

### **Box 6: Instances of Forced Displacement of Dalit Villagers**

The 1997 displacement of Dalit villagers from Mangapuram, Virudhunagar district, Tamil Nadu, illustrates the general pattern of Dalit displacement following caste-based violence. Prior to 1997, Mangapuram was home to 3,000 higher-caste Thevar and 250 Pallar (Dalit) families. On March 7, 1996, Thevars attacked Pallars, 150 Pallar houses were set on fire, and a Pallar man was burned alive. Pallars later destroyed several Thevar houses. In retaliation, Thevars threw petrol bombs into the Pallar residential area. On June 10, 1997, the deputy superintendent, a Thevar, attempted to force Pallars out of the village, colluding with hundreds of Thevar villagers who attacked the Pallars and set their houses on fire. The displaced Pallars took refuge in nearby villages, with 300 individuals housed in 250 poorly constructed huts, and another 200 housed in 70 huts. No action was taken against the Thevar police officials or villagers responsible for the attacks and the ensuing displacement.<sup>246</sup> In 2003, a mass displacement of all 275 Dalit families from Harsola village in Haryana's Kaithal district followed an attack on the village by upper-caste men.<sup>247</sup> Congress leaders who brought the case to the attention of the NHRC cited the "irresponsible" statements of local officials, such as those indicating that Dalits "were enjoying the situation and were not interested in returning to their homes."<sup>248</sup> A fact-finding report by People's Watch-Tamil Nadu and Dalit Human Rights Monitoring revealed that in 2004, the Dalits of Kalapatti village in Tamil Nadu were forced to flee after an attack by upper-caste Hindus in which over 100 Dalit homes were burned and other property was destroyed.<sup>249</sup>

#### **AHRC, January 2007, p.2- Andhra Pradesh**

"The Dalits continued to be victims of atrocities perpetrated by the upper caste Hindus. The National Crime Records Bureau recorded a total of 3,117 cases of violations against the Dalits in Andhra Pradesh which amounted to 11.9 percent of the total violations against the Dalits in India during 2005.<sup>10</sup> The tribals were disproportionate victims of land alienation and displacement. They also suffered torture and harassment at the hands of both the security forces and the Maoists. The security forces harassed and tortured the tribal youth on the suspicion of being Maoists or Maoist sympathisers. On the other hand, the Maoists who claimed to be fighting for the rights of the impoverished tribals also targeted innocent tribals on the charges of being "police informers".<sup>11</sup>

[...]

The tribals had been disproportionate victims of land alienation. Many tribals lost their lands to the non-tribals, who occupied the lands illegally. On the other hand, the police filed cases against the tribal land owners on the basis of complaints by the non-tribals. On 4 July 2005, tribal people from six villages in Devipatnam mandal under East Godavari district made a representation to the project officer of the Integrated Tribal Development Agency of Rampachodavaram, Solomon Arokhyaraj stating that the police were filing cases against them and harassing them on the basis of false reports of non-tribals, who encroached upon tribal lands."

## **Development induced displacement**

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### **Links to information on development-induced displacement in India**

*While the focus of the Global IDP Project is on conflict-induced displacement, development and urban infrastructure projects are the main reasons for involuntary displacement in India. The tribal population has been disproportionately affected: An estimated two per cent of the total Indian*

*population has been displaced by development projects. Of these, 40 percent are tribals although they constitute only 8 percent of the total population (Courtland Robinson, May 2003 pp. 10-11). This envelope includes some basic information on displacement due to development projects and also provides links to internet pages with more exhaustive information.*

During the last fifty years, some 3,300 big dams have been constructed in India and another 1,000 are under construction (Courtland Robinson, May 2003 p. 17). Many of them have led to large-scale forced eviction of vulnerable groups. The situation of the *adivasis* or tribal people is of special concern as they are reported to constitute between 40 and 50% of the displaced population. As a result of misguided (or non-existing) state policy, project-affected communities have been subject to sudden eviction, lack of information, failure to prepare rehabilitation plans, low compensation, loss of assets and livelihoods, traumatic relocation, destruction of community bonds, discrimination and impoverishment (Mander, August 1999, p.4-5, 13-17). Amnesty International has documented human rights abuses against those who protest against forced displacement (AI 2000).

There are no official statistics on the numbers of people displaced by large projects since independence. In 1994, the Government mentioned the figure of 15.5 million internally displaced and acknowledged that some 11.5 million were still awaiting rehabilitation. However, calculations based on the number of dams constructed since independence indicate that as many as 21 to 33 million persons are likely to have been displaced (Fernandes 2000, p.277; Mander, August 1999, p.5). However, these estimates do not include persons displaced by canals, or by the construction of colonies or other infrastructure. Neither do they include those who have been subjected to multiple displacements (Rangachari, 2000, p. 116-117). According to Human Rights Watch, Indigenous peoples, known as Scheduled Tribes or Adivasis, suffer from high rates of displacement. They make up 8 percent of the total population but constitute 55 percent of displaced people. This has had a serious effect on the overall development of these communities, particularly tribal children. The government continues to use the 1894 Land Acquisition Act to displace indigenous peoples from their lands without sufficient compensation (HRW, January 2006).

The resettlement and rehabilitation of the large number of persons displaced by development projects has been far from successful. A major obstacle has been the government's reluctance to adopt a clear "land-for-land" policy. Instead, insufficient cash compensation or poorly designed non-land based projects has left many destitute. At the same time, local social networks and traditional support systems have been destroyed, leaving many development-displaced with no option but to head for the slums of the major cities (Mander, August 1999, p.8-10, 13-14).

One of the most controversial development projects in India is the Narmada Valley Development Project. It envisages building 3,200 dams that will reconstitute the Narmada and her 419 tributaries into a series of step-reservoirs – an immense staircase of amenable water. Of these, 30 will be major dams, 135 medium and the rest small. Two of the major dams will be multi-purpose mega dams. The Sardar Sarovar in Gujarat and the Narmada Sagar in Madhya Pradesh, will, between them, hold more water than any other reservoir in the Indian subcontinent (Roy 5 February 2000).

The first dam on the Narmada River, the Bargi Dam which was completed in 1990, reportedly displaced 114,000 people from 162 villages and today irrigates only 5% of the land it was said to benefit. Most of the evicted got no compensation for lost land and livelihood (Roy 5 February 2000).

The construction of the Sardar Sarovar Reservoir has been the most contested so far. In 1979, the official estimate for the number of families that would be displaced by the Sardar Sarovar Reservoir was about 6,000. Today, the official estimate range between 40,000 and

42,000 families, which means about 200,000 people. However, this figure is strongly contested by local activist groups. The NBA [*Narmada Bachao Andolan*-Movement to Save Narmada], estimates that close to half a million people will be affected by the project (Roy 5 February 2000).

In what was seen as a major victory for the anti-dam activists, the World Bank withdrew from the Narmada project in 1993 and the construction of the Sardar Sarovar Dam was stopped shortly afterwards (BBC 16 November 2000). However, an October 2000 ruling by the Indian Supreme Court authorizes renewed construction of the Sardar Sarovar Dam. The ruling stipulated that those displaced by the dam would be compensated. However, many human rights advocates and NGO's continued to allege that the construction of the dam would displace 40,000 families without adequately compensating those who are resettled (U.S.DOS February 2001).

***For further reading:***

*The Paper "Risks and Rights: Causes, Consequences, and Challenges of Development-Induced Displacement" by Courtland Robinson (Brookings-SAIS, May 2003) contains a substantial bibliography on development induced displacement in India:*

<http://www.brook.edu/fp/projects/idp/articles/didreport.pdf>

Se also: [India's Draft National Displacement Policy 2006](#), Asian Centre for Human Rights (ACHR), 19 April 2007

# POPULATION FIGURES AND PROFILE

## Global figures

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### Displacement Figures (2000 - February 2007)

- Political sensitivities prevent the government from releasing data on displacement
- Regular monitoring is not possible without a central authority responsible for coordinating data from central and state governments
- At least 600,000 are internally displaced in India as of January 2006

#### **IDMC comment April 2007:**

*The figure of 600,000 comprises groups residing in camps. The number of 600,000 does not include thousands of displaced in the Karbi-Anglong area of Assam and in Manipur where fighting between ethnic groups and counter-insurgency operation have displaced whole villages during the past few years. Many are displaced temporarily and can return after some weeks or months in displacement while an undetermined number is still displaced and receive no assistance. In Tripura, as many as 100-300,000 people of Bengali origin are estimated to have been displaced for the same reasons during the past decade, but no information exists about the return or continued displacement of this group (AHRC, January 2007, "Tripura"). In the state of Chhattisgarh, it is assumed that thousands have escaped the conflict between the authorities and Maoist groups by crossing over to neighbouring states, and they too are not part of the statistics. Nor does the figure comprise the flight of migrant workers, as for example in Assam in January 2007 when Biharis were forced to leave Assam in a matter of days due to threats and killings by local insurgents. The current estimate should therefore be seen as representing the camp-population only and not the internally displaced who largely live unassisted with friends, relatives or blend with other slum residents in the outskirts of the urban areas. It is therefore fair to estimate that the total number of displaced is far higher than the number of 600,000, although it is not possible to give a global estimate.*

#### **Baruah 2003, Refugee Survey, p. 46:**

"In recent years, internal displacements caused by violent ethno-national conflicts between tribals and denizens in many parts of northeast India have attracted the attention of refugee advocates. While most agree that there is substantial internal displacement in the region, calculating the precise number of internally displaced persons (IDPs) has not been easy. Jawaharlal Nehru University professor Mahendra Lama describes the nature of the problem in India as a whole. Political sensitivities prevent the government from releasing data on displacement, he says. But without "a central authority responsible for coordinating data from central and state governments, regular monitoring is not possible in such a huge country". The "nature, frequency and extent of the causes of internal displacement" in India are so varied that it would be a "Herculean task to monitor and record them"."

#### **NNHR, 19 February 2007:**

"There are over 6,00,000 conflict induced IDPs in India. Majority of them are indigenous/tribal people including 33,362 displaced persons in Kokrajhar district and 74,123 in Gosaigaon district[...] of Assam; 55,476 Kashmir Pandit families who were displaced due to the conflicts in Jammu and Kashmir since 1990;[...] and about 35,000 Brus (also known as Reangs) from

Mizoram who were displaced in October 1997 and took shelter in Tripura. As of 31st December 2006, there were 43,740 displaced persons in the *Salwa Judum* camps in Chhattisgarh."

**AHRC, January 2007, pp.vi-vii:**

"About 55,476 Kashmiri Pandit families remained displaced in Jammu and Delhi since 1990s. The government of India and the State government of Jammu and Kashmir regularly announced various schemes to encourage their return but most of the Kashmiri Pandits remained skeptic due to security concerns.

About 200,000 Adivasis, Bodos and Muslims remained displaced in Bodoland areas of Assam since 1994. The killings and displacement started following the signing of the Bodoland Accord in February 1993 and creation of the Bodoland Autonomous Council. Another Accord was signed with the Bodoland Liberation Tigers Force in February 2003 and Bodoland Territorial Council under the Sixth Schedule of the Constitution of India was created. But these displaced persons were not rehabilitated so far.

About 35,000 Brus/Reangs were displaced from Mizoram and sought shelter in Tripura in October 1997. The National Human Rights Commission after hearing all the parties issued directions to the State government of Mizoram to take back the Reangs in November 1999. The Election Commission of India also ensured the right to franchise of eligible Brus in the assembly and parliamentary elections held in Mizoram. Most importantly, on 26 April 2005, Mizoram government signed a 10-point Memorandum of Understanding (MoU) with the Bru National Liberation Front (BNLF). Pursuant to the MoU, the BNLF formally surrendered their arms to the Mizoram police at Tuipuibari

Transit Camp in western Mizoram on 25 July 2005. Yet, not a single Bru was taken back by the end of 2005.

Thousands of others who had been displaced because of conflicts were not provided shelter or housed in camps. Over 45,000 border migrants living along the Line of Actual Control and displaced following the war in Kargil in 1999 had been virtually disowned by the government Jammu and Kashmir and government of India, and were not provided any assistance.

[...]

the Chhattisgarh government extended official support to the *Salwa Judum* campaign - an anti-Naxalite movement - started in June 2005 and forcibly displaced thousands of people, mainly Adivasis, into the government managed camps in South Baster. With more than half of the States of India being afflicted by low intensity armed conflicts, the population of the conflict induced IDPs will only grow."

**Available estimates of conflict induced internal displacement in India (1998- January 2006):**

<i>State and year of estimate</i>	<i>Lowest numbers of IDPs found in sources</i>	<i>Highest estimates of IDPs found in sources</i>
<b>Jammu and Kashmir</b> (2003)		
<i>Kashmiri Pandits</i>	56,246 families (= 250,000 persons) (GoI 2002-2003)	"Maybe as many as" 450,000 (USCR 2003)
<i>Residents LoC and border areas</i>  As of end 2005: over two years after the conclusion of the ceasefire with Pakistan in November 2003  As of 2003: Displaced due to shelling between Indian and Pakistani forces.	6,070 families (Daily Excelsior, 10 August 2005)  150,000 displaced prior to ceasefire in November 2003:  32,000 of 39,000 families returned as of 5 March 2004 (COE-DMHA) (= 35,000 people still displaced)	"Many still in transit camps upon return, impossible to estimate the numbers of returnees." (undisclosed source)
<b>North-East</b>		
<i>Assam</i> (2003) Santhal-Bodo Conflict	Over 100,000 people displaced in Kokrajhar district: 85,000 people in relief camps in Gossangaon subdivision (19 camps with Santals, 3 with Bodos, 1 with Rabhas). "Some more" in Kokrajhar subdivision. (Times of India 8 Jan. 2004)	134,000 (The Hindu 16 Mar. 2004)
<i>Assam</i>	2,000 Karbis (COE-DMHA, 29 March 2004)	2,000 Karbis (COE-DMHA, 29 March 2004)
<i>Assam</i>  Fighting between Karbis and Kukis between October-November 2003	1,500 people (Daily Times, 15 Nov. 2003)	5,000 Kukis (IPCS Jan. 2004)
<i>Assam</i>  Hindi speaking people fleeing attacks November 2003	18,000 sheltered in 40 camps (The Hindu 2 Dec. 2003)	About 20,000 in camps – unknown number of people displaced outside camps (Observer November 2003)
<i>Assam</i>  Fighting between Dimasas and Hmar tribes	2,000 Dimasas still displaced (Organiser, Mar. 2004)	Thousands of Dimasas and Hmars in 25 relief centres



April 2003		(The Telegraph, 20 June 2005)
<i>Assam</i> Muslims of Bengali origin evicted Spring 2005	Muslim leaders: Thousands BBC, June 2005	Local authorities: 600-700 BBC, June 2005
<i>Assam</i> Ethnic fighting between Karbis and Dimasas (fall 2005)	44,000 ACHR, 7 November 2005	Up to 50,000 COE-DMHA, 28 December 2005
<i>Manipur</i> January 2006  (2001 - 2002) Displacement of Kukis, Paites and Nagas	6,000 Hmars and Paites displaced – 1,000 in Mizoram and 5,000 in the Tipaimukh sub-division of Manipur. (host: Web India 123.com)  No recent information:  11,000 in displacement camps (SAHRC 2003)  50,000 Nagas (NPMHR 2002) (Many displaced Nagas have reportedly returned to their villages.)	
<i>Tripura</i> (2003) Displaced tribals and non-tribals  Recent reports of displacement:	47, 742 displaced between Jan. 1999 and Nov. 2003. (State minister reply to Congress, the Assam Tribune 2 Jan. 2004)  2,000 tribal families displaced. (Rediff Com, 21 May 2003)	More than 100,000 Bengali settlers have been internally displaced. (SBC News, 6 May 2004)  State government says 19,468 families displaced between 1998 and February 2003. (IPCS, 17 Jan. 2004)
<i>Tripura</i> Displaced Reangs from Mizoram	31,000 Reangs (GoI)	31,000 Reangs (GoI)
<i>Tripura</i> Displaced due to building of fence along Indo- Bangladesh border	10,000 families (The Telegraph, 13 March 2005)	
<i>Arunachal Pradesh</i>	No recent information	No recent information

(1995)	3,000 (USCR 2000)	
<b>Gujarat</b> New survey, 2005: (End 2002)	An estimated 61,000 remain displaced (Communalism Combat, June 2005) Unknown	Up to 100,000 (USCR)
<b>Central India</b> <i>Chhattisgarh</i>	Approximately 15,000 people from 420 villages (PUCL, 2 December 2005)	

## Geographical distribution

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### Jammu and Kashmir: Number of internally displaced Kashmiri Pandits from the Valley since 1989 (2007)

- The total number of officially registered displaced families is approximately 55,950 families
- Some 250,000 displaced Kashmiris are living in or near the city of Jammu while an estimated 100,000 Kashmiris are displaced elsewhere in India, primarily in the New Delhi area
- In New Delhi, a majority of the displaced are dispersed throughout the city, living mostly in private accommodations

#### GOI- Ministry of Home Affairs, 2006-07, p16: Relief to Kashmiri migrants and their rehabilitation

"There are 55,950 Kashmiri migrant families, of whom 34,562 families are in Jammu, 19,338 families in Delhi and 2,050 families in other States/UTs; · Government have recently enhanced monthly cash relief from Rs.3,000 per family per month to Rs.4,000 per family per month and basic dry ration to Kashmiri migrants in Jammu and from Rs.3,200 to Rs.4,000 per family per month to Kashmiri migrants in Delhi w.e.f July 1, 2006; and · Other State Governments/UT Administrations have also been providing relief to migrants in accordance with the scales fixed by them for the Kashmiri migrants staying in the State/UTs."

#### HRW, 12 September 2006, pp. 39, 121:

"Thousands of *pandits* began to flee the Muslim-majority Kashmir valley, relocating to squalid camps in Jammu and Delhi. At least three hundred thousand Kashmiri Hindus still remain displaced.[...]

[...]

In 2003, after militants killed twenty-four Hindu *pandits* in Nadimarg near Srinagar, including eleven women and two children, many *pandits* fled to Hindu-majority Jammu.<sup>489</sup> They joined the nearly sixty thousand Hindu families who have been internally displaced from Muslim majority areas by the threats and attacks of militant groups.[...]."

**The Daily Times, 18 March 2006:**

"Washington DC: The Indo-American Kashmir Forum, which is based here, has claimed that there are 350,000 internally displaced Pandits living outside the Kashmir Valley. In August 2004, the Jammu and Kashmir government announced plans to help displaced Kashmiri Pandits return to the Valley, but at year's end, no such movement had taken place, Vijay Sazawal of the Indo-American Kashmir Forum said in a statement at the weekend."

**Rediff.com, 3 February 2005:**

"The first exodus saw 250,000 Kashmiri Pandits leaving their homes in Kashmir valley for sanctuary in Jammu and Delhi.

Subsequent targeted killing of Pandits forced the remaining to also flee and take refuge in shanty camps; those who could afford it, moved into rented accommodation. The final number of Pandits reduced to living as refugees in their own country would be as high as 400,000.

[...]

According to official statistics, notorious for being inaccurate if they are provided by the apology of a state government in Jammu & Kashmir and unreliable if they emanate from the Union home ministry, some 250,000 Kashmiri Pandits continue to camp in Jammu; another 100,000 are in Delhi. A large number of families have moved to other cities, some have migrated to the US or European countries."

**Communalism Combat, January 2004:**

"While most Kashmiri organisations put the number of displaced Hindus anywhere between 3 lakhs and 4 lakhs, the total number of registered migrant families is approximately 55,000. In the last assembly polls of 2002, about 59,000 displaced Kashmiris were listed as voters. Out of the total number of those displaced about 36,000 families comprising 1.40 lakhs are in Jammu and its environs while 19,000 families live in camps or stay on their own in Delhi and other parts of the country. Many displaced Kashmiris also include Muslims, Sikhs and other minorities, though they may comprise a minuscule number for which figures were not available. Only about 5,274 families live in various camps in Jammu and most of them hail from rural areas."

**SATP assessment 2002, Kashmir:**

"[...], over 400,000 Kashmiri Pandits – out of an original population in the Kashmir Valley of 425,000 prior to 1989 – continue to be displaced. Official records indicate that some 216,820 of them live as migrants in makeshift camps at Jammu, another 143,000 at Delhi and thousands of others are now dispersed across the country. Many of those registered at the camps have also been dispersed according to the exigencies of employment and opportunities for education, trade or business. "

**Bhati, ORF September 2003:**

"Kashmiri pandits living in abysmal conditions in refugee camps in Delhi and Jammu as a result of long tanding conflict in Kashmir. [...] today Pandit sources estimate that only 5,000 to 20,000 Hindus remain in the Kashmir Valley.

[...]

Of the total 53,538 registered displaced families, 31,490 families are living in the Jammu region; 19,338 in Delhi, and 2710 in other part of the country [...]. Many families, however, are not registered and are staying outside the camps on their own.

[...]

In New Delhi, according to a representative of a Kashmiri association, the government of India recognizes some 21,000 displaced Hindu Pandit families (about 100,000 people). In New Delhi,

according to a representative of a Kashmiri association, the government of India recognizes some 21,000 displaced Hindu Pandit families (about 100,000 people). A majority of the displaced are dispersed throughout the city, living mostly in private accommodations, though some 2,000 to 3,000 continue to live in 14 camps for the displaced. Those living outside the camps receive the same government assistance as displaced Hindu Pandits living outside of camps in Jammu. Those living in the camps receive 1,200 rupees (U.S. \$27), plus housing, electricity, and some food aid. "

(Figures Collected from State Government/Union Territories:

Jammu	
Delhi	34,644
Himachal Pradesh	19,338
Haryana	11
Chandigarh	924
Punjab	114
Uttar Pradesh	319
Madhya Pradesh	500
Karnataka	169
Maharashtra	38
Rajasthan	208
	58
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Total	56,323

"

Note: Individual States are disbursing relief to register Kashmiri migrant families at scales fixed by them depending upon the State's Budget and the local requirements. Ministry of Home Affairs has requested the various States/UTs to provide identity cards to Kashmiri migrants staying in their respective States and also to consider appropriate enhancement of relief being given to the migrant families.

Source: Ministry of Home Affairs, Government of India"

***Main locations of IDP camps for Kashmiri Pandits (2000):***

**Main Camp Sites in Jammu**

Muthi Camp, Jammu  
 Transport Nagar, Jammu  
 Purkhoo Camp, Jammu  
 Stadium Camp, Jammu  
 Jhiri Camp, Jammu  
 Nagrota Camp, Jammu  
 Mishriwala Camp, Jammu  
 Battalbalian Camp, Udhampur

**Main Camp Sites in Delhi**

Nandnagri  
 Sultanpuri, Kailash Colony  
 Maviya Nagar

South Extension  
Palika Dham  
Lajpat Nagar  
Aliganj  
Bapu Dham  
Amar Colony  
Mangol Puri  
Patel Nagar  
Sultanpuri  
Moti Nagar  
Begampura

(Kasmiri Pandits Virtual Homeland 2000)

**Jammu and Kashmir: Over 6,000 families remain displaced from their homes along the Line of Control (January 2007)**

- More than 150,000 were estimated displaced from the villages along the border with Pakistan and the Line of Control (LoC)
- Thousands of families have also left the militancy affected districts of Doda, Rajouri and Poonch, but the government has not registered them as migrants
- In Jammu, militancy displaced 117,000 only in the blocks of Akhnoor, R.S.Pura, Bishnah and Samba
- The number of internally displaced was substantially reduced as people has returned after the ceasefire was concluded between India and Pakistan
- In January 2007, at least 45,000 people were still internally displaced:

**GOI- Ministry of Home Affairs, 2006-07, pp. 14-15:**

(C) Return and rehabilitation of 6,072 families of Border Migrants from Akhnoor Tehsil  
The Kargil conflict of the year 1999 displaced large number of families in the border areas. Cash relief and rations were provided to these families. As on December 31, 2006, Rs.41 crore have been released by the State Government to concerned Departments for implementation of various components of the scheme. Each of the eligible family has been provided Rs. 20,000 for purchase of bullock pair @ Rs.10,000 per family and on account of losses to furniture/fixtures @ Rs.10,000 per family. Action has been initiated for acquisition of land for the construction of two-roomed tenements and development of physical infrastructure.

**AHRC, January 2007, p.2**

"Over 45,000 border migrants living along the Line of Actual Control and displaced following the war in Kargil in 1999 had been virtually disowned by the government Jammu and Kashmir and government of India, and were not provided any assistance."

***In 2004, the number of internally displaced from the international border and the Line of Control was estimated at between 150,000 - 175,000:***

**GOI, Annual Report 2003-2004:**

"3.91 The December 13 attack on Indian Parliament and the resultant military build up along the Line of Control/International Border and stepped-up cross-border firing resulted in the displacement of a large number of families from the border areas. About 30,771 families comprising 1,53,131 individuals have been forced to migrate from the border areas/LoC of

Rajouri, Poonch, Jammu and Kathua districts. The figure includes 6,040 families (22,000 persons) who had migrated from Akhnoor tehsil in the wake of Kargil conflict in 1999."

***According to local authorities, most of the internally displaced have returned to their homes after conclusion of a ceasefire between India and Pakistan. Some 8,000 families were reported to be still internally displaced according to the Government of India's Home Ministry 2003-2004 report:***

**GOI, Annual Report 2003-2004:**

"3.94 After commencement of de-induction of the troops from Jammu Border, the migrants have started going back to their villages. As intimated by Government of J&K all the migrant families, except the following, returned to their homes –

Jammu - 6019 families

Rajouri - 1834 families

Poonch - 541 families"

***In March 2005, this figure had decreased to 5,300 families (4,000 families from Doda, Udhampur, Rajouri and Poonch and 1,300 families from Akhnoor):***

**Daily Excelsior, 22 March 2005:**

"Minister for Housing and Urban Development [...] today said that as per the reports filed by screening committee constituted by Deputy Commissioner Doda, Udhampur, Rajouri and Poonch, 4017 families comprising 20,931 souls were displaced from the militancy effected areas during the past ten years and the cases of 1717 families of these districts are under investigation.

Responding to a question of Prof Bhim Singh in the Upper house here today the Minister in district Udhampur alone, there are 650 such cases, in Rajouri 172 cases, Doda 761 cases while 134 cases in district Poonch.

In response to another question of Prof Singh, the Minister said during Kargil conflict nearly 1.57 lakh people were displaced from the border belt. Now, all of them have returned to their respective places except 1302 families of Niabat Khour in Akhnoor. Of the total, 1.07 lakh were migrated from Jammu, 17,692 from Kathua, 10,327 from Rajouri and 21,952 from Poonch. Besides this, in Kupwara district 16 families consisting of 97 souls were displaced."

***As of August 2005, the official figure was 6,070 families still displaced:***

**Daily Excelsior, 10 August 2005:**

"The Centre has cleared a Rs 78 cr relief package for the border migrants involving allotment of plots of 5 marlas and compensation among nearly 6070 families of 21 villages in Chhamb and Akhnoor constituencies of district Jammu."

***Older information:***

**Daily Excelsior, 7 July 2002:**

"There are other kinds of migrants also on Jammu's soil on account of the on going militancy. A few thousand families have migrated to around Jammu city from the militancy affected districts of Doda, Rajouri and Poonch, whom the government refuses to register and to give them any relief lest it should encourage further migration. Then there are intra district migrations. People, mostly Hindus have started migrating from rural and tops of hills to towns or district headquarters as they became more insecure to the militant threats after the army was moved from the hinterland to the

border. Above all, bulk of migration of almost the entire Kashmiri Pandit community from Kashmir in the first year of the start of militancy in 1990 was absorbed in Jammu. About 33,000 KP families were registered with the government, most of whom are still living in small tenements in camps.

In addition 1600 Muslim and 1656 Sikh families, who migrated from Kashmir valley are also registered."

**The Hindu, 27 July 2003:**

" [...] thousands of people uprooted from their homes along the Akhnoor frontier in Jammu and Kashmir during the conflict continue to suffer. Massive shelling from across the border during the war had forced them to leave and since then they have received little relief. According to estimates, over 50,000 people along with their cattle migrated from the forward tehsils of this border area.

The migrants are still holed up in tents along the Jammu-Poonch National Highway and left to care for themselves. A number of times they tried to return to their villages but could not due to the frequent outbreak of tensions. In 2001, many of them came home but had to leave again after India-Pakistan tensions escalated after the December 13, 2001, attack on India's Parliament.

People living in villages in other places along the border returned after the war, but the Akhnoor migrants could not. For, most of their homes had been destroyed in the shelling and their fields rendered infertile due to the increased toxicity in the soil."

***The following tables show the number of families displaced and the number of villages deserted in the respective blocks of Jammu District as of May 2003:***

Table No.2

Block	Total Population	No. of Families displaced	No. of Souls Displaced	No. of Villages Deserted
Akhnoor	128,346	8,457	40,464	26
R.S.Pura	177,311	7,820	35,621	-
Bishnah	71,147	3,019	14,154	27
Samba	15,277	5,183	26,768	40
Total	392,081	24,479	117,007	93

Source: **Bhai, Rainoo and Dayal, Prabhu** , 15 May 2003

These displaced people are sheltered at various places which are notified as migrant camps by the State Government. Various such camps identified during the survey are mentioned in the following table:

Table no. 3

Tehsil	No. of Camps	Major Camps
a. Akhnoor	10	Bombal Naiwal Devipur Thandi Choie

		Doomi-non Camp Domana School Khore Garkhal Doomi Camp Kangrail	
b.	R.S.Pura	25	HrSec.School/Ranbir Singh Pura Bana Singh Stadium Mill Area Middle School Primary School Dangre Police Station-Gokhari Tibba Gaiya Badyal      Kadhyan/Dadliyal Slaid
c.	Samba	7	SIDCO (Small Scale Industrial Development Complex) Samba, Rehian/Khanwal School, Ramgarh School Centre (Dugh), Channi Fatwal, Centre-Chowani (Rakh-Abtal), Centre Abtal and Centre Khore-Slarian
d.	Bishnah	11	Government School Bishnah Government School Arnia

Source: **Bhai, Rainoo and Dayal, Prabhu** , 15 May 2003

**North-East: By the end of 2001, USCRI estimated a total of 157,000 internally displaced**

- In 2001, an estimated 157,000 persons were displaced in several states in Northeast India
- The world report 2003 estimates that 150-200,000 persons are internally displaced

**USCR January 2000, p.2-3:**



## ESTIMATES OF NUMBERS OF PERSONS DISPLACED IN NORTHEAST INDIA

[Note: Several of the following ethnic groups sometimes refer to themselves by a different name than that by which they are commonly known. Because these populations are already little known outside India, the author has used the more commonly recognized name for the sake of clarity. While some of these estimates are widely cited, others have been provided by a single source that may have connections to the displaced population in question. These 1998 estimates should therefore be considered very tentative.]

State	Number Displaced	Maximum Displaced <sup>1</sup>	Displaced Groups	Parties to Conflict
Assam	87,000 <sup>+2</sup>	250,000	Santhals, Nepalis	Bodos <sup>3</sup> /non-Bodos
Assam	3,500 <sup>4</sup>	60,000	Bengalis	Bodos/non-Bodos
Manipur	n/a*	40,000 <sup>5</sup>	Kukis	Nagas/Kukis
Manipur	n/a*	15,700 <sup>6</sup>	Paites <sup>7</sup>	Kukis/Paites
Manipur, Nagaland	20,000 <sup>8</sup>	95,000 <sup>9</sup>	Nagas	Nagas/Kukis
Tripura	39,000 <sup>10</sup>	39,000	Reangs <sup>11</sup>	Mizos/Reangs
Tripura	25,000 <sup>12</sup>	200,000	Bengalis	Tribals/Bengalis
Arunachal Pradesh	3,000 <sup>13</sup>	3,000	Chakmas	Tribals/Chakmas

Other groups in the Northeast have also experienced displacement or remain displaced, including Bodos in Assam,<sup>14</sup> Chakmas in Mizoram,<sup>15</sup> and ethnic minorities in Meghalaya.

### Notes:

- 1) These numbers represent the largest numbers of people displaced in each state in recent years.
- 2) 80,000 as of August 1998: interview with Prof. Omprakash Mishra, Calcutta; interview with Mr. Naqib Ahmed, Santhal representative; 65,000 Bhaumik. According to the June 1, 1999 *The Statesman* (India), another 7,000 became displaced in June 1999.
- 3) Bodos refer to themselves as Boros.
- 4) Some 3,500 displaced Bengalis were living in one camp visited by the author. There are undoubtedly many more living in other camps or by their own means, but there are no estimates of their total.
- 5) Interview with Dr. T. Haokip of North Eastern Hills University (Shillong), Guwahati, August 1998.
- 6) Zomi Coordination Committee on Relief and Rehabilitation, July 13 1998,
- 7) Paites refer to themselves as Zomis.
- 8) Interview with Artax A. Shimray, Naga leader. This was the only source for this figure.
- 9) Ibid.
- 10) Presentation by Professor Sabyasachi Basu Ray Chaudhury, Symposium on Internally Displaced Persons , Jadavpur University, Calcutta, August 1998. In an interview with USCR, Prof. K. Debbarma of North Eastern Hills University, Shillong, said there were 36,000 as of August 1998.
- 11) Reangs refer to themselves as Bru,
- 12) Bhaumik, Subir. "*Flower Garden or Fluid Corridor*," unpublished.
- 13) Chaudury said 3,000-4,000 Chakmas had been displaced for more than five years.
- 14) According to Jitu Basumatari, a member of a Bodo organization, more than 700 Bodos remained displaced. Other sources, however, said that all formerly displaced Bodos had returned home.

15) Some 200 families, according to Samran Chakma, representative of a Chakma groups.

\* As of 1998, most displaced Kukis and Paites had returned home or resettled in new communities. USCR was unable to establish how many of those who remained displaced were vulnerable as a result.

**USCR, 2002, India:**

"An estimated 157,000 persons of various ethnicities were displaced in several states in Northeast India, a geographically and politically isolated area of India that is home to many "tribal" groups."

**USCR, 2003, India:**

"An estimated 150,000 to 200,000 persons of various ethnicities were displaced in several states in Northeast India, a geographically and politically isolated area of India that is home to many tribal groups. Once sparsely populated, Northeast India's population has swelled with the arrival of millions of ethnic Bengali Hindus and Muslims from Bangladesh and from India's West Bengal State."

**Assam: State-wide estimates of numbers of displaced (January 2007)**

**AHRC, January 2007, pp.30-31**

"Assam had large number of Internally Displaced Persons (IDPs) including 33,362 persons in Kokrajhar district and 74,123 persons in Gosaigaon district.<sup>93</sup> In addition, about 44,071 Karbi and Dimasa tribals were displaced during the Karbi-Dimasa ethnic conflict which began in September 2005 in the Karbi Anglong and North Cachar Hills districts.

On 1 February 2005, General Secretary of the Jaraintola Reserve Khasi Punjee, Mr Labanmon Pohthmi stated that the Assam Government's eviction drive had forced 881 Khasi families to flee the Borghat Forest Reserve areas in South Cachar Hills to seek alternative shelter in Meghalaya. These families, despite having lived there for decades, did not possess any official document or land patta to prove the ownership of their land holdings.<sup>94</sup>

The Assam government also failed to rehabilitate those displaced in Bodoland areas. According to All Assam Minority Students' Union (AAMSU) president Nazir Uddin Ahmed, about 450 people had died due to lack of proper food and healthcare facilities in the camps.<sup>95</sup> The Assam Government released Rs 3.52 crores vide government's letter No BRR 17/200/05 dated 25 April 2005 for rehabilitation of the Muslim refugees living in various relief camps in Bongaigaon district since 1993. According to Deputy Commissioner of Bongaigaon district, Mukesh Sahu, out of 1,760 displaced families in Bongaigaon district, 209 families of Tapattary area were given settlement by providing one house each under the Indira Awas Yajna in government land. Moreover, Rs 10,000 were paid to each of the 1,551 families to return to their respective areas. In reality about 1,006 families had not left the camps by October 2005.<sup>96</sup>"

**Assam: Internal displacement of Santals and Bodos (2003 - December 2006 estimates)**

- estimates vary on the number of displaced Santhals and Bodos after violence in 1996 and 1998
- still approximately a quarter million displaced, of whom roughly a half in makeshift camps

***Varying estimates of the number of displaced Santhals and Bodos after violence in 1996 and 1998:***

**MCRG, December 2006, pp. 84-85:**

" In Assam in the last count (August 2004) a total of 37,677 families (237,768 people) were staying in makeshift camps in three districts of western Assam – Kokrajhar, Bongaigaon and Dhubri.

**BBC, 9 December 2005:**

"Assam officials say only about half of the quarter million displaced people were still left in makeshift relief camps. Assam government records, now available with the BBC, indicates only 33362 displaced people were left in the camps Kokrajhar district and 74123 were left in the camps in Gosaigaon district."

**The Hindu, 16 March 2004:**

"As of today, some 1,33,794 people belonging to 30602 Adivasi and Bodo families of Kokrajhar Lok Sabha constituency have been languishing in 40 relief camps, set up by the Kokrajhar district administration to provide shelter to victims of ethnic riots between the two communities in 1996 and 1998.

[...]

There are over 42,000 minor children in these camps."

**ACT- LWFI, 20 February 2004:**

"In 2002 a total 29,065 families were living in 49 relief camps. With the situation in Kokrajhar district having improved considerably in the past couple of years, many people have began returning to their original villages and fields.

[...]

The remaining 21,180 families (1,08,692 persons) are still living in 29 relief camps."

**The Times of India, 8 January 2004:**

"More than 100,000 people are estimated to be still staying in relief camps in the Kokrajhar district, more than seven years after the riots between Bodos and Santhals that had left nearly 250,000 people homeless.

Of those, while some arrived in the camps in 1996, in the first phase of the riots, and others in 1998, in its second phase.

Gossangaon subdivisional relief officer P K Doley said on Wednesday that nearly 17,000 families, comprising 85,000 people, were still staying in 23 relief camps in the sub-division. In the Kokrajhar subdivision, there were some more, though the riots had hit the Gossaigaon sub-division the hardest.

Among these 23 camps, 19 housed adivasis (Santhals), three of them housed Bodos and one Rabhas. Two of the biggest camps were Kochugaon, with about 20,000 inmates and Sapkatha with 15,000, both adivasi camps."

**Kokrajhar Local Government, 30 April 2003:**

**RELIEF CAMPWISE INMATES POSITION OF KOKRAJHAR SUB-DIVISION FOLLOWING THE ETHNIC VIOLENCE OF 1996 – 1998**

Year of Riot	Name of Relief Camps	Community	No. of Families	Total persons
1996	1. Joypur	Adivasi	263	1551
	2. Bishmuri	Adivasi	145	589

	3. Deosri	Adivasi	643	3570
Sub - Total			1051	5710
1998	1. Vety Complex Bengtal	Adivasi	97	528
	2. Jaypur (A)	Adivasi	1880	9832
	3. Amguri	Adivasi	425	2600
	4. Bhumka - Maligaon	Adivasi	73	382
	5. Jaypur (B)	Adivasi	753	4240
	6. Sanitpur	Adivasi	246	1406
	7. Deosri (B)	Adivasi	271	1364
	8. Bishmuri (B)	Adivasi	365	1745
	9. Rnikhata & Bhurpar	Adivasi	967	5595
	10. Serfunguri	Bodo	237	1571
	11. Bishmuri - Mahendrapur	Bodo	815	6066
	12. Bashbari	Bodo	167	1270
	13. Diglipara	Bodo	369	2684
	14. New Laoripara	Bodo	186	1261
	15. Amguri (Dodo & Rava)	Bodo & Rava	145 24	999 142
	16. Athiabari – Tiniali	Bodo	56	370
Sub - Total			7,076	42,055
		GRAND TOTAL	8,127	47,765

**PRESENT INMATES POSITION OF RELIEF CAMPS AFTER PAYING OF REHABILITATION GRANT UNDER GOSSAIGAON SUB – DIVISION**

Sl. No.	Name of Relief Camp	Community	No. of Family	No. of Ind.
1	Sapkata	Adivasi	3058	14858
2	Sapkata (Enchroacher	Adivasi	1057	5726
3	Habrubil	Adivasi	620	2264
4	Bhadeyaguri	Adivasi	1677	6215
5	Kachugaon	Adivasi	4917	26851
6	Kachugaon (Enchroacher)	Adivasi	378	1998
7	Nabinagar	Adivasi	105	680
8	Teliapara	Adivasi	424	2499
9	Matiajuli	Adivasi	147	908
10	Garufela	Adivasi	1455	6125
11	Panbari	Adivasi	443	1823
12	Balagaon	Adivasi	1542	8999
13	Bashbari	Adivasi	104	651
14	Singibil	Adivasi	40	200
15	Satyapur	Adivasi	55	300
16	Joymagaon	Adivasi	955	5780
17	Bhaoraguri	Adivasi	80	348
18	Srirampur	Adivasi	402	2374
19	Mokhrabil	Adivasi	318	1332

20	Hakma	Bodo	343	1150
21	Bairal	Bodo	814	3212
22	Saraibil	Bodo	475	3785
23	Jaraguri	Bodo	230	1222
24	Kashibari	Bodo	314	2195
25	Hatidura	Bodo	40	215
	GRAND TOTAL		19,993	101,660

### **Assam: Smaller population of IDPs from Bodo-Santhal clashes remaining in camps as of 2007 (November 2007)**

- At the height of the IDP crisis following the Bodo-Santhal clashes in 1996 and 1998, 300,000 people were displaced
- Government figures from around mid-2006 showed that there were 28,961 IDPs living in camps in Kokrajhar sub-division and 25,785 in camps in Gossaigaon sub-division for a total of 54,000
- A National Human Rights Commission team visiting the IDP camps in November 2007 reported 15 relief camps housing 7,504 IDP families

#### **MCRG, February 2007:**

“The inter-ethnic clashes in the Bodo heartland of Kokrajhar and Bongaigaon has displaced a large number of people. At one stage, the number of IDPs reached more than 3 lakhs. It should also be mentioned here that the Bodo-Muslim ethnic violence that occurred in October 1993 has displaced about 3568 families consisting of 18000 persons. Again, a series of major incidents took place throughout the district in May 1996 when a section of Bodos attacked ethnic Santhals. This conflict has resulted in the displacement of a huge population. Almost 42,214 families consisting of about 2, 62682 persons were displaced by this conflict “at the peak of the Bodo Armed Movement, Assam accounted for nearly more than half of India’s population of Internally Displaced Persons”, says Sanjib Baruah of the Centre for Policy Research in Delhi.

These victims were sheltered in 78-relief camps around Kokrajhar and its adjoining areas. After staying as inmates in the camps many of them return to their villages in 1997 with a small amount of returnees grant provided by government of India. However, in 1998 again conflict started between the two groups resulting in the displacement of 48,556 families consisting of 3, 14,342 villagers. Till April 2005, in Kokrajhar 1, 26,263 inmates were living in 38 state sponsored relief camps in the district.

Some of these conflict-induced IDPs are living in the relief camps for more than a decade now. The government is providing only rice to the inmates of some of the camps for 10 days a month. Even that supply too was erratic. Sometimes, the IDPs do not get their rations for months together. Assam government records, as informed by the BBC, indicates only 33,362 displaced people were left in the camps Kokrajhar district and 74,123 were left in the camps in Gossaigaon district.

[...]

In the Kokrajhar sub division number of inmates in the relief camps has decreased from 41,999 to 28,961 on August 2006. Little more than one-third are children and two thirds are adults. However, we could not verify the number of IDPs as given by the district administration. Still the number of IDPs is quite large despite settlement of the Bodo issue.

[...]

In Gossaigaon sub-division of Kokrajhar district..the number of IPDs decreased from 84,268 persons to 25,785 persons. [Combining] the IDP population of the two sub-divisions, it becomes more than 54,000.”

**Zee News, 15 November 2007:**

“NHRC members KHC Rao and Kuldeep Lohani told reporters here that during the last three days of their visit to different relief camps in the district, they found that the ration supplies provided to 15 relief camps for ten days to 7504 families was inadequate. Moreover, visit by medical teams to the relief camps were irregular and there was shortage of doctors in the area.

The members further said that the rehabilitation process "is very slow and unsystematic with lack of food, medicines, proper health care and educational facilities for the children of inmates of the camp".

The NHRC would submit a report urging the government to activate the process of rehabilitation of the inmates affected by ethnic violence in 1993, 1996 and 1998.”

**Assam: Between 150,000 to 212,000 displaced due to clashes between Bodos and Muslim settlers (November 2008)**

- From 3-7 October, 2008 people from the Bodo community in Assam fought with Muslim settlers in the two northern districts of Darang and Udalguri
- The clashes also affected non-Bodo populations like the Rajbongshi, Assamese, Bengali and Nepali communities in the two districts
- Estimates of the displaced range from 150,000 to over 212,000 in 97 relief camps
- According to the state government as of late November 2008, 54,374 IDPs out of more than 200,000 at the peak of the displacement, remained in the camps

**IPCS, October 2008:**

“ The recent week-long ethnic violence, principally between the Bodo tribals and the Muslim settlers, in two northern districts of Assam - Darang and Udalguri, claimed at least 55 lives and left over 100 persons injured. The serial clashes also affected other non-Bodo populations like the Rajbongshi, Assamese, Nepali and Bengali communities in these two districts. More than 2,500 houses were either torched or damaged in the clashes in 54 villages. Almost 150,000 people were displaced and have since been settled in the 97 relief camps set up by the government.”

**The Economist, 9 October 2008:**

“From October 3rd to 7th, members of Assam’s largest tribe, the Bodo... fought bitterly with local Muslims, before troops and paramilitaries sent by the central government quelled the violence. By then, 53 people had died, 25 of them shot by the police, and 150,000 people had sought shelter in camps.”

**Frontline, November 2008:**

“The clashes that broke out on October 3 between Bodos and immigrant Muslim settlers in Northern Assam’s Udalguri and Darrang districts led to the displacement of over two lakh people. Some fled when their homes were burnt, while others were driven to relief camps by the fear of attacks. Villages on either side of National Highway 52, which passes through the two districts, were turned into virtual battlegrounds.

The clashes left 55 dead: 39 immigrant Muslim settlers, 10 Bodos, two Garos, one Bengali Hindu, one Assamese, and two unidentified people. There were 31 dead in Udalguri alone, where the clashes broke out first: 19 Muslim settlers, nine Bodos, and three others. There were 21 dead in Darrang, where the violence soon spread: 17 Muslim settlers, one Bodo, and three others. In Chirang district, an immigrant Muslim woman, who was seven months pregnant, was shot dead by unidentified gunmen. An adult and a child belonging to the community were killed in Baksa district.

Official reports said 54 villages were directly affected by incidents of arson and mob attacks, in which 2,505 houses were either completely burnt or partially destroyed. The residents of about 150 other villages fled their homes out of fear though there was no attack in their villages. Sixteen Army columns were deployed in Udalguri and Darrang districts and troops carried out flag marches to restore people's confidence. Companies of the Border Security Force (BSF) and the Central Reserve Police Force (CPRF) were also deployed. Yet, panic-stricken villagers continued to flock to the relief camps and their numbers swelled to 2.12 lakh."

**Assam Tribune, 21 November 2008:**

"Chief Minister Tarun Gogoi today said that the situation in the group clash-affected parts of Udalguri and Darrang districts were turning normal barring a few small pockets where fear still prevailed. "The situation is returning to normal, with only 54,374 people out of a total of over two lakhs now remaining in the relief camps. Compensation to almost all the victims has already been paid, and the rehabilitation process is starting with distribution of CI sheets for housing," Gogoi said at a press conference."

**Assam: Estimates of internal displacement of Karbis, Kukis, Biharis, Hmars and Dimasas (2003- December 2005)**

- Up to 50,000 Karbis and Dimasas displaced during fall 2005
- Thousands of Karbis and Kukis fled fighting during fall 2003 - one estimate says that as many as 5,000 Kukis were displaced
- Nearly 2,000 people of the Karbi ethnic group fled their homes in the district of Karbi Anglong in March 2004
- More than 18,000 Hindi speaking people fled Assam mobs and militants and took shelter in about 40 camps - an unknown number were internally displaced outside camps
- Thousands are displaced due to fighting between the Hmar and Dimasa tribes since April 2003

***Demographic data of people displaced during the Karbi-Dimasa conflict autumn 2005:***

**Chakma, The Tribune, 1 January 2006:**

"Of the 44,071 inmates, 17,971 or an overwhelming 40.78 per cent are listed as minors by the government. Yet, there is no baby food. Nor is there any special treatment for 200 women who are in advance stage of pregnancy. Sanitation and hygiene is a serious problem.

In Karbi Anglong, 32,871 inmates have been provided only 8,504 plates. It means four persons have to share a plate. To paraphrase Chief Minister Tarun Gogoi, such things including the macabre killings are bound to happen in the jungles."

**COE-DMHA, 28 December 2005:**

"Up to 50,000 people have also been displaced in attacks that have included massacres of villagers by militants."

***As of January 2006, no information has been found about return or local integration of internally displaced in the situations listed below:***

***Number of Karbis fleeing attacks in March 2004:***

**COE-DMHA, 29 March 2004:**

"Authorities have called in the Army to help stem the violence as nearly 2,000 people of the Karbi ethnic group have fled their homes near the town of Bokajan in the district of Karbi Anglong. Assam Chief Minister Tarun Gogoi confirmed the numbers and said that most IDPs (internally-displaced persons) were in government-run relief camps."

***Number of Karbis and Kukis fleeing fighting in October and November 2003:***

**Daily Times, 15 November 2003:**

"Soldiers were deployed to an insurgent-ridden district in Gauhati, India [...] after fighting between two tribal groups killed at least 10 people and forced more than 1,500 to flee their homes."

**COE-DMHA, 5 December 2003:**

"More than 300 families have reportedly fled the ethnic conflict and are in relief camps in Manja district. Earlier this week, it was reported that about 125 Kuki ethnic people had fled to the neighboring state of Manipur." (COE-DMHA, 5 December 2003)

**IPCS, Routray, 17 January 2004:**

"Between October and November 2003, another 5000 Kukis fled to Manipur and Nagaland as the Kuki-Karbi relations in Karbi Anglong district hit rock bottom."

***Number of displaced after violence against Biharis in November 2003:***

**The Hindu, 2 December 2003:**

"[...] more than 18,000 people had taken shelter in about 40 camps and they would be rehabilitated at places of their choice."

**Frontline, 6 December 2003:**

"Even the number of persons in the relief camps is constantly changing. Leaving aside the uncounted numbers of those internally displaced, about 20,000 persons, perhaps more, are believed to have fled the State."

***Number of displaced due to fighting between the Hmar and Dimasa tribes in April 2003:***

**The Telegraph, 20 June 2003:**

"The worst carnage took place in April when about 23 Dimasas were brutally killed by Hmar militants. Since then, each has been routinely killing members of the other and burning down villages. This has not only spread terror in and around the Cachar district, but resulted in thousands of Dimasas and Hmars being displaced from their gutted down villages, to take shelter in about 25 relief centres."

**Organiser, March 2004:**

"At least fifty Dimasas have been killed and 28 Dimasa villages were burnt down by the HPC (D) extremists. About 2000 Dimasas are living in relief camps in unhygienic and inhuman condition since April 2003."



## **Manipur and Nagaland: Estimates of internally displaced (2000-2001)**

- Violence between Kukis and Paites and friction between Nagas and Meiteis has reportedly left 50,000 people homeless
- USCR says 130,000 have been displaced at least temporarily since 1992
- Kukis say that more than 40,000 Kukis were displaced, primarily between 1992 and 1996, most have now resettled in other Kuki communities
- Naga sources claim that the Naga/Kuki conflict has displaced as many as 90,000 Nagas in Manipur and another 5,000 in Nagaland, of whom only some 20,000 to 25,000 remained displaced as of mid-1998
- Violence in Manipur since June 2001 displaced some 50,000 Nagas
- In January 2002, a report by the Naga Peoples Movement for Human Rights (NPMHR) concluded that more than 50,000 persons remained displaced
- No recent information has been found on the number of internally displaced

### **SAHRDC, March 2001:**

"Kukis and Paites have clashed since 1997 and friction persists between the Nagas and Meiteis. Violence between these groups has reportedly left 50,000 people homeless as entire villages are burned to the ground. [...] Eleven thousand people now live in displacement camps and the government of neighbouring Mizoram has restricted the displaced from crossing into its territory."

### **USCR, January 2000, p.9-10:**

"Conflict between tribal groups in Manipur and Nagaland reportedly has led to the displacement (at least temporarily) of as many as 130,000 Kukis, Paites, and Nagas since 1992.

[...]

Kukis say that more than 40,000 Kukis were displaced, primarily between 1992 and 1996. Most have now resettled in other Kuki communities. Naga sources claim that the Naga/Kuki conflict has displaced as many as 90,000 Nagas in Manipur and another 5,000 in Nagaland, of whom only some 20,000 to 25,000 remained displaced as of mid-1998. According to one Naga leader, Artax Shimray, displaced Nagas in Manipur included 30,000 from Chenaburi District, 30,000 from Chandel District, 10,000 from Okrur District, and 20,000 from Tamelung District.

[...]

Fighting between the Kuki and Paites displaced more than 15,000 Paites. Most were displaced within Manipur, where a Paites relief group set up 30 temporary camps for them, most often very near their original homes. Although as of mid-1998 many had not yet rebuilt their houses, they were living in their communities of origin and no longer displaced. Some 3,500 Paites fled into Mizoram, where the state government created three camps for them. The 3,500 who fled to Mizoram returned in July 1998, after the Kukis and Paites signed an agreement aimed at ending their rift. "

### ***Violence in Manipur since June 2001 displaced some 50,000 Nagas:***

#### **Naga International Support Center, 9 October 2001, Press Release:**

"Following continuous threats by the Meitei population most Nagas no longer felt safe in their homes. They left for the hills where Naga brothers and sisters at Senapati and Ukhrul district took them in. More than 40,000 souls are still in camps while others were fortunate enough to be taken in by family living in all parts of the Naga Hills in Assam, Arunachal Pradesh and Manipur itself."

***This report dates from January 2002. No information has been found on the number of Nagas remaining displaced, but the Naga International Support Centre says many have returned to their homes.***

**NPMHR, 5 January 2002:**

"According to *Ajai Sukla*, a reporter from the *New Delhi Television (NDTV)* dated 19 August 2001 from Senapati, "the refugee situation in Manipur is turning ugly. Up to 50,000 Nagas have now fled the Imphal valley to the Naga areas of Senapati and Ukhrul, provoking Naga anger both in Manipur and in Nagaland state ... The Manipur government has provided no assistance to the refugees other than to offer to convey them back to their homes in Imphal but the refugees are too scared to return... If the situation is not resolved quickly by the government, the current peaceful scenario could quickly turn into violence".

[...]

The 'Internally Displaced Persons (IDPs)' in this report incorporates three categories of persons/families. The first category- comprise of totally uprooted persons with no other alternative resettlement who are taken care in the relief camps. The second category-comprise of displaced persons who are provided temporary support by communities or relatives in the Hills. The third category- comprising of mainly professionals, Government employees, businesspersons, etc. who continue to managed themselves through their own efforts.

This report covers NPMHR visits to the relief camps in the Naga Hill areas to assess the conditions of the displaced Nagas and to prepare the humanitarian needs of the thousands of Internally Displaced Persons (IDPs) scattered in the four Hill districts of Manipur, Senapati, Chandel, Ukhrul, Tamenglong including the 27 Naga villages placed under the Henglep sub-division, Churachandpur district bordering the Mizoram state. [...] Apart from the many Relief camps in the Naga areas of Manipur, there are above 1000 IDPs in Kohima and Dimapur who are been hosted by the relatives, friends and sympathizers in Nagaland state.

**Senapati:**

NPMHR received a preliminary data of IDPs containing more than 4000-5000 names of displaced persons from different ethnic communities stationed at Senapati town. The IDPs hosted in Senapati are from different communities such as Rongmei (2606), Zemei (15), Liangmei (469), Inpui (27), Mao (112) Poumai (510), Tangkhul (702), Thangal (102), Maram (3), Chothe (19), Maring (59), Anal (3), Chiru (234), Lamkhong (22), Kom (3) and Moyon (3) according to the data collected so far. A rough compiled report brought out by Senapati District Students Association (SDSA) along with ZU/ZYF/ZSU on 18 August 2001 Senapati currently host 4889 persons displaced from 55 villages and 632 house-holds. However, these compilation are still unorganized as near about the same numbers of IDPs are scattered in the different towns and villages in Senapati District. The tentative figure listed so far is confined to Senapati town areas. According to the Naga Peoples Organisation (NPO), Senapati there are more than 8000 IDPs in Senapati District.

**Chandel:**

Tolkham Maring, a reporter with local papers based in Chandel has shared that the IDPs situation in Chandel which comes to roughly 1483 persons are accommodated by the relatives and communities in the different villages in Chandel Districts. The numbers of IDPs in different communities in Chandel are Anal (498), Chothe (49), Lamkhong (271), Maring (455), Monsang (36), Moyon (138), Tarao (20) and Zeliangrong (16).

**Tamenglong:**

Tamenglong District headquarter host roughly a 1000 IDPs. According to the Zeliangrong Union (ZU) dated 29 th August 2001 compiled report the Longmai (Noney) Relief camp hosts about 4074 persons. The report listed 74 villages and 708 families been displaced by the recent exodus. The recent submission of data corroborate the existence of more than 15,000 IDPs in Tamenglong district.

**Ukhrul:**

In Ukhrul District according to the Tangkhul Core Committee on Cease-fire dated 30 the July 2001, the statistical report reveals 11,772 persons being displaced and hosted at Ukhrul town. However, latest report reveals that there are over 20,000 displaced Nagas in Ukhrul. (Nagaland Page- 19 August 2001). The latest update of the status of IDPs in Ukhrul has been listed as 26,172 as per the submission of Tangkhul Naga Long to the UNC Working Group on 11 th October 2001.

[...]

**Table of the Internally Displaced Persons (IDPs) Nagas in the Naga areas of Manipur**

Sl.no.	Location	camps	No. of camps	No. of IDPs	Total No. of IDPs	remark
1.	Naga hills, Manipur	Senapati	19	8000+		4000 persons in camps
		Ukhrul	Not available	26,172		400 families given relief
		Chandel	Not available	1,483		400 persons received relief
		Tamenglong	18	15,000		3800 persons in camps
2.	Nagaland	Dimapur & Kohima	Not available	1,000+		
					51,655	

(Revised and updated 12/10/2001)"

### **Displacement in Manipur reported during 2005**

**Web India 123.com, 23 January 2006:**

"Over a thousand Hmars and Paites have fled to neighbouring Mizoram while about 5,000 have been displaced within Tipaimukh sub-division following alleged attack and threats by the members of the armed opposition group, United National Liberation Front of Manipur."

### **Tripura: Conflicting estimates of internally displaced (2005)**

- In September 2003, the Tripura Government said 19,468 families have been displaced between March 1998 to February 2003 - while 20,494 families were displaced as of June 2004
- According to BBC; more than 100,000 Bengali settlers have been internally displaced in Tripura due to the rebel violence since 1993 when the Left Front came to power
- New displacement of at least 10,000 families due to building of a fence along the India-Bangladesh border
- In another statement, a representative said that during the last four years more than 47,000 persons both tribal and non tribal were displaced.

- Insurgency and terrorism continue to displace the civilian population
- During spring 2003, more than 2,000 tribal families fled remote areas and camped along the main roads
- Estimates of internally displaced in north Tripura vary, but Mizoram human rights groups estimate that some 31,000 Reangs fleeing violence in Mizoram presently are being sheltered in 6 camps in North Tripura

**ACHR, Human Rights Report 2005 - Tripura:**

"Tripura has a large number of people displaced because of increasing land alienation, insurgency and fencing of Indo-Bangladesh border. There were about 70,000 internally displaced persons but the government has little plans of action to rehabilitate them."

**The Telegraph, 13 March 2005:**

"The Centre has deputed a team of three officials to determine the amount of funds required to compensate over 10,000 families displaced by the erection of a barbed wire fence along Tripura's 856-km-long border with Bangladesh."

**The Hindu, 25 July 2004:**

"The Revenue Minister, Keshab Majumdar, said in the Assembly session last month that 20,494 persons [**families?**] were displaced from seven sub-divisions largely due to extremist activities. Bishalgarh sub-division in West Tripura district bore the brunt of it with a little over 13,000 persons [**families?**] leaving their habitats.

Official figures indicate that 4,340 families have been affected in Longtarai sub-division, 1,196 in Kanchanpur sub-division, 504 in Gandacherra sub-division and 509 in Sadar sub-division."

**BBC News, 6 May 2004:**

"More than 4000 people have died in Tripura since [ethnic riots of 1980], the same number have been kidnapped and more than 100,000 Bengali settlers have been internally displaced in Tripura due to the rebel violence."

**The Assam Tribune, 5 February 2004:**

"Though several crores of rupees were spent in the name of jhumians rehabilitation in Tripura for the last several years, according to an estimate there are still more than 48,000 jhumias languishing in the hilly areas. Apparently instead of reduction of the jhumias figure it only increased over the years.

[...]

many of whom had been displaced due to militancy, [...]"

**IPCS, Routray, 17 January 2004:**

"The Tripura state Revenue Minister, in a statement in the Legislative Assembly, on 24 September 2003, quoted IDP figures in the state, in what could be the first such attempt by any state government in the region to assess the scale of physical movement of people due to militancy. The minister said, "Between March 1998 to February 2003, 19,468 families have been displaced from their original places".. If each family is estimated to have five members, the total number of people displaced would be around 98,000, roughly amounting to more than three per cent of the state's total population"

**Routray, SAIR, Vol.2 no.14 , 20 October 2003:**

"Official figures [...] disclose that the impact of insurgency/terrorism has been phenomenal in terms of the internal displacement of civilian populations. Nearly 19,468 families have been displaced between March 1, 1998, and February 28, 2003, in the State. Subdivisions like Bishalgarh in West Tripura district suffer the most, with a recorded displacement of 12,106

families. The Khowai, Sadar, Udaipur and Belonia subdivisions also recorded high volumes of such displacement."

**The Assam Tribune, 2 January 2004:**

"Due to militancy during the last four years more than 47,000 persons both tribal and non tribal were displaced. Revenue minister Keshab Majumder, answering to the question of Congress MLA, Ratan Lal Nath said, since January 1999 to November 2003, a total of 47,782 were forced to leave their homes and hearths for protracted insurgency.

Most affected were Bishalgarh and Khowai in West district. In Bishalgarh 12,800 people were displaced which was closely followed by Khowai sub-division with 9,598 people. However, there were no displacement in four subdivisions – Kailashahar, Dharmanagar (both in North Tripura), Sonamura in West and Sabroom."

**Rediff Com, 21 May 2003:**

"Tripura has nearly 10 lakh [1 million] indigenous tribals who live in abject poverty in the hilly and often inaccessible areas of the state. The two banned militant groups -- All Tripura Tigers Force and the National Liberation Front of Tripura -- who have bases in Bangladesh across the porous international border, have stepped up their activities in the past two-three months.

[...]

The militant activity has resulted in more than 2,000 tribal families fleeing the interior areas and camping along the main roads. "

***Internally displaced Reangs from Mizoram in Tripura:***

**The Assam Tribune, 27 May 2003:**

"Aizawl [*representing Mizoram Government*] says there are at most 16,000 Reangs who were its subject while the Tripura Government puts the figure at double 31,000 plus.

Only recently a Ministry of Home Affairs officials visited Kanchanpur to ascertain in the actual figure of the refugees in the camps. The North Tripura district also undertook a head count and now the official sources in Agartala stands by its previous figure of 31,000."

**Gujarat: Internal displacement due to communal violence (March 2007)**

- More than 100,000 were displaced and sheltered in more than 100 relief camps due to communal violence in Gujarat in February and March 200
- Taking into account those displaced who moved in with families and friends, the total number of internally displaced people is estimated at not less than 250,000 persons
- Although the official figure is 762, about 2000 people were missing or killed according to unofficial estimates
- In June 2002, the government began closing the relief camps - an unknown number of persons remain displaced with friends or in slum ghettos
- Today, an estimated 25,000 people remain displaced

**AI, 8 March 2007:**

" As many as 5,000 families are living in "relief colonies" without basic amenities or official recognition from the Government of Gujarat."

**AVHRS, 23 March 2007:**

"In recent months, the survivors of the Gujarat carnage have been bringing to public attention the continued internal displacement of over 25,000 Gujarati Muslims, who still live scattered across 7 districts in Gujarat in approximately 69 shabby colonies entirely constructed by NGOs."

**CJPCC, 15 March 2007:**

"Over 10,00 victims of the mass carnage of 2002 live in pathetic hovels, without sanitation and water in various locales in Gujarat. The nation needs to pay attention to these internally displaced persons and make sure that at these locations proper civic facilities are provided and also that sound and aggressive livelihood schemes are conceived for the refugees. Some of these are:

Ahmedabad (Rehabilitation Camps)

Islamic Relief Committee (IRC)- Houses rehabilitated 2002

1. Allama Ali Takiya 60 houses
2. Khanwadi Mitthan Shahid 156 houses
3. Ekta Nagar Vatwa 108 houses
4. Naroda Pattiya 125 houses
5. Ekta Complex Juhapura 37 houses
6. Javed Park Juhapura 14 houses
7. Millat Colony Gupta Nagar 317 houses
8. Mohalatwad Paldi 22 houses
9. Viramgam 82 houses
10. Mandal 4 houses
11. IRCG colony Asim Park 35 houses

Gujarat Sarvojanik Relief Committee

1. Sidhikabad Juhapura 180 houses
2. Vandvad (Vatwa) 84 houses
3. Satnagar Nr. Ambica Mill Kakarakia 240 houses
4. Parmadant Patel ki chawl 79 houses
5. Arsh Colony (Vatwa) 50 houses
6. Viramgam 112 houses

Gandhinagar District

1. Adalaj 11 houses
2. Nardipur 17 houses
3. Por 12 houses

Mehsana District Taluka Kadi Rehab Camps

1. Satnagar (Taluja Vijapur) 20 houses
1. Nandasan 35 houses
2. Abolgaon 82 houses 49 houses

Vadodara District

1. Halol 50 houses

Kheda District

1. Shewala 14 houses

Panchmahal District

1. Shahra 50 houses
2. Della 60 houses

Sabarkantha District

1. Vadali 61 houses
2. Modasa 68 houses
3. Tajpur Camp (Prantij) 21 houses
4. Chhanapur 15 houses
5. Dolapur (Malpur) 22 houses)
6. Himmatnagar 25houses

Panchmahal District

1. Pandharwada (Khanpur) 100 houses
2. Vanjiakhunt (Santrampur) 5 houses
3. Eral and Malav (Kalol) 34 houses
4. Halol 53 houses

Dahod District

1. Sanjeli (Jhalod) 18 houses
2. Sukhsar (Fatepura) 39 houses
3. Piplod (Devgadhbaria) 3 houses

Anand District

1. Ode 25 houses

Kheda District

1. Gothaj (Kapadvanj) 13 houses
2. Kheda Anand Relief Committee build 34 houses in Anand
3. Anjumanetamiremillat build 20 houses
4. Majlisedavatwatulhouqe build 20 houses"

**Communalism Combat, June 2005:**

"A detailed report, 'Gujarat –Three Years Later' is currently being compiled by *Communalism Combat*. Our preliminary investigations reveal that on a rough estimate about 61,000 persons continue to be internally displaced within the state."

**AI, January 2005, 7.6.a, 7.6.c;**

"No accurate figures of persons sheltering in camps are available; camps in Ahmedabad alone by 5 March 2002 accommodated according to official estimates 66,000 people while independent assessments speak of 98,000 people. Unofficial estimates and official figures speak of another 76,000 and 25,000 persons respectively displaced outside Ahmedabad, many in remote and insecure locations and deplorable conditions. While most estimates are of 100,000 people in camps in Gujarat, taking into account those displaced who moved in with families and friends, the total number of internally displaced people is estimated at not less than 250,000 persons.

[...]

After privately run relief camps were closed, no alternative housing was provided forcing those once again displaced to seek refuge with relatives or move into rented accommodation, provided they could pay for it.

[...]

Two years after the violence in Gujarat, many victim survivors driven out by intense violence, have not returned to their original places of residence with many resettled by Muslim organizations amongst other Muslim communities inside or outside the state."

**International Initiative of Justice, p. 2:**

"Although the official figure is 762, about 2000 people were missing or killed according to unofficial estimates and around 113,000 people were living in relief camps while others who were displaced were living with relatives in Gujarat or outside."

**HRW July 2003, p.7:**

"Following the violence in Gujarat in February and March 2002, more than 33,000 children were forced into relief camps throughout Gujarat, representing one-third of the total displaced population."

**Central India: Tens of thousands displaced due to naxalite insurgency (July 2008)**

- Tens of thousands of people have been forcibly relocated or have fled from Dantewada and Bijapur districts of Chhattisgarh
- As of December 2007, between 49,000-58,000 IDPs were living in camps in Chhattisgarh state
- To escape the conflict and human rights violations an estimated 65,000 villagers had fled to the adjoining states of Maharashtra, Orissa and Andhra Pradesh
- An estimated 30,000-50,000 IDPs from Chhattisgarh have been living in Khamman and Warangal districts of Andhra Pradesh since mid-2005

**HRW, July 2008:**

" By December 2007 around 49,000 villagers had been relocated to at least 24 camps in Bijapur and Dantewada districts, while many others had fled to safer parts of Chhattisgarh. An estimated 65,000 villagers had fled to adjoining states of Maharashtra, Orissa, and Andhra Pradesh to escape the conflict. Roughly 30,000-50,000 have settled in Andhra Pradesh.

[...]

Tens of thousands of people fled from Dantewada and Bijapur districts of Chhattisgarh to escape the conflict, and settled in the reserved forest areas of neighboring Andhra Pradesh state. NGOs and government officials estimated that since June 2005 around 30,000-50,000 displaced persons have settled in the Khammam and Warangal districts of Andhra Pradesh."

**MSF, 21 December 2007:**

"In the heart of India, clashes between Naxalites—the local Maoists—and the Indian government have displaced tens of thousands of people. The fighting, which affects large swaths of Chhattisgarh state, flared up in 2005, and since then an estimated 56,000 civilians caught in the conflict have been forced to move to government-run camps. Thousands of others are hiding in the dense forest in the south of the state in Naxalite-controlled areas, or have taken refuge in settlements for the displaced near villages across the state border."

**MCRG, October 2007:**

"As of January 2007, over half of the 1354 villages in Dantewada district are now empty. A total of 57,528 people have been compelled to leave their homes and are living as internally displaced persons (IDPs) within 23 relief camps throughout the southern tip of Chhattisgarh. An additional 45,000 to 60,000 villagers have abandoned their villages and migrated to nearby states."

**Rediff, 22 November 2007:**

"Speaking soon after a series of attacks in November, a senior state intelligence official said the state also has no clue about over 250,000 tribal people who it displaced from the forests about 18 months ago in its fight against left-wing extremism. The officer, who was not willing to give an exact figure, said that of the 300,000 tribal people in the region, only 60,000 are still in the



government's Salwa Judum camps. Human rights activists say at least 50,000 Chhattisgarh tribal people had moved into Andhra Pradesh recently."

**AHRC, 10 January 2007:**

"As of 31st December 2006, there were about 43,740 civilians displaced from their villages as a result of the Salwa Judum campaign in Chhattisgarh. A large number of displaced persons reportedly fled to neighbouring Andhra Pradesh and Orissa."

**West Bengal: Thousands displaced in Nandigram violence (May 2008)**

- In the violence that erupted in Nandigram from January to March 2007, between 2,000-4,000 people were displaced
- In the violence in November 2007, approximately 2,500 people were displaced and hundreds of them moved to two relief camps
- Clashes in May 2008 ahead of local elections led to the displacement of an estimated 400 people

**NHRC, 8 February 2008:**

"From the middle of January, 2007, a large area covering 5 gram panchayats of Nandigram Block 1 was isolated and police and other Government agencies were prevented by the supporters of BUPC from entering the area. About 2000 people, believed to be supporters of CPI(M), were driven out and they took shelter in the adjoining area across the canal within the jurisdiction of PS Khejuri. On 14th March, 2007, the State Government tried to reestablish its writ in the area by force. The attempt of the police force to enter the area was violently resisted by supporters of BUPC at two places and the police opened fire at the mobs. 14 persons were killed in firing and 300 people including 52 policemen sustained injuries.

[...]

On 6th-7th November, 2007, the CPI (M) cadres overran the blockade with the help of outsiders and criminal elements. Several road blockades were organised by CPI(M) supporters and access of outsiders to Nandigram was stopped by them. During the period from 6th November to 12th November 7 persons were killed, 32 persons including 16 police personnel sustained injuries and several houses were fully or partially destroyed. A large number of villagers (nearly 2500), believed to be supporters of BUPC were driven out and the CPI (M) supporters who were displaced earlier returned home. On 11th November, 2007, the Government of India ordered deployment of 6 companies of CRPF. On 12th November in the evening CRPF personnel made a flag march in the area and normalcy was slowly restored."

**The Hindu, 21 March 2007:**

"With the number of those forced to spend their time at relief camps since January 3 constantly rising and now estimated to be around 3,500 while widespread looting and destruction of property continues, Nandigram has become a law unto itself..."

**Amnesty, 15 January 2008:**

"At least two relief camps were functioning at Nandigram for those displaced since violence began in January 2007. However, neither of these camps were run by the state nor has the state carried out a survey to establish the extent of damage to property. One relief camp (*shivir*) is located at the Brij Mohan Tiwari Siksha Niketan in Nandigram Block-I town, and at its height housed around 3,000 to 4,000 persons. Following the violence since 6 November, a fresh influx of local residents had arrived in the camp. However, by 29 November the number of persons housed in the camp had dwindled to around 250, the reason being that a large number of displaced persons had left the camp to stay with relatives and friends."

**The Tribune, 5 May 2008:**

"With 400 villagers being sheltered in relief camps following mounting violence in Nandigram in the run up to the ensuing panchayat elections, a fresh clash between supporters of the CPM and those of the Trinamool Congress erupted today. Official sources said, the displaced villagers had been sheltered in two relief camps near the BDO office in Nandigram and adjacent Maheshpur for the past few days. They had come from Sonachura and Garchakrabaria villages. The police said two groups of the rival political parties lashed with bombs at Sonachura this morning, but no one was injured."

**Orissa: Over 20,000 displaced in violence targeting Christians (October 2008)**

- The clashes between Hindus and Christians in December 2007 led to 700 Christians fleeing to four relief camps
- The round of violence in August and September 2008, following the killings of a Hindu hardliner leader, led to tens of thousands being displaced
- According to government officials, 20,000 people were displaced in the violence while according to Christian groups around 50,000 became displaced
- More than 20,000 IDPs, mostly Christian, had taken shelter in government and private relief camps

**AP, 30 December 2007:**

"Hundreds of Christians, fearing more clashes with Hindu nationalists, fled to government-run relief camps..."

[...]

The killings and subsequent flight of nearly 700 Christians to four relief camps are the latest in a series of religious and political power struggles in the secular but Hindu-dominated India's eastern state of Orissa, which has one of the worst histories of anti-Christian violence."

**VOA, 15 September 2008:**

Anti-Christian violence appears to be worsening in the eastern Indian state of Orissa with Hindu extremist groups ransacking churches, schools, health clinics and houses belonging to Christians.

[...]

Indian authorities say the violence in Orissa has left at least 18 people dead and displaced as many as 20,000. Most of them are crowded into 14 government-run shelters in Kandhamal. Christian groups say the numbers of dead and displaced are much higher."

**IANNS, 18 October 2008:**

"At least 36 people have been killed in the violence and thousands of Christian have been rendered homeless. More than 20,000 people, most of them Christians, have taken shelter in private and government relief camps after their houses were torched by rampaging Hindu mobs."

**AP, 14 October 2008:**

"The All India Christian Council said the toll after nearly two months of sporadic violence has reached 59 dead and 50,000 displaced. Officials in the eastern state of Orissa, site of the worst violence, say 34 people have been killed."

# PATTERNS OF DISPLACEMENT

## General

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### **Jammu and Kashmir: Minority families migrate due to security threats (2006)**

- Continued cases of minority community migrations due to threats
- Cases fit into the policy of clearing the rural areas of minorities
- Authorities of J&K claim migration for justice-evading reasons
- After persuasion and assurances from government officials, some return

#### **GHRD, October 2006:**

“Once again near about 64 families belonging to minority Hindu community have migrated from a far-flung village Sawara, a remote hamlet in district Doda about 200 Km from the winter capital of Jammu and Kashmir, Jammu due to threat of terrorists.

In recent months, it is the biggest migration of the Hindu minority community from the rural and inaccessible areas of the state after the brutal Kulhand and Basantgarh massacre of Hindus during the month of May-June this year by the Islamic terrorists

It is pertinent to mention here that it has been a policy, followed by the terrorists operating in Jammu and Kashmir, to slowly cleanse the rural and remote hamlets inhabited by the members of minority community, so as to pursue the agenda of Islamisation. The migrated include five families comprising of 64 souls who have crossed over to the neighbouring state of Himachal Pradesh, bordering the Doda district of the state. Most of the people showed reluctance to return to their respective homes, despite pressure by the state government to bring them back and hush up the matter by terming that it was the decision of people to escape law.

While the official authorities in Jammu and Kashmir allege that some of the persons among the migrated souls carry murder charge on them and to avoid arrest by the authorities have gone to other side of the border, seems a deliberate attempt by the authorities to silence their voice.

Surprisingly in contrast to the explanation given by the civilian officers from J&K government, their counterparts in Himachal Pradesh described the migrated people as "traumatised lot", which clearly indicates that what the state officials are saying is not the reason that forced these people to leave their homes. The migrated include 30 children and 14 women and there is not an iota of doubt about the statement given by the people that threat of ultras has forced them out of their villages.

It is pertinent to mention here that this is not the first time when the members of minority community have fled their homes enmass due to fear of terrorists. The trend started in 1990 when the members of Kashmiri Pandit community were forced to leave their homeland due to ethnic cleansing, genocide and selective killings.

In mid 90's when the Islamic insurgency in the state was on its peak, and migration was going on from Kashmir valley and other parts of the state, and sometimes-different rumors were circulated to camouflage the real cause of their exodus from their villages.

Official version: According to Senior Superintendent of Police Doda, Manohar Singh, while accepting the fact that families have migrated from the village Sawara, says that some of the persons from the village are involved in the alleged murder of Farooq Ahmed of Sawara. According to him, about four months back, a local resident Mela Ram R/o Sawara, Gandoh had gone to another village along with one Personal Security Officer (PSO). His second PSO followed him alone on getting a report of Mela Ram's visit to another village.

He said that en-route, the PSO was intercepted by the ultras, which snatched his AK rifle and fled away. The PSO narrated the incident to the VDC members and five of them took their weapons and opened firing killing Farooq Ahmed. According to him Farooq's killing led to resentment among the local people after which police registered a murder case at Gandoh police station.

While the state government categorically dismissed that families have moved to Doda due threat of terrorists, Himachal Pradesh Chief Minister Virbhadra Singh during a press conference said that Jammu and Kashmir officials were in Chamba district to persuade people who had crossed over to Himachal to return to their villages, promising adequate security to them.

Latest reports suggest that these displaced people have been persuaded to return to their native places by the administration after giving them certain assurances about their safety and well-being. Further and latest reports are awaited."

### **Jammu and Kashmir: People living along the international border and Line of Control were forced to flee several times due to military tension (2002 – 2003)**

- Most of the displaced people stayed temporarily with friends and relatives, but thousands also camped in public buildings and tents
- Between 1995-1998 displacement occurred from various areas of the Doda district
- Since 1999, tension between India and Pakistan displaced people from border areas in Jammu, the majority of whom took shelter with friends and relatives
- The Akhnoor sector has been particularly hard hit by displacement and many have lost their houses which have been either occupied by the Army or destroyed in cross-border shelling
- Most of the internally displaced from the Akhnoor sector live in camps (as of May 2003)

#### **The Tribune, 16 February 2003:**

"Forcing migration of civilians has remained one of the main features of the 14-year long proxy war. It first started with the migration of over 3.50 lakh Hindus from the Kashmir valley in 1990. This was followed by migration from various areas of Doda district between 1995 and 1998. Since the Kargil conflict of 1999 Pakistan triggered migration from several segments of the Akhnoor sector where at least 20 villages, including Pallanwala and Panjtoot, were targeted by the Pak gunners. From May 1999 onwards more than 45,000 people in the border villages of the Akhnoor sector fled to safer places. "

#### **Bhair, Dayal, May 2003 pp. 11-12:**

" The Jammu District hosting three types of migrants :

- (i) One is the group of migrants who had come in the wake of armed attack in 1948:
- (ii) The second group is the Kashmiri Pandits who have been sheltered by Government in Jammu region; and
- (iii) The third group is the border migrants who had to flee the borders because of constant firing by the Pakistan rangers and Pakistani Army on International border and Line of Control running along Jammu District.

[...]

The displacement in Jammu District has occurred in three phases[...]:

First, in Akhnoor Sector since June 99 during Kargil war. Secondly, in Samba and Akhnoor Sector since December 2001 (Deployment of forces at border from December 18, 2001, after terrorists attack on Indian Parliament). Thirdly, in R.S.Pura and Bishnah Sector since May 25, 2002 after Kaluchak (Army Camp, Jammu) massacre on May 14, 2002) [...]

[...]

The first mass displacement took place in Akhnoor block during June 1999. This block witnessed largest and the longest displacement. Initially, the people stayed with their relatives or in rented accommodation which obviously could not be a permanent arrangement. They spent out their small savings and had to sell off their valuable possessions and livestock to sustain. This persistent problem of instability forced them to approach the Government for relief. The second most affected Block is Samba. Here the zero line villages like Bain-Glad, Chagla Camp, Chak Fakira and Sordli etc. were advised by the Army to evacuate. With more intense firing on border the District Administration asked the people to shift designated camps

[...]

R.S.Pura and Bishnah block witnessed migration for shorter period during the month of January 2002 [...]. However, mass displacement occurred in the month of May 2002 as aftermath of Kaluchak massacre. According to Block officer of Bishnah and Ranbir Singh, this displacement was also temporary and the emigrants moved back to their native places after 10 to 15 days as cross border firing subdued.

The displacement phenomenon was different in Akhnoor Block. People could not return to their houses since June 1999. Their houses were either occupied by the Army or destroyed in cross-border shelling. Incursions and counter-incursion by Indian and Pakistani Armies kept the LoC alive. The prolonged displacement and ceaseless efforts to highlight the difficulties faced by them at various times at various levels of Government yielded in the form of relief and temporary shelter w.e.f. September 1999 [...]."

**ICRC, 1 February 2002:**

"While most of the displaced people are staying temporarily with friends and relatives, several thousand of them are having to camp in buildings such as schools, a commercial centre and a disused factory."

**Assam: Displaced from ethnic clashes in the Karbi Anglong area moved towards urban areas – many have left the relief centres (January 2006)**

**MSF, January 2006:**

"They did not settle in large camps. Instead, they scattered in schools, community halls, anywhere they could find shelter near a town or police post. Try to imagine 1,000 people living in a school meant for 100 students. There were problems with the latrines and water very quickly and the general health situation became very difficult.

[...]

The violence has forced people to move to more urban areas. They have gone into towns looking for safety. The violence has forced people to move to more urban areas. They have gone into towns looking for safety.

[...]Originally many people were living in schools. However, the authorities have now constructed makeshift camps in the center of villages that were burned out. This enables people to go back to their own area and harvest their crops. The people have been very worried about missing the

harvest season. They have been urged by the government to go back to their own villages. Currently, about 17,000 people are still living in camps. But it is important to remember that when people do go home, they are going back to partly burned houses or villages. These communities had little access to health care before the violence broke out. Many of them still lack care now. Even though the number of displaced has dropped, the needs have not."

### **Gujarat: Displaced living marginalised in relief colonies set up by non-governmental bodies (July 2008)**

- Those families remaining in displacement since the 2002 Gujarat riots are living in relief colonies often lacking basic amenities
- The relief colonies generally lie on the outskirts of the cities in areas without roads, schools and hospitals
- Not a single colony has been constructed by the state authorities nor any land allocated to the displaced
- The colonies have been set up by Muslim organisations and in vicinity of Muslim settlements where the IDPs feel secure

#### **InfoChange, July 2008:**

"Around 250,000 people were estimated to have been displaced by the Gujarat riots of 2002. Six years later, 4,500 families are still living in 81 relief colonies. They know they cannot return to the villages where they had homes, farms or shops. They are struggling to survive in areas often lacking even basic amenities. The displaced continue to live a life centred on mere survival. Most don't have documents certifying possession of their houses, which were built by Muslim trusts, occasionally with the support of non-government organisations. There has been no help from the Gujarat government, which stands accused of complicity in the violence of 2002. None of the colonies have been provided with even basic amenities. Ration cards and voter ID cards were issued as recently as last year, that too because of the tireless work of a few non-government organisations and at the insistence of the Election Commission.

[...]

In Ahmedabad, as elsewhere across Gujarat, the relief colonies lie on the outskirts of the city, in areas without roads and schools and hospitals. To earn a livelihood, people have to travel long distances; the commuting cost itself eats into their meagre earnings. In the rains, the water reaches their doorsteps.

[...]

A survey conducted in October 2006, supported by Oxfam and implemented by Aman Biradari, Lawyers Collective and Yusuf Meheralli Centre, confirms that there are hardly any public conveniences in the relief colonies. In 65% of the colonies, residents get drinking water from private sources. In colonies such as Rahimabad Society and a nameless one in Rajgad, Panchmahals district, the handpump is located almost two kilometres away from the houses. It's the women who usually trek the distance to get water for their homes. The survey notes that only two colonies have government schools; four colonies have Integrated Child Development Services (ICDS) anganwadis; just three have ration shops."

#### **Hard News, 29 September 2007:**

"Four years have passed since the state-sponsored Gujarat carnage shook the entire nation, leaving hundreds dead and lakhs displaced and brutalised, but till this day many of the survivors of the post-Godhra killings have not found their way back home. These exiled 'second-class

citizens' are living in inhuman conditions in make-shift camps and are deprived of basic amenities, like potable water, sanitary facilities, street lights, schools, banks, public transport and primary healthcare centres. Recent visits by members of the National Commission for Minorities (NCM) and a Parliamentary committee revealed the pathetic state of more than 5,000 Muslim families living in these sub-human camps in Ahmedabad and Sabarkantha districts of Gujarat.

[...]

Living in 10 x 10 rooms with large families to support, basic civic amenities are denied to the people of these. The NCM team witnessed abject poverty in these camps and discovered that but for a few houses, most of them had little except bare minimum bedding and utensils. " Ironically, the NCM, in its report, revealed that not a single colony was constructed by the state government, nor was any land allotted to these families, while, earlier last year, the Modi regime returned Rs 19 crore to the centre, stating that all the relief work across the state for riot victims had been done. The NCM team found out that the government did not rehabilitate those who could not return to their homes after the killings. All of them, predictably, are Muslims."

**EPW, 16 December 2006:**

"All the 81 colonies without exception were found to have been established by various Muslim organisations, ranging from conservative groups like the Jamiat Islami and Gujarat Sarvajanik, and more centrist religious organisations like Jamiat ulema Hind, to a heterogeneous range of small and local Muslim organisations, and in at least one case by funders with known proximity to the mafia. The land was mostly purchased from Muslim landowners at commercial rates, therefore it is not surprising that the locations of many of the colonies were commercially unattractive: their poor locations meant lower costs that made these viable for the organisations that purchased the land to establish the colonies. The colonies were of course invariably built in the vicinity of other Muslim settlements, because it is only among people of their own faith that the internal refugees felt secure."

**Chhattisgarh: Anti-naxalite movement systematically displaces civilians from villages to camps (July 2008)**

- Between June 2005 until June to September 2007, government security forces and members of the civil militia Salwa Judum forcibly relocated thousands of villagers to government-run makeshift camps
- Authorities claim that civilians are seeking refuge in the camps, but the villagers say they were forced to move
- With villagers in camps, the counterinsurgency is trying to cleanse the countryside of Maoist support

**HRW, July 2008:**

"Over a period of approximately two-and-a-half years, between June 2005 and the monsoon season of 2007 (June to September), government security forces joined Salwa Judum members on village raids, which were designed to identify suspected Naxalite sympathizers and evacuate residents from villages believed to be providing support to Naxalites. They raided hundreds of villages in Bijapur and Dantewada districts, engaging in threats, beatings, arbitrary arrests and detention, killings, pillage, and burning of villages to force residents into supporting Salwa Judum. They forcibly relocated thousands of villagers to government-run makeshift Salwa Judum camps near police stations or paramilitary police camps along the highways. They also coerced camp residents, including children, to join in Salwa Judum's activities, beating and imposing penalties on those who refused."

**Asia Times, 20 March 2007:**

“An important trigger and target of Maoist attacks over the past year has been civilians who are part of the Salwa Judum - the Chhattisgarh government's initiative to arm villagers to fight Maoists on behalf of the state. Salwa Judum was initially thought to be a voluntary initiative of villagers in Maoist areas, who were fed up with the Maoist violence and wanted to fight the rebels themselves. It was touted by the government as a peace movement.

However, soon it became apparent that while some people in these villages might indeed be weary of violence, Salwa Judum was in fact government-sponsored and a civil militia, and tribals were being forced to join it. While a part of Salwa Judum's work involved political work, ie, propaganda against the Maoists, it also had an armed wing, which was seen as the tribal face of the police fighting the Maoists.

Soon, Maoists started targeting members of the Salwa Judum. Camps in which Salwa Judum members lived or buses in which they traveled were targeted by the Maoists. Hundreds of Salwa Judum members have been killed in the 18 months since it was formed.

The counterinsurgency strategy of the Chhattisgarh government, with Salwa Judum at its core, has unleashed civil strife in the state. Tribals have gotten caught in the crossfire between Maoists and the state. In the past, the Maoists targeted forest officials and police. Now it is tribals seen to be members of Salwa Judum who have become targets of Maoist ire. The 39 Special Police officers who were killed in last week's attack on the Rani Bodli police outpost were part of the Salwa Judum.

Entire villages have been emptied as tribal communities flee from the burnings, lootings and killings. The civil war in Chhattisgarh has driven more than 50,000 people out of their homes and into camps. Government authorities claim that the tribals are seeking refuge in the camps; tribals tell a different story. They maintain that they are forced into the camps.”

**NYT, 13 April 2006:**

“Here in central Chhattisgarh State, the deadliest theater of the war, government-aided village defense forces have lately taken to hunting Maoists in the forests. Hand in hand with the insurgency, the militias have dragged the region into ever more deadly conflict. Villagers, caught in between, have seen their hamlets burned. Nearly 50,000 are now displaced, living in flimsy tent camps, as the counterinsurgency tries to cleanse the countryside of Maoist support.

[...]

Last summer, an anti-Maoist village defense movement was born, calling itself the Salwa Judum, or Peace Mission. The group has coaxed or hounded thousands of people out of their forest hamlets and into the squalid tent camps, where suspected Maoist sympathizers are detained. The camps are guarded by police officers, paramilitary forces and squads of local armed youths empowered with the title "special police officer.”

**Orissa: Many displaced fled to forests, others sought safety in relief camps (October 2008)**

- A number of Christian family fled to forests fearing attacks from Hindu hardliner groups
- Many IDPs in the forest stayed without food and water until it was safe to move out
- 23,000 IDPs took shelter in 19 relief camps within the violence-affected Kandhamal district

**IHT, 29 August 2008:**

“At least 3,000 people, most of them Christians, are living in government-run relief camps after days of Christian-versus-Hindu violence in eastern India, government officials said.



The government said that many people were also living in the jungle without any shelter and security because of the tensions, which erupted in violence after a Hindu leader was killed Saturday. At least 10 people, most of them Christians, have been killed since. Christian community leaders say that at least 1,000 Christian homes have been set on fire since Monday, rendering more than 5,000 people homeless.

Many of those living in the jungle were without food or water, said the Rev. Dibakar Parichha, a priest at the Roman Catholic church in Phulbani, a town in Orissa State. Father Parichha said that about 90 places of worship, including small churches and prayer halls, had been burned down. Local officials said the figure was about 20.

The violence has occurred in Kandhamal, a district in Orissa State that has a history of communal and ethnic clashes. The latest conflict started Saturday night, when unidentified armed men stormed a Hindu school in Kandhamal and killed the Hindu leader Laxmanananda Saraswati and four of his followers.”

**Hindustan Times, 29 August 2008:**

“The CRPF, which has been deployed in trouble-torn Orissa, is making all efforts to bring back the violence-affected families who have fled their homes for forests fearing attack from right-wing groups. The central paramilitary force is also providing security to foreign missionaries in the worst-affected Kandhamal district.”

**Frontline, October 2008:**

“Of the 23,000-odd people who took shelter in the 19 relief camps set up for riot-hit families in Kandhamal, over 3,000 were in the Tikabali relief camp when violence was still spreading. With the incidence of violence decreasing in the district, the total number of refugees in the relief camps came down to 13,000 by mid-October; at Tikabali it was 900.”

# PHYSICAL SECURITY & FREEDOM OF MOVEMENT

## Physical Security

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### Displaced women face neglect and denial of justice (October 2005)

- No provisions made for women in relief camps
- Women who have suffered sexual abuse do not get attention from the government

#### **Kumar, 28 October 2005:**

"While the events were still unfolding it became clear that the attack was not just against the minority community but were particularly against women of the minority community as well as the women of the majority community, if they appeared errant. There are numerous recorded instances of extreme sexual violence against women during the days of mayhem. In every case of mob violence there was evidence of pre-planned targeting of women. There were gruesome testimonies of how violence against women was used as an instrument to displace people and evidences of police complicity in this carnage. Not only were women forced out of their homes and targeted in the streets but also the police helped the attackers. The report said that in the vast majority of the cases the police refused to lodge First Investigative Reports. The insensitivity and apathy towards women can be gauged from this statement of the District Collector of Panchmahals, who said, "maintaining law and order is my primary concern. It is not possible for me to look into cases of sexual violence." There are reports that an "immediate impact of the violence is the creation of female-headed households. In many cases entire families have been killed. Women testified to having witnessed several members of their family dying. They were dealing not only with the trauma of this loss, but facing a future with their life's savings and livelihood sources destroyed." Many women in the camps stated their fear of going back to their homes, where they might be targeted again.[...]

In one of the reports by National Commission for women, which is mandated as the apex body for the protection of women's rights, the life in camp is summed up as:

How long could anyone stay in the camps? The temperature was already 43 degrees. In the next few weeks it would soar to 47 or 48 degrees. There were babies, infants and newborn under the canvas. There were pregnant mothers, the old, and the ailing. Water, sanitation and privacy were in short supply. There was no privacy during waking or sleeping hours, to feed the baby or change one's clothes. The situation was mired in pathos and humiliation.[...]

The National Commission for Women reported that many of the camps "were not up to the mark" and they asked the government to carefully supervise relief. The team revealed that in the camps organised by the government had no representation of women in the organising committee. With several pregnant and lactating women and children they felt there should be adequate representation of women in these committees. They also felt that security arrangements for women and children were inadequate and both of these groups reported to feeling "extremely insecure in the present circumstances." There were no special provisions for pregnant women. The committee observed that, "sanitary towels and other personal items of clothing such as undergarments, footwear etc. also need to be provided." They also observed that there was a lack of woman doctors and gynaecologists. More importantly there were no facilities for women and girls to who have been widowed or orphaned to get any special training to earn their livelihood. No efforts were made to make women aware of the compensations that were promised

to them. Although inadequate, these compensations could at least give some confidence to women who are traumatised by their own destitution.[...] What the members of the committee were most concerned about was that, "no one seemed to have asked questions related to rehabilitation. What efforts were being made to make their homes and localities safe? Or to determine, in consultation with them, where the women without men folk or children without parents would go?"[...] The displaced women in Gujarat were thus truly "nowhere" people. Even today they remain in hostile environment and as the evidence in the Best Bakery case suggests that these women, if they seek justice, are displaced once again [...]

Even in the northeast among the displaced, women and children form the most vulnerable categories. For example, when Bodo militants attacked displaced people in Barpeta in July 1994, according to one analyst, "about 1,000 persons mostly women and children were killed." Even in the Nellie massacre of 1983 in Assam, women formed the largest group of casualty.[...] According to Gina Sangkham, a Naga women activist in Manipur, among the displaced in the Northeast reports that there are sizeable numbers of women and children but no governmental agencies are looking into their conditions. In fact the State Governments insists that there are hardly any displacement-induced problems. Even when relief and rehabilitation is organised, according to Sangkham, women are hardly ever consulted although they are particularly suitable for rehabilitation work as the onus of care is traditionally on their shoulders.[...]

So, what we see is a systemic neglect and denial of justice on part of government towards the IDPs and complete negation of human rights in general of IDPs and particularly of the women. All this is in complete contrast to various constitutional fundamental rights and international obligations granted to people which the state has to fulfill."

### **Jammu and Kashmir: landmines is a mJOR security concern along the Line of Control (December 2004)**

#### **Jamwal, in Refugee Watch, December 2004, No. 23, p, 8:**

"De-mining operations are in full swing along the international border and 98 percent work is claimed over, though 20 percent mine-fields are said to be yielding problems. But no de-mining operations have been carried out along the line of control barring the Akhnoor region where too it is going at a snail's pace. The army maintains that since 1947, both Indian and Pakistani armies have heavily mined their respective territories along the Line of Control (LoC) permanently. There is no effort to de-mine these areas. They, however, claim that the civilian areas are not mined on the LoC and the civilians are not affected. Facts and figures dispute this claim. Heavily mined agricultural fields in Akhnoor where the line of control begins further up north dot the entire landscape from Hamirpur to Chaprayal in Pallanwala and Chammb sectors. Approximately 150 acres of agricultural land was affected by the mining operation since Operation Prakaram [beginning in December 2002]. Some mines, however, were emplaced in 1999 when some parts of Akhnoor's borders including the line of control were also affected. Coercive methods are now being adopted by some politicians and authorities to send the people back to their villages."

### **Assam: Internally displaced women are sold as sex slaves (April 2007)**

- thousands of women of all ages gone missing over the past 10 years, a recent police reports says
- women often trafficked from camps of internally displaced persons following recruitment on false promises of jobs as domestic help

#### **BBC, 10 April 2007:**

**"The biggest problem in India's north-eastern state of Assam is separatist militancy. But it faces another, less well known issue. Thousands of its women, old and young, have gone missing over the past 10 years.**

A recent police report says 3,184 women and 3,840 female children have gone missing in the state since 1996.

That's around two females a day on average.

The report was compiled by Assam police and their research branch, the Bureau of Police Research and Development.

The local police are far too busy, according to Assam police intelligence chief Khagen Sarmah, fighting insurgents.

"Our counter-insurgency commitments affects our normal policing duties like checking trafficking."

"Too many policemen are involved fighting the insurgents rather than following up on other crimes," Mr Sarmah said.

#### **'Good looking women'**

The Assam police recently rescued some girls working as call-girls around Delhi or used as "sex slaves" by wealthy landlords in states like Punjab and Haryana.

Most of them are from camps of internally displaced people dotting Assam, particularly the Kokrajhar district."

#### **IRIN, 17 May 2006:**

"We visited 25 relief camps of internally displaced persons [IDPs] in Kokrajhar in Bodoland Territorial Council, Assam [state]. Nearly 200,000 people are living in these camps without proper food. Traffickers carry out recruitment drives in such relief camps. They make false promises of jobs as domestic help in big cities," he said.

[...]

Narzary noted that more than 100 young women had gone missing from the camps over the past two years. Regional analysts fear that such "missing girls" may have been sold into sexual slavery or "temporarily married" – often a euphemism for prostitution.

The fear is that many such girls are extremely susceptible to HIV/AIDS and that many have already been infected. "Young girls and women from poor, desperate families are dually vulnerable: to being trafficked into the sex trade and to catching HIV. But there are no initiatives at present to address these twin problems," Nazary said.

India now holds the second largest absolute number of HIV infections in the world, UNAIDS has said. With more than 5 million people living with HIV in the adult population in 2004, India accounts for almost 13 percent of global HIV prevalence.

[...]

But with little reliable research, the trafficking problem is more widespread in the region than previously thought. Interviews by Nedan's field teams with 60 teenage sex workers at Dimapur, a border town in the north eastern state of Nagaland, revealed that many of the girls had been trafficked from the Naga countryside with false promises of sales jobs in big cities.

Most of the girls were from broken families, having lost one or both parents in the region's protracted ethnic conflicts. Almost all had dropped out of school and faced a bleak future, the foundation discovered."

#### **Tripura: IDPs vulnerable to child-traffickers (January 2008)**

- At least 100 children have disappeared from the Reang IDP camps in Tripura
- The missing children have been targets of child-traffickers

- The Reang IDPs report that the area has no schools so they are vulnerable to traffickers claiming to take their children away to obtain education

**BBC News, 20 December 2007:**

"The disappearance of about 100 children from camps for displaced Reang tribes people in India's north-eastern state of Tripura is causing increasing concern. Parents of 47 of these children have lodged formal complaints with the police. But officials say that many others who have lost their children to a trafficking racket have not so far complained.

[...]

Most of the children who have gone missing are between five and 15 years of age. [...] Tripura police chief...has no doubts that this is a child trafficking issue. The many ethnic conflicts in the north-eastern states have created tens of thousands of displaced people. And their camps have been regularly targeted by trafficking networks."

**IANS, 11 January 2008:**

"Kanchanpur area of northern Tripura state bordering Mizoram came into news in 1997 when about 35,000 Reang tribal took here shelter in six refugee camps after fleeing from neighbouring Mizoram, complaining of persecution by the dominant Mizos. Kanchanpur was soon forgotten but has again come into focus for its missing children.

Biradamani Reang, a government employee from neighbouring Assam, had been visiting the refugee camps since 2002, persuading inmates to send their children with him with promises of free education along with hostel facility. Reang allegedly got several illiterate parents of the Gachiram Para camp to blindly sign the affidavits not knowing that in the process they are declaring their children orphans. Between 2002-2005 he was able to dupe the parents of 47 children in the age group of 5 to 15 years to send them along with him.

By the time the distraught parents realised that they had cheated Reang had disappeared. The parents were left with the name of an orphanage, the Ananda Marga Children's Home, which has no registered address. The distraught Parents have formally lodged a police complaint against Reang.

[...]

Meanwhile, seven missing children have returned to tell gory tales of being forced to work for virtually nothing. Lairing Chowani, one of the seven children to return was taken away from home in 2002, and was allegedly kept in the Ananda Marg Ashram in Kolkata. The children had been allegedly made to work after a year of education and were transferred from one state to another state across India.

[...]

The inmates of the refugee camps say that the area has no schools to educate their children so they are vulnerable to unscrupulous people like Reang. Refugee camps in the northeastern states have always been vulnerable to trafficking, and child trafficking across the border into Bangladesh is also common."

**Arunachal Pradesh: In 1996, the Supreme Court of India directed the government to ensure protection of the life and personal liberty of Chakma residents (2001)**

**SAHRDC, 6 August 2001:**

"On 9 January 1996, the Supreme Court of India, ruling in the case of *National Human Rights Commission vs State of Arunachal Pradesh and Anr*, directed the government of Arunachal Pradesh to ensure protection of the life and personal liberty of Chakmas resident in the state, and to process their applications for citizenship in accordance with law. The Supreme Court's judgement was followed by a positive decision by the Delhi High Court. In the case of *People's Union for Civil Liberties and Committee for Citizenship Rights of the Chakmas of Arunachal*

*Pradesh vs Election Commission of India and others*, the Delhi High Court ruled in favour of registering Chakmas and Hajongs as voters in Arunachal Pradesh. However, these court directives have been ignored."

**Gujarat: closure of camps forced displaced to return involuntarily or to find shelter with friends and family (January 2005)**

- Camps were shut down without giving people an alternative about where to go
- Promised financial assistance was either absent or insufficient, forcing many victims back to the scene of the crime when camps were closed

**Amnesty International, January 2005, 7.6.a:**

"As threats of closure persisted, CJP on 31 May 2002 filed an application in the Gujarat High Court to obtain an assurance that relief camps would not be forcibly closed and received oral assurances from the government counsel that the camps would remain open until 30 June. However, forcible closure of camps in rural areas had begun in May and camp administrators continued to be harassed and coerced to shut down the camps. Often water supply was stopped or rations reduced to make it impossible for the camp administration to provide food and water to people in the camps. The petitioners submitted a state-wide survey of displaced persons to the court asking the state to set up a monitoring committee to facilitate rehabilitation. The state claimed in court that there were 13,482 displaced person in the state for whom it supplied food grains.

[...]

In August 2002, Shah Alam camp, the largest camp in Ahmedabad, was shut down leaving people helpless about where to go.[...] UN High Commissioner for Human Rights Mary Robinson in September 2002 called on the Government of India to ensure that internally displaced people were not cut off from relief as a result of the closure of yet more camps. At the time, almost all of the 121 official camps were rapidly closing and people moved to unofficial camps, to live with friends and neighbours, or were destitute and lived in the open. The High Commissioner emphasized the responsibility of the state to ensure conditions which made it possible for people to return to their homes voluntarily and with dignity.[...]

Amidst allegations of serious financial irregularities by the state bureaucracy, the state government in October 2002 announced that all camps must be closed by the end of the month. One of the last to close was the Haji House in Ahmedabad. Almost one hundred of the last people staying there had pleaded that they had nowhere to go.[...]. Rehabilitation of many people in camps had remained incomplete and many found it impossible to return to areas and villages which right wing Hindu inhabitants had declared ""Muslim-free"".

Responding to concerns expressed in the 7th report of the Lok Sabha Committee on Empowerment of Women (2002) that camps were being closed down despite protests and the unwillingness of inmates to leave, the state government denied that it had closed down any camps and reported that due to its "confidence building measures like providing additional security, involving the village elders and local leaders in the peace process, convening Peace Committees meetings arranging shelters in pucca buildings during monsoon" etc, normalcy had been restored and inmates had left the camps."

**HRW, July 2003, pp. 4, 38:**

"Promised financial assistance has only trickled in, forcing many victims back to the scene of the crime where their tormentors remain at large. And the government has done little to curb insidious discrimination against Muslims that has proliferated in Gujarat's marketplaces and offices since the massacres. [...]

The destruction as well as enmity and insecurity left by the communal violence in Gujarat in February and March 2002 forced more than one hundred thousand Muslims into over one hundred makeshift relief camps throughout the state, some located in Muslim graveyards. By October 2002, virtually all the camps had been closed by the state, forcing many victims to return to their neighborhoods where their security was continually threatened. Throughout this period, the state government failed to adhere to standards laid out in the U.N. Guiding Principles on Internal Displacement (Guiding Principles) and to international human rights standards."

### **Gujarat: displaced Muslim women are still victims of sexual violence (December 2003)**

- On-going sexual violence includes threats, insults, obscene gestures and actual attacks
- Women who experienced sexual violence during and after the riots remain silent about it due to the lack of security, obstruction of justice by the state, continued threat perception, and the pressure of ghettoised living

### **International Initiative of Justice, pp.53-54:**

"For women the fear of physical violence is heightened by fear of sexual attacks. Having been subjected to sexual violence themselves, having seen other women from the community being violated, or knowing the extent to which sexual crimes were committed, has engendered a psychological threat perception among all women from the community. This fear has been compounded by the overtly sexualized public discourse of the Hindu Right.

BJP supporters celebrated their election victory by 'informing' women: "Now this is our government. We will make this whole area Hindu. All mothers of Muslims are fucked." (Nahida, AA32 area, Ahmedabad). These threats have also been acted upon. On-going sexual violence includes threats, insults, obscene gestures and actual attack. Violence is not only directed against adult women but also against their daughters. Mothers are warned on the street to keep their daughters inside to prevent them from being raped.

[...]

Ghettoised living means living in a permanent pressure cooker situation in which collective fear is the dominant emotion, and where even a small altercation with any member of the majority community is seen as a collective threat to physical security. Individual fear and trauma merges with the collective fear and trauma. It becomes larger and is re-lived everyday. The lack of security, obstruction of justice by the state, continued threat perception, and the pressure of ghettoised living, has meant that women who were initially willing to talk about sexual assault are no longer ready to do so. So even where the silences around sexual violence were broken they have now been re-imposed."

***Read also Justice, the victim - Gujarat state fails to protect women from violence, Amnesty International, January 2005***

### **Gujarat: displaced witnesses to the violence are not adequately protected (September 2004)**

#### **HRW, September 2004, footnote p.2:**

"Displaced witnesses and victims now live in clusters and are protected by just a few armed guards posted on the outskirts of squatter settlements. This does not ensure their safety if they go into the general community for errands or meetings, as they can be easily accosted with threats

or offers of bribes. Witnesses are vulnerable, activists point out, because the Gujarat government has failed to adequately support several displaced Muslims, many of them key witnesses, who live in these resettlement colonies without electricity, water or medical facilities."

### **Chhattisgarh: IDPs at risk from government forces and Naxalites (July 2008)**

- Security remains the biggest problem for the IDPs in relief camps in Chhattisgarh
- Camps administered solely by security forces face greater risks of attacks by the Naxalites
- There are numerous reports of abuses such as rape by security forces within the camps
- IDPs from Chhattisgarh in Andhra Pradesh report fear of Salwa Judum members searching for them
- The Andhra Pradesh government has repeatedly evicted the Chhattisgarh IDPs and burned their hamlets or forcibly relocated them to other areas

### **MCRG, October 2007:**

"Security remains the most critical issue at the Dantewada displacement camps. The conflict is so polarized in nature that the Adivasis, who are caught in the middle, are forced to take sides. Even those who lack political conviction towards one side or another involuntarily select a side based on where they choose to live. In most cases an Adivasi who chooses to remain in their forest villages, especially when that village is in a Naxalite stronghold area is considered by security forces to be a Naxalite. If an Adivasi chooses or is compelled to move to a displacement camps then the Naxalites consider them a part of Salwa Judum. The concept is reinforced when the locals refer to the camps as "Salwa Judum camps" rather than relief camps, demonstrating a public belief that the sole purpose of living in the camps is to fight against the Naxalites. Although it can be argued that the security forces are there to protect people in the camps, their very presence especially of the Salwa Judum blurs the boundaries between civilians and combatants and attracts further attacks by Naxalites, greatly endangering innocent civilians in the camps. This danger increases significantly in camps that are solely administered by security forces. Both Mariagudem and Pollampalli camps are administered solely by security forces. Mariagudem camp has reportedly been attacked by Naxalites as many as five times in the six months since it opened. The rationale of allowing security forces to be the sole administrator of a relief camp is horribly ill-conceived and leads civilians one more careless step towards becoming the targets of attacks. In some cases security forces can assist people at least in part, to their previous livelihoods. [...]

More disturbing are the pervasive reports of abuses against people in the camps by the government security forces themselves. There are simply too many reports of abuses by security forces from too many different NGOs and human rights organizations to ignore. These reports go unchecked and unpunished by officials. Impunity breeds further abuses (security not being punished for acting outside of the law) cultivating further lawlessness and martial law.

[...]

There have been countless reports of rapes and abuses against women by security forces, but it is very difficult to confirm under the current conditions of elevated security. Women in the camps live under the constant scrutiny of the camp security forces and they are even more vulnerable when they leave the camp to collect forest produce or to work on road or pond activities. When a woman wanted to report a rape by security forces, there is no safe mechanism for her to do so. Rape by security forces has been reported to independent organizations but there remains the ethical dilemma regarding prosecution due to a lack of appropriate security for the victim who usually remains in the camp and vulnerable to threats from the perpetrator."

### **HRW, July 2008:**



"Not only were villagers forcibly evicted from their villages and moved into camps, but once in the camps, they were coerced into participating in Salwa Judum's activities, which included attending meetings, going on processions, and even raiding other villages.

[...]

Salwa Judum members and government security forces have carried out reprisal measures against villagers who left camps.

[...]

Salwa Judum and government security forces also cross over to Andhra Pradesh searching for people from Chhattisgarh who have settled there.

[...]

The fear of reprisals is so high that people who have settled on the Andhra Pradesh side said that they hide and run when they see Salwa Judum members.

[...]

Despite being aware of the circumstances under which displaced persons from Chhattisgarh settled in reserved forest areas, the Andhra Pradesh government has repeatedly evicted displaced persons unlawfully and by force, and failed to assist them.

[...]

Displaced persons from nine different hamlets stated that forest department officials had repeatedly burned their hamlets, destroyed their personal belongings despite pleas for minimizing damage, beat hamlet residents including children), or forcibly relocated them to other areas without prior consultation, and without offering adequate alternative housing. In some of these cases forest department officials reportedly instigated local tribal communities to harass displaced persons.

[...]

Naxalites regard Salwa Judum as a serious threat to their influence in the area. After the movement began in June 2005, Naxalites have abducted, tortured, and executed villagers whom they believed were Salwa Judum supporters or supporters' family members. Villagers who left voluntarily or were forced into Salwa Judum camps risk being assaulted or killed by Naxalites in retaliation if they attempt to return to their villages."

### **Chhattisgarh: Children being recruited by all parties to the conflict (December 2008)**

- Children have been recruited as special police officers from among Salwa Judum members to join village defence forces
- The Salwa Judum has coerced IDP children as young as 12 to participate in meetings and raids along with government security forces
- The Naxalites have recruited children as young as 14 or 15 into armed squads and children between the ages of six and 12 into children's associations where they are trained in Marxist ideology
- Along the Andhra Pradesh-Orissa border, Maoists have come up with a recruitment scheme forcing villagers to give up one child

### **Coalition to Stop the Use of Child Soldiers, 20 May 2008:**

"There were widespread reports of under-18s being recruited to state-backed anti-insurgency groups in Chhattisgarh.

[...]

Special police officers (SPOs) were recruited from among Salwa Judum members to join village defence forces and provided with arms and training by state police and security forces, including the Naga Indian Reserve Battalion. There were allegations that under-18s were being recruited as SPOs. In March 2006 a human rights organization visited Dantewada district, Chhattisgarh, and found evidence of children, including nine girls aged between 14 and 16, being recruited as

SPOs. The girls said that they were being given training in fighting tactics, including how to use guns, as well as being used as informers. The central government Home Ministry reportedly subsequently issued directions that persons below 18 years old were not to be recruited. However, in December 2006 members of the NCW visited Salwa Judum camps in Dantewada district and reported that tribal girls and boys had been recruited as SPOs and were being used as combatants in the Salwa Judum campaign against the Maoists. There was no official response to the NCW's allegations and its recommendation that such recruitment should stop.

There was a reported increase in the recruitment of children by Maoists since 2005. Sources in the Communist Party of India (CPI) (Maoist) and in the Andhra Pradesh police were reported to have stated that children as young as 14 or 15 were being recruited into armed squads in Andhra Pradesh. Maoists claimed that its children's division, the Bal Mandal, was not used in hostilities but that children were used only as messengers and informers. However, they admitted that they were provided with military training to prepare them for any situation. Recruitment of under-18s by Maoists was also reported to have increased in Chhattisgarh and Jharkhand. Some children were reportedly taken from school without their parents' consent. Almost all those under-18s recruited by Maoists were reported to be illiterate and from tribal communities.”

**HRW, September 2008:**

“The Naxalites recruit children between ages six and twelve into children’s associations called bal sangams, where children are trained in Maoist ideology, used as informers, and taught to fight with non-lethal weapons (sticks). Naxalites typically promote children above age 12 to other wings—chaitanya natya manch or CNMs (street theater troupes), sangams (village-level associations), jan militias (armed informers), and dalams (armed squads). In sangams, jan militias, and dalams, Naxalites give children weapons training with rifles and teach them to use different types of explosives including landmines. Children in jan militias and dalams participate in armed exchanges with government security forces. Children in bal sangams, sangams, and CNMs do not directly participate in hostilities, but are nevertheless open to attacks by government security forces during anti-Naxalite combing operations. Children recruited into dalams may not be permitted to leave, and may face severe reprisals, including the killing of family members, if they surrender to the police.

[...]

Salwa Judum leaders have coerced camp residents, including children as young as 12, to participate in Salwa Judum meetings and raids along with government security forces. During these raids, children have participated in beatings of villagers, pillage, and burning of villages. Families who refused to participate in Salwa Judum activities have been beaten or subject to fines. To counter Naxalite activity in Chhattisgarh, the central government has deployed over 10,000 government security forces, including the Indian Reserve Battalions (IRBs) and the Central Reserve Police Force (CRPF). In addition, since mid-2005, the Chhattisgarh state police have recruited camp residents, including children, as auxiliary police or special police officers (SPOs) to assist government security forces in conducting anti-Naxalite combing operations and providing security to camp residents. Since mid-2005 around 3,500-3,800 SPOs were appointed, including children as young as 15 years.”

**Times of India, 8 December 2008:**

“Tribal youth and children are on the run. While Maoists have let loose a wave of terror in tribal villages as part of the ongoing People's Liberation Guerrilla Army (PLGA) week celebrations, parents are worried as Maoists have come out with a recruitment scheme forcing villagers to give one child --either boy or girl --in the family to join them.

Though increasing use of child soldiers has been reported from Chhattisgarh, Orissa and Jharkhand in the past, this is for the first time that Maoists are recruiting tribals in the age group of 10-18 years along the Andhra-Orissa Border. "With Tamil Tigers successfully using this strategy

in their war against the Sri Lankan government, the Maoists have also started banking on children heavily," an analyst said.

Sources said the Maoists have specifically targeted Pappuluru, Kappatotti, Naguluru, Tarigetta, Chintagunnal, Kuntawada, Sanyasiguda, Nimmalapadu, Doraguda, Gassiguda and Allurukota villages located on the other side of Sileru river and near to G K Veedhi mandal for their recruitment drive.

Worried over the depleting cadre strength, the party's Malkangiri division has decided to fill up the vacant slots in the platoons and area committees. The Maoists have threaten villagers and ask them to send a minimum of 10 children from each panchayat to join them.

"If the parents ignore their call, the Maoists swoop on the villages in the night and take away kids," sources said. "If we refuse to join the rebels, they will beat us. No place is safe for us," a teenager said.

Nearly 100 children fled to neighbouring villages of Sileru, Koraput, Jaipore and Viskhapatnam. "Some parents have sent their wards to remote places to safeguard them against the Maoist move," the sources said. The sources said the Maoists gave training to kids to collect information on cops, handle sophisticated weapons and plant mines. "The young recruits are also engaged to collect intelligence inputs on police stations, deliver messages and procure food," a police officer involved in anti-Naxal operations said.

Stating that 90% of the members of the cultural outfits of Maoist wings are below 16 years, a senior cop in anti-insurgency operations said: "Maoists use kids in their propaganda war against the government and security forces."

### **Orissa: IDPs face threats from Hindu hardliners and pressure to convert to Hinduism (October 2008)**

- Christian IDPs in relief camps in Orissa reported being unable to return to their villages due to threats from Hindu hardliners and pressure to convert to Hinduism
- Many IDPs consequently left relief camps for other towns rather than returning to their villages

#### **Frontline, October 2008:**

"Of the 23,000-odd people who took shelter in the 19 relief camps set up for riot-hit families in Kandhamal, over 3,000 were in the Tikabali relief camp when violence was still spreading. With the incidence of violence decreasing in the district, the total number of refugees in the relief camps came down to 13,000 by mid-October; at Tikabali it was 900.

Many of the Christian families who had taken shelter at the Tikabali camp had by now left for distant towns as they were not willing to succumb to pressures from Hindutva forces to convert to Hinduism. Some families, however, have returned to their villages to become Hindus and resume normal life. Some people living in the camp have tried to return to their homes, but in vain."

#### **NYT, 13 October 2008:**

"...In eastern Orissa State, riven by six weeks of religious clashes, Christian families...say they are being forced to abandon their faith in exchange for their safety. The forced conversions come amid widening attacks on Christians here and in at least five other states across the country, as India prepares for national elections next spring."

**IANS, 9 October 2008:**

“There is deep fear in the hearts of the nearly 20,000 people living in relief camps in Kandhamal as well as in Bhubaneswar and Cuttack. Many claim that they have been threatened by activists of the Hindu organisations such as VHP and Bajrang Dal although leaders of these organisations deny making any threats.

District authorities said they had received over a dozen complaints of forced conversions to Hinduism. Victims claim the administration has not taken action and in many villages people have put saffron flags at the top of their houses to escape attacks by Hindu mobs.”

## **SUBSISTENCE NEEDS**

### **General**

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#### **Jammu and Kashmir: Disparities in relief assistance to IDPs from the state (April 2008)**

- Hindus displaced in 1998 due to conflict in Doda, Udhampur, Poonch and Rajouri districts have not been treated on par with the Kashmiri Pandit IDP group
- The Jammu and Kashmir state government stopped providing them with aid in 2004 despite a Supreme Court order calling for these IDPs to receive the same assistance as the Kashmiri Pandit IDPs
- Acute poverty has forced a number of IDP families to "mortgage" their children in return for money
- Most of the displaced living at the Talwara IDP camp are working as manual laborers in exchange for small amounts of money depending upon the availability of work
- A number of IDPs at the camp remain on the verge of starvation and in need of urgent medical treatment

#### **ACHR, 2007:**

"Over 2,200 families, comprising 11,884 persons had migrated in 1998 due to armed conflict from Doda, Udhampur, Poonch and Rajouri regions, and over 400 of these families were staying in the Talwara camp in Reasi in Udhampur district. These Internally Displaced Persons (IDPs) were not treated at par with Kashmiri migrants. The government had reportedly stopped providing them relief, including ration and cash assistance from 2004. Acute poverty had forced the migrant families to either sell or mortgage their children for a price which ranged between Rs 2,000 and Rs 7,000."

#### **GHRD, December 2006:**

"Talwara, a dusty migrant colony (In Reasi Tehsil of Udhampur district), is at a distance of about 100 Km from the city of Jammu and 25 Km from the holy town of Katra. It was recently in news over the reported 'sale' and 'mortgage' of children by the 'migrant' families who are putting up there for the past 10 years due to terrorist violence in their respective villages. These migrant families living in the camp belong to some of the remote and inhospitable areas of Poonch, Rajouri and Doda districts of Jammu and Kashmir.

The camp which has been established by the Jammu and Kashmir government at the site (which was earlier used as residential colony for the Salal Hydro Electric Project) comprises about 900 odd families having 8000-9000 souls who are living in shabby and pitiful condition. This habitation devoid of any modern facility is not within the knowledge of the outside world. It was revealed by the local displaced population that due to the miserable economic conditions and unsympathetic attitude of the Jammu and Kashmir government, many of the migrant families, in order to survive, had either 'sold' their children or 'mortgaged' them with the families in the area or in far off places like Jammu and Punjab, where they are presently working in hotels or at homes. The investigating team came to know that the migrants had been borrowing money in return for having their young sons or daughters mortgaged with the persons from whom the family members had taken money, thus reducing them to the status of bonded labourers."

#### **The Tribune, 8 April 2008:**

“Over 2,200 migrant families, both Hindus and Sikhs from areas close to the Line of Control (LoC) and other highly militant infested regions of the Jammu region are on the verge of starvation with the state simply refusing to provide subsistence allowance or ration for “want of funds”.

Following a Supreme Court directive to treat migrants from all regions of the state at par with Kashmiri Pandit migrants from the Kashmir valley, the Jammu and Kashmir Government had announced that it would give each individual in this camp 9 kg atta, two kg rice and 10 litre of kerosene oil in addition to Rs 1,600 in cash per family.

People on the initial registration of migrants list made way back in 1998 received some ration and money sporadically, but since the last three months the district administration has washed its hand off by saying, “We have no funds.”

Most people in the Talwara migrant camp work as manual labourers at Reasi earning Rs 120 every fourth or fifth day depending upon the availability of work.

There is talk that some women have been forced into prostitution to survive. Incidentally, it is pertinent to mention that most of these migrants were farmers and have sizable pieces of land, which have been lying barren for the past 10 years as they do not want to return out of fear of being killed. Balwan Singh, president of the Migrants Union, said many people in the camp were very sick and needed urgent treatment, but had no money.”

**GHRD, January-February 2007:**

“Nearly 1,700 Hindu minority community displaced families are struggling for their rights in Jammu province for the last 10 years. These families were forced to leave their homestead due to Islamic terrorism in their areas for the last 15 years.

Though the State authorities here on the one hand have recognized their displacement but they are not treated at par with the other displaced population. Consequently they get either less relief or no relief from the administration. Their issue was raised in the State Assembly by a number of members and the Minister in charge assured full support to them. Unfortunately these assurances have never transformed into reality leaving these hapless people to live in difficult and pitiable condition of abject poverty and misery. Talwara displaced camp is a glaring example of their plight. The discrimination meted out to these people has no parallel. The public representatives from Jammu region have also failed to provide justice to these victims of terrorism and State apathy. There is no uniform policy on the subject despite clear strictures issued by the honourable courts in India.”

**Jammu and Kashmir: Central government relief package to Kashmiri Pandits is still judged insufficient (2005)**

***The government provides a special relief package to Kashmiri Pandits, not granted to internally displaced elsewhere in the country:***

**MHA-GOI 2004-2005 pp. 27-28:**

"3.51 The policy of the Government in respect of these Kashmiri migrants is based on the premise that they would return to the Valley as soon as conditions reasonably conducive for their return are created. Accordingly, the permanent rehabilitation of the migrants outside the State is not envisaged. In such a situation, the thrust of the policy has been to ensure that difficulties and hardships of the migrants are minimized and the needy families provided a reasonable amount of sustenance and support. Various State Governments/UT Administrations where Kashmiri Migrants are staying have been providing relief to Migrants in accordance with the rules in vogue in their States. Government of J&K is giving cash relief of Rs.750/ - per head per month subject to

a maximum of Rs.3000/- per family per month, which is reimbursed by the Central Government. Government of NCT of Delhi is giving cash relief of Rs.800/- per head per month subject to a maximum of Rs.3200/- per family per month for non-camp migrants and Rs.600/- per head per month subject to a maximum of Rs.2400/- per family per month plus basic dry ration for those living in camps. Other State Governments/UT Administrations, where Kashmiri Migrants have been staying, are providing relief to Migrants in accordance with the rules in vogue in their States. While the relief provided by J&K Government is reimbursed by the Central Government from SRE, all other State Governments/ Union territories pay such relief from their own funds.

3.52 In Jammu, where a sizeable number of migrants are staying in relief camps, the migrant families have been provided with one-room tenement accommodation. Necessary physical facilities like water, electricity, sanitation, etc. have been provided free of cost. There are 12 dispensaries within Jammu to provide medical facilities. The living conditions of the migrants in these camps are closely monitored by MHA to make improvements. In Delhi also, accommodation, water electricity, sanitation, etc. have been made available.

[...]

3.55 In 1996, the then Prime Minister announced a special package of Rs.6.60 crore for improvement of facilities in Jammu camps. The amount was utilized on the construction of one-room tenements, Sulabh type toilet complexes, drainage scheme and school buildings. A further sum of Rs.6.20 crore has been released by the Government of India for improvement of the living conditions in

Jammu camps.

3.56 During his visit to J&K in August 2003, the Prime Minister announced sanction of a further amount of Rs.5.00 crore for the improvement of the facilities in camps. Out of this, the State Government has been authorized to incur an expenditure of Rs.2.30 crore for the purpose. The money released has been utilized for construction of approach roads, construction of water tanks, improvement of drainage system, sanitation and other facilities. The balance amount would be released to the State Government as per requirement.

3.57 In addition, the Prime Minister has also announced sanction of Rs.10.00 crore for construction of 500 new one room tenements (ORTS) at Purkhoo Phase-IV to accommodate Migrants presently staying in various Government/ semi-Government buildings and construction of 504 ORTs at Muthi Phase-II in replacement of the existing leaking dome type ORTs."

***However, conditions are still judged as insufficient by many of the displaced in Jammu:***

**Rediff.com, 3 February 2005:**

"Those who live in refugee camps -- some 4,600 families -- have to make do with one-room tenements. So, we have thousands of families who for 15 years have been condemned to live in 10 by 12 feet rooms, one room for each family. Prime Minister Manmohan Singh, following his visit to a camp last year, has sanctioned funds for two-room tenements.

[...]

Then there are those Pandit families that do not have the wherewithal to live in rented accommodation, having left behind all their assets in the 'Muslim only' Kashmir valley, and have not been able to secure a one-room tenement. They live in tattered tents.

Every time the issue of the plight of the Kashmiri Pandits has been raised, the Union and state governments have been quick to point out the 'assistance' provided to the 'migrants.'

The assistance is all of Rs 600 per head up to a maximum of Rs 2,400 per family. And inedible, PDS surplus food grains, what the Union home ministry's annual report eloquently describes as 'dry ration @ 9 kgs of rice and 2 kgs of atta per person and one kg of sugar per family per month to needy migrants.'

[...]

The 'non-needy migrants' are Kashmiri Pandits who were government employees. They continue to receive their salaries or pensions. But they have been deprived of benefits like promotion. Most of them are barely able to keep body and soul together.

Kashmiri Pandit children have suffered the most. According to state government officials, '10 primary schools and three high schools have been built for migrant children.' Who is to tell them that 10 primary schools and three high schools cannot meet the needs of 250,000 people?

[...]

Prime Minister Manmohan Singh has recently set up an inter-ministerial group to prepare a report on the welfare of the Kashmiri Pandits. But that is small consolation for the thousands of hapless men, women and children who are convinced that nothing ever will be done to restore their lost lives."

### **Assam: Humanitarian needs of internally displaced are not met (January 2007)**

- Conditions of IDP camps in Assam are very poor in terms of shelter, water and nutrition
- Conditions in relief centres for displaced Hmars are also reported to be inadequate

#### **ACHR, January 2007, pp.30-31:**

"The IDP camp conditions were deplorable across Assam. During its field mission in November 2005, Asian Centre for Human Rights found camp conditions to be extremely deplorable in Karbi Anglong district. The camps were extremely overcrowded, and most inmates had to sleep in the open. Apart from rice, dal and chirra, the government had not provided adequate clothes, cash doles to buy vegetables or firewood. In Karbi Anglong district, there were 32,871 inmates as of 30 October 2005 but the State government had provided only 8,504 plates. Therefore, four IDPs had to share a plate. The government had failed to take preventive measures against the spread of malaria. There were about 200 pregnant women in the relief camps without any medical facilities and babies were delivered inside the camps. Out of the 44,071 inmates, 17,971 or overwhelming 40.78% were listed as minors. A large number of them were babies and infants. Yet, no baby food was supplied. The state government had provided only 6,964 blankets for 44,016 internally displaced persons. In addition, out of 53 camps in Karbi Anglong, 32 were schools thereby affecting the right to education across the district."

#### ***Conditions in relief centres hosting IDPs who fled fighting between Dimasas and Karbis reported to be deplorable:***

#### **Chakma, The Tribune, 1 January 2006:**

"The recent internecine killings, which claimed about 90 lives in Karbi Anglong district of Assam, have led to the displacement of over 44,000 tribal Karbis and Dimasas. Away from the attention of the national media, the displaced Karbis and Dimasas have been living in deplorable conditions.

[...]

The Oxford English School at Manja, Diphu, district headquarters of Karbi Anglong, housed over 2,000 displaced persons. There is not adequate space to even stand up, if it rains. The majority of the people were sleeping in the open. There is rice and dal but no firewood to prepare food. Nor have the displaced persons been given any vegetable or cash dole.

Of the 44,071 inmates, 17,971 or an overwhelming 40.78 per cent are listed as minors by the government. Yet, there is no baby food. Nor is there any special treatment for 200 women who are in advance stage of pregnancy. Sanitation and hygiene is a serious problem.



In Karbi Anglong, 32,871 inmates have been provided only 8,504 plates. It means four persons have to share a plate. To paraphrase Chief Minister Tarun Gogoi, such things including the macabre killings are bound to happen in the jungles."

***Rations have been stopped to force people out of Santhal relief camps housing:***

**BBC, 9 December 2005:**

"Assam officials say only about half of the quarter million displaced people were still left in makeshift relief camps.

Assam government records, now available with the BBC, indicates only 33362 displaced people were left in the camps Kokrajhar district and 74123 were left in the camps in Gosaigaon district.

But many tribal leaders allege that the administration was stopping rations to force these people out of the camps.

"We have been literally chased out of the camps by the officials. They said we have to go or else we will have to starve," says Joachim Baxla, a Santhal tribal leader at Nabinagar, where only 103 families were left in the camps.

Another tribesman, Kartick Hembrom, in nearby Matiajuri said: "We are uncertain about our future. We may not get back our cultivable lands from the Bodos who occupied it after we fled the violence in 1996."

***Thousands of Muslims of Bengali origin chased out by the Bodo rebels in 1994 reported to live unassisted along roads:***

**BBC, 9 December 2005:**

"Near Bijni, on the national highway, nearly 8,000 such Muslims live in huts on both sides of the road.

"We cannot go and work in the fields because the Bodos threaten us, we cannot buy lands anywhere under the new autonomy arrangements, we cannot get back our lands," says Sabeur Rehman.

"And so we stick to this narrow stretch on the highway where scores of our children die when they are hit by trucks and buses while crossing roads," he says."

***Conditions in camps for displaced Santhals in Assam as of December 2004:***

**The Hindu, 16 March 2004:**

"It's a daily struggle for survival in the camps; the only rations provided to the refugees, most of them Adivasis, is a meagre 5kg of rice each which has to last them for 10 days. There are over 42,000 minor children in these camps, many of them born in sub-human conditions and lacking even basic health care; some of them haven't still overcome the trauma of seeing their own houses burn and relatives being slaughtered in the riots."

**Sumona Das, Refugee Watch December 2004:**

"Food: In the name of relief, district administration is providing them only rice for ten days in a month – 600 grams for each adult and 400 grams for each child. But this insufficient food aid also arrives sporadically. For their survival they are to go in search of wild roots and herbs to eat. Childrens are suffering from tremendous malnutrition and elderly looks sick due to the lack of two square meals a day.

Drinking water: There is a lack of clean drinking water. Though the government provided tube wells in some of the camps few years back, but most of these are presently not in working condition and others are in very unhygienic condition. The inmates sometimes have to go miles in search of drinking water or collect it from nearby dirty ponds.

Shelter: The displaced are living in thatched or polythene roofed huts, which are really unsafe especially during rainy season. They sleep on the ground or makeshift beds of bamboo without mosquito net, pillow or bed cover. In a small hut 7 to 8 members of a family are staying together which is a denial of privacy [...].

Sanitation and hygiene: There is nothing –called sanitation and hygiene in and around the camps. There is no provision for bathroom and toilet. [...]

Clothing: [...] Many children, particularly during winter, died due to inadequate protection from cold and fever. Women are unwilling to go out because of lack of sufficient clothing over their bodies.

Health care: There is lack of health care facilities. Diseases such as malaria, jaundice, dysentery, diarrhoea and influenza often pose a serious threat. [...] Some government dispensaries are set up, but there is insufficient supply of even commonly available medicines like cough syrup, paracetamol, etc. Recently [...] Medicines Sans Frontieres has started the health care programme for the IDPs.

Education facility: There is very little scope for education for the encamped children. [...] In some camps the residents have had started L.P School with the help of Lutheran World Service (LWS), an NGO, with the offer of a small stipend of rupees 400/- per month to a teacher in a temporary school shed. But the lack of other facilities like availability of books, inability of the parents to pay the examination fees etc. keeps the students away from the school. [...]"

***Other relief camps:***

**Times of India, 8 January 2004:**

"Kochugaon relief camp secretary Pandu Soren narrated a tale of sorry plight for the refugees. "We get only rice as relief. That, too, is sufficient for only 10 days in a month. For the other 20 days, we have to collect firewood in the jungle, or try to catch fish in the rivulets."

Health facilities are almost non-existent. The Kochugaon health centre adjoining the relief camp now houses army personnel, who moved to the area after the Royal Bhutan Army launched an operation against militants in Bhutan . Obviously, it is difficult for villagers to gain access there."

***Conditions in camps as of 2001:***

**SAHRDC, 2001:**

"Over 200,000 IDPs now live in 78 relief camps in Kokrajhar and Bongaigaon districts of Assam. Conditions are very poor. Shelters consist of rows of temporary sheds made of polythene and aluminium sheets. People sleep on the ground on makeshift beds of bamboo; and there is a lack of clean drinking water; and diseases such as malaria, jaundice, dysentery, diarrhoea and influenza pose a serious threat. Groups of five to six people are forced to share essentials. To supplement food rations, which are adequate for at most 10 days a month, they are compelled to consume snails, insects and wild plants. Pregnant women, children, and the elderly suffer the highest health risks in the camps. Over the past couple years, camps have been attacked repeatedly, leaving several dead and dozens injured. Displaced Bengalis in Tripura live in similar conditions."

## **Manipur: Call for relief to internally displaced due to ethnic clashes and security operations (January 2006)**

### **Sangai Express, 21 January 2006:**

"[...] the State Government had assured to provide adequate relief assistance to villagers of Parbung area who had fled their homestead due to clashes between security personnel and underground activists

[...]

Informed source conveyed that State authorities are in constant touch with the Mizoram Government for provision of relief materials to Parbung area villagers most of whom had fled to the neighbouring State due to gun-fights that erupted some days back.."

### **Web India 123.com, 23 January 2006:**

"The Asian Centre for Human Rights today urged the National Human Rights Commission to provide humanitarian assistance to the internally displaced persons (IDPs) of Hmar and Paite tribal communities from the Tipaimukh sub-division in Churachandpur district of Manipur.

"The condition of the internally displaced persons across the North East is deplorable. The displaced Hmar and Paite are now facing crisis of food, medicines, warm clothes and other essential commodities," ACHR Director Suhas Chakma said.

He urged the NHRC to direct the Union Home Ministry, State governments of Mizoram and Manipur to provide relief including proper shelter, food, medicine, babyfood to the displaced Hmar and Paite IDPs, ensure security of the IDPs and proper rehabilitation of those displaced within Manipur and Mizoram."

## **Tripura: Conditions in relief camps (2000-2004)**

- Local newspapers say that displaced tribal families are starving in relief camps
- Reangs in relief camps in Tripura say camp conditions are totally inadequate

### ***January 2004, one newspaper reports of urgent needs for relief among 250 displaced tribal families:***

#### **Yahoonews, 17 January 2004:**

"Four children died on Sunday after consuming wild berries at a makeshift refugee camp run by the Autonomous District Council (ADC) in Chhawmanu as an acute food crisis and outbreak of enteric diseases gripped the interior areas of Dhalai district over the past couple of days.

Sources said 250 tribal families, who have taken shelter at an ADC-run hostel after fleeing their homes in Natinmanu panchayat under Chhawmanu police station in June last year due to threats from militants, have been forced to eat wild plants and berries to stave off hunger.

The government has so far remained aloof to their plight, they added.

On Sunday, four children — all below six years — died of enteric diseases after consuming wild berries and contaminated water. Confirming the deaths, official sources in Chhawmanu said the sick children were brought to the block hospital in a critical condition.

The government machinery has collapsed in the tribal-dominated interior villages under Chhawmanu block, bordering the Chittagong Hill Tracts of Bangladesh, because of insurgency. The tribals have been forced to leave their homes or eat wild plants and berries due to the government's failure to implement development projects, including poverty alleviation schemes for the refugees.

The non-implementation of government schemes deprives the tribals of a major source of earning as labourers during the lean season between winter and spring, the sources said. They said the fair-price shops in these areas have closed down because of militancy. Officials here said the government has stopped relief measures for the refugees at the ADC-run hostel due to shortage of funds."

**The Assam Tribune, 6 December 2003:**

"The Mizoram Bru Displaced People's Forum (MBDPF) on Saturday made an appeal to the governments in Mizoram and at the Centre to undertake immediate measures for the resolutions of the Bru issue 'before it becomes too complicated'. The MBDPF, in a press release here, has also called for urgent steps to resume negotiations with the Bru National Liberation Front (BNLF) by the governments.

After their displacement from the Mizoram 35,000 Brus (Reangs) have been languishing in the six relief camps at Naisingpara, Asapara, Bhasithalpara, Kaskau, Khakchang and Hamsapara in Tripura, the MBDPF said.

These Brus are now vulnerable to epidemic and they are deprived of even adequate ration of foodstuff and the cash dole. Malnutrition, lack of drinking water facilities, sanitation measures and health-care facilities have made their lives miserable, the MBDPF said.

Even, most of these Brus are deprived of their right to franchise and the apathy of the authorities has made many of them succumb to their ailments. Many cases of miscarriage by the pregnant inmates of the relief camps sheltering these Brus, and infant death have been there, the MBDPF said. It also regretted lack of educational facilities and any employment opportunity to these displaced people."

**Saha 2000, p.11:**

"[UN Guiding] Principle 18 [on Internal Displacement] talks about making available essential food, potable water, basic shelter, essential medical services, etc. The conditions in the camps are not satisfactory as they lack basic amenities. There is no facility for education. The Central Government is meeting the expenditure in providing assistance in terms of essential food and other amenities but the same is not adequate enough considering their long stay in camps. The State Government of Tripura is also not able to provide adequate assistance as the State is currently afflicted with serious insurgency problems and ethnic conflicts. As the Reangs are not getting adequate assistance, Principle 18 stands violated to some extent."

**Tripura: Bru IDPs living in abysmal conditions (October 2008)**

- Bru IDPs displaced from Mizoram live in extremely poor conditions in camps in Tripura state with minimal government assistance
- Since 2004 no new camp registration has taken place, leaving 7,000 new-borns' names out of the food ration lists and forcing family members to share their allocated food with the children
- As of October 2008, the Bru IDPs had little registration of births and deaths, marginal immunisation, no health facilities or primary health centres, no functional schools, no safe drinking water, poor sanitation and inadequate rations

**AITPN, December 2007:**

"They have been living in miserable conditions. Since 2001, the new-born babies have been included only in the census but not in the relief cards to make them eligible for food items. Those who have become adult in the last six years continue to be given rations as minor. The ration quota is so inadequate that the Brus do not even report death as it means further reduction of the rations being provided. Presently, a Bru adult gets cash dole of Rs 2.90 per day and a minor gets Rs 1.45 per day. 450 grams of rice is being provided to per adult Bru per day while 225 gram rice is being provided to per minor per day. This ration is highly inadequate. Yet, on 15 October 2007, the Food, Civil Supplies and Consumer Affairs Department, Government of Tripura reduced the monthly rice allocation being provided to the relief camps under the Public Distribution System (PDS), inter alia, on the ground that there is no separate allocation of rice from the Government of India for them.

Medical facilities are almost nonexistent. Only when the death of the Brus takes epidemic proportion, the doctors visit the camps. The conditions of children and pregnant women are the worst. As there are no primary health care centers, pregnant women are forced to deliver their babies at the relief camps. Maternal mortality is quite high and as are also the common diseases. Most tube wells are out of order. The Brus are forced to drink water from the streams and ponds, thereby causing water-borne diseases. Sanitation facilities are non-existent.

The Tripura government has made a mockery of the right to education, as it has failed to provide educational facilities to the children in the camps. Only primary education under the Sarva Siksha Abhiyan (Education for All) programme has been extended to the Bru relief camps in limited proportion. There is no scope for higher education for their children. Effectively, over 5,000 minors have been denied the right to education and an entire generation of the Brus has been kept illiterate in the last ten years."

**ACHR, 30 January 2008:**

"Providing relief to Kashmir Pandits is a good first step but the authorities need to act not just in one case. There are now many many different displaced groups in India..."

On 20 August 2007, ACHR filed two separate applications under the Right to Information Act, 2005 with the Ministry of Home Affairs (MHA) seeking information on the relief and rehabilitation being provided to the Kashmiri Pandits and over 35,000 Reang/Bru IDPs who were displaced from Mizoram State and moved to six relief camps in Tripura State. While the relief being provided to Kashmiri Pandits is not satisfactory, their treatment seem generous in comparison to the displaced Brus of Mizoram.

In addition to basic dry rations, Kashmiri Pandits have been given Rupees 1,000/- per head per month (subject to a maximum of Rs 4,000/- per family per month) in both the Jammu and Delhi relief camps. Meanwhile in Tripura, a displaced Bru adult is given Rs 87 per month and a minor Rs

43.5 per month. In addition a Bru adult is given 450 grams of rice a day. The allowance drops to 225 grams of rice for a minor.

On housing, provision again appears discriminatory in favour of Kashmir Pandits. For the Kashmiri Pandits 5,242 two-room tenements are being constructed at a cost of Rs 270 crore under the Prime Minister's Reconstruction Plan for IDPs in the Jammu region of the state of Jammu and Kashmir. Rs 20 crores have been approved by Government of India for construction of 200 two bedroom flats at Sheikpora in Budgam district. Rs 10 crores has been provided to the State of Jammu and Kashmir for reconstruction and renovation of houses and shrines at Kheer Bhavani and Mattan. Another 18 three-room flats have been constructed at Mattan for temporary stay of Kashmiri migrants until they are able to return to their houses in the Valley while the construction of 100 one-room houses has also been completed. In Delhi, the Delhi Development Authority has launched a Housing Scheme in July 2001 whereby expandable flats at subsidized rates have been made available to the migrants. About 234 families have availed the said scheme.

The Central government and the State government of Mizoram provided nothing to the displaced Brus. On education, the benefits enjoyed by the Kashmiri migrant students include reservation of seats in technical/ professional institutions; extension on the date of admission by about 30 days; relaxation in cut-off percentage up to 10% subject to minimum eligibility requirement; increase in intake capacity up to 5% - course wise; and facilitation of migration in second and subsequent years. Bru children are entitled to primary education only. They enjoy no reservation nor other benefits in higher educational institutions.

To protect and restrain the sale of properties left behind by the Kashmiri Pandits in the Kashmir Valley, the government of Jammu and Kashmir enacted two laws - The J&K Migrants Immovable Property (Preservation, Protection and Restraint of Distress Sales) Act of 1997, and J&K Migrants (Stay of Proceedings) Act of 1997. In addition, 50% of the loss of immovable property (subject to a ceiling of Rs 1 lakh) is paid as compensation for property damaged in insurgency. The Union Ministry of Home Affairs has constituted a Standing Committee to review issues concerning Kashmiri migrants on a quarterly basis; the government of Jammu and Kashmir has constituted an Apex Level Committee under the Chairmanship of its Revenue, Relief and Rehabilitation Minister; and the government of Delhi has constituted a Nodal Committee with representation from Kashmiri migrants to look after the welfare of the displaced Kashmiri Pandits.

The authorities of Mizoram have done nothing to protect the houses, land and other properties of the displaced Bru in Mizoram. No compensation has been ever paid for damage of immovable properties of the Bru. There is no committee, either formed by State government of Mizoram or Tripura nor the Government of India to examine the rights of displaced Brus and to determine their repatriation and resettlement in Mizoram.”

**Assam Tribune, 7 September 2008:**

“Resentment is brewing in six Bru refugee camps in Kanchanpur subdivision due to non-inclusion of over 7,000 children in the ration cards.

[...]

The Central Government even failed to accord approval for inclusion of 1,514 children in the ration cards despite recommendation by Tripura Government way back in 2004. As no approval has been received for inclusion and no survey has been conducted since 2004, no new-born baby has been included for access to food rations and other basic assistance and the other family members have to share their allocated food. The alleged step-motherly attitude towards genuine citizens has sparked widespread resentment among the refugees...”

**NCPCR, October 2008:**

“The National Commission for Protection of Child Rights (NCPCR), which visited the relief camps in Tripura in response to a complaint of non-inclusion of 7000 children in a list for issuance of ration cards made by the Asian Indigenous Tribal Peoples Network (AITPN), an alliance of indigenous and tribal peoples’ organisations and individual activists across the Asian region, were appalled by the sub human conditions under which the families had to survive. During the public hearing in Naisingpur, Ashapura, Hamsaparu, and Khashithai, NCPCR chairperson Shantha Sinha and Commission members Dipa Dixit and Sandhya Bajaj heard heart rending stories about the pitiable living conditions in the camps. There was none or little, if any, registration of births and deaths, marginal immunisation, no health facilities or primary health centres, no functional schools, no safe drinking water, poor sanitation and inadequate rations.

[...]

The state of child health in the camps are deplorable. The absence of Integrated Child Development Scheme (ICDS), supplementary nutritional programmes (SNP) and *anganwadis* has deprived the children of important health inputs. Immunisation has not been given importance. With the exception of pulse polio, no other vaccinations have been administered to the camp children. In addition, the people have to travel great distances to access the government dispensaries. This led them to opt for quacks.”

### **Gujarat: Displaced living in relief colonies with no official assistance (July 2008)**

- Most IDPs in Gujarat living in relief colonies lack basic public services such as potable water, schools and primary health centres
- Their economic conditions are dire, yet the majority are not recognised as living under the poverty line
- The IDPs are unable to continue their pre-displacement professions and face frustrations due to an inability to earn livelihoods
- The residents of the relief colonies lack ownership papers for their houses and can be evicted at any time

### **PWESCR, May 2008:**

“The aftermath of the communal violence has left Muslims in Gujarat deprived of basic economic, social and cultural rights. Over 5,000 families that remained in the State of Gujarat following the riots are yet to achieve access to adequate housing, and instead live in displacement camps that lack “basic civic facilities” such as adequate access to food, potable water, sanitation facilities and health services. The Indian government has adopted no official policy to reintegrate and rebuild the lives of an estimated 250,000 internally-displaced persons, more than half of whom still fear to return to their homes.”

### **InfoChange News and Features, July 2008:**

“A survey conducted in October 2006, supported by Oxfam and implemented by Aman Biradari, Lawyers Collective and Yusuf Meheralli Centre, confirms that there are hardly any public conveniences in the relief colonies. In 65% of the colonies, residents get drinking water from private sources. In colonies such as Rahimabad Society and a nameless one in Rajgadh, Panchmahals district, the handpump is located almost two kilometres away from the houses. It’s the women who usually trek the distance to get water for their homes. The survey notes that only two colonies have government schools; four colonies have Integrated Child Development Services (ICDS) *anganwadis*; just three have ration shops.

The economic condition of the displaced is dire, says a committee appointed by the Supreme Court in a case pertaining to central government-sponsored food security schemes. In its report presented to the apex court in June 2007, the panel states that despite the visible poverty, only

725 of the 4,545 internally displaced families had been recognised as living below the poverty line (BPL). As a report of the National Commission for Minorities, dated October 2006, says, the residents are unable to support themselves as they used to before the riots. "Before the violence, many of these people were small self-employed traders, artisans or industrialists. The violence put an end to their means of livelihood since their old clients were unwilling to use their services," says the report. It adds that though residents are living in abject poverty, many have been issued above the poverty line (APL) cards instead of BPL cards."

**Himal South Asian, 2 October 2007:**

"Perhaps most ironic about Gujarat's relief colonies is the fact that residents do not even hold ownership papers for their houses, though these buildings were constructed by Muslim trusts and a few non-government organisations. This means that they can be evicted at any time. Many even had to pay significant amounts for these tiny structures – often INR 25,000-40,000.

After visits made in October 2006, the National Commission for Minorities (NCM) listed many of the challenges faced by colony residents in a report submitted to the central government. Among other findings, the report said that the residents were being denied the most basic of civic amenities, such as potable water, sanitary facilities, schools, primary health centres and approach roads. The report added that the state government had not provided any amenity or facility in the colonies, nor had Gandhinagar officials attempted to facilitate the residents' return to their original homes.

The residents are "frustrated" by their inability to earn their own livelihoods, said the NCM report. Many of them had been self-employed traders, artisans or industrialists before the riots, but now customers are "unwilling to use their services". An examination of the homes of residents showed they were living in "abject poverty", with little more than bedding and kitchen utensils. The report also noted the atmosphere of insecurity and hostility that residents face, including from state agencies, particularly the police."

**Gujarat: Assistance to relief camps was inadequate - closure of relief camps further threatened subsistence needs of the displaced (January 2005)**

- Conditions in relief camps were totally inadequate with reported problems of water, sanitation and shelter which led to outbreaks of diseases
- The government began a drive to close relief camps all over Gujarat by 31 May 2002, threatening the situation of displaced who will face an end to funds that provide for food and medicines

**Amnesty International, January 2005, 7.6.a:**

"The lack of appropriate support measures was particularly dire in view of the comprehensive economic losses suffered by the displaced Muslim population, many of whom had lost all their possessions. Sanitation and clean drinking water in the camps remained a problem which the government refused to address, making the displaced prone to disease. The lack of cover was particularly serious during the monsoon as many camps had been set up in low lying areas, exposing them to rain and water-borne diseases.[...]"

**The Times of India, 2 May 2002:**

"The government has begun an all-out drive to close relief camps all over Gujarat by May 31.

[...]

While several camps in Dahod have already been closed and the others have received an ultimatum, the pressure to close down camps in Panchmahals (Godhra) is increasing.

[...]



The closure of camps also means an end to funds that provide for food and medicines. "We do not know what would happen after May 31, when all government grant to run the camps stops," says Mehmood Sheikh, who runs a camp in Halo. "

**Citizens Initiative/Aman Ekta Manch/Shanti Abhiyan, 1 May 2002:**

"To make matters worse, the Gujarat government is threatening closure of many camps, and forcing people back into the very villages and neighborhoods where they were brutalized. If camps organizers refuse to comply, even the minimum government subsidy of Rs. 15 worth of food grains and Rs. 5 for miscellaneous expenses per person is being withdrawn. This has already happened in Dahod District where at least 5 relief camps have been forcibly shut. "

**Chhattisgarh: Conditions in IDP camps remain poor (November 2008)**

- Quantities of government rations in the camps in Chhattisgarh vary significantly and many IDPs are engaged in food-for-work schemes often at less than minimum wage
- Sanitation conditions are poor and barring a few camps, there are no toilet facilities and women in particular face problems as a result of this gap
- Services related to health, hygiene, women and child care are also found lacking and health workers do not visit the camps regularly
- Camps where MSF is working have much better medical facilities

**HRDC, 9 February 2008:**

"Since 2005 the Government of Chhattisgarh has set up a number of "relief camps" in Dantewada district for those forcibly displaced by the conflict, but has struggled to ensure they are properly resourced. Quantities of government rations in the camps vary significantly, and many people have been engaged in food for work schemes, often at less than the minimum wage. In many of the camps there is no proper shelter, and sanitation conditions in nearly every camp are negligible. According to a report conducted by the National Commission for Women, "the enforced displacement is creating havoc with their normal way of living and is affecting women and children in particular."

Health related infrastructure in the vast majority of camps is also extremely poor. In a number of the newer settlements mobile health services have been set up, but these are they are often ill-equipped and run at sub-optimal levels due to transport and logistical problems. Further, many of the camp inmates have reportedly been physically and sexually abused, and there appears to be no psychological support available for the victims."

**NHRC, November 2008:**

"The availability of water was found to be adequate in the camps but some other basic amenities were found lacking. Barring in a few camps, there are no toilets and the women folk have been facing difficulty on this account, particularly during the night. The services related to health, hygiene, woman & child care were also found lacking in many respects and need immediate attention. The health sector is neglected in the entire area. Barring in a few camps, the medical facilities exist only on papers. The health workers do not visit the camps regularly and the supply of medicines is also scarce. This may become a very serious problem during the rainy season. During an interaction with the District Magistrate, Bijapur, the enquiry team was informed that there is only one M.B.B.S doctor in the entire district. It has been learnt that on account of fear of Naxalites, the officers/staff of Civil Administration are reluctant to serve in this area and to visit inaccessible camps like Jagargonda.

The educational facilities were also found to be inadequate and need to be strengthened by providing sufficient teaching staff and basic infrastructure. Except in one camp, the Aanganwadi activities were also not found to be satisfactory and need to be attended to. On the recreational front, the Government in the past had provided a few T.V sets in the camps and the CRPF, as a goodwill gesture, distributed a few radio sets to the inmates.  
[...]

The inmates were found to be agitated on account of the discrimination meted out to them in distribution of 'BPL cards'. Whereas in district Dantewada the camp inmates are getting free rations from the government, the inmates of the camps in Bijapur District are not. Here the inmates having 'BPL cards' can get rice @ Rs. 3/ kg. and each family can get 35 kg. rice in a month, irrespective of the number of family members. The staple diet of the tribals in this area is rice and the inmates find the above quantity inadequate to meet the demand of all the family members. However, those without 'BPL cards' cannot avail even this facility and hence are highly discontented.

The functioning of the public distribution system was not found to be satisfactory. Based upon the feedback received from the inmates, it was confirmed that there was black-marketing of kerosene oil in Bijapur district and the entries in the ration cards were manipulated at the PDS shops. The inmates also complained of erratic supply of sugar and other commodities. Since most of the camps are having electricity, the requirement of kerosene oil is minimal and the persons manning the PDS shops are diverting the kerosene oil to the black market. They make false entries in the ration cards to the effect that the card holder has drawn his 5 litre monthly quota of kerosene oil. There appears to be no effective supervision or monitoring of the PDS shops by the civil administration. The only Government agency active in the area is police. The inmates of Dantewada district, however, did not complain as they are getting regular supply of free ration in their camps.  
[...]

At one time, the State Government had provided facilities and promised a lot to the camp inmates, but over time, the enthusiasm appears to have diminished. The camp inmates have expressed their dissatisfaction towards the quality of certain services being provided by the Government in many camps. In order to address the grievances of the inmates of the camps, the State Government needs to formulate guidelines to overcome the problems of the internally displaced tribals, especially with respect to their rehabilitation.

Thus, though lacking on certain specific counts, the over all conditions in the temporary relief camps were, however, found to be satisfactory.”

**MCRG, October 2007:**

“According to the government, all camps are provided funds for adequate shelter. Camp administrators decide how the funds will be spent which results in visible differences in building shelter and providing material from camp to camp. The most obvious example of this was the great contrast between the corrugated metal roofs of Dornapal camp compared to the clean enduring look of the tiled roofs of Injrem camp. Though Dornapal appeared to have adequate shelter, houses were built in close proximity and there was evidence of severe overcrowding, conditions were similar at Errabore. Mariagudem camp, which had been open for about 6 months and hosts about 1500 people, on the whole lacked adequate shelter. Many people were noted to be living in stick frames from which they hung their goods but without walls or roofs.  
[...]

Our teams observed many bloated and distended bellies in both Mariagudem and Pollampalli camp, which indicates that there is some history of a lack of proper nutrition for children.  
[...]

Some in Mariagudem camp reported that recently the health conditions had been poor and many in the camp were very ill but that MSF had started coming to give medicines and since then

things had become much better...it is imperative that in-camp medical facilities be available rather than periodic medical service delivery."

## Health

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### **Jammu and Kashmir: Kashmiri Pandits face serious health problems after many years of displacement (2001-2003)**

- A health survey of displaced Kashmiri Pandits concludes that the affected population show multiple signs of deteriorating health
- The survey shows premature ageing and death, unnatural death, high incidence of serious and potentially fatal diseases and affliction with multiple disease syndromes
- In addition to stress-related problems, the situation is worsened by acclimatisation to the tropical environment, congestion, insanitary and unhygienic living conditions, inadequate medical facilities and malnutrition

#### **Daily Excelsior, 3 September 2003:**

"Premature ageing and premature death, unnatural death, high incidence of serious and potentially fatal diseases, affliction with multiple disease syndromes, poor medical aid, economic bankruptcy and lack of desire to live, are some of the factors that have contributed to an already high death rate among them.

Late marriages and late conception, premature menopause and reduced fertility span, diminished libido and hypo-sexuality of exile, forced celibacy and sexual deprivation, contraception, elective abortion and high divorce rate have spurred low birth rates.

According to a paper presented at a two-day conference here on September one-two, on the problems of Kashmiri Pandits, in 1993 (three years after their migration from the Valley), 108 Kashmiri Pandits died while only 42 were born. In 1995, there were 200 deaths and only five births while in 1997 the figure was 134 deaths and 85 births. The statistics were obtained after surveys conducted at various camps at Jammu where most migrants stayed in pitiable condition after their migration.

The study conducted by Dr K L Choudhary, a noted physician who himself was forced to flee from the Valley and has been living in Jammu, says there is hardly any system in the body (of a migrant) that has gone unrepresented in the wide spectrum of afflictions from which the exiled community is suffering.

"A whole community has aged prematurely. Multiple disease syndromes have overtaken most of them. Many have died prematurely, others are languishing...Common and uncommon diseases, new syndromes and unique and bizarre constellation of signs and symptoms, have all surfaced giving rise to a wide array of psychological syndromes and mental and physical diseases..." says Dr Choudhary.

The study says they (Kashmiri migrants) have been housed in tents or one-room tenements, living an "animal existence" on petty doles, bereft of basic amenities of life. Others are on the move in search of shelter and livelihood and living a nomadic existence. Health, both mental and physical, has been the greatest casualty.

[...]

"Kashmiri Pandits have scattered all over the country for survival, making it almost impossible to get their official count," a senior official of the Census Department told UNI.

A delegation of Kashmiri Pandit leaders met Deputy Prime Minister L K Advani and urged him to order a special census of the Pandits.

[...]

The trauma of forced exodus and the exposure to an alien and hostile environment are further compounded by the problems of acclimatisation, lack of basic amenities like drinking water, drainage and sewerage, absence of proper lavatory facilities, poor housing, over-crowding, extremes of climate, lack of healthcare, joblessness, idleness, depression, disease and death.

According to the survey, the multitude of these problems conspire with the compromised nutritional standards of the displaced population and snap the tenuous reserves of body and mind exploding in myriad manifestations of disease. Medical facilities are almost non-existent and the cost of investigations and treatment prohibitive. The results are devastating in terms of morbidity and mortality.

[...]

More than 40 families (in the camps) have lost one or more members to terrorist violence in the Valley and houses of 36 families and commercial establishments of 10 families have been burnt down by terrorists. There were 61 unemployed youth in the camp and two doctorates, 40 Post Graduates and 53 Graduates. There were two camp inmates of more than 40 years of age and 98 inmates between 30 and 40 years while the rest were either very old or very young.

The inmates suffer from physical and mental stress syndromes, environmental and nutritional syndromes. The stress syndromes include cardio-vascular stress, psycho-trauma, endocrine stress, musculo-skeletal stress, stress-belly (ulcers etc) and cranial stress (tension headaches and migraines).

A comparison between 400 females with menopausal symptoms after migration and an equal number who developed menopause before exile, showed that 25 women in the age group 35-40 years developed menopause after exile compared to nine before migration. In the age group 41 to 45 years, 34 developed menopause after exile as against 26 before exile.

More than 36 per cent women become infertile by the time they reach 40 years of age after migration.

An amazing 79 per cent migrants suffer from depression while 76 per cent suffer from anxiety disorders, phobias and panic attacks, eight per cent from post-trauma disorders, 11 per cent from dissociative disorders and hysterical neurosis, 20 per cent from sleep disorders and eight per cent from delusional disorders and psychosis.

Dr Chaudhary says that between 1991 and 1993, immediately after the migration, out of 11,150 patients, 96 per cent suffered from skin disease, 91 per cent from psychiatric disorders, 61 per cent from nutrition syndromes, 38 per cent from allergic syndromes, 21 per cent from ulcer dyspepsia, 11 per cent from hypertension and 12 per cent from stress diabetes.

Between 2001 and 2003, out of 5004 patients, 18 per cent suffered from skin disorders, 44 per cent from psychiatric disorders, 62 per cent from nutrition syndromes, 15 per cent from allergic syndromes, 31 per cent from ulcer dyspepsia, 18 per cent from hypertension and 15 per cent from stress diabetes. The incidence of tuberculosis, renal stones, renal failure and asthma had also increased markedly.

Nearly 36 per cent women had developed ovarian failure which was a new trend witnessed.

In 1990, 1056 people died because of heat-related diseases while 409 died in 1991, 397 in 1992, 178 in 1993 and 148 between 1997 and 2003.

Dr P K Hak, a Professor at the Srinagar Medical College, says in the study "while the incidence of the ailments the exiled community suffered traditionally has increased, a host of new diseases and syndromes, previously unknown or rare, is also afflicting them."

"Malaria has caused great morbidity among migrants because the community lacked the immunity acquired by people living in endemic areas. Overcrowding has caused a greater number of pneumonia and tuberculosis cases. Skin diseases afflict almost all. Most patients suffer from renal colics, renal stones and renal infections. Angina pectoris has got precipitated. Hypertension is common even among the youth...Stress diabetes is a new syndrome. A large number of displaced Kashmiri diabetics have no other visible factors except stress," says Dr Hak. Noted Neurologist Dr Sushil Razdan says that dozens of patients have died because of heat stroke. The incidence of neuro-cystocircosis has also increased. Older people, very young and women are the worst sufferers. "

**The Indian Express, 19 June 2001:**

"When more than 50,000 families were forced to flee the Kashmir Valley a decade ago by secessionist violence, the only wealth that most were left with was their life. Today, even that life stands threatened, for their health is failing them. The camps housing 4,100 of the 29,000 families who took refuge in Jammu, resemble the waiting rooms of a metropolitan government hospital, housing outstation patients and their several attendants.

Says Dr P K Hak, associate professor, Medical College, Srinagar, and author of a study, Kashmiri Migrants' Health Trauma, which draws upon the collective experience of displaced doctors, "While the incidence of the ailments the exiled community suffered traditionally has increased, a host of new diseases and syndromes previously unknown or rare is also afflicting them."

Blaming the disease upsurge on the migration, he adds that the problems of acclimatisation to the tropical environment, congestion, insanitary and unhygienic living conditions, inadequate medical facilities and malnutrition have exacerbated the migrants' condition.

The diseases that have made a debut among the community read like a who's who of the hitherto missing ailments in the community. Elaborates Hak, "Malaria has caused great morbidity in the community because it lacked the immunity acquired by people living in endemic areas. Overcrowding has caused a greater number of pneumonia and tuberculosis cases in the community. Skin diseases afflict almost all. Most patients flock to clinics with renal colics, renal stones and renal infections. Angina pectoris has got precipitated in a larger number of people because of the hostile conditions. Hypertension is common even in the youth."

Stress diabetes is a new syndrome. [...] A large number of displaced Kashmiri diabetics have no other visible factors except stress."

Psychological and mental disorders are epidemic in proportion. Says Dr J R Thapa, consultant neuropsychiatrist, Psychiatric Diseases Hospital, Jammu: "Reactive depression is very common in the youth. Males have overt depression. Female complaints are more somatic in nature. Older people have retarded depression. Also, borderline cases have got precipitated. It's mostly paranoid psychosis. Sensitive people have had nervous breakdowns. Even schizophrenia has got precipitated in vulnerable cases."

Adds Dr Chandramohan, head of the Psychiatric Diseases Hospital, Jammu, "People are living under constant uncertainty, which has created chronic, impending and ongoing phobias."

Neurological disorders have also increased. Says consultant neurologist Dr Sushil Razdan, "Dozens of patients have died due to heat stroke. The incidence of neurocystocircosis has also increased." Adds he, "Overall, the old, the very young and women are the worst sufferers." The repercussions have been alarming. Analyses Dr K L Chowdhury, an eminent physician, "The whole population has aged prematurely by 10-15 years--not just in physical appearance, but in the functional deficit of various organ systems."

**Tripura: Reang internally displaced in relief camps face serious health risks (May 2003)**

**The Assam Tribune, 27 May 2003:**

" [...] Reangs in the camps are passing their days in total uncertainty. While their children are growing up bereft of any education, poverty stalks every family in the camps. Worst is when dry spell sets in and malaria, gastro entities, diarrhoea, hepatitis, measles take epidemic turn claiming several lives in the camps."

**Gujarat: Displaced women and children suffer from serious health problems (July, December 2003):**

- Following the violence in Gujarat in February and March 2002, there were no services that acknowledged women's specific health needs
- In the relief camps, the lack of privacy prevented women from seeking treatment for many of the gynaecological problems that they were suffering from
- Displaced women suffer from a lot of problems that seem to be related to the violence women experienced and the attendant psychological and physical stress
- More than 33,000 children were forced into relief camps throughout Gujarat
- Many witnessed the atrocities committed during the riots
- The experience have had a serious impact on their health, education, and psychological well-being

**International Initiative of Justice, December 2003, pp.64, 67:**

"Silence has meant that women across the board have repressed their pain with immense consequences for their mental health. There has been no acknowledgement of the need to provide treatment for Post-Traumatic Stress Disorder (PTSD), a known consequence of such situations, and a serious public health concern. Camp volunteers, untrained in providing specialised psychiatric care, could only provide basic human emotional support. A social worker remarks that, overall, "Suicidal feelings are on the rise among the displaced," (Devan, PO12, Panchmahals). A psychiatrist also reports having come across "many women who are mentally disturbed" while an activist says she "personally witnessed the case of a woman who could not sleep for months." (Taslima, AO3 organization, Delhi, presently working in Gujarat) Many women and young girls exhibit signs of severe mental stress disorders, veering between depression and anger, and are often unable to do even basic household tasks.

[...]

In the days following the carnage there were no services that acknowledged women's specific health needs. In the relief camps, the lack of privacy prevented women from seeking treatment for many of the gynaecological problems that they were suffering from. Many women had to give birth in the camps, assisted largely by local volunteers, without the requisite facilities, expertise or environment. Women at the camps, as well as those in curfew-bound areas, were not in a position to seek specialised health services at all. According to a fact-finding report by the Medico Friends Circle, [...] made available to the IIJ team, several cases of polymenorrhoea (shortened menstrual cycles), dysmenorrhoea (painful menses) and menstrual irregularity were encountered among women in the camps. The onset of these problems seemed to be related to the violence women had experienced and the attendant psychological and physical stress. Several women also reported chronic vaginal discharge (vaginal infections). Yet so long after the worst violence, the IIJ team found no evidence of medical help being made available to women to help them deal with the long-term effects of their problems."

**HRW, July 2003, p. 50:**

"Following the violence in Gujarat in February and March 2002, more than 33,000 children were forced into relief camps throughout Gujarat, representing one-third of the total displaced population. [...] In addition to being raped and burned, children also bore witness to the brutal

crimes against their loved ones. Human Rights Watch spoke to several children who have yet to fully resume their education and have received no psychological counseling.[...] Many suffered severe burn injuries that still cover their arms, legs, and in some cases, their entire bodies.

[...]

Soon after the violence, principals of English-medium schools in Gujarat were threatened with violence by VHP members if they did not expel Muslim students from their institutions. According to one report, parents were told by school officials to remove their children from these schools on the grounds that their safety could not be guaranteed.[...] These tactics are helping to ensure that Muslim children are increasingly confined to *madrasas*, or Muslim-run religious schools, where education is imparted in Hindi or Urdu-limiting severely the students' career prospects[...] and effectively requiring them to have a religious rather than secular education. Simultaneously, *sangh parivar*-run schools throughout Gujarat and other parts of India continue to impress upon Hindu children a message of religious intolerance.[...]The end result could be toxic to relations between communities for generations to come.

In addition to the enormous impact on their health, education, and psychological well-being, children in relief camps also struggled with issues of identity. According to one study:

The impact of living like refugees in camps in subhuman conditions for months together increased the feeling of discrimination experienced by children at a time when most Hindu families they knew were safe in their homes. "We feel like outsiders, people who are not wanted," one child said. The carnage impacted the children's sense of self-worth and created immense confusion in their minds about their identity: Are we insiders or outsiders, Indians or Pakistanis, citizens or criminals? Commonly used terms such as "We" and "They," "Us" and "Them" indicated the sharp divide between communities.[...]

Dr. Satchit Balsari, a research associate at the Program on Humanitarian Crises at the Francois-Xavier Bagnoud Center for Health and Human Rights, Harvard University, made repeated visits to Gujarat between August and October 2002 to assess the mental health and education status of children affected by the violence. Balsari met with over one hundred children in relief camps in Ahmedabad and Panchmahals district. A child psychologist from Delhi accompanied Balsari during his visits to Gujarat. Together they worked with children and facilitated the expression of their emotions through art. Invariably the children's drawings were replete with images of bombs, guns, swords, burning homes and mosques, and mutilated bodies.[...] "

### **Manipur: The conflict in Churachandpur District severely affected the availability of health services (June 2002)**

- conflicts between ethnic communities and resulting displacement severely affected the provision of health care
- most community health programmes abandoned in rural areas

#### **WHO, June 2002:**

"From June 1997 to October 1998 two ethnic groups in Churachandpur District, the majority Paite group and a minority group, the Kuki, originally displaced from the north of the state, were involved in open conflict. Firearms were widely available and sporadic fighting occurred, largely between young men belonging to opposing factions, although random killings and sniper fire were also common. There were 10 ethnic communities in the district, each with its own language. Smaller tribes lacking the strength or influence to remain neutral were drawn into the conflict. Over 50 villages were destroyed and some 13 000 people were displaced. The majority moved to areas surrounding the district capital of Churachandpur, where they were housed in makeshift refugee centres in schools, hospitals, and other buildings; some were given shelter by relatives. Several hundred Indian Army soldiers were moved into Churachandpur early in 1998 with the purpose of restoring order. This was not successful, however, and outbreaks of violence continued until the church brokered a ceasefire in October 1998.

The conflict severely affected the provision of health care: most community health programmes, including TB control, malaria control, and the Expanded Programme on Immunization, were abandoned in rural areas. The district TB centre was closed from June 1997 to June 1998, principally because the staff fled in response to attacks by snipers. The impact of the conflict on TB treatment and control was unclear because there was inadequate record-keeping before the conflict and none during and shortly after it. However, most affected individuals with TB probably remained untreated during this time. It was against this background that our TB study was established in May 1998."

## **Food and nutrition**

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### **Assam: Food shortages reported from conflict area (October 2005)**

#### **BBC, 22 October 2005:**

"Survivors who have fled the fighting desperately need "food, medicine, drinking water and physical security," Suhas Chakma, director of the Asian Centre of Human Rights, said. Their situation has been made worse by rains and the constant threat of further attacks. Insecurity and indefinite curfews have forced village markets to close down, leading to food shortages in the area."

### **Gujarat: Many displaced face a food crisis (December 2003)**

- The premature closure of relief camps and the lack of employment have forced many violence-affected families into a food crisis
- The Gujarat government issued relief ration cards to the riot affected, but the allocated amounts were grossly inadequate
- Reports by women activists mention that women have cut back on their daily diets, sometimes eating only one meal a day

#### **International Initiative of Justice, December 2003, p. 67:**

"In a situation where livelihood options for the entire community have been almost entirely destroyed, providing adequate nutrition for the family has been an issue of serious concern for the women survivors. The premature closure of relief camps and the lack of employment have forced many violence-affected families into a food crisis. Though the Gujarat government issued relief ration cards to the riot affected several women survivors reported that the allocated amounts were grossly inadequate. For those displaced, these cards were of little value help as the rations had to be collected from the original ration shop in the neighbourhoods to which they were unable to return. Reports by women activists mention that women have cut back on their daily diets, sometimes eating only one meal a day. This is hardly surprising as it is well established that even under "normal" circumstances in India, women in the family eat the least in terms of quantity and nutritious value. In a crisis situation they are bound to be the worst affected with serious long-term health consequences."



## Shelter

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### **Jammu and Kashmir: Despite opposition, state government builds new tenements to relocate several thousand displaced Kashmir Pandits (2007)**

- A construction of 4200 two-room tenements for the displaced Pandits to begin
- The displaced protest, fearing basically secondary displacement and appeal to have new camps in vicinity of the present ones IDPs say the decision to shift residential camps was unilateral
- Change of original governmental plan and IDP camps to be relocated further away, to the outskirts of Jammu

#### **GOI- Ministry of Home Affairs, 2006-07, pp. 14-15:**

"(D) Construction of Two-Roomed Tenements at Jammu for Kashmiri Migrants

. Prime Minister, during his visit to Jammu and Kashmir announced construction of two-roomed tenements

for Kashmiri Migrants staying presently in one-room tenements in the camps

. migrant families living in camps.

Construction of 1,024 two-roomed tenements started at three sites viz. Muthi Phase-II, Purkhoo and Nagrota.

An expenditure of Rs.11.75 crore has been incurred as on December 31, 2006."

#### **GHRD, February-March 2007:**

"Despite opposition from displaced Kashmiri Pandits, the State Government has announced that it is starting the construction work of 4200 two-room tenements for the displaced community who were forced to leave Kashmir valley after the Islamic insurgency erupted in Kashmir in 1990.

According to reports, after the project is completed, the administration will shift near seven thousand refugees from the camps, where they have been living for the past seventeen years after their exodus from the valley. The displaced Pandits oppose the move, because they don't want to leave their makeshift homes and once again build their lives somewhere else. The representatives of the camp inmates call it their 'second migration'.

It is important to mention here that Indian Prime Minister Dr Manmohan Singh announced the proposal for construction for two room sets during his visit to Muthi camp in 2005. But at that time it was proposed that these rooms would be constructed in the vicinity of the existing camps, so that the hapless refugees were not put through another exile. Later the state government changed the plan in the present one, and announced the relocation of the camp to Jagti village on the outskirts of the Jammu city."

#### **GHRD, January 2007:**

"Expressing their concern over the shifting of migrant camps to Jagati near Nagrota on the fringes of Jammu, the winter capital of J&K, the displaced Kashmiri Pandits from the camps of Muthi, Mishriwalla and Purkhoo staged a demonstration in front of Relief Commissioner's Office at Jammu.

The demonstrators with placards and banners in their hands shouted slogans against the decision of the state government and demanded that the two-room sets be constructed at the original places of the camps at Muthi and Purkhoo as was proposed during the visit of Indian Prime Minister, Dr Manmohan Singh in 2005.

The displaced persons warned to intensify agitation in case the Government goes ahead with its decision to shift the residential areas of the displaced persons, which they termed was totally unilateral. It was alleged by the demonstrating refugees that the cross section of the community was not taken into confidence by the administration in this regard nor were their leaders consulted on this issue. Terming the shifting of camps to Jagati as another migration, the refugees say that it will bring further misery to them and will incapacitate them in a number of ways. A number of refugee leaders have supported the demand made by the agitating people.

**GHRD, December 2006:**

"The displaced Kashmiri Pandits have rejected the proposal of Jammu and Kashmir government to disband the refugee camps of Muthi, Purkhoo and Mishriwala and shifting them to the proposed new site Dhammi-Jagti near Nagrota, on the outskirts of Jammu city.

The Pandit refugees have said that the move is aimed at sabotaging the sincere initiative of the Indian Prime Minister to improve the living conditions of the camp inmates who are living in these squalid one room sets for the last 17 years after Islamic guerillas forced their ouster from the Kashmir valley. Most of the refugees termed the proposed shifting of the camps to a secluded and far-flung place from Jammu city as policy of administration to push back the camp dwellers to misery instead of ameliorating their problems which they are facing after their exodus from their original abode. They have said that it will amount to second displacement of the community. They have appealed to the Prime Minister Dr Manmohan Singh to intervene in the matter to ensure that the colony is developed in the close vicinity of the camps within the municipal limits.

It is pertinent to mention here that after the exodus of the community from the Kashmir valley in 1990, many of the families are living in various camps scattered around different parts of the Jammu city. Most of the people living there are leading a very miserable life as the camps inmates do not have access to basic facilities necessary for living, including safe drinking water and proper sanitation and health facilities."

**Jammu and Kashmir: Kashmiri Pandit IDPs sheltered in camps in Jammu and Delhi where they live in one-room tenements or community halls (September 2003)**

- In New Delhi entire families live in separate enclosures created by cloth and cardboard
- Other accommodation whether in tents, tenements or government buildings is insufficient and use of sub-standards material in construction has made these accommodations unsafe
- A large number of families live in Government quarters in Jammu but are not given other assistance or subsidies

**Daily Excelsior, 8 September 2003:**

"A study conducted among 2345 inmates of a camp at 'Muthi' on the outskirts of Jammu revealed that they live in 498 one-room tenements of 10 Ft by 10 Ft in size. As many as 41 families having more than seven members each, stayed in one room tenement each.

[...]

A survey conducted at migrant camps in Delhi revealed that families lived in separate enclosures in a single hall partitioned by cloth and cardboard. At the community centers at Hauz Rani and Bapu Dham, two of the camps where the migrants stayed, enclosures were made with the help of cloth and cardboard for each family. In Delhi, fifteen camps were sponsored by Delhi Administration in community halls.

In Jammu where most of the Pandits stayed after migration, eighteen camps were set up at Muthi, Purkhoo, Mishriwala and Nagrota on the outskirts of Jammu. A large number of migrant families were housed in Government quarters at various places in the city these people were not given camp facilities which includes Government assistance and subsidies."

**Mishra, 2000 Sect.III:**

"Eighteen camps have been set by the administration for the displaced people in the Jammu region. Such camps are located in Jammu. Largest camps of the uprooted people are at Purkhoo, Mishriwala and Nagrota. A large number of displaced families have been accommodated in government quarters at Top Sherkhania, Janipura, Sarwal and Reasi. These people have not been given camp – status which involves government assistance and subsidies. In Delhi, there are fifteen camps sponsored by Delhi administration in community halls spread across the city. The transit camps are located in Mar colony and Lajpat Nagar. Condition inside the camps is far from satisfactory. In quite a few camps in Jammu, the tents are generally in torn condition. The accommodation whether in tents, tenements or government buildings is very insufficient causing great inconvenience. Use of sub-standards material in construction has made these accommodations quite unsafe."

**Jammu and Kashmir: Housing situation to be improved in camp for Kashmiri Pandits in Jammu (March 2005)****The Tribune, 7 March 2005:**

"Jammu: Over 504 families of displaced Kashmiri Pandits received a Shivratri gift when the Revenue and Rehabilitation Minister, Mr Hakim Mohd. Yasin, laid the foundation stone of Rs seven crore project for the construction of two-room tenements at Muthi camp, Phase-two, today. Though the project was pending for the last several years forcing the displaced families to live in subhuman conditions in makeshift small and shanty rooms, the foundation stone for the project was welcomed by the Kashmiri migrants. Mr Yasin said the entire project of the construction of two-room tenements would be completed in several phases. However, president, All State Kashmiri Pandit Conference, A.N. Vaishnavi, said both the state and the Central Governments had maintained an 'intriguing silence' over the fate of the announcement made by the Prime Minister, Mr Manmohan Singh, that two-room flats would be constructed for the displaced families in Jammu, Udhampur, Kathua, Delhi and other places. He said the announcement was made in November last and so far no follow-up action on the project was visible. Meanwhile, the state government hoped to see the cluster of flats at Sheikhpura in Budgam district of Kashmir completed by the end of next month so that those families of displaced people who were willing to return to the valley were rehabilitated as early as possible. Mr Yasin said about 1300 families had given in writing that they were willing to return to Kashmir."

**Chhattisgarh: Displaced need adequate shelter (March 2006)****AHRC, 17 March 2006, p. 39:**

"The displaced villagers have been living in makeshift camps, some of which are covered just with leaves of trees as roofs, and open from all sides. The inmates were found to be soaked in rainwater as roofs cannot prevent the water from pouring inside. When ACHR team inquired about whether they received tarpaulin-roofing clothes, the inmates replied in negative. However, some of the displaced persons, who came to the relief camps earlier have been lucky enough to get tarpaulin roofing."

**Women and Children**

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### **Assam and Manipur: Some displaced women forced into prostitution due to economic insecurity (May 2008)**

- The IDP camps in Kokrajhar district of Assam receive little assistance from the government and people starve for days when daily-wage labour is not regularly available
- Many IDP men are forced to go to neighbouring Bhutan to find work, leaving women-headed families behind
- Left to fend for themselves and their children, some IDP women have been forced into prostitution
- In Manipur, though the state government and aid agencies have provided some interim relief to the IDPs, economic security has not been part of the aid
- Acute poverty linked to armed conflict and displacement has led to a growing number of sex workers in Manipur

#### **PWESCR, May 2008:**

“Over 200,000 people were displaced following the two waves of Bodo-Santhal ethnic violence between 1996 and 1998 - 80% of the displaced were Adivasis (mainly Santhals) while the rest were Bodos along with a few Nepalis and Rabhas. The government put the displaced into make-shift relief camps in Kokrajhar and Dhubri districts in the state. A tiny fraction of the displaced went back to their homes and villages not long after the riots. But some were again displaced following violence in 1998. The IDPs have been living in sub-human conditions in the camps for over 10 years. After the initial period, the Assam government seems to have washed its hands off them.

They get just 10 days of rice as relief (which they share with many who were never listed as inmates). The irony is that, in the past decade many members have been added to the families, but no new list has been made and relief is distributed along the same lines as in 1996. In Deosri Relief Camp, in Chirang District, 126 families who arrived later in the camp following the second wave of violence have never been listed. Some of them had been displaced in the 1996 violence, but following assurance of security and Rs10,000 compensation for each family, they went back to their villages. Most of them were once again displaced in the second phase of violence in 1998. Many of these re-affected families have not received relief or been provided the second phase rehabilitation amount of Rs10,000. Twenty-four such families of Koraibari village (of the then Kokrajhar district) now live in Deosri camp, affected twice over but uncertain about their status.

People starve for days as daily-wage labour is not regularly available and they get just half the rate as in other places. Many able-bodied men are forced to neighbouring Bhutan to find work.

Women and children are the worst sufferers. In hungry and poverty-struck families of the camps, early marriage and childbirth is the norm. Lack of health facilities, repeated pregnancies coupled with poor nourishment has meant plenty of cases of miscarriages. Many women-headed families can be found as the men are away for long periods in search of work. Left to fend for themselves and their children, many women have been forced into prostitution. NEDAN Foundation, an NGO based in Assam, carried out a survey and reported many cases of trafficking of women and girls from the camps.”

#### **India Together, 12 June 2007:**

“During the last few decades, Manipur has been wrecked by armed conflict that has left thousands killed and rendered thousands of others homeless. In the 1990s alone, various ethnic clashes took place - Meitei-Pangal, Naga-Kuki and Kuki-Paite, apart from the five-decade-long insurgency and counter-insurgency operations. Though the state government and other agencies

provided some interim relief to those affected, economic security was rarely considered in rehabilitation packages. As a result, acute poverty linked to armed conflict is a major reason for the growing number of commercial sex workers in Manipur. Drug abuse too is common, further impacting those turning to the world's oldest profession.

Another factor behind the rising numbers of sex workers is forced displacement, caused by large projects in the state. Says Ngai, a counselor working with sex workers in Churachandpur district, "You could say this rampant flesh trade began after the clashes. Before that there were some women in the trade, but the number swelled enormously after the clashes." According to her, many of the women whose families were displaced by the Khuga Dam project have also joined the trade. "There will be even more soon, especially after more displacement caused by the Tipaimukh Dam project," she says ominously.

"After their homes and families are destroyed by armed conflict, many of these girls are displaced and orphaned. All they need is some shelter and food. Local liquor joints wait for such vulnerable girls, and in return for food and shelter introduce them to the flesh trade, sometimes forcibly, sometimes after getting them addicted to liquor or drugs," says M Pramotchand of the Imphal-based Population Health Institute (PHI). He adds, "In the work available in the state, the competition favours men. As they are physically stronger, they can pull a rickshaw, dig ponds or work at a building site. For women, it is mostly selling vegetables, and in some cases washing bricks at a building site, which brings very little money." PHI has made an assessment of the situation and response of CSWs in 2005 - the only study of its kind in the state.

"Sometimes these women try their hands at small business, sell tea or some such things. But being emotionally vulnerable, they are often duped by prowling men," adds Nganchoi, a counselor with the Meitei Leimarol Sinnai Sang (MLSS) in Imphal. "For a family in which the husband has no earnings or is out of work, and there are three or four kids, even a hand-to-mouth survival becomes difficult," she says. MLSS is one of the NGOs working with sex workers under a Manipur State Aids Control Society (MSACS) project for intervention against HIV/AIDS."

### **Jammu and Kashmir: Survey reveals multiple effects of the armed conflict on children (August 2005)**

- survey covered children from the Kashmir region and children of Kashmiri Pandits, border migrants, inter-district migrants and police personnel
- lack of awareness about how children of "other communities" are affected
- the most pronounced impact is psychological
- education process affected
- half of the militants recorded to be between 14 and 18 years of age

#### **Frontline, 12 August 2005:**

"A SURVEY conducted among children in Jammu and Kashmir reveals the multiple effects of the armed conflict on young lives. The survey covered children from the Kashmir region and the disturbed parts of Jammu; and children of Kashmiri Pandits, border migrants, inter-district migrants and police personnel. The 2,326 children also represented the socio-economic and other groups within each section.

Field investigators found that a good majority of the persons killed belonged to the lower economic and social strata. Though children of every community and region have been affected, there is a serious lack of awareness among children and elders about how children of the "other

community" have been affected, particularly among children who are no longer in contact with those of the other community.

AFTER the almost *en masse* migration of Pandits from the Kashmir Valley to Jammu and elsewhere, when they felt threatened by the rise of militancy in 1990, children of the two communities lost contact with each other. Thus, 88.85 per cent of the Muslim children have no Hindu friends, while 82 per cent of Pandit children have no Muslim friends. The preponderant reason is that no children of the other community are there in the neighbourhood or in the school. Children of each category have been subjected also to many other effects; on their personalities. The most pronounced impact is psychological. In a society where children continue to witness, experience and hear of killings and atrocities, and are exposed to physical and emotional violence, they suffer from various psychosomatic and psychiatric ailments. In the Kashmir region, 57.38 per cent of the children have become fearful, 55.36 per cent suffer from depression, and 54.25 per cent cannot sleep. In the mixed parts of the Jammu region, the corresponding figures are 51.17 per cent, 25.98 per cent and 41.17 per cent. (As the children suffer from more than one ailment, the figures cannot be added up.) Similarly, when children are forced to move from their familiar socio-cultural-geographical surroundings to an unfamiliar world where familial relations are altered, emotional ties are broken and thoughts of an uncertain future haunt them, the psychological and social impact on them can be shattering. This phenomenon, more pronounced in the case of various types of migrants, is equally applicable where the child has to move to another family or place after the death of either of his/her parents.

There are only two psychiatric hospitals in the State, one in Jammu and the other in Srinagar; which have five and six psychiatrists respectively. The resources available to them are inadequate to cope with the problem. Most children seek and get relief by visits to peers/saints, and from prayers or religious sermons that they attend. Sympathy from relatives, friends and neighbours also helps children.

Significantly, the girls are extremely reluctant to disclose, let alone discuss, their psychiatric problems, because of social stigma attached to them. Visits from relatives, friends and neighbours sometimes become infrequent, because people get wary of the needs of the bereaved families. Sometimes friends and neighbours stay away if the slain man had been targeted by militants for his suspected role as an informer of the security forces, or for his political associations.

If the bread-winner is killed, injured or disabled, the family often lacks the resources to give education to its children, particularly because the victims usually belong to the lower socio-economic strata. Many children have been forced to give up their studies in order to earn a living for their families. The education of children has been disturbed, disrupted or discontinued for many reasons connected with the conflict.

According to official figures, 928 school buildings have been destroyed by militants, and a large number of school buildings (of which no official count is available) occupied by them. This affected education.

In many militancy-prone areas, teachers play truant. They engage less qualified people to do their work and appear once in a while to draw their salaries. Most of the children study in government schools (50.16 per cent) or private schools (40.54 per cent) in the Kashmir region. Only 3.14 per cent study in *madrassas*. In the part of the Jammu region affected by the armed conflict, the respective percentages are 71.52, 26.16 and 1.16.

[...]

None of the girls said that she was raped or molested, though some indicated a sense of insecurity. There is social stigma attached to a victim of rape or molestation. The number of protest demonstrations against alleged incidents of rape and statements of local people, however, led to the field investigators to conclude that women are exposed to sexual assault in areas directly affected by armed conflict. That the sex trade is also growing is evidenced by occasional police raids on regular brothels and arrests of call girls and their agents, mainly in the big towns and cities. This is believed to be caused by the rise of militancy in the State.

[...]

According to Army sources, 50 per cent of the militants are between 14 and 18 years of age. They also assert that nobody under 18 years is recruited or used by the armed forces in the ongoing conflict in any manner.

THE first thing that needs to be done is to collect fullest possible data about all dimensions of the problem - in particular, the number of widows and orphans left to fend for themselves by the armed conflict. A single or nodal agency should be created to deal with the problems of internally displaced persons (55,000 families from Kashmir and 30,000 families from the border), which are becoming gigantic. The problem of education and health needs immediate attention. Special efforts have to be made for preserving the cultural and linguistic identities of the children of Kashmiri migrants. While negotiating their safe return, living conditions in the camps must be improved. A United Nations Children's Fund (UNICEF) report has described how "the refugee camps, intended as temporary refuge, often become shelters where an entire generation of children grows up". A statutory Child Commission might monitor child abuse and protect the rights of children, sponsor studies of their problems, coordinate the activities of non-governmental organisations (NGOs) working for the welfare of the child, and organise workshops for workers in the field of activity relating to children."

# ACCESS TO EDUCATION

## General

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### **Assam: IDP children working to help families economically and gaps in their education (August 2007)**

- Children in IDP camps in Assam cannot go to school regularly as they have multiple responsibilities due to their parents leaving the relief camps in search of daily labour
- IDP children are also taken out of schools to work as domestic help by their parents from the age of seven or eight
- The enrolment rate in the schools for the displaced drops as older children are pulled out of schools to help the family economically
- There is a lack of NGOs focused on children's education and only one NGOs has consistently provided teachers to the IDP camps in Assam
- Whereas Assam state schools offer a midday meal scheme for all children, the scheme works inconsistently in the IDP camps' schools

### **India Together, 14 August 2007:**

"With the insurgency and counter-insurgency more or less rendering the entire state a zone of endless conflict, there has been a tremendous negative impact on children's education. Repeated clashes between various ethnic groups have uprooted lakhs of people from their homes. Deprived of all basic amenities, these people have lived in makeshift relief camps for prolonged periods; a huge number of them - Karbi, Kuki, Dimasa, Hmar, and many other tribes - still live in sub-human conditions in such camps. The most deprived of these displaced people are undoubtedly the children.

The state government had decided to open primary schools under the Education Guaranteed Scheme of the Assam Sarba Siksha Abhiyan Mission in the year 1999, in every relief camp. Accordingly the government had appointed teachers with a fix pay of Rs.1,500/ a month. Free text-books have been provided to the students. However, inmates at the camps face acute livelihood risks, as the state government has no effective rehabilitation policy, and this has in turn meant children cannot really go to these schools regularly.

Each day, parents leave the relief camps in search of small daily-wage jobs, from which they can earn Rs.40 or so. As the number of people in camps has swollen, finding jobs regularly has also become increasingly difficult, and they must spend more time away from the camps looking for some opportunity. One fallout of this struggle is borne by the children. Fetching drinking water, cooking, looking after younger siblings, collecting fuel-wood, locating wild leafy vegetables, fishes, snails, rats, and arum roots - these and other numerous responsibilities simply leave no time for them to attend school, although many are keen to do so. Also, children are sent to different places to work as domestic help by their parents from the age of seven or eight.

All this means that a child with any small capability to help the family economically or in chores is quickly forced into such roles, and only the youngest children can go to the schools. Thus, while the enrollment rate in lowest grade is high, the drop-out rate quickly becomes evident.



There is also serious lack of dedicated non-government organisations in the state to look at the concerns of children's education. In Kokrajhar, while almost one-third of the population of the district came to the relief camps during the 1990s, only Lutheran World Service (LWS) has been providing teachers to the schools, and imparting training to such teachers. Till 2006, it had provided 62 teachers to 61 such schools; LWS also helps in constructing school buildings in some relief camps. The mission's education initiatives among camp children, however, are only a part of its total rehabilitation package for the riot victims, and do not cover all the displaced children.

The state government also lacks a policy for education of children of militants killed or arrested by security personal. Children of militants, who are equally effected by the conflict situation, become victimised doubly as people almost desert such families for fear of possible harassment by security personal."

**India Together, 7 May 2007:**

"Although the Midday Meal Scheme (MDMS) envisages "encouraging poor children, belonging to disadvantaged sections, to attend more regularly and help them concentrate on classroom activities", a number of schools located in remote and conflict affected areas, are yet to be bought under the scheme.

[...]

In Karbi Anglong, a conflict-hit hill district in the state, three primary schools -- Lang Mili LP school, Lorob Langso LP School and Santi Langso LP school -- have been running together under a 'tin-roofed shed' in a relief camp. The camp is set up in Agricultural Colony in Diphu, the district headquarters, which was formed by numerous riot-effected Karbi people of Lung Mili area. These people were uprooted from their traditional villages during a series of conflicts between two hills tribes – the Karbis and the Dimasas, that had taken place in 2005.

The 'tin-roofed shed', which the riot-victim families term as the school, was constructed with the donation of one tin-sheet from some fellow inmates in the camp who had been provided one bundle of such sheets as rehabilitation grant. All three primary are single teacher schools.

Dipsoan Teron, the teacher of Santi Langpo LP school, said that only dry rations have been provided occasionally under the MDMS by the administration till December 2006, which include 2 kilogram of rice per student per month.

In the Jaypur Relief Camp EGS Centre of violence-hit Kokrajhar district of lower Assam, the SMC has decided to provide cooked midday meal only from 4 May 2007. Although the rice and Rs.2 per student per day have been given to them regularly, lack of cooking utensils and cooking shed in the schools made it impossible to provide meals, and students were given their monthly share of rice as dry ration and also the allotted money.

The EGS centre was set up in the relief camp in February 2004, where over 10,000 families of Adivasi people, who were displaced during a series of clashes between Bodos and Adivasis in 1996 and 1998 have been languishing in sub-human conditions.

[...]

Here too, there is a funding crunch. The central government has released Rs.8.83 crores for procurement of kitchen utensils to 17,666 schools and Rs.55.33 crores for construction of kitchen-cum store for 9,222 schools. But there is still a requirement of Rs.145.44 crores for 24,240 schools (kitchen-cum store) and Rs.18.10 crore for 36,204 schools (kitchen utensils), according to the DEE's 2007-08 status report on implementation of cooked midday meal scheme."

### **Assam: More than 10,000 children without schools after fighting between Karbis and Dimasas (December 2005)**

- The fighting between Karbis and Dimasas during fall 2005 placed an estimated 10,000 children in relief camps while schools were used as emergency shelter
- Resources to start schools in the relief camps were inadequate

#### **Indo-Asian News Service, 9 December 2005:**

"Thousands of tribal children displaced by running ethnic clashes in India's northeastern state of Assam have been forced to abandon schools and stay in makeshift shelters to face a future cloaked in uncertainty.

A turf war between the majority Karbi and the Dimasa tribes since October has racked the Karbi Anglong district of Assam, 320 km east of the state's main city of Guwahati, leaving at least 100 [people](#) dead and displacing more than 50,000.

[...]

According to official estimates, there could be some 10,000 children in about 38 relief camps set up by the government with schools and hospital premises acting as makeshift shelters.

A majority of the children in the makeshift shelters are suffering from trauma with symptoms like grim flashbacks, wild mood swings, bouts of depression, insomnia and anxiety.

"Some of them are so scared they do not even dare to go alone to answer nature's call," said Moromi Rongphar, mother of two. "At night, many children were heard talking in their sleep about the attacks."

"Children are the worst sufferers with their education badly affected by the recent clashes. Most schools are still closed," Karbi Anglong district magistrate G.D. Tripathi told IANS.

"The situation is still fluid and people are reluctant to go back to their villages, fearing fresh attacks."

Like Rongpi, thousands of other children's education has been cut short by the ongoing clashes. "I was due to sit for my board examinations (Class 10) scheduled in February. But I don't have a [single](#) book as militants burnt down our house," said Romi Ingty.

The authorities have introduced 'teaching-learning' exercises in the relief camps by mobilising teachers and community leaders.

"Some teachers from among those displaced were being motivated to impart education to the children in the relief camps. We are providing some books although we know such efforts cannot be like classroom teaching," Tripathi said."

### **Jammu and Kashmir: An overview of education available for internally displaced from the state (September 2003)**

- Children's and youth's education have been severely affected by the displacement
- The State Government has opened twelve camp schools and three colleges for internally displaced in Jammu
- Several other arrangements also exist in order to provide education for internally displaced Kashmiri Pandits

**Bhair, Dayal, May 2003, p. 16:**

" [...] there has been profound affect on their studies due to frequent closure of the schools and shifting of schools from village to migrants camp and back. Their studies are badly affected by lack of facilities and uncongenial environment in the camps."

**Saha, 2000, p.28:**

"While some Kashmiri Pandit students have received preferential admission to educational institutions, in general their educational needs have not been fully met. There is need for specific commitment and government action to meet the needs of IDP students."

**ORF, Sep 2003, Statement on Education:**

"To Provide educational facilities to the migrants in Jammu, the State Government has opened twelve camp schools and three colleges."

**Delhi**

In Delhi, facilities have been provided or admission of migrant studentds in various schools and colleges being run by the Delhi administration., MCD, NDMC, Central Schools, etc. However, no reservation has been made for admission to various schools and colleges. Besides this, migrant students are also being admitted to Polytechnics and Engineering Colleges affiliated to Delhi University subject to eligibility. In case of Polytechnics, seat in each discipline on co-educational Polytechnic where intake capacity is more than fifty and in the case of women Polytechnics, the requirement of the intake capacity of 50 has also been waived. In the case of Government Industrial Training Institutes [...], one per cent of the seats are allocated to wards of Kashmiri migrants.

In addition, book bank facility and tuition fee reimbursement is also given.

**Maharashtra**

Maharashtra Government has made reservation of seats for children of citizens displaced from J&K due to terrorist violence and children of officers belonging to I.A.S., I.P.S. and other officers and staff belonging to military and paramilitary forces transferred to J&K to deal with terrorist activities in the State, in technical institutions in the filed [sic] of Engineering, Pharmacy, Architecture, etc., both at the degree and diploma levels. For this purpose, every diploma/degree level institution (whether Government aided or not) is permitted to create one extra seat for each course over and above the normal capacity of the institution and these seats cannot be allotted to students of any other category. However, no relaxation in eligibility conditions as prescribed by the concerned authority has been made. The domicile restriction has been removed for Kashmiri migrant students. Admission in general educational courses is also being provided subject to normal eligibility conditions being fulfilled.

**Madhya Pradesh**

One seat has been reserved for Kashmiri migrants in each technical institution viz. Engineering, Polytechnics and [Industrial Training Institutes]. For general education there is no restriction in the State.

**Punjab**

School education is free in the State.

**Uttar Pradesh**

Admissions to engineering and other technological courses in the State institutions are made through Combined Entrance Test in which the Kashmiri migrant students can appear.

### **Gujarat**

In Gujarat, there is no domicile restriction for Kashmiri migrant students and admissions to general educational courses and other courses are available as per general eligibility conditions. Migration of medical students is also being accepted subject to approval of Medical Council of India.

### **Rajasthan**

Kashmiri migrant students have been made eligible for admission to Engineering Colleges. Domicile restriction has been removed. Admission to general educational courses is also available subject to general eligibility conditions. Migration of medical students is also being accepted subject to approval of Medical Council of India."

### **Jammu and Kashmir: Displaced children from the Line of Control have to travel more than 30 kilometres after authorities moved schools back to their villages of origin (August 2004)**

#### **The Hindu, 28 August 2004:**

"To add to their woes, the authorities have moved the make shift schools near the camps to the native villages near the Line of Control and now the school children have to travel more than 30 km to reach it.

This has resulted in parents withdrawing their kids from the schools. Savitri has withdrawn her girl studying in Class IX as she says, "I cannot afford to pay Rs.16 every day for her bus expenses."

A number of non-governmental organisations active in the area have registered their protest over the decision of the government. Aditi Kapoor of OXFAM a relief agency active in the belt said, "It is simply inhuman to shift the schools to the border areas as people just cannot go there. The priority should have been to first rehabilitate the families and take the schools along."

### **Manipur: Displaced Nagas see their education opportunities threatened (January 2002)**

- Displaced Naga students have been demanding the transfer of examination centres out of security fears
- The entering of displaced students in other schools has been limited due to problems such as odd timing for admission, difference in syllabus, difference in examination patterns, juridical limitations, etc

#### **NPMHR, 5 January 2002:**

"The student community forms one of the most affected amongst the displaced persons in the backdrop of the recent events. Writing to the Chief Minister of Nagaland state, the All Naga Students Association, Manipur Dated 11th September 2001, cites "Life has been made very insecure and uncertain for the minority Nagas at Imphal due to numerous threats and coercion... In this hostile environment of psychological trauma, the mental health of the students are put into extreme risk to continue with their studies." The affected students community have been demanding the transfer of examination centers to the more secure hill districts, which have been met with extreme uncooperative attitude of the officials in the department of Education. Many of

the students are harassed and traumatized over the various complication faced by them, such as seeking readmission to different institutions, inaccessibility to get their enrolment or transfer documents for making alternative choices for place of studies, lack of adequate courses in the hill area institutions, etc. The parents of these victimized students along with students organization such as All Naga students Manipur (ANSAM) have taken steps to look for alternatives such as seeking admissions for schools and university in neighbouring Nagaland state. ANSAM has also approach Nagaland state Government, Nagaland Board of school Education, Nagaland University, etc, to provide affiliation to the schools and colleges for the contiguous Naga dominated areas under the administration of Manipur. However, due to various formalities involved and problems such as odd timing for admission, difference in syllabus, difference in examination patterns, juridical limitations, etc, have continued to limit the free access to learning and threatened the future of many thousand students. The dangerous potent of untimely attendance to the fears of the students and youth can cause further repercussions."

### **Gujarat: Not enough schools and IDP children dropping out for economic reasons (October 2007)**

- Only two of the IDP relief colonies have government schools
- With schools being far away from relief colonies, a number of IDP children have dropped out as it is too expensive to pay the travel costs to schools
- Most displaced families are terrified of sending their daughters to schools outside the neighbourhood due to sexual violence Muslim girls faced in 2002
- An entire generation of children of Muslim families is growing up less educated than its parents
- There is not enough interaction between Muslim and Hindu children further deepening the divide between the children of the two communities
- The state government has created problems for Muslim trusts wanting to open schools for the displaced

#### **EPW, 27 October 2007:**

"Children have been forced to drop out of school and take to daily wage labour, because it is too expensive to hire rick-shaws to take the children to school. A few colonies have now been given anganwadi centres more than five years after they were established, but no schools for children have been provided. Residents of Ekta Nagar complained that they have to pay Rs 12 daily to send their children to the nearest school, and since they cannot afford this, the children have dropped out of school. Most families are terrified of sending their daughters to school outside the neighbourhood, after the sexual violence that Muslim girls had been subjected to in 2002. Resultantly, an entire generation of children of Muslim families, who are less educated than their parents, is growing up in the city."

#### **EPW, 16 December 2006:**

"The impact of internal displacement has been borne heavily by children who in many colonies have had to drop out of school, because there are no schools in most colonies. There remains a climate of insecurity in travelling to schools outside the colonies, and many young children have dropped out of school to work and help their families to survive. (Around 24 per cent children in the 5 to 12 age group were found to be out of school.) Of the 81 colonies, only two have government schools. There are five private schools, mostly set up by Muslim trusts or entrepreneurs, but only two of these are recognised by government. Besides this, children receive religious training in mosques in four colonies. This has also deepened the divide between the children of the two communities: non-Muslim children study with Muslim children in schools in only two colonies, although there is a better mix of communities in the teachers. This complete

communal divide is in fact a realisation of the aspirations of those organisations that engineered the communal divide, because not only in these colonies but also in large numbers of ghettos where tens of thousands of families internally displaced by the violence of 2002 have moved, and in the villages from where they have migrated, children will grow up with no contact with children of the "other" community, and therefore will be far more vulnerable to accept uncritically communal prejudice and propaganda."

**India Together, 5 February 2007:**

"Juhapura, referred to as the largest Muslim ghetto in Gujarat, has a few schools started by Muslim trusts. But the number of seats is still insufficient to meet the requirements of the over three hundred thousand people estimated to live here...there are no higher secondary schools in Juhapura; the colleges are in Hindu-dominated localities, and parents feel it's unsafe to send their children there. The few municipal schools in Juhapura do not have an environment conducive for learning either.

[...]

The state government, which seems to consider Muslim pockets as wastelands, has shown remarkable alacrity in creating problems for Muslim trusts interested in setting up schools.

[...]

In some cases, the education department has not even approved the requests of Muslim trusts to increase the number of seats so as to accommodate children who have been turned away elsewhere or who simply have no other option."

**Gujarat: The effect on children's education (January 2005)**

- In the aftermath of the violence, school attendance fell due to destitution, discrimination, security concerns and trauma
- Muslim parents remain afraid to send their children back to their old schools
- Children's education certificates were destroyed together with other personal belongings when their homes were looted or set on fire
- Under financial constraint, many children have dropped out all together to become child laborers

**Amnesty International, January 2005, 7.6.c:**

"School attendance fell because of its cost, the bias of school staff and students and fear of parents for children's safety and the need for many children to take up work to support families and children's traumas. Muslim students were attacked both at school and in Hindu neighbourhoods they have to pass through. Girls who were subjected to sexual assault feared to go out or if they did attend school has to face contempt or ridicule for having been ""shamed""."

**HRW, July 2003, p. 50:**

"Muslim parents are afraid to send their children back to their old schools. According to Martin Macwan, head of the NGO Navsarjan, "Muslim children are not going back to their old schools largely because of insecurity. Children don't feel safe in schools with no Muslim population. The opposite is also true. In Juhapura, Ahmedabad, a majority Muslim area, there are no Hindu students."

[...]

children's education certificates were destroyed together with other personal belongings when their homes were looted or set on fire. The government did little to replace these certificates or facilitate the resumption of Muslim children's education following the violence. Under financial constraint, many children have dropped out all together to become child laborers. [...] The

education of girls, already of low priority, is being given even less importance in dire financial times.

[...]

Soon after the violence, principals of English-medium schools in Gujarat were threatened with violence by VHP members if they did not expel Muslim students from their institutions. According to one report, parents were told by school officials to remove their children from these schools on the grounds that their safety could not be guaranteed.[...] These tactics are helping to ensure that Muslim children are increasingly confined to *madrasas*, or Muslim-run religious schools, where education is imparted in Hindi or Urdu-limiting severely the students' career prospects[...] and effectively requiring them to have a religious rather than secular education. Simultaneously, *sangh parivar*-run schools throughout Gujarat and other parts of India continue to impress upon Hindu children a message of religious intolerance.[...]The end result could be toxic to relations between communities for generations to come"

### **Chhattisgarh: Education of displaced children severely impacted (September 2008)**

- Around 40 per cent of the children in the IDP camps between ages 6-16 are not attending schools
- Many schools have been converted into relief camps impacting education
- A number of schools have stopped functioning since the Salwa Judum started and many school buildings have been destroyed by Naxalites
- Some IDP children have been sent to towns and cities to complete their education, leading to their separation from their families
- Children displaced from Chhattisgarh to Andhra Pradesh often drop out of school as they do not know the language of instruction
- Many displaced children do not have school-leaving certificates from Chhattisgarh schools, making it difficult to enroll in schools in Andhra Pradesh

### **HRW, September 2008:**

"The conflict has severely impacted children's access to education. A survey conducted by a local NGO indicates that around 40 percent of the children between ages 6 and 16 residing in camps are not attending schools. Many villagers told Human Rights Watch that schools stopped functioning as soon as Salwa Judum started. Many schools buildings have been destroyed by Naxalites to prevent Salwa Judum and police from using them for their operations. The Chhattisgarh government has relocated or merged around 260 schools from Dantewada and Bijapur districts since Salwa Judum started. For instance, what was originally the Dornapal day-school campus now functions as a day-school and a residential school. It houses 12 residential schools with around 1,000 children, some studying in tents and corridors for lack of space. The relocation of schools has in some cases separated children from their families because they are studying in residential schools far away from their home villages. The government has also permitted local NGOs to take children from camps to other towns or cities in Chhattisgarh for their schooling. In some cases, such relocation has separated children from or limited contact with their parents who are residing in camps.

Children of internally displaced parents who have fled to Andhra Pradesh often drop out of school because they do not speak the language of instruction: schools in Andhra Pradesh teach in Telugu while schools in Chhattisgarh teach in Hindi. In addition, many children do not possess school leaving certificates from their Chhattisgarh schools, making it difficult to enroll in local schools in Andhra Pradesh. According to Sitara Foundation, a local NGO that provides medical and other humanitarian assistance to displaced persons, around 450 internally displaced children have dropped out of school in Chinturu mandal [administrative division] alone."

**MCRG, October 2007:**

“Since several government schools have been converted into camps for Salwa Judum and security forces the education of children in the district has been nearly at a standstill. Some reports indicate that in 2006, all the children of Dantewada district were routinely promoted to the next class without any teaching.

In a government survey it was determined that there are 6938 school-aged (6-14) children in the camps. The government claims that these children have been admitted to schools in the camps. But it is unclear what structures they use as classrooms. The government has yet to provide textbooks and other necessary school supplies.”

**ACHR, 22 March 2006:**

“There are also no educational facilities in the camps but the government claims that it is providing business education. Many government schools including Government Higher Secondary School at Konta, Girls High School, Janpad Middle School, Girls Ashram and Boys Ashram at Dondra have been converted into relief camps. Students who have been appearing for the High School and Higher Secondary School Board examinations in March 2006 have been badly affected.

The temporary relief camps have been turned into centres for military training and anti-Naxalite indoctrination education. As on 4 March 2006, 3,200 Adivasi boys and girls have been recruited as Special Police Officers (SPO) in Dantewada district alone at a fixed honourarium of Rs 1500 to each per month. Many SPOs have not been paid any honourarium. Many have joined in the SPO with the promise of regularization in the State Police Force.”



# ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

## Employment

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### **Jammu and Kashmir: Government introduced special measures to encourage employment among Pandit civil servants (2007)**

- special concessions to Government employees in the Kashmir Valley and to the Kashmiri migrant employees of the Central Government and public sector

#### **GOI- Ministry of Home Affairs, 2006-07, p.17:**

2.24 Special concessions have been provided to the Central Government employees working in the Kashmir Valley as well as to the Kashmiri migrant employees of the Central Government and public sector undertakings since March, 1990. The concessions include the option to move the family to a place of choice, payment of House Rent Allowance for class .A. city irrespective of the status of the city chosen, arrangement for stay, security and transport, per diem allowance of Rs.10/- for each day of attendance, messing allowance at a uniform rate of Rs.15/- per day/departmental messing arrangements, temporary adjustment of migrants employees against available vacancies in the respective Ministries/Departments in and around Delhi, payment of pension outside the Valley, etc. The special concessions/facilities presently stand extended up to June 30, 2007.

### **Jammu and Kashmir: Displaced Kashmiri youths face exclusion from local employment opportunities (January 2005)**

- Despite higher grades, the Kashmiri State government allegedly excluded displaced students from employment
- The state government is saying that it has launched an employment package to promote work possibilities for Kashmiri Pandits

#### **The Daily Excelsior, 21 January 2002:**

"At Purkhoo and Muthi besides the camp inmates the Principles of the two institutes also putforth the problems being faced by the displaced students in camp schools.

An unemployed youth at Mishriwala while narrating the woes of the community alleged that State Government has closed the doors of employment for the community youth despite having the better percentage of marks than the students of Valley who qualified their examinations after mass copying during the turmoil period.

Expressing concern over the plight of displaced students an activist of PK at Purkhoo said that the students of majority community are being taken on national tours while no such provision has been kept for the displaced students."

### ***The unemployment rate among Kashmiri Pandits has remained high and an employment package has been launched by the state government:***

**Organiser, 23 January 2005:**

"Many are surprised as to why the action plan [for return and rehabilitation of Kashmiri Pandits] has not made any headway. There are reports that while the migrants are concerned about their security on return to the troubled Valley of Kashmir, there is also a feeling that many of the ruling leaders are having reservations on the return of these migrants [...]. They point out that it was about four years ago that the government of the state had secured applications from the unemployed Kashmiri migrant youth. About 15,000 unemployed educated youth had submitted their applications for government jobs, but so far not a single migrant has got any job in the Valley, although over the past five years about a lakh of new recruitments have been made."

**Express India, 22 December 2004:**

"Asserting that problems being faced by displaced Kashmiri Pandits would be solved on war footing, the state government said a special employment package was on the cards for their youths.

[...]

[Jammu & Kashmir Revenue Minister ] Yasin said a survey would be conducted to identify poor migrant families whose dependent members are both married and unemployed.

The state government also sought some relaxation in rules in Centrally-sponsored schemes for extending benefits of education scholarships and other social welfare schemes to the children of camp-dwellers.

"First priority in the package will be given to those who are still putting up in the Valley, followed by those migrants who are voluntarily willing to return to the Valley," Yasin said and added those who are willing to return would be provided adequate accommodation in secure clusters. He said the package will form part of the overall Prime Minister's rehabilitation plan for Kashmiri migrants."

**Jammu and Kashmir: during displacement, government relief was insufficient to meet the basic needs and employment possibilities were scarce (May 2003)**

- Cash relief was reportedly insufficient to meet the basic day to day needs of an average family
- The Jammu district has limited employment generating resources
- Large parts of the agricultural land was either mined or occupied by the army

**Bhair, Dayal, May 2003, pp. 12-13:**

"The ration and meager cash relief was insufficient to meet the basic day to day needs of an average family. The emigrants were living on Government's assistance as they were left with no other option. The Jammu district has limited employment generating resources.

[...]

The sudden influx of border people to Jammu town further disturbed the fragile economic matrix of the city. The people were compelled to work on minimum wages to sustain themselves. This economic exploitation resulted into resentment among internally displaced people.

[...]

In Samba block the spectrum of displacement is different. Here certain villages on the LoC are inhabited by people who migrated from Pakistan after 1971 Indo-Pak war. These landless people were devoid of any permanent source of income. Later, they were permitted to cultivate the land evacuated by the Muslim community during 1947, without the right of "Hakook" (ownership). However, the right of ownership was granted only in the year 2000 [...]. Lately, the Supreme Court's verdict on "Resettlement Act: Jammu and Kashmir" created panic among them [...]. This intermittent displacement since independence and uncertainty over the permanent source of income has added to their miseries [...].

Beside this the standing crop could not be harvested as a large chunk of land of these people have [been] either mined or occupied by the Army for operational purpose [...]. This had adversely impacted on their income and on national economy as well."

**Assam: Internally displaced are unable to find work (December 2004)**

**Sumona Das, Refugee Watch, December 2004:**

"The majority [of internally displaced in relief camps in Assam]cannot return home because they used to live in the so-called forest areas. There is no sufficient vacant land which could be used to settle these IDPs. The authorities are simply unable to help the displaced, virtually mostly farmers, to find any alternative land. Most of the camps are situated in remote and abandoned areas with no scope for self-employment. The lack of livelihood has forced many inmates to migrate to other cities and even to neighbouring country like Bhutan."

**Manipur: Displaced Nagas employed with government organized to address job insecurity (January 2002)**

**NPMHR, 5 January 2002:**

"The displaced Nagas who are employed with the state government of Manipur have organized themselves into Naga Employees Federation to pressure the Government administration to look into their problems. The state government employees and their families who are stationed at Imphal due to the communication, economic and professional needs constitute a large section of the displaced persons. The General Body Meeting of the Naga Employees Federations held on 13th August 2001 at Senapati has endorsed the resolution of the previous meeting (4&5th August 2001) which reads- "The Federation shall submit a representation to the Chief secretary and other concern authority incorporating the following points; a) Protection of service of the employee who are displaced b) to make payment of salaries of Naga employees through the districts, irrespective of their present place of postings c) to make alternative administrative posting arrangement for all Naga Employees in the four hill districts of Chandel, Tamenglong, Ukhrul and Senapati"."

**Gujarat: Displaced finding limited employment opportunities and facing a decline in income (October 2007)**

- Before being displaced many of the people were small self-employed traders, artisans and industrialists
- After the 2002 riots their former clients refused to use their services and in parts of the state the majority community continues to informally boycott or refuse to trade with or employ Muslims
- The collapse of the displaced people's livelihood is also because many from several villages are now in single tenements and are competing for the few jobs that are available
- Many IDP men travel long distances to find jobs while many women have stopped working because they spend more on travel to the work-site than they would earn
- Most IDP men are now working at informal and petty jobs and the women who are employed are generally domestic help, leading to a low income and causing more children to work in order to support families

**EPW, 16 December 2006:**

“The [National Commission for Minorities] also observed the despair of the residents in most of these [relief] colonies as they sought to find the resources and earnings to ensure bare daily survival. It reports, the residents were frustrated by their inability to earn their own livelihood and to support themselves in the manner to which they were accustomed. Before the violence, many of these people were small self-employed traders, artisans or industrialists. The violence put an end to their means of livelihood since their old clients were unwilling to use their services. The impression the team received is that very few of them were employed in service. In the new environment, they are unable to resume their earlier professions and because of this they find it difficult to survive.

This bleak situation of the daily uphill challenges that residents of relief colonies faced in finding work was confirmed by researchers in all relief colonies, without exception. The first reason for this comprehensive collapse of livelihoods is the widespread socio-economic boycott that persists in many villages and urban settlements, informally enforced but rarely challenged, under which people of the majority community continue, in most parts of the state that reeled under the violence of 2002, to refuse to trade or employ Muslims. They do not employ them as factory hands or even as agricultural workers, except in peak agricultural seasons when sufficient workers from other communities are not available, and that too at low wages. They will not buy from their shops or eateries; they are known to even avoid using jeep taxies and rickshaws owned and operated by Muslims. The collapse of livelihoods in relief colonies is also because residents of several villages have been bundled into single tenements. There are colonies with people from more than 20, and in one case more than 50 villages. It is not surprising that residents, who had earlier found more regular livelihoods across dispersed settlements, would find themselves competing for very few jobs now that they were cramped together into single colonies.

In many colonies, we found that the residents still travel long distances in order to earn their livelihoods, mostly at their old sites of residence. They work there during the days, but travel to the security of relief colonies at nights, spending long hours and scarce resources for travel often in dangerously overcrowded jeep taxies and tempos. This is an even greater challenge for casual daily wage workers, who may find no employment even after investing a third or more of what they hoped to earn by travelling to the work site on any particular day. It also rules out low paid work by women, such as offering their services as domestic help, because they would spend more on travel than they would earn.”

**EPW, 27 October 2007:**

“One major consequence of the way in which resettlement has been carried out by private organisations in spatially isolated areas is that people have been forced to abandon their previous vocations and look for alternative employment. Most of them now work in informal and petty jobs, and are known as ‘chhuttak mazdoors’. Whereas most of the men work as auto and cycle rickshaw pullers, petty vendors, and casual workers in nearby neighbourhoods, women work mostly as domestic help. Consequently there has been a universal decline in income, which has dropped to less than half to what people used to earn before the violence and relocation. The drop in income has not only led to extreme pauperisation, the ramifications of poverty are seen in a new wave of child labour, and the growth of a generation of illiterate and unskilled youth.”

**Gujarat: Displaced Muslim women face economic destitution (January 2005)**

- Many women lost the only family breadwinner, and are today destitute
- In most cases economic destitution is coupled with experiences with violence as well as the trauma of displacement and re-location

**Amnesty International, January 2005, 7.6.c:**

"Women's sense of vulnerability has been enhanced by their loss of livelihood which was exacerbated by the economic boycott. Widows were often not trained or accustomed to work outside their homes and earn a living. Most women who had worked before the violence found it impossible to continue or resume work. Many women had to give up home industries because they were injured or had to leave the locations in which their wares had earlier been sold or were afraid to leave the camps. Women daily wage earners were dismissed either because their employers supported the economic boycott of Muslims or because they feared repercussions if they ignored it. No retraining facilities or financial support were provided for women who had lost their work in the caring professions such as nurses, teachers and domestic workers. Most could not leave the camps or homes on account of safety concerns or lost their work due to the economic boycott.

[...]

Lack of earnings has meant inability to buy basic necessities leading to hunger and malnourishment. But even those who had the means to go out and buy daily necessities often risked their life in doing so in a hostile environment. Curfew was sometimes lifted for women but no security was provided to make it safe for them to leave camps or homes. Though relief rations cards were issued by the state government to victims, rations were grossly inadequate and moreover rations had to be collected from the original rations shops in the very areas which they had fled and dared not return to. Economic hardships for many families have meant that women victims would cut back on their own food intake to assure their children's nutrition, with serious implications for their own health."

**International Initiative of Justice, December 2003, p. 65-66:**

"Many women lost the only family breadwinner, and are today destitute. Many have never worked outside the home before, have no marketable skills, no job experience, and fear the outside world. Economic destitution has made them entirely dependent either on charity from community patriarchs or on the goodwill of NGOs. On several occasions, women burst into tears in front of their children while explaining to the IJ team that they had no way to feed them the next day (women from PV10). In most cases economic destitution is coupled with the scars of violence, trauma of displacement and re-location, and the sole burden of managing children and a household. This is compounded by the fact that they face an uncertain future.

[...]

Many women have been forced to flee their homes and live in new alien situations where their traditional support systems – family, neighbourhood, extended kin networks – do not exist. Here they find themselves coping not only with trauma and loneliness, but also struggling with unfamiliar surroundings and the new demands of daily living. Even where they have returned to their original homes their neighbours have changed beyond recognition. Hostility is a daily visitor. The combination of threats, actual incidents of violence and internalised fear pressure daily lives tremendously. Women described to the IJ team how these factors add a burden to already difficult material and psychological conditions.

[...]

The economic boycott has also affected Muslim women as consumers. Many women told the IJ team that they are forced to travel long distances to get basic supplies as Hindu shopkeepers in their area would not sell anything to them. The IJ team in Ahmedabad met some women in the AA2 area visit. These women were from a group of 45 widows from AA1 and AA7 area who were settled in AA2. The women said that it took them the whole day, every day, to collect food against their ration cards. The cards can only be used in designated ration shops in the original residential areas from where the women have now been displaced, and they are is a long distance away from the current houses assigned to them by the PO1.

These women are also entirely dependent on others in the community to help them with the daunting procedural requirements for getting relief and compensation and for managing bank accounts – tasks that many have never had to handle."

### **Chhattisgarh: No sustainable livelihood option for camp residents (November 2008)**

- Many of the IDPs living in relief camps lack access to employment and are facing hardships in meeting their daily expenses
- Most of the displaced can no longer continue their traditional livelihood of agriculture, although some from nearby villages are able to leave camps during the day to work in the fields
- The main sources of income for IDPs are road side government construction projects and collection of forest produce
- The government claims to have started vocational training classes, but very few camps offer such classes

#### **HRW, July 2008:**

"The lack of food is compounded by the Chhattisgarh government's failure to provide a sustainable livelihood option for camp residents. Denied their traditional livelihood of agriculture and sale of forest produce, camp residents are completely dependent upon the state for their survival. The Chhattisgarh government acknowledges that "[t]hose in camps have no source of income" and claims that it provides daily-wage jobs under the National Food for Work program and the Employment Guarantee Program. Government data indicates that between 2005 and 2007, 715 public works were sanctioned and 457 works were finished.

Residents from different camps, however, complained that the government provides few livelihood opportunities for them, which are not adequate to replace their previous income. Many camp residents also stated that the manual labor opportunities under the government employment schemes are not sufficient to employ all camp residents. They said that the lack of jobs left them idle. "

The Chhattisgarh government claims to have started vocational training classes such as sewing and weaving to help villagers generate employment. However, camp residents and activists stated that very few camps offered such classes, that they were generally run for a short period, and that villagers were not able to use these skills to generate any income.

Initially, in 2005, the government provided some vocational training-sewing, basket-making. Now there is no training in the camp. People have not been able to use this training for any employment and government does not provide any assistance to give them any employment."

#### **NHRC, November 2008:**

"The employment avenues were found to be inadequate. When the camps came into existence, efforts were made to impart training to the inmates in the cottage industries. But over a period of time, barring in a few camps, only structures erected for this purpose remain. The only sources of income to the inmates are road side Government construction works (where they work as daily wagers) and collection of forest produce like Tendu leaves, Tora, etc. In the absence of employment avenues, the tribals in the camps, especially in Bijapur District, have been facing grave hardship in order to meet their daily expenses. According to the inmates, the State Government has not provided them any financial assistance/loans and training to generate employment avenues."

#### **MCRG, October 2007:**

According to a government memo, vocational training is provided for those camp residents who wish to participate. This training includes stitching, carpentry, bamboo work and hand carving. So far, 635 camp residents have been given training in stitching, 200 in hand carving, 400 in bamboo work, 50 in bell metal work and 600 in spinning. Additional employment is being requested from the Lok Nirman Department, Irrigation department and forest department from their respective accounts. Yet there are still many who reside in camps that lack access to employment. In Dornapal we were told that people who originate from local villages are now able to leave the camp during the day to go to their villages to participate in agriculture and return at night...We were told in many camps that some road and pond work is available but that work is sporadic and not available at all. Our team interviews always reflected an underlying tone of frustration that although some work is available, it is a far cry from farming and traditional agricultural activities, which the people would much rather be doing. It is also important to notes that this lack of employment encourages the youth to join Salwa Judum as a means of income”

## **Campaigns**

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### **Gujarat: Displaced gather to obtain justice (March 2007)**

#### **CJPCC, 15 March 2007:**

"Victim survivors of over 2,500 persons who were brutally slaughtered and communities of at least 25,000 persons whose homes and properties were destroyed assembled at Gujarat Vidyapeeth, Ahmedabad. They spoke of their struggle for a life of acknowledgement and dignity under a hostile administration for five years. Survivors who have stood firm in their struggle for truth and justice cannot enter their homes in Ode, Anand district, Shaikh Mohalla, Sardarpura, Gulbarg Society, Naroda Gaon and Patiya.

Eighty four Godhra accused have been jailed under POTA for four years without bail whereas accused in other mass carnage cases roam their respective areas. The State of Gujarat calls them 'absconding' before the court, and some like Babu Bajrangi actually govern Gujarat State! Properties of Godhra accused have been attached by the State, but properties of the post Godhra carnage accused have been left untouched!

The expression showcased the long and demanding struggle for Justice --where to date witnesses are being intimidated and pressured into turning hostile-- and demand that the austere and distant ears of India's courts remain alive for the quick deliverance of justice.

The State has made a farce of awarding Compensation--by lying on oath before different fora about amounts doled out to families. Extensive data on compensation was released. Over 9,000 Gujarati citizens live like refugees in their own State, denied basic civil and political rights -- access to BPL cards, drinking water access to schools and even the political right to vote."

#### **Reuters, 2 February 2007:**

"Five years after their loved ones were brutally killed and they were forced to flee, thousands of Muslim victims of one of India's worst religious riots have pleaded for help to return home. About 23,000 Muslims fled their homes after Hindu mobs went on a rampage and communal riots broke out in the western state of Gujarat in February 2002.

The violence, which continued for weeks, was triggered by the burning to death of 59 Hindus allegedly by Muslims. Officials say about 1,000 people were killed and hundreds of homes and shops gutted. Human rights groups say about 2,500 people, mostly Muslims, were hacked, burned or beaten to death.

Many of the displaced say they are still living in slums or with relatives as their houses were destroyed or Hindus won't let them return. "We ran for our lives but we did not know we would never be able to return to our homes," Bano Rajjab Shah, a 40-year-old woman, said at a meeting of riot victims in Gujarat's main city of Ahmedabad yesterday. She said her son was burnt alive by a Hindu mob and her shop and house in a Hindu-dominated area were looted, forcing her to flee.

She now lives in a slum with other riot victims.

Some 3,000 victims gathered at the meeting organised by voluntary groups, but in the past similar calls for help have fallen on deaf ears. Authorities say victims have been adequately compensated for their loss. State officials were not available for comment yesterday."

## **Participation in Elections**

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### **Jammu and Kashmir and Assam: Special polling booths were set up in relief camps for internally displaced (March-May 2004)**

- Polling booths were set up in relief camps both in Jammu & Kashmir and in Assam

#### **The Daily Excelsior, 26 April 2004:**

"About 40 per cent Kashmiri migrant voters cast their ballot at special polling stations for Srinagar, Badgam Constituency here today. The Election Commission has set up four special polling stations for the migrants from the Srinagar Constituency to enable them to take part in the democratic process.

[...]

However, some migrants alleged that despite filling up the M Forms in time their names did not figure in voters lists."

#### ***In Assam:***

#### **The Hindu, 16 March 2004:**

"As in the two previous Lok Sabha elections and the Assembly elections of 2001, the authorities have decided to hold polling in temporary polling stations in the relief camps. Nagen Ram Kahar, who heads the refugees' committee of the Jaypur relief camp, told The Hindu that an election officer had visited the camp last week to demonstrate the use of electronic voting machines."

### **Jammu and Kashmir: Kashmiri Pandits contest elections in bigger numbers than before (November 2008)**

- 72,000 Kashmiri Pandit IDPs were eligible to vote in the Jammu and Kashmir state elections of 2008 at 14 polling stations set up in Jammu, Udhampur and Delhi and through postal ballots
- A political party known as the Jammu and Kashmir National United Front founded by Kashmiri Pandits fielded 15 candidates in various constituencies
- No Pandit candidates were on the list of the two prominent mainstream parties

#### **PTI, 29 October 2008:**



“Displaced from the Valley by militancy, over 72,000 Kashmiri Pandits will be able to exercise their right to franchise at 14 polling stations in Jammu, Udhampur and Delhi set up by the Election Commission apart from facility of postal ballots. “As they are far away from home constituencies, 72,713 displaced Kashmiri Pandits would be able to vote through Electronic voting Machines (EVMs) directly at 14 different police stations across the country,” Deputy Chief Electoral Officer (DCEO) Harcharan Singh told PTI.

The Kashmiri Pandits can directly vote through EVMs at the stations apart from the postal ballot paper facility being made available to them, he said. Singh said after the voters' list was updated on January one 2008, there are 72,713 migrant voters from the community, out of which Srinagar district had the highest-- 23,796.

Nine polling station have been setup in Jammu at Women college Gandhi Nagar, Canderbaga community centre canal road, Directorate School Education Muthi, community centre Purkhoo, Economics and statistics department Janipur, Agriculture office Tallab Tilloo, Migrant School Roopnagar, community Hall Nagrota and community Hall Mishriwala.

One polling station will be set up a District Industries centre building at Udhampur. In Delhi, Kashmir Pandits will be able to cast there votes at four places -- Kashmir house Prithviraj road, deputy director horticulture, Shalimar Bagh, SDM office Najafgarh, community centre Dilshad Garden.”

**Greater Kashmir, 21 November 2008:**

“Kashmiri Pandits have decided to enter the election race in a big way this time. At least 30 of them have filed nominations from different constituencies across the Valley. This would be for the first time that Pandits have shown such enthusiasm in the poll process in the state. In earlier elections, most of their organizations were in favour of election boycott. Pandits left the valley en mass immediately after militancy broke out in early '90s – a migration which, Kashmiris believe, was triggered at the behest of the then state governor Jagmohan.

Recently, a political party, Jammu and Kashmir National United Front founded by Kashmiri Pandits has thrown its hat into the election ring. The JKNUF is fielding about 15 candidates in various constituencies.

[...]

The Pandits cast their votes where they are living now through postal ballot or at polling stations set up in migrant camps. “They (Pandit candidates) know they will not win many seats. But by contesting in a big way they want to prove a point, as they have nothing to lose,” a political analyst said.”

**The Telegraph, 21 November 2008:**

“Kashmiri Pandits have decided to take the election road back home after years of unfulfilled promises. Never before have the Valley’s migrants contested in polls in so large a number as they have done this time, and ensuring their community’s “honourable” return from exile is their top priority.

[...]

Pandits comprise less than 4 per cent of the Valley’s population. More than 250,000 Kashmiri Pandits had left their burning homes when militancy broke out in 1989, and since then many leaders have pledged to pave the way for their return. But all have turned out to be empty promises.

[...]

No Pandit candidate figures on the list of the two prominent mainstream parties — the National Conference and the People’s Democratic Party — announced so far, though. But that has not demoralised the community. Some Kashmiri Pandits have floated the National United Front

(NUF) while several others are fighting as Independents. In Srinagar's Habba Kadal constituency, there are as many as 11 Pandit candidates."

### **Tripura: Bru IDPs vote in Mizoram state elections of 2008 (November 2008)**

- Around 8,000 of 35,000 Bru IDPs at camps in Tripura were eligible to vote in the Mizoram state assembly polls in November-December 2008
- Three candidates from the Bru community contested elections in Dampa, Mamit and Hachhek areas of Mamit district, which is the area of origin for the IDPs
- Despite Bru grievances about only around 8,000 of the 16,000 eligible voters among them being permitted to vote and complications with postal balloting, the voting took place in all the camps at the end of November

#### **The Hindu, November 25, 2008:**

"Altogether 8,061 Bru (also known as Reangs) refugees from among the 35,000 displaced people belonging to the community, sheltered in camps in Tripura and in Mizoram, can vote in the December 2 Mizoram Assembly polls through postal ballots. Leaders of the refugees said the polls would be an opportunity for the displaced families to assert their political rights as citizens of Mizoram. Three candidates of the community are contesting in Dampa, Mamit and Hachhek in Mamit district. Joint Chief Electoral Officer Lalhmingthanga told *The Hindu* on Monday that the Election Commission had declared those taking shelter in eight refugees camps — six in Tripura and two in Mizoram — a "notified class of voters eligible for postal ballots."

A team of 70 personnel with postal ballots left for Tripura under heavy security. Seven EC observers were also going to the camps. Bru refugee voters are spread over 10 of the total 40 constituencies of Mizoram. The Bru refugees have been taking shelter in camps in Tripura for the past 11 years after they were displaced in ethnic clashes with Mizos in October 1997. The Reangs have been notified as one of the primitive tribes of India.

Welcoming the EC decision, Elvis Chorkhy, president, Mizoram Bru Displaced People's Forum (MBPDF), told *The Hindu*: "We will cast our votes to assert our political rights. This will also give us an opportunity to assert that Brus are an integral part of Mizoram and are citizens of Mizoram." Speaking over telephone from the MBPDF head office at the Naisingpara camp, Mr. Chorkhy said leaders of all political parties visited the refugee camps in Tripura and Mizoram for electioneering.

He said the displaced Brus had been languishing in the camps without proper food, sanitation, livelihood and educational facilities. "Thousands of children have grown up without proper nourishment and education. It is high time all the displaced families were rehabilitated."

#### **The Telegraph, 28 November 2008:**

"The six Reang camps located in Kashirampur, Lngthoriakam, Hazacherra, Kascot, Khakechang and Hamsapara have 32,172 refugees, with the largest concentration of 4,203 voters at Naisingpara camp, bordering Mizoram. Among them, 8,205 have photo-affixed voter identity cards.

"The Reang refugees had a grievance that there are more than 16,000 eligible voters among them, but only 8,205 have been given photo-affixed identity cards. It is with great difficulty that they have convinced them to vote," Saha said."

#### **IANS, 29 November 2008:**

"Reang tribal refugees, sheltered in six northern Tripura camps, Friday exercised their franchise for the Mizoram assembly elections after special arrangements were made for them, an official

said. Over 8,000 refugee voters Wednesday boycotted the assembly polls, refusing to exercise their franchise through postal ballots forcing the Election Commission of India (ECI) to make special arrangements with normal ballot papers. "We decided to boycott the elections as only the names of candidates were written on the postal ballot papers with no symbols of party printed on the postal ballot papers," said Elvis Chorkhy, president of the Mizoram Bru Displaced Peoples Forum (MBDPF). "The commission considered the request of the Reang tribal electors and ordered that for this general election the ballot papers should bear the symbol along with the name of the candidates," an ECI notification said. The ECI has set up facilitation centres to take votes in all the six camps in north Tripura and two camps in Mamit district of Mizoram. The voting has been conducted Friday and it would be held Saturday too.

The election to the 40-seat Mizoram assembly is scheduled Dec 2 and the results are expected Dec 8. About 35,000 Reang tribal refugees are sheltered in six north Tripura camps for the past 11 years following ethnic clashes with the majority Mizos. Of the 35,000 refugees, about 8,000 refugees were eligible to cast their votes. "Voting was held in all the six north Tripura camps and two camps in Mamit district of Mizoram peacefully and no untoward incident was reported so far," Debashish Sen, a special election observer of ECI, told IANS by phone from Kanchanpur refugee camp, 180 km north of Tripura's capital Agartala. The Reangs, also called Bru, are recognised as a primitive tribe and constitute about 10 percent of Mizoram's one million population. Clashes with the Mizos in October 1997 forced them to flee to Tripura and other places. The Reang tribals have fielded three candidates in the Mamit, Kolasib and Lunglei districts in southern and eastern Mizoram."

**Tripura: For the first time, the Election Commission decided that internally displaced could vote by postal ballots for local elections (April 2004)**

- Only 4,200 displaced voted during the last election to Mizoram Assembly as it was impossible to travel to the polling booths
- For the first time in the North-East region, the Election Commission allowed displaced persons to cast their votes through postal ballots

**Deccan Herald, 24 March 2004:**

"The Election Commission has granted postal ballot facility for Reang migrants who after being evacuated from southern Mizoram are staying as refugees in North Tripura.

The commission declared them "notified class of voters" of Mizoram on Sunday and asked the Mizoram Government to issue postal ballot papers to them. About 31,000 Bru voters left Mizoram and took shelter in Tripura following ethnic clashes in October 1997.

Many could not cast their votes in the last election to Mizoram Assembly. Only 4,266 people cast their votes in the election as most of them could not be present at polling booths on time as they were staying in far-off places."

**NENA, 7 April 2004:**

"[...] the Election Commission's (EC) decision allowing the Reang or BRU refugees sheltered in six North Tripura camps since 1997, to cast their votes through postal ballots for the April 20 Lok Sabha polls in Mizoram

[...]

For the first time in the NE region, the EC took such a decision allowing the displaced persons to cast their votes through postal ballots. The EC had recently included the names of Chakma and Hajong refugees in the electoral list of Arunachal Pradesh, which is being vehemently protested by the All Arunachal Pradesh Students' Union (AAPSU)."

***Election Commission decision on voting procedures during national elections 2004 for Kashmiri and Bru internally displaced: [\[internet\]](#)***

**Tripura: Bru displaced boycotted the elections – said the Mizoram Government must include 16,000 voters in their lists (April 2004)**

**NENA, 7 April 2004:**

"Despite the Election Commission's (EC) decision allowing the Reang or BRU refugees sheltered in six North Tripura camps since 1997, to cast their votes through postal ballots for the April 20 Lok Sabha polls in Mizoram, the refugees will boycott the polls if the names of over 16,000 eligible voters were not included in the electoral rolls of Mizoram.

[...]

Nearly all the 35,000 displaced BRUs, have decided not to participate in the April 20 Lok Sabha polls unless the names of the eligible voters were not included in the rolls of Mizoram, Mizoram Bru Displaced People's Forum (MBDPF) leaders have said. Mizoram has only one Lok Sabha seat.

The MBDPF leaders said during the enumeration of voters in July 1993 at the six north Tripura relief camps by the Mizoram Government, names of 15,884 Reangs were enlisted, but after the so-called 'scrutiny' in Aizawl only 4,266 names were enlisted in the final electoral rolls. They urged the Election Commission of India to defer the Mizoram LS polls and conduct a summary revision of electoral rolls to include the names of eligible voters from among the refugees. The EC in a recent notification has asked the Reangs to apply for the postal ballot paper in the prescribed form by April 10. All migrant electors can post their application forms and drop their postal ballot papers in the 'special letter boxes' which would be available at the offices of the six assistant returning officers in North Tripura, the EC said.

A Tripura Election Department official said the EC, following the demands of the Reang tribal refugees, has asked the Mizoram Government to take appropriate steps so that the tribal refugees could exercise their electoral franchise through postal ballots.

Some of the tribal refugees also exercised their franchise for the 40-seat Mizoram assembly election on November 20 last year after the EC had set up some polling stations along the Tripura-Mizoram border. The Tripura Government at that time arranged transportation for the refugee voters."

***In January 2005 the Supreme Court issued notice to the Election Commission regarding the restoration of the voting rights of the Reangs:***

**Rediff.com, 13 January 2005:**

"The Supreme Court has issued show-cause notices the Ministry of Home Affairs and the Mizoram and Tripura governments asking them why they have not taken steps to rehabilitate the Reang community in Mizoram.

A Division Bench, headed by Chief Justice of India Justice R C Lahoti, while hearing a petition filed by Akhil Bharatiya Kalyan Ashram, a wing of the Rashtriya Swayamsewak Sangh fighting for the cause of the tribals in India, also issued notice to the Election Commission regarding the restoration of the community's voting rights."

## **Chhattisgarh: IDPs eligible to vote in state elections of 2008 (December 2008)**

- India's Election Commission set up auxiliary polling stations at IDP camps in Chhattisgarh to enable the camp residents to vote in the state assembly elections of 2008
- Some IDPs could not vote due to lacking photo-identity cards required for voting
- For the IDPs who were able to vote, this was the first time they cast their vote since being displaced
- The Congress party championing the Salwa Judum movement in the Bastar and Dantewada districts lost the elections there but it was assessed that the controversy over the movement had not impacted the elections

### **Zee news, 6 November 2008:**

"Maoist threat has severely dampened the spirit of polls in the state of Chhattisgarh, which is prepared to hold its first phase of Assembly Elections on November 14... On Nov 14, voters in Chhattisgarh, one of India's youngest states, will cast their ballot to elect 39 of the state's 90 legislators from 10 districts.

According to the Election Commission, at least 6.4 million of the tribal state's 15.2 million voters are eligible to exercise their franchise in 8,883 polling stations to decide the electoral fortunes of 379 candidates, including 36 women, in the first phase.

[...]

The Maoist guerrillas have announced their decision to boycott the forthcoming polls in the tribal state. The Maoists have cleared their stance through a press release that they are not supporting any political party or candidate in the polls. The Maoists have also warned that they won't allow any leader to enter the villages.

The fear of Naxal attacks on political leaders and party offices has infused a sense of fear among the common voters and complicated things for the Election Commission, which is determined to conduct hassle free and smooth elections.

[...]

The Election Commission has set up auxiliary polling stations at Salwa Judum relief camps to enable 50,000 odd tribal settlers to exercise their franchise. They had left their villages after Maoists began targeting them for participating in the civil militia movement, Salwa Judum, from the middle of 2005."

### **PTI, 13 November 2008:**

"Around 50,000 tribals, associated with Salwa Judum, an anti-naxal movement, will be provided with special polling booths set up by the Election Commission in their camps to vote on Friday in Maoist-infested Dantewda district in Chhattisgarh.

For these uprooted residents, this election is of great significance as it is their only hope of returning to their homes. They are hopeful that the new democratic government will provide them security against the Maoists, with whom they fought tooth and nail and even faced family displacement.

The...tribals are determined to vote in large numbers as this is the first time they will cast their votes away from their native areas. These tribals are currently put up in around two dozen government-run makeshift relief camps in the violence-torn districts."

**The Hindu, 10 December 2008:**

“It was, once again, the tribal votes that helped the Bharatiya Janata Party (BJP) win the Assembly elections in Chhattisgarh. The party managed to bag 23 of the 29 reserved Scheduled Tribe seats in the State, leaving six to the Congress, including the former Chief Minister Ajit Jogi’s Marwahi constituency.

The BJP did incredibly well in the Bastar division where it won 11 of the 12 seats as against nine in the 2003 elections. The show in the northern part of the State was equally good as the BJP put 10 of the 14 Assembly segments into its kitty.

The surprise for the BJP in the naxal-affected Bastar division came from the Dantewada and Bijapur constituencies, which it wrested from the Congress. Dantewada was, for years, considered a stronghold of the Congress stalwart and champion of the ‘Salwa Judum’ movement Mahindra Karma who was a strong contender for the Chief Minister’s post. The contest here was believed to be between Mr. Karma and the Communist Party of India candidate Manish Kunjam.

[...]

An analysis of the results shows that the controversial Salwa Judum movement (government-sponsored anti-naxal group) did not actually impact the poll outcome. Had it happened, either Mr. Karma or the ‘Salwa Judum’ opponent Manish Kunjam would have won. It was, in all probability, the BJP’s stand on the naxal movement coupled with the subsidised rice scheme and the influence wielded by the Vanvasi Kalyan Ashram networks of the Rashtriya Swayamsewak Sangh (RSS) that earned the BJP votes.

In 2003, the Vanvasi Kalyan Ashrams — providing education (including religious knowledge) and hostels — to children from the tribal areas — had made the BJP popular in the tribal belt. This time, the subsidised rice scheme and the National Rural Employment Guarantee Scheme gave a further push. The lack of a united stand on naxalism pushed the voters away from the Congress.

Had Salwa Judum been the issue — though naxalism was — the voting pattern would have been decisive either for Mr. Karma or Mr. Kunjam. It would also not be correct to say that the BJP received the votes of the Salwa Judum-displaced people living in the government camps because a majority of them could not vote as they had no photo identity cards.

Also, the BJP’s impressive performance in the northern part cannot be explained on the basis of Salwa Judum because there is no such movement in the Surguja region.”

# DOCUMENTATION NEEDS AND CITIZENSHIP

## General

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### **Jammu and Kashmir: Displaced due to 1947 partition of India protest in Jammu to demand citizenship (2007)**

- IDPs due to 1947 partition of India protest in Jammu demanding citizenship and being treated like other citizens
- They accuse the government of discriminatory treatment
- The State Assembly of Jammu and Kashmir rejects a bill seeking citizenship and other rights for the refugees of West Pakistan in the Jammu and Kashmir State

#### **GHRD, February 2007:**

"Refugees, who were displaced due to partition of India in 1947, held a strong protest at Jammu, the winter capital of Jammu and Kashmir State this week. These refugees have been demanding citizenship rights in Jammu and Kashmir State over the last sixty years.

A large number of these refugees took part in a rally, which was organized by the West Pakistan Refugee Action Committee. Leaders of various organisations participated in the programme. The protest march started from the Exhibition Grounds and culminated at the City Chowk in the city. Labba Ram Gandhi, a leader of the refugees said that all the successive governments have sidetracked their issues and have been avoiding bringing an ultimate solution to their problems. He accused the government of adopting a discriminatory and callous attitude towards them. He also warned that if their problems are not addressed properly in near future they shall resort to a long drawn agitation. The rally was also addressed by a number of leaders and activists.

In another development, the State Assembly of the Jammu and Kashmir rejected a bill seeking citizenship and other rights for the refugees of West Pakistan in the Jammu and Kashmir State. The government did not accept the private member's bill as well. This has led to a situation in which the refugees have no other option but to go for a long drawn agitation for their genuine rights."

#### **GHRD, November 2006:**

"In order to protest against the discrimination meted out to the refugees living in various parts of the Jammu and Kashmir state, displaced due to armed aggression of Pakistan in 1947 and continued Islamic insurgency of the last 16 years, the refugees held a rally at Jammu this week.

The rally was held under the banner of Refugee United Forum (RUF), a conglomerate of more than 10 refugee parties. They also called for total shutdown in the Jammu City, the winter capital of the J&K state on the opening up of Civil Secretariat, at Jammu.

The state of Jammu and Kashmir which is facing the brunt of continued Islamic insurgency supported by Pakistan, right from 1947 when the Himalayan state signed the Instrument of Accession with Indian union, has produced hundreds of thousands of refugees and internally displaced population which have been denied basic rights enjoyed by other citizens of free India. The refugees include displaced people from Pakistan Occupied Kashmir (wrested by Pak supported tribal hordes in 1947), West Pakistan refugees who moved to India after the subcontinent was divided on the basis of Indian Independence Act, displaced population of 1965 & 1971 wars and those who got uprooted during the insurgency period from 1989-90 onwards.

The displaced population that got uprooted in 1947 has been denied various rights enjoyed by other citizens of the state. The rights violations are that the refugees of 1947 have no citizenship right, they cannot claim property in J&K and their children cannot appear for entrance examinations conducted for higher education nor they can get jobs in public sector undertakings in J&K. This has created a peculiar situation for these displaced people numbering more than one million.

These refugees have time and again demanded that they should be treated like other citizens of the state of Jammu and Kashmir. They have also repeatedly pleaded before the state and union government to grant them their rights but so far the Indian government has not initiated any policy to mitigate their problems. The representatives of the refugees said that their human rights have been trampled with impunity by both the successive central and state governments and besides paying just lip service, no government has paid any serious attention to their problems. The one-day protest was held successfully and it was decided to further take up the issues at appropriate levels in near future."

### **Jammu and Kashmir: Special ID cards for Pandits (2003)**

- The Ministry of Home Affairs has requested states to provide identity cards to displaced Kashmiri Pandits
- This will benefit at least 50,000 displaced persons, who were not registered as "migrants" when they left the Kashmir Valley after 1990

### **ORF Sep. 2003, Statement Indicating Kashmiri Migrant Families Living Within and Outside J&K:**

"Ministry of Home Affairs has requested the various States/UTs to provide identity cards to Kashmiri migrants staying in their respective States [...]"

### **The Hindu, 26 May 2003:**

"Faced with persistent demands from the Kashmiri Pandits, the Central government has agreed to consider issuing special identity cards to the displaced members of the community who left the Valley after 1990 and were not registered as migrants.

The move is expected to benefit at least 50,000 displaced persons, who moved out of the Valley after 1990 when the registration of migrants was stopped.

"If the bonafides of the Kashmiri migrants are proved, they could be considered for registration in Jammu and the Government of the National Capital Territory of Delhi could accordingly be intimated for issue of identity cards," the Ministry said in a communique to the Kashmiri Samiti, a frontline organisation of the community."

### **Gujarat: IDPs start receiving documents five years after being displaced (October 2007)**

- In 2007, the IDPs in Gujarat began receiving crucial documents from central and state institutions
- India's Election Commission recognised that even if the IDPs could not establish residence in the relief colonies due to lack of appropriate documentation they should still be issued voter cards
- The state government also started issuing documentation such as Below Poverty Line and Antyodaya ration cards to the displaced



**EPW, 27 October 2007:**

"...On February 1, 2007, the Antarik Visthapit Haq Rakshak Samiti, Centre for Social Justice and ANHAD, along with some other organisations conducted the "Convention of the Internally Displaced" in Gujarat. Thousands of internally displaced households gathered in the convention, and demanded "recognition, reparation and rehabilitation".

[...]

One positive outcome of this convention was that the Election Commission recognised that the inhabitants of these colonies should get election cards even though they could not establish residence, simply because they have not been given the required documents by the agencies that have relocated them. The second positive outcome is that there is hope that these families will be given BPL ration cards, even though they cannot render proof of residence, such as sale deeds, rental receipts or electricity bills."

**Himal South Asian, 2 October 2007:**

"The National Commission for Minorities asked Gujarat Chief Secretary Sudhir Mankad to provide an explanation for the commission's findings of abysmal conditions in relief colonies. In its response in August, the Gandhinagar government for the first time admitted that 3660 riot-displaced families were still living in 69 temporary colonies. Gagan Sethi, managing trustee of the Ahmedabad-based Jan Vikas and Centre for Social Justice, says the government's admission is in itself a significant step. For five years, the state government has consistently denied, even to the Supreme Court, that anyone had been displaced by the riots. The official acknowledgement could now ensure that the colony residents, who have already been issued voter ID cards, finally have a platform from which to claim their rights. Sethi, whose organisation has been actively working for the rights of those displaced by the riots, points out that, even in colonies where the use of land for residential purposes is yet to be legalised, voter ID cards can serve as proof of residence. After five years, and probably due to insistent complaints and challenges, some positive changes are finally starting to be seen in the displacement camps. The state government in Gandhinagar has at long last started issuing Below Poverty Line and Antyodaya ration cards."

**Gujarat: Rehabilitation of displaced complicated by the destruction of personal documents (April 2002)**

**HRW, April 2002, p.59:**

"The process of rehabilitation has been further complicated by the destruction or loss of personal documents during the violence. Many relief camp residents told Human Rights Watch that their identification, education, and even medical certificates had been destroyed during the burning and looting of their homes. At the time of Human Rights Watch's visit, no system was in place to systematically document the numbers and identities of those residing in relief camps."

# ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

## General

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### **Jammu and Kashmir: Kashmiri Pandit IDP community experiencing loss of identity (July 2008)**

- For many Kashmiri IDPs, displacement has resulted in an identity loss, with the feeling that the identity was tied to the Kashmir valley and leaving the valley has led to their entire "Kashmiri" character being endangered
- A major concern among the displaced is that their children no longer want to learn aspects of Kashmiri culture
- The children are experiencing severe emotional and behavioural problems in the search for their identity
- Displacement and uncertainty about the future has led to a new mindset being generated among Pandits, with their redefining their history as that of an "oppressed" community

#### **Howrah, 23 April 2008:**

"A five-year survey conducted by researchers in the University of Jammu...highlights how migration has created an identity crisis for Pandits. They feel that their identity was tied to the Valley. Therefore, loss of territory has resulted in their belief that their entire "Kashmiri" character now stands endangered.

A major concern is that their children no longer want to learn Kashmiri. As one interviewee...said, "Here (Jammu) we have found that everything has changed — language, dress, even marriage ceremonies. Our marriages used to take place during the day but now Kashmiris are following the customs of Punjabis and Dogris by having marriages in the evening."

The report highlights how displacement and uncertainty about the future has generated a new mindset among pandits. Many pandits have begun redefining their history as that of an "oppressed" community. This present exodus is not an isolated phenomenon but a continuous process which has been taking place over the centuries, they now claim."

#### **InfoChange News and Features, July 2008:**

"Most of the 2 lakh Pandits who fled the valley in the late-'80s believed they would return a few months later. Not one of them anticipated that, 20 years on, they would constitute the largest refugee group in the country. Their bitterness at the way events have unfolded is evident. Two decades later, their own assessment of the treatment meted out to them has altered dramatically. They now view their migration as part of an ethnic cleansing deliberately orchestrated by Islamic militants keen to change the demographic composition of the valley.

[...]

Migration from the valley has resulted in a loss of identity. This is one of the most common refrains. Mohanlal Lolabi, a social worker living in a Jammu camp, said: "We have lost our identity. We have lost our ancestral land. Our women no longer wear saris but have taken to wearing the Punjabi *salwar-kameez*. Our children no longer want to learn Kashmiri. They prefer to speak Dogri and Hindi." The most alarming change is that they now view Kashmiri Muslims with visible animosity; in the past, Muslims were seen as "brothers" with whom they shared a common language and cultural heritage.

The majority of Pandits feel the valley has lost the syncretic character they were so proud of in the past. Religious tolerance was an integral part of their culture because most Muslims had converted to a Sufi form of Islam. Conversion in the valley did not take place by force. This syncretic Hindu-Muslim culture formed the basis of what was called 'Kashmiriyat', combining mystical Hindu Vedantism with Islamic Sufism. The most common refrain of the Pandits today is "*Kashmiriyat ab zinda nahin hai*" (Kashmiriyat is no longer alive). It has become Islamised. They also believe that successive governments have lost this secular space to right-wing fundamentalists who are now predominant in the valley.

[...]

Not all Pandits share these negative feelings, however. Some have seized the initiative and are willing to take on the risks associated with going back."

**R. Dhingra, V. Arora, Journal of Human Ecology, 2005:**

"Another important area affected by conflicting situation in the state of Jammu and Kashmir is the cultural life of migrants. Migration has distorted their cultural identification. They describe their identity by language, clothing, and food habits and marriage patterns. But now they feel that there are some forces, which compel them to leave characteristics of their culture. For Kashmiri Pandits, the word *Citizen* has been replaced by *Migrants*. The young generation is now most susceptible to the dangerous aspects

of homogenisation with their peers. Their food pattern has also changed. There are changes in the pattern of solemnization of marriage. The number of choice and intercaste marriages is increasing. There are changes in social relationships and family values. The community has lost hopes of organization of cohesive social and political entity, which is vital for its survival.

[...]

It has been pointed out by many studies quoted above that Kashmiri Pandit Children are facing severe emotional and behavioural problems in the form of depression, anxiety, aggression, and sleeplessness Migrated children in Jammu and Kashmir have wasted their beautiful childhood years in their struggle to settle down in new environment and in search for their identity."

**Jammu and Kashmir: Attempts to sell displaced Kashmiri Pandits' religious and cultural places in Kashmir meet with protests (2007)**

- Kasmiri Pandit IDPs protest against attempts to sell their religious and cultural places
- Earlier attempts at targeting cultural and religious symbols offset by authorities

**GHRD, January 2007:**

"The Kashmiri Pandit refugees have strongly protested against the attempts to sell their religious and cultural places in Kashmir.

On the basis of reliable information that certain unscrupulous elements are hobnobbing to give on lease the religious places of the displaced Kashmiri Pandits to some commercial institutions, the Pandits made a strong protest against these attempts. It was also learnt that some of the cultural-educational institutions were also on the list of these elements. It needs to be mentioned here that there are hundreds of religious and cultural places in Kashmir, which wear a deserted look in Kashmir after the exodus of Kashmiri Pandits. The cultural and religious symbols were also the target before and after the ethnic cleansing of the Pandits in Kashmir, when the religious and fundamentalist forces compelled the Pandit community to leave Kashmir in 1989-90. The shrines, which were on the list of 'lease and sale', included the Arya Samaj School and Vital Bhairav Temple in Rainawari, Srinagar. Consequent upon the protests, the concerned authorities swung into action, and the shrines, with their connected land and the institutions were saved from further disaster."

### **Jammu and Kashmir: A report finds miserable conditions make the Talwara displaced part with their children (2006)**

- Investigative team visits the camp in April 2006
- Despite denial, the team finds some helpless families have parted with their children by taking advance money from prospective 'employers'
- Authorities accept the view that camp dwellers live in miserable conditions
- Relief assistance needed immediately

#### **GHRD, April 2006, p.1:**

"Our investigating team visited the spot after the matter of 'selling' of children was published by newspapers and a preliminary report was received from the Reporter of the GHRD. The team made a visit of the Camp site on 5th April 2006. We started our investigation from the camp itself. During our visit to the camp we found that most of the people in the camp were living in wretched and unhygienic conditions. Their plight arising from their being forced to live under sub-human conditions was visibly stark."

#### **p.5:**

"After visiting the spot and personally talking with the camp inmates, we came to the conclusion that despite denial by the State government and the local administration, some of the helpless families had actually parted from their children by taking advance money from the prospective 'employers'. Some call this as 'Sale' while some call it 'Mortgage', yet there are people who term it as 'Surrogation'. What is appalling is that the children given away in this manner are minor children and the action thus amounts to gross abuse of the human rights of children. Most of the families living in the camp are very poor and illiterate, which adds to their painful plight. Since the situation in their traditional habitat is yet abnormal and there is no let up in the terrorist violence in their respective areas and thus the prospect of their going back to their places and returning the borrowed money to redeem their children seems to be bleak. While the administration is not buying the idea that people have sold their children- as their statements are suggesting a pattern- they accept the view that the camp inmates live in miserable conditions, as they have no other alternatives to sustain themselves. Thus the only way to solve the issue of migrant families is to provide them urgent relief assistance.

Despite the Government's claim to release ration and relief to 308 registered families for a limited period, no orders about disbursement of such relief to the rest of the families numbering 600 odd have been issued. It is apprehended that in absence of grant of relief to these hapless people, the child abuse practice in question will continue. Since the government has established this camp in an extraordinary situation arising out of the terrorist violence, it is the duty of the State to provide the camp dwellers the relief and other amenities, as admissible in the case of other such displaced people of the state. The overall obtaining situation points glaringly to the policy of utter discrimination and stark human rights violation on the part of the government against the displaced persons living at Talwara Camp (Reasi-Udhampur)."

### **Gujarat: children in relief camps felt discriminated against and struggled with issues of identity (2003)**

#### **HRW, July 2003, p. 50:**

"Soon after the violence, principals of English-medium schools in Gujarat were threatened with violence by VHP members if they did not expel Muslim students from their institutions. According to one report, parents were told by school officials to remove their children from these schools on the grounds that their safety could not be guaranteed.[...] These tactics are helping to ensure that

Muslim children are increasingly confined to *madrasas*, or Muslim-run religious schools, where education is imparted in Hindi or Urdu-limiting severely the students' career prospects[...] and effectively requiring them to have a religious rather than secular education. Simultaneously, *sangh parivar*-run schools throughout Gujarat and other parts of India continue to impress upon Hindu children a message of religious intolerance.[...]The end result could be toxic to relations between communities for generations to come.

In addition to the enormous impact on their health, education, and psychological well-being, children in relief camps also struggled with issues of identity. According to one study:

The impact of living like refugees in camps in subhuman conditions for months together increased the feeling of discrimination experienced by children at a time when most Hindu families they knew were safe in their homes. "We feel like outsiders, people who are not wanted," one child said. The carnage impacted the children's sense of self-worth and created immense confusion in their minds about their identity: Are we insiders or outsiders, Indians or Pakistanis, citizens or criminals? Commonly used terms such as "We" and "They," "Us" and "Them" indicated the sharp divide between communities.[...]"

# PROPERTY ISSUES

## General

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### **Jammu and Kashmir: Loss of property remains a major grievance of Kashmiri Pandit IDPs (July 2008)**

- Loss of property in the Kashmir Valley remains one of the biggest grievances of the displaced Kashmiri Pandits
- Of the 17,000 houses owned by the IDPs in the Valley, over 5,870 have been gutted or damaged
- For large-scale return to take place, the Jammu and Kashmir government needs to remap the houses and lands of those IDPs who still own property in the state
- The central government has allocated funds for construction of temporary homes for the Kashmiri Pandit IDPs, and the state government has enacted two laws to protect and restrain the sale of properties left behind by the displaced

#### **Howrah, 23 April 2008:**

"But as conditions in the Valley worsened, it resulted in [Kashmiri Pandit] houses being gutted and, in many cases, illegally occupied. The loss of these properties is one of the major grievances of the pandits, the majority of whom have to continue against tremendous economic odds. The report highlights how the state government has admitted that over 635 houses and 2,000 kanals (1 acre = 8 kanals) of the migrants' land continues to remain under illegal occupation. Also, state government records show that from 17,000 houses that were left behind, over 5,870 have been gutted or damaged. Some respondents, however, admitted their property continued to be looked after by their neighbours but their number is quite low.

From those interviewed, 122 admitted to their property being destroyed, 93 complained about not receiving any compensation while only 29 claimed they had received some compensation."

#### **InfoChange News and Features, July 2008:**

"...Children of these Pandit migrants are no longer interested in living in safe clusters. Many insist they are willing to return on condition that the government allows them to return to the homes from which their parents fled almost two decades ago. To do so the state government needs to come up with a coordinated plan, which involves remapping the houses and lands of those who continue to own property in the valley. Many had resorted to distress selling, often to their Muslim neighbours.

Loss of property ranks high amongst the Pandits' list of grievances, especially with property prices skyrocketing in the valley. Gaining a toehold on their property remains one of the biggest incentives for the Pandits to return."

#### **ACHR, 30 January 2008:**

"For the Kashmiri Pandits 5,242 two-room tenements are being constructed at a cost of Rs 270 crore under the Prime Minister's Reconstruction Plan for IDPs in the Jammu region of the state of Jammu and Kashmir. Rs 20 crores have been approved by Government of India for construction of 200 two bedroom flats at Sheikpora in Budgam district. Rs 10 crores has been provided to the State of Jammu and Kashmir for reconstruction and renovation of houses and

shrines at Kheer Bhavani and Mattan. Another 18 three-room flats have been constructed at Mattan for temporary stay of Kashmiri migrants until they are able to return to their houses in the Valley while the construction of 100 one-room houses has also been completed. In Delhi, the Delhi Development Authority has launched a Housing Scheme in July 2001 whereby expandable flats at subsidized rates have been made available to the migrants. About 234 families have availed the said scheme.

[...]

To protect and restrain the sale of properties left behind by the Kashmiri Pandits in the Kashmir Valley, the government of Jammu and Kashmir enacted two laws - The J&K Migrants Immovable Property (Preservation, Protection and Restraint of Distress Sales) Act of 1997, and J&K Migrants (Stay of Proceedings) Act of 1997. In addition, 50% of the loss of immovable property (subject to a ceiling of Rs 1 lakh) is paid as compensation for property damaged in insurgency."

### **Jammu and Kashmir: Some displaced from areas near LOC without permanent shelter since 2001 (November 2008)**

- Some families displaced by shelling along the Line of Control between India and Pakistan-controlled Kashmir in 2001 remain without permanent homes seven years on
- The government had only provided relief of Rs. 2,000-4,000 to people whose houses were destroyed in the shelling
- Shelter still remains a huge concern for families who have come back to areas of origin but don't have the means to reconstruct their homes

### **Rising Kashmir, 23 November 2008:**

"Residents of areas near actual Line of Control in Nowshera assembly segment voted for shelter as 1834 families living in the area have been left homeless due to shelling from the other side of the border in 2001 during owing to strained India-Pakistan relations. Sixteen polling stations in Nowshera are lying just few meters inside LoC, but the voters here had only one demand-that of shelter.

They were displaced from the close areas of LoC during shelling in 2001 towards safer areas in Sot and Lamberi, but they said that government forced them to move back to their houses in 2004 when the guns turned silent on the control line. They hope whomsoever they elect will help them secure shelter.

Parshotam Lal, a border migrant who voted at Jahangar polling station told Rising Kashmir that people of about 8 villages near LoC only demand shelter. He said that they voted for a candidate who has promised them with shelter. Parshotam Lal is Tehsil president of Border Migrant Association. He said that they repeatedly approached officials for their rehabilitation, but to no avail. He said that government has provided relief of only Rs 2000 to Rs 4000 to those whose houses have been completely damaged in the shelling.

"This is injustice with us. We are worst sufferers of Indo-Pak animosity but we are being ignored by the government," Lal said.

He added that Kashmiri Pandits are being provided permanent houses and other relief while as they have been deprived of the same. Many others who cast their vote on this polling station narrated the same tale saying that government has done injustice with them and they are being deprived of relief. "We feel disgust that we are living in a country where shelling affected people are facing government torture", Inder Kumar a voter said at polling station Makri situated few meters inside LoC.

Tara Banti, widow of Chouni Ram, casted her vote at poling station Saria in Nowhera. She is also homeless and stays in a house of villager Ram Piara. Her husband died during shelling in the area and her house was also fully damaged but she has neither received ex-gratia relief nor has a house to live in. There were man to narrate the same tale but they were also hopeful that their elected candidate will represent their cause in the house of legislators.”

### **Jammu and Kashmir: Property of displaced Pandits in the Kashmir valley sold using fake power of attorneys (2007)**

- Pandit IDP land in the Kasmir valley sold using fake power of attorneys
- The police start investigations and find the two culprits
- Previous complaints received no attention

#### **GHRD, January 2007:**

“A racket of some unscrupulous elements, selling Pandit refugee land by making fake attorneys has surfaced in the Kashmir valley. According to reports, the property belonging to the displaced Kashmiri Pandits was sold by making fake power of attorneys in their name.

The Crime Branch of the Jammu and Kashmir police started investigations after getting a complaint from a displaced Kashmiri Pandit namely Ramesh Koul son of Chaman Lal Koul, originally a resident of Drangbal, Pampore, presently putting up in Jammu. His 11 kanals land at Drangbal, Pampore has been sold by some persons on the basis of a fictitious attorney.

After receiving the complaint, the police started an inquiry which revealed that two members of a regional political party were involved in making fake attorney letters in the name of some Kashmiri Pandits and disposing off their prime land at different places in the Valley which the Pandit refugees had left after they were forced to leave Kashmir Valley in 1989-90 and thereafter. The political party workers have been identified as Ali Mohd, a resident of Soura and Mehraj Din of Ganderbal area of Kashmir. This is not for the first time that such an incident has come to light in Kashmir valley, after the exodus of minority Hindu community from the Kashmir valley. Earlier also a number of complaints were received by the authorities but no tangible action was taken by the authorities to check this trend. Such people in the Kashmir valley disposed off land of the Pandits worth thousands of thousands of rupees earlier as well.”

### **Jammu and Kashmir: Legal measures have been taken to protect property of Pandits in exile (2005)**

#### **MHA-GOI, 2004-2005, p.27:**

"3.53 In order to provide further relief to the migrants, the State Government has enacted the J&K Migrants Immovable Property (Preservation, Protection and Restraint of Distress Sales) Act, 1997 aimed at preventing distress sale of immovable property by the migrants. The State Government has also enacted the J&K Migrants (Stay of Proceedings) Act, 1997 to stop undue harassment of migrants due to litigation in absentia.

3.54 Under the Jammu & Kashmir Migrants' Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997, the migrants' houses, which have been unauthorisedly occupied by the civilians, necessary notices have been issued to them by the Deputy Commissioners concerned in the capacity of Custodian of migrant property. As far as the houses occupied by the security forces are concerned, rent is reimbursed under SRE."



## **Jammu and Kashmir: internally displaced demand land at safer places (May 2003)**

**Bhair, Dayal, May 2003, p.19:**

"The most common and basic demands of the people residing in the camps is residential plots at safer place near established towns. The government has not acceded the demands on following grounds:

- that it is a temporary displacement;
- that they already have permanent houses and sufficient land too;
- that the cash-crunch government cannot purchase and allot any land.

As such there is no government land in the periphery of the towns. Moreover increase in population would add more pressure on the already limited resources. "

## **Tripura: Compensation refused to more than 70,000 people displaced along the border of Bangladesh (December 2005)**

**Deccan Herald, 4 December 2005:**

"The Union government has refused to provide funds for the rehabilitation of those who were displaced due to the laying of a fence along the Tripura-Bangladesh border. This has led to resentment among state government officials and the affected people.

In a recent communiqué Secretary, Border Management, D Shankaran informed the Tripura government that the Centre has no provision for granting funds to the displaced and asked the state to manage from its own resources."

***The request for compensation was made in March 2005 after more than 10,000 families had been displaced:***

**The Telegraph, 13 March 2005:**

"The Centre has deputed a team of three officials to determine the amount of funds required to compensate over 10,000 families displaced by the erection of a barbed wire fence along Tripura's 856-km-long border with Bangladesh.

During his daylong visit to the state on January 30, the state government urged Union home minister Shivraj Patil to immediately compensate the 40,000 people who had been displaced. The Centre deputed the joint secretary (border management) in the Union home ministry, H.S. Brahma, and Planning Commission members B.N. Joginda and Saida Shahida, to make an assessment of the compensation required.

The officials arrived here yesterday and held a series of meetings with secretary-level officers of the state government. The implementation of centrally-sponsored schemes and utilisation of funds also came up for discussions.

Sources said the officials would visit the border areas in West and South Tripura to assess the situation.

The state government had approached the Union home ministry in December for Rs 93 crore to compensate the displaced people.

The central team will verify the authenticity of the claim, the sources said, adding that though the state had demanded Rs 93 crore, additional funds would be required later.

"More than 10,000 families have been displaced so far after the erection of a fence on a 235-km stretch of the border. When the entire length is fenced, more people are sure to be displaced, which will mean that more funds will be needed," a source said."

### **Gujarat: IDPs lacking ownership papers to houses in relief colonies and losing original property (July 2008)**

- Most of the IDPs in relief colonies do not have title deeds or even long term leases to their allotted homes and can be evicted at any time despite having paid for the structures
- There have been cases of displaced single women lacking the ownership papers being evicted from relief colonies
- The property of IDPs in their areas of origin have been taken over by the Hindu hardliner groups whose actions led to their displacement

#### **Himal South Asian, 2 October 2007:**

“Perhaps most ironic about Gujarat’s relief colonies is the fact that residents do not even hold ownership papers for their houses, though these buildings were constructed by Muslim trusts and a few non-government organisations. This means that they can be evicted at any time. Many even had to pay significant amounts for these tiny structures – often INR 25,000-40,000.”

#### **EPW, 16 December 2006:**

“The insecurity of residents living in the colonies about their future has been aggravated because except in one colony, none of the residents have been given title deeds or even long-term leases to their allotted homes. This means that they can be evicted at will by managers of these colonies. This indeed does happen, especially in the case of single women.”

#### **InfoChange News and Features, July 2008:**

“In December 2006, a delegation of Members of Parliament from the Left parties and Congress submitted a report to the Centre on conditions in the relief colonies. The report highlights an important point: every attempt is being made by those who intimidate the Muslim community to take possession of their (the Muslims’) property. In Naroda Patia, Ahmedabad, the site of one of the worst massacres of the riots, only 15 of the 80 families living there have returned, says the report. “Leaders of the Vishwa Hindu Parishad have taken possession of their land and built multi-storeyed buildings,” it adds.

[...]

The displaced have been living in tenements for six years without holding any documents to the one-room shacks they live in. Some of them have paid money, amounting to Rs 45,000, as in Baroda’s Noorani Mohalla, for the houses. Yet, they do not have papers for them.

Almost all the relief colonies were built on land owned by Muslims, when the state government arbitrarily shut down relief camps that housed riot victims and they had nowhere else to go. Some of these plots were classified as agricultural land, but construction was taken up here because of the difficult circumstances. Though none are encroachments, the state government still has to approve usage of the land for residential purposes. “The paperwork is pending and it’s used as a ploy to classify the colonies as illegitimate,” says [an activist]. The same tag is used to deny basic facilities such as water, sanitation and electricity to these colonies, though, as internationally accepted principles note, the relief colonies should have been constructed by the state government in the first place. Not only did the state not construct even a single house, but, over the past six years, it has done nothing to create basic infrastructure in the relief colonies.”

### **Gujarat: Insufficient government rehabilitation for IDPs obstructed their return (May 2002)**

- Prospects for return of displaced were very bleak due to violence and a lack of government rehabilitation measures

- In many camps, displaced complained about an under-valuation of property lost

**Frontline, vol.19 issue 10, 11-24 May 2002:**

"The refugees' hopes of returning home grow dimmer as the violence continues and the government's half-hearted rehabilitation measures fail to provide any real support. Prime Minister Atal Behari Vajpayee's efforts to reassure the riot-affected people during his visit to Gujarat on April 4 came rather late - 35 days after the violence began. His promises regarding relief and rehabilitation have not yet been implemented properly by the State government. The only time Chief Minister Narendra Modi visited a relief camp housing Muslims was when he trailed the Prime Minister.

During his visit, the Prime Minister promised the following rehabilitation measures to the more than 1.5 lakh [150,000] refugees:

[...]

Housing compensation in the rural areas would be Rs.15,000 for those whose homes have been partially damaged and Rs.50,000 for those whose homes have been completely destroyed. In the urban areas, the Central government would bear the cost of reconstruction on the basis of an estimate made after a comprehensive survey.

[...]

In every camp in Ahmedabad, people complained about the under-valuation of property lost. "Most of the people have got cheques for Rs.2,000 to 3,000. No one here has received more than Rs.14,000 as compensation, which is only a fraction of the actual value of their houses and belongings," said a camp organiser at Vatva. In rural Gujarat, the situation is no better. At Bamanwad village in Panchmahal district, Ganibhai Khatri's house was razed to the ground. He received only Rs.23,075 as compensation, instead of the Rs.50,000 promised by the Prime Minister. In this village the houses of around 27 Muslim families were burned. Yet, only seven families have received compensation. The government has not even recognised the presence of the relief camp in the village. Hindu neighbours of those in the camp have been helping them with food for the past two months."

**Chhattisgarh: Human Rights group says adivasis in relief camps are likely to loose land (September 2006)**

**All India Women, September 2006:**

"4. However the team was disturbed to note that far from making efforts to return the adivasis to their villages as they wish, the administration, police and SPOs are working to make the relief camps permanent. In a situation where land records are few and far between this displacement might lead to irreversible losses of rights over lands. The continuing protests at Dhurli, which were going on when the team visited, that the so called permission of the Gram Sabha for acquisition of land for Essar Steel Plant was obtained fraudulently and coercively, shows not only that such fears are well founded but also reveals the vested interest of the government in relocating the tribal population for land acquisition. A sarpanch at Dornapal camp revealed that a meeting of all sarpanches of the block had been held by the administration in which they had been instructed to convene meetings in the villages to bring all the villagers to the camp by propagating that they would be attacked by Naxalites. An anganwadi worker from one of the camps visited, told a team member that she and all other Angawanwadi teachers were brought to the camp directly from a block level meeting and were not given an opportunity to go home to collect their belongings. In this camp 13 schools are being run in three tin sheds."

# PATTERNS OF RETURN AND RESETTLEMENT

## Return

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### **Jammu and Kashmir: New return and rehabilitation package offered to Kashmiri Pandits but divisions within community over return (April 2008)**

- The central government announced a major return and rehabilitation package for Kashmiri Pandit IDPs in April 2008
- The package included financial grants for housing, government jobs for youth and relief assistance for two more years to the returnees
- Kashmiri Pandits remain divided over return and some are continuing to demand a separate, guarded homeland within the Kashmir Valley while others maintain that return won't be possible until security concerns have been addressed

#### **Times of India, 26 April 2008:**

"In an attempt to ensure the return of Kashmir Pandits to their homeland, Prime Minister...announced a slew of measures encompassing financial grants for housing, government jobs and waiver of interest on loans for them. The total expenditure on all these proposals would be Rs 1,600 crore...He said many of these families had to engage in distress sale of their houses and properties in the Valley till a legislation put a stop to it in 1997. He said the state government is being requested to identify land for housing societies of such families. He said the Union government has decided to grant those families, who are willing to return, a lump sum grant of Rs 7.5 lakh to build or buy homes.

The PM also said that about 15,000 families which had settled in Jammu, Delhi and in other parts of India, who were willing to go back, will be given two more years of monthly relief package to enable a smooth transition."

#### **Express India, 26 April 2008:**

"In a relief to the unemployed Pandit youth, [the Indian Prime Minister] said that state government has decided to provide government jobs to 6000 Kashmiri Pandit youths, adding that in case of 3000 of these, the Centre would pay salaries until the jobs were "regularised" by the state government. "We are also thinking of giving training to those Pandit youth who wish to start their own ventures. We will provide grants to revive abandoned orchards", he said."

#### **Reuters, 29 April 2008:**

"Some Pandit groups are demanding a separate, guarded homeland within the Kashmir Valley, while others complained that Singh was not meeting their security concerns.

[...]

Kashmiri separatists have repeatedly urged Hindus to return to Kashmir where more than 43,000 people have died in the revolt, but have urged them to live side by side with Muslims rather than in "security zones".

Though the government has been urging them to return for years, the Pandits have been deterred by a series of attacks by suspected militants fighting New Delhi's rule in Kashmir.

In one of the bigger and more brutal attacks, guerrillas shot dead 24 Pandits, including 11 women and two children, in southern Kashmir in 2003, provoking outrage across India.

Many Pandits are sceptical about their return to a valley which was their homeland for centuries.”

### **Jammu and Kashmir: Atmosphere in Kashmir Valley not conducive to returns (2006)**

- Former Chief Minister of Jammu and Kashmir admits insisting on returns was a mistake
- Recent killings prove returns impossible at present
- Massive exodus of Pandits from the valley a ‘black spot on Kashmiryat’

#### **GHRD, November 2006:**

“The former Chief Minister of Jammu and Kashmir State, Farooq Abdullah, at a function in the Nagrota refugee camp, Jammu this week, candidly admitted that there is no conducive atmosphere for Kashmiri Pandit displaced people in the valley of Kashmir.

He maintained that he committed a mistake when he was in power and insisted for return of Pandits to the valley. Referring to the recent killings in the valley, which caused death and destruction, he said that the killings made it clear that until gun culture is there the community cannot return. He also opposed the idea of making clusters for the displaced people in the valley. Speaking at Mishriwalla camp, he emphasized that there is no conducive situation as yet that Hindus can visit freely their temples in the morning when they return to the valley. He also said that the mass exodus of Pandits from valley is a ‘black spot on Kashmiryat’.”

### **Jammu and Kashmir: More than 1,300 Kashmiri Pandit families, mainly in Jammu, have registered with the state government and are awaiting conducive conditions for return (February 2005)**

- Most of the Pandits who have shown willingness to return are living in Muthi, Purkhoo and Udhampur migrant camps in Jammu region

#### **Times of India, 8 February 2004:**

"The efforts to woo Kashmiri Pandits back to the Valley have received a boost with over 1,000 displaced families expressing their willingness to return to their homeland ahead of Parliamentary elections.

"1,100 Pandit families have given in black and white that they want to return voluntarily and no one has forced them to do so," Jammu and Kashmir Revenue and Rehabilitation Minister Hakeem Mohammad Yaseen told reporters here.

Dubbing it as a major achievement of the coalition government, Yaseen said it was for the first time that such a large number of displaced families have decided to return which will encourage others, who left the Valley after eruption of militancy in 1990, to do the same.

"We will be providing all sorts of relief to the Pandits who intend to return to their homes in Kashmir," he said on Saturday evening.

Most of the Pandits who have shown willingness to return are living in Muthi, Purkhoo and Udhampur migrant camps in Jammu region.

Yaseen said the list of all the 1,100 Pandit families have been forwarded to Union home ministry for consent.

"We hope the return of Pandits will start soon. We will be settling them wherever they wish to stay. We have started constructing the safe zones in Sheikhpora Budgam in central Kashmir where initially 220 families would be settled," he said."

**Times of India, 15 February 2005:**

"As many as 1,300 Kashmiri migrant families have registered themselves for returning to their homes in the valley.

This was stated here today by Revenue Minister Hakeem Yaseen while presiding over a meeting of the apex committee for redress of grievances of the migrants.

He said that conditions were becoming more conducive for the safe return of the migrants. He urged the Kashmiri Pandit organisations to motivate them to return to the valley where incentives would be provided to them.

The minister sought a consensus for the dignified and safe return of the Kashmiri Pandit migrants and said it was the resolve of the government to do so.

Mr Yaseen said that the amnesty announced by the state government for surrendering fake ration cards and registration certificates by the migrants had helped in saving crores of rupees that were being used for improvement of the migrant camps.

Those who participated in the meeting were unanimous that cluster colonies should be constructed in the areas previously dominated by Kashmiri Pandits in the valley.

It was decided to update the revenue record and preparation of inventories of immovable property of the dislocated Kashmiri Pandits and making it available on the website and also check fake sale of their properties in their absence."

**Jammu and Kashmir: Return of Kashmiri Pandits to the Valley delayed again due to threats by militant groups (September 2005)**

- Separatist militants have threatened to start a new wave of violence if the Kashmiri Pandits return
- Despite official return plans, improved housing is being constructed in settlements for internally displaced in Jammu - showing that plans of return are not imminent
- Security is felt as the main obstacle to return for the displaced Kashmiri Pandits

**Hindustan Times, 21 August 2005:**

"Notwithstanding terrorist threats, Jammu and Kashmir government is going ahead with plans to rehabilitate displaced Kashmiri pandits in their homeland as the first batch of migrants is all set to return here within two months. 'First batch of 350 families of pandits living in different camps at Jammu and Udhampur is returning to Kashmir in October,' state Revenue and Rehabilitation minister Hakim Mohammad Yaseen said."

***Separatist militants have threatened to start waves of attacks if the Kashmiri Pandits return:***

**Reuters, 22 July 2005:**

"Separatist militants fighting Indian rule in the country's only Muslim-majority state said on Friday they would not allow minority Hindus who fled the the region after the revolt broke out 16 years ago to return. Kashmir's moderate separatist leaders and officials said this month they were making plans to help thousands of Kashmiri Hindus - known as 'pandits' - to return due to a

peace process between India and Pakistan, which have fought two wars over the region. 'They (Hindus) deserted the majority community during the time of crisis and indulged in anti-movement activities,' said a joint statement by al Nasireen, al Arifeen, Save Kashmir Movement and Farzandan-e-Milat. 'They will not be allowed to return unless they apologise and offer penance for their acts,' said the statement faxed to media organisations said. The four groups have claimed a series of attacks across the region over the past few years."

**The Tribune, 14 September 2005:**

"Plan of the Mufti-led coalition government for the return of the Kashmiri Pandits to their homeland in the Kashmir valley is likely to be delayed as the Centre is learnt to have advised the state government to be cautious in the matter.

The state government had planned to carry the first batch of the migrants back to the valley next month [October 2005] and has constructed clusters for them at three places around Srinagar and the Anantnag districts.

It is learnt that brakes have now been applied on the proposed move at least for some time as four terrorist outfits had threatened if Pandits returned to the valley.

[...]

Although a few lakh Pandits had moved out of the valley, but only 1500 families so far have approached the government for return. Cluster accommodation for them was being constructed at Sheikhpora, Kshir Bhawani and Mattan. The Mufti was taking personal interest in the construction of flats for Pandits."

***Despite return plans, improved housing is being constructed in settlements for internally displaced in Jammu:***

**Indian Express, 19 September 2005:**

"Srinagar: Political noises about the return of Pandits to Valley may be getting shriller in J-K, the truth is that the government is doing the opposite. Work has started on 5,242 two-room tenements in Jammu, incurring a cost of about Rs 200 crore, to house the migrants. The construction work alone will take three years, according to Relief Commissioner B A Runiyal. Does this mean government does not believe its own return rhetoric? 'No, that is not the case,' says Mehbooba Mufti. 'It is just that the Pandits in Jammu are living in inhuman conditions and government needs to do something about it,' she says. The return of Pandits, Mehbooba concedes, is going to be a long haul. 'It (return) is not going to happen within six months. Migrants will, conditions allowing, return in phases,' she says. On the other hand, the impression given out by the state government is that return of migrants is round the corner. Two-room sets at Shiekhpora, Mattan and one-room units at Kherbhawani in Kashmir Valley are far smaller in number. Being built at a cost of over Rs 40 crore, these houses are being constructed to accommodate the returning Pandits

[...]

The government says it had received 1,600 applications from Pandits who want to return to the Valley and that the first batch of 350 migrants will return in October. The Jammu and Kashmir All Migrants' Coordination Committee even brushed aside the threat by a group of four militants organisations - Al-Nasireen, Al Arifeen, Save Kashmir Movement and Farzandan-e-Millat - and expressed its resolve to return. But according to Mehbooba, the government is not in the mood to force the return. 'Returns, if they are voluntary, are welcome,' she says, adding, 'It is a sensitive matter. As such, the whole process has to be low-profile.' Runiyal says the construction of tenements in Jammu was a temporary measure, even when he estimated the completion in about three years. 'When Prime Minister Manmohan Singh saw the pathetic condition of the migrants, he called for improvement in their living conditions,' he says. The construction of more than 5,000 sets in Jammu is, however, seen as putting the return of migrants in doubt. The impression at the local level is that the government, rhetoric apart, is not interested in any pro-active push for

Pandits' return and wants the process to start on its own, 'in a natural fashion'. The members of the community are looking forward to celebrate the festival of Anant Chaturdasi at a temple in South Kashmir after 15 years."

***Security is felt as the main obstacle to return for the displaced Kashmiri Pandits:***

**The Hindu, 30 June 2005:**

"Representatives of Kashmiri Pandits have made it clear that they cannot return without the consent of majority Muslim community and the selected security zones being set up by the government may prove dangerous for them. A 37-member coordination committee of migrant Pandits, which is on a fact-finding mission to the Kashmir Valley, on Thursday visited Budgam and inspected a colony at Sheikhpora being constructed for them. They also interacted with the locals and exchanged views on their possible return."

**Jammu and Kashmir: house building started to encourage the return of Kashmiri Pandits (2007)**

- Ministry of Home Affairs takes measures for the return of Kashmiri migrants to the Valley
- temporary shelters provided until residential houses can be repaired
- confidence building measures envisaged to rehabilitate Kashmiri migrants

**GOI- Ministry of Home Affairs, 2006-07, p.16:**

(c) Measures taken for return of Kashmiri migrants to the Valley

"Shrines in Mattan and Kheer Bhavani developed into two model clusters containing temporary shelters, where Kashmiri migrants displaced from these places can be settled temporarily till such time they can repair their existing residential houses; · State Government constructed 18 flats in Budgam District at an estimated expenditure of Rs.20 crore for which a sum of Rs.18 crore provided. Central Government supporting the construction of 200 flats at Sheikhpora in Budgam District at an estimated expenditure of Rs.20 crore for which a sum of Rs.18 crore provided. Construction of the flats nearing completion.

[...]

(d) Confidence Building Measures (CBMs) for return of Kashmiri migrants

· As announced by the Prime Minister during his visit to Jammu and Kashmir during November 2004, an interministerial team was constituted to prepare plan to rehabilitate Kashmiri migrants; · The team recommended various CBMs like construction of two-room tenements, creation of job opportunities, improvement of infrastructure in Kashmir Valley, restoration and repair of temples/shrines in the Valley, establishment of Self-Help Women's Groups, entrepreneurial development programmes and setting up of 1,000 cottage/small-scale industries, provision of soft loans, etc."

**Jammu and Kashmir: Uncertainty regarding number of displaced families having returned to their villages along the international border and Line of Control (March 2005)**

***The information below states that most of the displaced have returned to their homes. However, one source has informed the Global IDP Project that many move to transit camps awaiting demining of their fields and repair of their houses. These returnees should be considered internally displaced until they have been able to return to their homes in line with [Guiding Principles 28 and 29](#).***



**Indo-Asian News Service, 6 November 2003 (no internet link available):**

"The Jammu and Kashmir government is working on the return of over 100,000 people who fled their homes along the border due to stepped up shelling by Pakistani forces, officials said.

The government move comes in the wake of an assessment showing there had been a discernable fall in Pakistani shelling in areas close to the border in the Jammu region.

The government is exploring the possibility of making fields cultivable again after the removal of thousands of mines laid by Indian forces during last year's standoff with Pakistan."

***By March 2004, most of the displaced were reported to have returned home:***

**COE-DMHA, 5 March 2004:**

"Thousands of migrants who previously lived near the disputed Line of Control (LoC) in Indian-controlled Kashmir (IcK) are reportedly returning to their homes as a November 2003 ceasefire continues to hold between India and Pakistan. The two countries held their initial round of talks last week and have agreed to hold meetings over the next 6 months on a "roadmap" to peace. Many migrants moved out from the area since the 1989 separatist revolution in IcK. IcK Relief and Rehabilitation Minister Hakim Yasin said that the situation has improved substantially along the LoC and claimed that 31,621 out of 39,527 families have returned to their homes. Since humanitarian information is tightly controlled in IcK, it is difficult to independently verify the figures.

[...]

Meanwhile, militant violence continued in IcK as The Statesman reported that militants have begun targeting female Indian Army medical officers that have started work in more remote areas of the region."

**The Indian Express, 5 March 2004:**

"The situation has improved substantially in the border areas close to the Line of Control and people have voluntarily returned home after the ceasefire, said Hakim Yasin, the state's relief and rehabilitation minister. 'Of the 39,527 migrant families, 31,621 families have so far returned to their homes in the border areas,' the minister said."

***However, information is conflicting as less than ten percent of the amount for relief and rehabilitation of the internally displaced has been allocated and that many still remain in relief camps:***

**The Hindu, 7 July 2004:**

"[...] even after the demobilisation of forces along the Line of Control, in sharp contrast to the farmers along the Indo-Pak International Border, a majority of the residents could not return. This was because a large area remained under mines near the Line of Control and de-mining process was quite slow. Residents say that most of the houses have been destroyed in this sector and fields have become absolutely barren due to the high toxicity in the soil due to heavy bombardment."

**J&K Government, 12 March 2005:**

"Speaker Legislative Assembly Mr. Tara Chand reviewed the rehabilitation and relief measures for the border migrants at a high level meeting of officers here today.

The Speaker asked the Financial Commissioner, Home and Divisional Commissioner Jammu to speed up the relief measures for which the Central Government has already provided funds.

These include tractorisation of un-cultivable land that was left out for some years due to border disturbance in various villages of Akhnoor Tehsil.

The matter of release of Rs 78 crore relief package for border migrants came up for discussion, out of which Rs 7 crore have already been released by the centre, the Speaker impressed upon the concerned officers to peruse the case vigorously for obtaining the pending amount at the earliest so that the pending rehabilitation process is completed. Mr Tara Chand said that several other relief works which include allotment of plots at safer places, payment for purchase of oxen for ploughing purposes house-holds and extension of cash relief for another six months for those who are not able to start their farming activities due to some technicalities would also be undertaken with the same financial assistance of central government.

It is recalled that the Centre had already sanctioned Rs. 7 crore under the rehabilitation programme for Akhnoor border migrants out of the Rs. 78 crore proposal sent by the state government. Balance amount to the tune of Rs. 71 crore has been agreed by the Centre to release in phased manner."

See also "[More than two years after ceasefire with Pakistan, thousands of internally displaced from border areas along the Line of Control \(LoC\) are still waiting for rehabilitation assistance \(2005\)](#)"

### **Jammu and Kashmir: South-Asia earthquake delays the reintegration of conflict-induced IDPs along the Line of Control (January 2006)**

#### **J & K Government, DIPR, 6 January 2006:**

"Speaker Jammu and Kashmir Legislative Assembly, Mr. Tara Chand has stated that relief package of border migrants shall be implemented in letter and spirit. He said that the implementation of package has got delayed due to recent earthquake in the State wherein a large number of people were killed and thousands rendered homeless and entire state administration remained busy in dealing with the situation.

[...]

Mr. Tara Chand said that the efforts are afoot to sanction cash relief and free ration in favour of such families whose land falling across the ditch on zero line and those who could not use their land due to other reasons, till they are able to cultivate the land. He said that the government is committed to solve the problems of border people who have suffered the agony of migration from their homes due to border disturbances after the Kargil conflict.

The Speaker apprised the gathering that an amount of Rs. 20 crore has already been spent on various reconstruction and rehabilitation works out of total package of Rs. 78 crore sanctioned by the Central Government which contains repair of roads, lanes and drains, government buildings, restoration of other basic facilities, cash relief on account of tractorization of land, purchase of household articles, ox pairs, allotment of plots at safer places and construction of shelters thereon. He said that the matter has been discussed with the Chief Minister, Mr. Ghulam Nabi Azad who has assured that rest of the package shall be implemented very soon and most probably, the Chief Minister would himself visit to the people of border areas to take stock of their problems personally, said Mr. Tara Chand."

### **Assam: displaced Santhals quote fear of renewed violence upon return and lack of assistance as main reasons for not returning to their villages (January 2004)**

- A total of 6,130 families have returned to their villages from relief camps in Gossaigaon in the past four years
- The remaining displaced Santhals fear attacks from militants and prefer to stay in relief camps
- Another reason for why the displaced do not return is that many of the displaced have not received a promised house-building grant which they need in order to restart their lives

**The Times of India, 8 January 2004:**

"While camp inmates said they were afraid to go back to their villages for fear of facing attacks from militants once again, a police official at Sapkatha said the inmates did not want to return mainly because they were getting free rice at the relief camps.

"Our camp is too close to the forests. We are scared that the militants may still come down from the hills in Bhutan and launch attack on us if we go back," headmaster of Sapkatha camp school Moshe Tudu said. He hoped, however, that the operations against militants in Bhutan would improve the situation.

Another reason why the inmates had not been able to go back was that many of them had not received the house building grant of Rs 10,000 per family which the Assam government had promised to them. A total of 6,130 families had gone back to their villages from the relief camps in Gossaigaon in the past four years. The state government had spent more than Rs 6 crore on their rehabilitation, subdivisional information officer Gagan Narzary said.

"We can still revive our cultivation and go back to normal life if we can go back to our villages," he said. Near both Kochugaon and Sapkatha camps, there were permanent army posts for protection ever since the camps had started. Militant groups had taken an active part in the riots."

**Assam: Fighting between the Karbi and Kuki tribes in Assam delayed the return of over 4,000 Khasi-Pnars who fled Karbi militancy in November (December 2003)**

- The return of more than 4,000 Khasi-Pnar people staying in camps in Meghalaya was delayed due to general insecurity and threats by militants
- By the end of January 2004, most of the displaced considered the security situation as adequate for return

**Assam Tribune, 5 December 2003:**

"Fresh ethnic violence between the Karbi and Kuki in Assam's Karbi Anglong district has halted the process of rehabilitation of over 4000 displaced Khasi-Pnar people now staying in camps in Meghalaya's Jaintia hills for the last three weeks following threats of militants there, reports PTI.

"Since there is a problem going on, they (displaced Khasi-Pnars) want to be here (in Meghalaya) for some more time," Deputy Commissioner of Jaintia Hills district L Kharkongor told PTI here over phone adding only 34 people have so far returned to their villages in Block-I and Block-II areas.

After staying in camps for over three weeks, the Khasi-Pnar people, who fled their home from Karbi Anglong area of Assam after being threatened and harassed by two Karbi militants, started returning to their villages from Monday last following security arrangements."

"Sense of insecurity prevails in the disputed areas of Block-I with many Khasi-Pnar refugees who had returned to their villages coming back to Sahsniang refugee camp expressing their lack of confidence in the role of the Assam Police. Informing this to *The Shillong Times*, General

Secretary of Labang-Nongphyllut-Pangam-Raliang Council (LNPRC) M M Thaiang said around 70 refugees had gone to their villages in Block-I but most of them had to return to Sahnsiang after finding that the situation was not right for their resettlement.

***By the end of January, most of the displaced considered the security situation as adequate for return:***

**The Assam Tribune 29 January 2004:**

"[...] most of the 4,000 Khasi-Pnar tribals are now back in their homes in the villages in central Assam's Karbi Anglong district.

[...]

After over three weeks of their stay in the make-shift camps in the village, they started returning home since early December. While the displaced villagers were somehow provided with shelter in the put-up camps, they reportedly faced a lot of hardship initially as there were hardly any basic amenities. Their living conditions improved following a 12-hour bandh called recently by a group of as many as 12 social organisations in the four districts of Meghalaya—Ri-Bhoi, East and West Khasi Hills and Jaintia Hills—in support of their demands. The demands include, inter alia, arrangement of adequate relief measures for the uprooted Khasi-Pnar people, and the erection of Meghalaya police post at Psiar village at Block-I area in Karbi Anglong district.

[...]

At one point of time, even Assam Health Minister Bhumidhar Barman and his junior colleague ERS Ronghang, together with Meghalaya Chief Minister DD Lapang and Home Minister RG Lyngdoh had to visit the areas where ethnic conflict erupted, to restore confidence in the minds of the Khasi-Pnar people. It is only then that they agreed to leave for their destination."

**Manipur: Threats of improvised explosive devices preventing displaced from returning (October 2008)**

- In Manipur's Chandel district where the Indian army is running counter-insurgency operations against the United National Liberation Front (UNLF), there have been allegations of the UNLF using antipersonnel mines especially in ethnic Kuki areas
- The UNLF has accused the Indian army of planting landmines
- Large numbers of displaced villagers from Chandel district have been prevented from returning by the threat of improvised explosive devices planted in their villages

**Landmine Monitor Report, October 2008:**

"In Manipur, there were allegations of use of antipersonnel mines by the United National Liberation Front (UNLF), especially in ethnic Kuki areas. The UNLF has not admitted to use of antipersonnel mines, but is said to be not interested in a ban on use. The UNLF has also accused the Indian Army of planting landmines.

In November 2007, the Indian Army launched a counter-insurgency operation in the southeastern corner of Chandel district in Manipur, in 1,000km<sup>2</sup> along the India-Myanmar border, largely under the control of the UNLF. The UNLF reportedly laid many mines in response to the military operation. The Indian Army is said to have destroyed five camps, neutralizing 198 IEDs in the process. It is not known if these were victim-activated or command-detonated devices."

**PWESCR, May 2008:**

"Large numbers of villagers in Chandel district in Manipur are displaced due to the protracted conflict situation. The villagers are forced to flee their homes due to encounters between the Indian Armed forces and the militants in the Government of India's counter insurgency

operations. One of the main reasons for the ongoing displacement is due to the threat of IEDs that have been planted in these villages.”

### **Manipur: Hmar displaced returned but state government is criticised for lack of policy (June 2006)**

#### **Hmar, Elf, 25 June 2006:**

"After a long knock, the reluctant Government of Manipur has finally made a shrug to at least open its door 'though partially' to welcome back the hundreds of displaced Hmar villagers to their bon-a-fide land in Manipur. These Tipaimukh villagers who were displaced due to landmine threats, torture, rape, and the valley based militants' reign of terror, had been staying at designated camps in Mizoram since early 2006.

According to media reports dated June 17, 2006, the Manipur Chief Secretary Shri Jarnail Singh has been said to have notified his counterpart in the Mizoram government Chief Secretary Shri Haukhum Hauzel of the Manipur Government's decision to repatriate the Tipaimukh Hmar Internally Displaced Persons (IDPs) who are taking refuge in refugee camps in Mizoram.

More than a thousand traumatized Hmar villagers of Tipaimukh were displaced to the neighbouring state of Mizoram as a result of the inhumane brutality of the Meitei rebels who, then, occupy several Tipaimukh villages with the Indian Army operation against them. At the same time, the Manipur government and Indian Army's failed policy to foresee and counter the Meitei underground outfits who forcibly annexed and controlled the marginalized areas further caused immense hardships to the populace.

As per the notification issued by the Government of Manipur on repatriating the displaced Hmar villagers, the repatriation package offered to the displaced families is a paltry sum of Rs. 5000 for each displaced family and free ration for a resettlement period of four months.

The notification also intimidated that this package will be given only to those families who return to Manipur before June 30, 2006. Any displaced persons who fail to come over to Manipur within the specified timeframe will be disqualified from receiving the benefits of the repatriation package. [...]

Instead of imposing an ultimatum to the Hmar IDPs, the state authorities should commit a deadline for its own functioning as to how to properly repatriate the displaced persons, and take steps for the same and set deadline as to:

- When to completely oust the banned underground outfits taking refuge in the Tipaimukh and nearby areas from their hideouts.
- When to completely sanitize the destructive landmines and booby-traps in the whole areas and not just only in some pockets of the areas.
- When to restore the public administration which has been absent for more than a decade now.
- When to establish proper communication systems.
- When to avail the people of the region with Public Distribution System.
- When to restore and set-up Public Health Centres.
- When to restore and set-up Police Stations and Posts and deploy police forces.

It is necessary for the government to have a re-look into its flawed policy and amend it at the earliest, lest more failures ensued as already shown from its failure to protect and work for the interest of the people living in the areas. The repatriation deadlines set, therefore, is unnecessary and it is by itself against the norms of human values and also untimely in a sense that the state government has not even done its own homework.

The state government should first construct houses for the families that are to be repatriated, ensure that proper security and police post are already in place, government schools and teachers are ready to take up their post so that there is no break of studies for the school children, food and grains be stored to last them throughout the year, food-for-work programmes be worked out and implemented both for the repatriated families and the people living in the region."

### **Tripura: Bru IDPs unable to return due to Mizoram government stance (December 2007)**

- A ceasefire MOU signed between a Bru insurgent group and the Mizoram state government in 2005 did not address the concerns of the Bru IDPs
- The central government announced a Rs. 28 crore package for Bru rehabilitation but it was declared without a specific time-frame for the return of the IDPs from Tripura
- The Mizoram state government continues to prevent the repatriation of Bru IDPs on the ground that not all of them are genuine residents of Mizoram when a large majority of the IDPs have documents establishing inhabitation in Mizoram

### **ACHR, 11 January 2006:**

"After 13th rounds of talks, the BNLF and state government of Mizoram signed the MoU. It was clear from the opinions of the displaced Brus that the Memorandum of Understanding (MoU) signed between Mizoram government and BNLF has failed to resolve the Bru insurgency. It does not address the problems of displaced Brus who constitute the overwhelming majority of the Brus of Mizoram. It only attempts to rehabilitate the BNLF cadres.

There is no general amnesty for those living in the camps, guarantees for security, compensation for the properties lost and/or damaged, restoration of the lands to the original owners, and proper and adequate rehabilitation of the displaced Brus within a specific time frame. Nothing reflects more acutely the repressive policies of the Mizoram government than the murder of Hulendra Reang in August 2005 by Mizoram Police after entering into Tripura.

The MoU of 26 April 2005 does not mention specific number of Bru refugees in the Tripura camps to be returned or time frame for their repatriation. Rather, the MoU provides for the identification of the so-called genuine Brus by the State government of Mizoram. It is nothing but a ploy not to take back majority of the displaced Brus and exposes Mizoram government's tacit support to the Mizo Zirlai Pawl (MZP) and Young Mizo Association (YMA) which first systematically deleted the Brus from the voter lists and then uprooted them from their hearts and homes.

The Brus are unlikely to be included in the voter lists on their return. There is no rule of law or due process of law as Mizoram government often abdicates its responsibility to the non-State actors like YMA and MZP to delete the minorities in the State from the voter list. Yet, the government of India announced a Rs 28 crore package for the rehabilitation of Brus. It was unwise to declare the package without specifying the time frame for the return of the Brus from Tripura and the package for each family. Since the Mizoram government refuses to take back all the Brus, are we to presume that Mizoram government will take back all of them or is it a case that Central government has already accepted the number of Brus to be repatriated? Unless the displaced Brus are rehabilitated, new armed opposition group such as the Bru Liberation Front of Mizoram (BLFM) will emerge."

### **AITPN, December 2007:**

“The state government of Mizoram has been refusing to repatriate the Brus on the ground that not all of them were genuine residents of Mizoram and due to the opposition from the influential Mizo NGOs including Young Mizo Association (YMA) and Mizo Zirlai Pawl (Mizo students union, MZP). Although the Brus themselves claim to be over 29,000 persons in the relief camps in Tripura, the government of Mizoram has claimed that only 543 Bru families comprising of 3,189 persons fled the state in 1997. In November 1997, the State of Tripura decided to stop rations and other basic facilities being provided to the Reangs/Brus in order to coerce them to return to their native place i.e. Mizoram. In order to protect the fundamental rights of the Brus, AITPN filed two petitions before the NHRC of India respectively on 27 November 1997 and 1 December 1997 seeking the NHRC’s immediate intervention especially for the protection of the life and liberty of the Reangs/Brus. On 26 December 1997, the NHRC issued notice to the State of Mizoram and the State of Tripura. This was followed by visit of a team of NHRC led by Mr Sudarshan Agarwal, Member of NHRC, to take stock of the conditions of the Bru relief camps and held talks with the Chief Secretaries of Mizoram and Tripura, among others. Following the on-the spot investigation, the NHRC on 27 October 1999 directed the government of Mizoram to take back the Bru IDPs from Tripura as they were lawful inhabitants of Mizoram. But the state of Mizoram failed to take back any Bru.

The Mizoram Bru Displaced Peoples Forum (MBDPF) also filed several appeals with the NHRC, the governments of Tripura and Mizoram for early solution to their problems but to no avail. On 26 April 2005, a Memorandum of Understanding (MoU) was signed between the Government of Mizoram and the Bru National Liberation front (BNLF), an insurgent group. In the MoU, the state of Mizoram admitted its obligation/duty to repatriate and resettle the Reangs/Brus, but again questioned the “genuineness” and/or bonafide inhabitation of the Reangs/Brus. The MoU was another deceptive tool to deny the Brus their right to return as it had no consent of the Brus of the relief camps. About 1,000 members of the Bru National Liberation Front (BNLF) have so far laid down their arms after the signing of the MoU with the government of Mizoram in April 2005 and the government provided them rehabilitation in Mizoram. Yet, In March 2007, the state government of Mizoram entrusted three Mizo non-governmental organizations - the Young Mizo Association, Mizo Hmeichhe Insuihkhawm Pawl (the apex body of the Mizo women) and Mizo Zirlai Pawl (Mizo students union) - which are known for their anti-minority stands - to verify the credentials of the former Bru rebels. The NGOs reportedly identified 40 former Bru rebels as non-residents of Mizoram.

The contention of the state of Mizoram that these Brus were not genuine residents of Mizoram is completely false and an excuse not to take them back. In October-November 2007, the Mizoram Bru Displaced Peoples Forum (MBDPF) conducted an on-the-spot survey of 5,328 families residing in the six relief camps at Kanchanpur subdivision of Tripura. According to the survey, 94.22% of the Reangs/Brus in the relief camps have at least one document each, issued by the State of Mizoram, its local authorities as well as constitutional bodies, namely, the Election Commission of India to prove that their bonafide/natural place of inhabitation is Mizoram.

Since April 2007, the state government of Mizoram held a series of talks with the MBDPF, the last round of discussion being held on 21 November 2007, but no result emerged. In order to prevent the Brus and the AITPN from filing a writ petition before the Supreme Court of India for its intervention for early repatriation of the Brus to Mizoram, the Home Secretary, Government of Mizoram, who was the Chairman of the meeting warned the Bru leaders against going to the Supreme Court. The Home Secretary, Government of Mizoram warned the Bru representatives “not to file petition in the Supreme Court as it can create serious repercussion among the general public which may lead to further delay in the process of repatriation...”

### **Tripura: Mizoram state government and rebel group have reached agreement on repatriation of Reangs from Tripura to Mizoram (April 2005)**

- The Mizoram government and the Bru National Liberation Front (BNLF) have signed an agreement on issues related to repatriation and rehabilitation of the internally displaced
- The Mizoram government has previously argued that the Reangs are outsiders and hence have no right to claim that they are permanent settlers
- The Chief Minister of Mizoram argues that "Reangs were not original residents of Mizoram and that only 16,000 of the refugees has a valid claim to reside in the state
- Meanwhile, the Reangs are believed to be increasingly joining the insurgent groups to wage war against the Mizos
- The Indian Government and the National Human Rights Commission have on several occasions called on the Mizoram and Tripura state governments to assure the immediate and safe return of the Reangs

***After years of dispute, the parties reportedly now agree on issues related to the repatriation and rehabilitation of the internally displaced Reangs:***

#### **COE-DMHA, 27 April 2005:**

"The government of the northeastern state of Mizoram and the rebel Bru National Liberation Front (BNLF) yesterday signed a peace agreement that will help facilitate the return of thousands of Bru tribals from relief camps in neighboring Tripura state. The agreement was reached after a 13th round of talks between the two sides, in which the BNLF agreed to lay down arms and assimilate into the civilian population. The BNLF has also agreed not to recruit new members or assist any other insurgent groups. In return, the government agreed to take back verified ethnic Brus originally from Mizoram from the Tripura refugee camps. The Bru returnees will be rehabilitated at a camp no longer than 3 months and be provided with long-term rehabilitation.

[...]

According to officials, the rebels have agreed to relinquish their demand for an autonomous district council in return for strong development work in Bru-dominated districts in Mizoram."

#### **Deccan Herald, 31 March 2005:**

"This comes in the wake of 12 round of talks which discussed the main issue of Bru (Reang) refugee repatriation from six camps in North Tripura.

[...]

BNLF supremo Surjyamani Reang said the main issue from their side highlighted in the meeting was the accommodation of Bru refugees staying in Tripura camps at resettlement centres and provision of ration for an year.

[...]

The Union government has also sanctioned a rehabilitation package of Rs 28.63 crore for the resettlement of the refugees. Surjyamani Reang said the Bru Liberation Front of Mizoram in nexus with an influential outfit of Tripura is putting heat on the BNLF to scuttle the peace process."

#### **Deccan Herald, 2 February 2005:**

"The Mizoram government sought Rs 77 crore for repatriation of Bru refugees as well as the Bru militants who had taken up arms against the state government.

[Union Home Minister ] Mr Patil made a commitment to give Rs 28.65 crore for taking back the Reang tribes and asked the government to settle the issue as soon as possible."



***Previously, a main hindrance for reaching an agreement was the refusal by the Mizoram government to recognize all the internally displaced as citizens of Mizoram:***

**U.S. DOS 2001, Section 2 d:**

"Mizoram human rights groups estimate that some 41,000 Reangs, a tribal group from Mizoram that has been displaced due to a sectarian conflict, presently are being sheltered in 6 camps in North Tripura; conditions in such camps are poor and the Tripura government has asked the central Government to allot funds for their care. Reang leaders in the camps say that their community would return to Mizoram if they were granted an autonomous district council, allotted a set number of seats in the Mizoram Assembly, and granted financial assistance for resettlement. The Mizoram government rejected these demands and maintained that only 16,000 of the refugees had a valid claim to reside in the state."

**Deccan Herald, 17 August 2003:**

"Despite continuing efforts of the Tripura government the question of repatriation has made no progress as official representatives of Mizoram persisted with their stand that all those registered as refugees in the camps did not really belong to Mizoram. Both the Tripura government and the Centre have been trying to 'push back' all the Reang people to Mizoram. After a series of discussions held by the officials of the Union home ministry failed to make any progress, Union Home Minister L K Advani held a tripartite meeting involving the governments of Mizoram and Tripura. The meeting resolved that the government of Mizoram would start taking back the refugees from October. But the process remains paralysed as Mizoram has been using one pretext or the other to keep the repatriation in abeyance."

**Saha 2000 p.7-8:**

"The Mizoram Government had sent a delegation led by the State Home Minister, in October, 1997 to persuade the Reangs living in camps in Tripura to return. A programme of repatriation was also chalked out with Tripura Government. "However barring 3000 Reangs most of the Reangs refused to return to Mizoram even after the Government promised to provide adequate security by deploying Central Paramilitary Forces in the area. The State Home Minister also stated that President of the Bru Students Union on March 9,1998 warned all the Reangs who had not left the state to leave the state by March 22,1998 or face excommunication by the community or even death.

The Union Home Minister Mr. L.K. Advani during his visit to North East on September, 1998 stated that " the Mizoram Government must take back every Reang tribal now housed in relief camps in Tripura for whom the Centre is bearing the expenses and there was no question of taking back selectively. He rejected the Chief Minister Mr. Lal Thanhawla's assertion that he would take back only those Reang tribals whose names were in Mizoram electoral rolls."

***Observations of the National Human Rights Commission (NHRC):***

**MHA- GoI, 7 August 2000:**

"[On 7 August 2000] Union Home Minister, Shri L.K. Advani held a meeting with Chief Minister, Tripura, Shri Manik Sarkar and the Mizoram Home Minister, Shri Tawnluia to discuss the problem of repatriation of displaced Reangs from Mizoram who are settled in camps inside Tripura. Union Home Secretary, Additional Secretary (Home), Chief Secretary, Tripura and Joint Secretary (North East) in the Union Home Ministry were also present. It was noted that the National Human Right Commission had in October 1999 after discussions with the State Governments of Mizoram and Tripura and the representatives of Ministry of Home Affairs and after the visits to the camps, had made the following observations.

i. The Reangs living in refugee camps in Kanchanpur sub-division of Tripura are lawful inhabitants of Mizoram and the Government of Mizoram is obliged to take them back in accordance with the agreement made with the Union Home Minister in November, 1997. The Government of Mizoram should take all necessary steps to impart a sense of confidence and security to the refugees who fled from Mizoram in the wake of some ethnic tension in September-October, 1997. Dispute, if any, regarding the number of refugees, can be resolved by joint verification at the camps by a committee comprising the representatives of Government of Tripura and Mizoram and the Ministry of Home Affairs who would consult fully with a representative of the Reang refugees.

ii. The Government of India is requested to play active role on priority basis to arrange repatriation of the Reangs to Mizoram in accordance with the decision taken in the meeting of Union Home Minister in November, 1997. The Ministry of Home Affairs is further requested to impart urgent and special attention to the safety and security of the Reangs returning to their villages in Mizoram.

iii. The Ministry of Home Affairs, Government of India, State Government of Mizoram and Tripura shall keep the Commission informed of the progress made in the matter at regular intervals of at least once in two months.

2. It was noted that there were 311511 [sic: 31,511] displaced Reangs (6956 families) in these Camps in Tripura. Government of Tripura informed that they had sent the full details of the displaced persons to District authorities in Mizoram for verification.

3. Representatives of the Government of Mizoram agreed that they had received the list on 7 July, 2000 and the process of verification is on.

4. It was urged by the Union Home Minister that the verification should be expedited and the process of repatriation commenced at the earliest.

After discussions, the following decisions were taken:-

i. The first phase of repatriation of 16000 displaced persons verified by the Government of Mizoram who have been displaced from Mizoram would be completed by 30 October, 2000.

ii. In the second phase, there would be further verification of balance person left in the camps and thereafter, such of those who were found to have been displaced from Mizoram would be repatriated back by 31 December, 2000.

iii. Simultaneously tripartite talks would be held between Government of India, Government of Mizoram and Reang representatives to bring about a settlement of outstanding issues and an end to violence. "

### **Gujarat: IDPs fear of return has led to temporary habitats becoming semi-permanent residences (September 2008)**

- The IDPs displaced in Gujarat since the 2002 riots do not want to return to areas of origin due to the fear psychosis prevailing in the state
- Fear of repercussions from Hindu neighbours at areas of origin have led to displaced persons' temporary habitats becoming their permanent residences
- The return of IDPs in Gujarat has also been prevented by their loss of houses and land for which they have not received compensation from authorities

#### **The Hindu, 8 September 2008:**

"The first two years after the 2002 Gujarat riots were the most difficult for the victims as the rehabilitation camps were forcibly closed down, points out a survey on the socio-economic condition of the riot victims released in the Capital on Sunday.

Titled "The Wretched", the survey conducted in March 2007 in Ahmedabad, Vadodara, Panchmahal, Bharuch, Anand, Mehsana, Dahod and Sabarkantha was aimed at assessing the

living conditions of each and every family affected by the riots. The survey team members interviewed 4,182 individuals. Addressing a press conference here, scientist Gauhar Raza said a majority of the respondents did not want to go back to their homes because of the fear psychosis prevailing in the State. "Even six years after the riots, Muslims fear identifying their Hindu neighbours who saved their lives during the riots and Hindus also fear claiming proudly that they were the ones who helped their Muslims friends during the carnage." Pointing out that for the past five years Gujarat had remained in news for all the wrong reasons, Mr. Raza said: "The Gujarat Government refused to fulfill its constitutional duty towards the victims of the carnage. They not only disbanded the relief camps but also adopted an active policy of discrimination towards the families that were displaced during the carnage. In the absence of any support system, civil society came to the rescue of the victims and took the plunge to provide material, physical and psychological help. This in the normal course is the job of the Government machinery."

**AI, 8 March 2007:**

"Today 15 key petitions relating to the Gujarat violence seeking re-investigation and transfer to a state outside Gujarat are pending in the Supreme Court and decisions on these are now imminent. The trials in these cases have been stayed since 2002. The cases relate to the violence in Godhra; Gulberg Society, Naroda Patiya and Naroda Gaam (all three in Ahmedabad) and Sardarpura in Mehsana district. Amnesty International believes that the inordinate delays on these cases have meant that in effect justice is being denied to victims and survivors. Many of those charged in these cases are reported to be intimidating witnesses whilst released on bail. Activists have moreover reported that many of the survivors and eye witnesses in these cases cannot return to their villages for fear of repercussions and so become, "refugees in their own land." Activists have also received reports of cases in which Muslims have been told by those Hindus living in their neighbourhood to drop legal cases if they want to return home.

[...]

An estimated 250,000 individuals were displaced as a direct result of the Gujarat violence. The vast majority of them have reportedly left the state or have moved to other mostly Muslim localities within the state. An approximate 5,00021 families are still living in what are being referred to as "relief colonies" in four districts of Gujarat - Panchmahals, Sabarkantha, Dahod, Anand and in the cities of Ahmedabad and Vadodara. Aman Biradari 22 which conducted a detailed survey of these colonies in December 2006, defines a relief colony as one in "which residents have come from entirely a different area within village/city or from outside of it." Over the last five years, they point out that these habitats have become permanent places of residence for those who are too frightened to return home."

**The Telegraph, 5 June 2007:**

"There was a cluster of colonies...where "riot victims", as they are now collectively referred to, have been "resettled" after they found it impossible to return to their original homes — because these homes did not exist any more and they got no help from the state to rebuild them, or because they were still too afraid to return and live among their Hindu neighbours."

**Gujarat: Unprotected and fearing for their lives, the displaced were unwilling to return (April 2002 - April 2004)**

- The forcible closure of camps in Gujarat was contrary to the Guiding Principle no. 15
- Displaced in Gujarat, largely unprotected by the police and authorities, have been unable and unwilling to return
- By October 2002, virtually all the camps had been closed by the state, forcing many victims to return to their neighborhoods where their security was continually threatened
- The closure of camps meant an end to funds that provide for food and medicines

- Rehabilitation assistance has been minimal and for many non-existent
- Impunity for attacks against Muslims and periodic episodes of violence have also made it impossible for many families to return to their homes - many remained displaced as of December 2003

**HRW, July 2003, p. 21:**

"The destruction as well as enmity and insecurity left by the communal violence in Gujarat in February and March 2002 forced more than one hundred thousand Muslims into over one hundred makeshift relief camps throughout the state, some located in Muslim graveyards. By October 2002, virtually all the camps had been closed by the state, forcing many victims to return to their neighborhoods where their security was continually threatened. Throughout this period, the state government failed to adhere to standards laid out in the U.N. Guiding Principles on Internal Displacement (Guiding Principles) and to international human rights standards.

[...]

In January 2003, Human Rights Watch visited Shah-e-Alam camp, the largest camp in Ahmedabad. Though the camp area, which is situated in a dargah (a traditional meeting ground for Hindus and Muslims), seemed largely uninhabited at the time of our visit; at the height of the violence approximately 12,500 people resided there. According to one of its managers, the camp was closed on August 23, 2002, two months after the government ended its official support. Between March and June the government provided 300 grams of flour, 100 grams of rice, 50 grams of dal, 50 grams of milk powder, 50 grams of oil, and five rupees per person per day. Apart from this five rupee allotment per person per day the camp received no additional financial support from the government. Instead, money was collected from local community members or by placing advertisements in newspapers.

[...]

By June 2002, 8,500 people had left Shah-e-Alam camp. Many went to relatives' homes, some to rental homes, while others out of necessity returned to their homes in Naroda Patia, Naroda Gam, and elsewhere. At the time of the camp's closure in August, 4,000 people remained. A Muslim charity repaired some 700 homes and constructed approximately sixty-five homes in various Ahmedabad neighborhoods. When asked whether the government provided financial support to run the camps (as opposed to the limited subsidies to victims described above) the manager told Human Rights Watch: "Forget money, they didn't even give us protection. We kept asking for help with rehabilitation, even to [Prime Minister] Vajpayee when he came, but nobody did anything." Some of those who lost family members have been able to construct or buy homes in Muslim majority areas. The remainder have for the most part returned to Naroda Patia. "They returned because they own property there and have been unable to sell it for the price at which it was bought.

[...]

The forcible closure of the camps in circumstances in which it was foreseeable that some camp residents would have no option but to return to unsafe conditions is contrary to Guiding Principle 15(d)-the "right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk"-and violates the right to choose one's own residence under article 12(1) of the International Covenant on Civil and Political Rights (ICCPR). Furthermore, the closure of the camps without an offer of adequate alternative shelter is a clear violation of article 11(1) of the International Covenant of Economic, Social, and Cultural Rights (ICESCR)-"the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing.

[...]

Ongoing impunity for attacks against Muslims (see Chapter IV) and periodic episodes of violence have also made it impossible for many families to return to their homes where their assailants roam freely in their neighborhoods. " (HRW July 2003, pp. 38-41)

"The problems associated with the Naroda Patia and Gulbarg Society investigations, including the harassment of witnesses, are also found in other parts of the state. During their visit to Gujarat to determine the feasibility of holding early elections, members of India's Election Commission documented similar patterns from almost all of the twelve districts that they covered. According to the Election Commission report:

Everywhere there were complaints of culprits of the violence still moving around scot-free including some prominent political persons and those on bail. These persons threaten the displaced affected persons to withdraw cases against them, failing which they would not be allowed to return to their homes. In Dhakor (Kheda District), the team was told by a delegation, in the presence of senior police officers and the district administration authorities, that the culprits had been identified before the police but no arrests had taken place and the main culprits continued to threaten the villagers to withdraw their FIRs. The team has cited many other such cases from almost all the 12 districts covered by them."

**International Initiative of Justice, pp. 55-56:**

"Till the time of writing of this report many Muslims are still unable to return to their homes. Indeed, without a sense of security it is virtually impossible for survivors to go back to places where they witnessed friends and relatives being slaughtered and burned alive."

**Times of India, 12 April 2004:**

"Of the 95 Muslim families in Panwad village (about 80 km south of here), who were attacked by a mob of tribals during the riots two years back, about 30 have still not returned.

Though the Islamic Relief Committee has built new houses in place of the ones which were burnt down, many feel safer living in Chotaudepur, about 20 km away, and commuting to Panwad."

**Gujarat: The Muslim community is under pressure not to press charges against their attackers before they are allowed to return (December 2003)**

- Those who have managed to return to their homes have done so under conditions of economic boycott and "compromise"
- The most important "compromise" condition is the withdrawal of legal cases against Hindus

**International Initiative of Justice, December 2003, p. 55-57:**

"Those who have managed to return to their homes have done so under conditions of economic boycott and "compromise." There are many "compromise" villages and neighbourhoods in Gujarat today. Essentially "compromise" refers to an entire set of conditions under which displaced Muslims are being allowed to re-enter their original villages and neighbourhoods, without overt threat of physical harm. The most important "compromise" condition is of course, the withdrawal of legal cases against Hindus. But there is also an agreement that Muslims will live not as free citizens exercising their cultural and religious rights, but as second-class citizens according to terms determined by the Hindus. In some cases, this means cultural conditions such as lowering the volume of the *azaan* from the Mosque. In other cases it means the closure of all neighbourhood beef shops (beef here means buffalo meat, since cow slaughter is banned in Gujarat and many other states of India). For poor Muslims this means a complete change of customary diet since mutton (goat meat) is generally too expensive. These "compromise"

agreements are both verbal and in many cases written. But even after having compromised there is no guarantee that the Muslims will be left free to live life as they did before.

In Jhalod in Dahod district, the following conditions were put forth before the community as early as 3rd March, 2002 when the violence was at its peak:[...]

1. No Muslim boy should come out of the house after 10 pm.
2. No *azaan* to be recited on the microphone in the *Masjid*.
3. Close Muslim student hostels.
4. Close slaughter houses on the highway.
5. When Hindu bands cross the *Masjid* (mosque) they will not stop playing.
6. No Muslim children should stand and watch a Hindu *barat* (wedding procession).

According to Urmila and Prakash, both Hindus from BV41 area in Baroda, who saved several Muslim families in their neighbourhood during the pogrom:

An entire new language has been created in Gujarat. The new word is “compro.” Muslims will be allowed to come back only once they do “compro”– take back their complaints. Very few people have come back to this area. Out of 150 houses, people from about 20 have returned. Others have tried to go back, but Bajrang Dal cadres go there and don’t let them. Yesterday the few people who have returned came to our house again because they were afraid. At 1am last night the BJP [election] victory procession came to our area. Now with the BJP government coming back to power there is no question of the Muslims returning to their homes. They will not dare.

In BV5 and BV6 [*administrative districts*], the Muslims have agreed to compromise in order to live there. The basic condition is that they drop all charges and discontinue court proceedings. The Muslim community has no choice but to agree because they are entirely dependent on the village for their livelihood and survival. In BV9 there has been a written compromise on stamp paper in the presence of senior district administration officials including the Collector, DSP [District Superintendent of Police], DDO [District Development Officer], TDO [Tribal Development Officer], and *mamlatdaar*. Nearly the entire Muslim community has signed this paper, with just a few exceptions. Now the “compromised” families are living in the village and doing their business. (Harish, paralegal worker, BO1 organization, Anand).

Kazi from BV17 in Anand district testified that most of the 32 pogrom affected families in his village have gone back except for five or six families who have filed complaints. But even those who have been allowed back are not living like they did before. Although they have not been directly forbidden from returning to the village, they are being told they are not welcome indirectly.

The shops they used to rent are not being leased to them again and there is constant tension that something will happen again.

[...]

In BV14 the Muslim community is under pressure to compromise if they want to be rehabilitated in their village. So far there is no compromise and the Muslims are still resisting. But as a result the Muslims have been forbidden to enter the village, operate businesses, or seek a means of livelihood within the village. Most families from this village are currently living in BV37 and BV38. Four to five families are living on the outskirts of BV14. Only three people have returned to BV14. They are the ones who have not filed any pogrom related cases.

[...]

In some cases individual District Collectors, *mamlatdaars*, and other district administration officials claim to have “helped” or “facilitated” people’s return to their villages. Testimonies before the IJ team, however, found that this “help” consisted largely of negotiating ‘compromises’ discussed above. In a few cases the ‘help’ seemed to consist of little beyond verbal assurances of safety and the attempt to hold village”

### **Chhattisgarh: IDPs wanting to return face fear of reprisal from Naxalites and Salwa Judum (July 2008)**

- The Chhattisgarh government has no policy for facilitating the return of camp residents to their villages nor a plan to provide for them adequately on a long-term basis
- Fear of Naxalite reprisals and landmines placed by the insurgents are hindrances to return for the displaced
- Salwa Judum cadres have carried out attacks in reprisal against former camp residents who have returned to their villages
- Even if IDPs are assured of safe return, the return will not be sustainable unless government services are restored in interior areas
- There are concerns that the IDP camps may become permanent

#### **HRW, July 2008:**

“In the relocation from villages, most villagers lost their homes, land, most of their livestock, and their primary means of livelihood, which are agriculture and sale of forest produce. Government officials in Chhattisgarh acknowledged to Human Rights Watch that the camps are not sustainable. They have neither a policy for facilitating camp residents’ safe return to their villages nor a plan to provide adequately for camp residents on a long-term basis. Further, the government has failed to provide uniform treatment to all persons who have been relocated from their villages.

[...]

The Chhattisgarh government has no policy for facilitating the safe and voluntary return of camp residents to their villages. Almost all camp residents told Human Rights Watch that they eventually want to return to their villages. The Dantewada superintendent of police stated that the government was “slowly facilitating return by creating new camps closer to the [interior] villages” from where people were originally relocated. However, another police officer stated that administering and protecting these interior camps was extremely difficult. There are several impediments to camp residents’ return to their villages. The greatest is the danger of possible Naxalite reprisals against camp residents, particularly sarpanches (village officials), patels (village headmen), and special police officers or SPOs (including former SPOs). NGOs, activists, and camp residents said that Naxalites had distributed and displayed pamphlets inviting camp residents to return to their villages to resume farming, assuring them of safe passage and treatment. Many camp residents questioned whether Naxalites would actually abide by these statements.

In many cases, the fear caused by previous Naxalite reprisal measures against camp residents outweighed the Naxalite promises. The Chhattisgarh government has not yet offered police protection to villagers who want to return to their villages permanently. The police also claim that Naxalites have heavily mined interior areas. NGO volunteers who work in camps said that landmines posed a problem for safe return.

Even if people are assured of safe return, civilians cannot lead a normal life in villages unless government services are restored in interior areas. Schools in many villages have been destroyed. Government health workers and teachers live in and around camps, and do not provide services in interior villages. Government fair price ration shops, anganwadis, residential schools, and day schools have been shifted to or around camps. In some areas Chhattisgarh authorities have cut off villagers' access to markets making it very difficult for them to survive should they return.

[...]

Although Salwa Judum's raids were most frequent between June 2005 and mid-2007, they continue to carry out violent attacks in reprisal against former camp residents who have returned to their villages. There have also been reports of government security forces executing persons suspected of being Naxalites and labeling the executions "encounter killings," falsely implying that the deaths occurred during armed skirmishes."

**MCRG, October 2007:**

"It was reported to us by representatives of the government that many [IDPs] are being allowed to either return to their villages completely or to return to villages during the day and the camps in the evening. Our teams were unable to confirm any movement other than to nearby villages during the day and movement to other camps closer to their villages..."

Since only a handful of abandoned villages lie within walking distance of the camps there are relatively few people that are actually being repatriated. In addition, the Salwa Judum burned many villages at the time of the villagers' exodus and there are no reports of reconstruction efforts. There are disturbing indications that the camps will be in fact, be made permanent. The Chief Minister [of Chhattisgarh state] recently stated that many of the people are happy living in the camps and wish to remain. This is contrary to everything we heard in the camps."

**Orissa: Displaced wanting to return face pressure to convert to Hinduism (October 2008)**

- The displaced Christians in camps wanting to return to their villages faced threats from Hindus pressurising them to convert to Hinduism
- At least scores of Christians converted to Hinduism in order to be able to return safely to their villages and to save their properties
- Many others continued to hide in forests to escape the threats of conversion rather than return to their villages

**Hindustan Times, 10 October 2008:**

"Mobs of hundreds of Hindu chauvinists have ravaged villages in Orissa's hilly central district of Kandhamal since the end of August, in cascading attacks that have killed at least 35 people. It is the worst violence India has witnessed against the Christian community, with the state and central governments seemingly looking the other way.

Now, even though there are no reports of fresh communal violence, there is no respite for the estimated 14,000 people living in relief camps. Many of them want to return to their villages. They say they have been asked to embrace Hinduism, or else they would be either killed or treated as pariahs."

**IANIS, 17 October 2008:**

"Scores of Christians have converted to Hinduism in Orissa's Kandhamal district in the past few weeks to save their lives and properties, a government official admitted Friday. 'We have received over 50 complaints where people alleged that Hindu villagers are forcing them to convert to



Hinduism if want to save their lives and properties,' a senior district administration official told IANS."

**Indian Express, 9 October 2008:**

"With no let up in communal violence in the BJD-BJP ruled Orissa, the National Commission for Minorities (NCM) announced a visit to the trouble-torn state to assess the relief and rehabilitation work being done there. "The Commission is more interested in seeing that the rehabilitation and resettlement of the violence affected Christian minority members is carried out properly. Most of the victims are still living in forests minus any medical facility and proper shelter," [the NCM Chairman] said.

Earlier a four member team of NCM...briefed Prime Minister...regarding its findings on Orissa violence [...] besides a few eye-witness accounts, the report also had copies of threat letters issued to Christians. The Commission told the PM that the Christians living in the government camps are being asked to "convert" to Hinduism if they want to return home, sources said. NCM also demanded action under the existing Orissa Freedom of Religion Act against those who are forcing Christians to convert to Hinduism."

## **Resettlement and Rehabilitation**

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### **Rights groups accuses the Government of India of discriminatory treatment of IDPs (January 2006)**

- The Indian government is accused of discriminating against displaced of tribal origin

**BBC, 9 December 2006:**

"At the peak of the Bodo armed movement, Assam accounted for nearly more than half of India's population of internally displaced," says Sanjib Baruah of the Centre for Policy Research in Delhi.

"The Hindu pandits from Kashmir perhaps made up nearly the other half. But while the displacement in Kashmir got national attention, and those displaced were looked after, the displaced in Assam were never even talked about and that's a shame."

**Chakma, the Tribune, 1 January 2006:**

"Among the displaced, the Kashmiri Pandits are the favourites of New Delhi. Not that their conditions are ideal but better than most others. They have been living in accommodation provided by the government. While a displaced Kashmiri Pandit from Jammu and Kashmir receives Rs 750 per person per month, an adult Bru receives only Rs. 2.67 paise a day i.e. Rs 80 per month.

The standard of living of the Kashmiri Pandits is not so high in Jammu than in remote Kanchanpur sub-division in Tripura to warrant such blatant discrimination. The prices of essential commodities across India are the same and they are often more expensive in remote areas. The displaced Karbis and Dimasas have not been even provided Rs 80 per day as cash dole.

On November 18, 2004, the Central Government agreed in principle to release Rs 150 crore to set up the two-room sets for about 56,380 Kashmiri migrant Pandits living in different camps in Jammu.

In comparison, the Assam government has even failed to provide Rs 10 crore for 23,742 displaced families who were displaced after the Bodo-Adivasi ethnic violence during 1996-1998. After a meeting between the armed opposition group, the Adivasi Cobra Military of Assam and the Chief Secretary of Assam on June 9, 2004, the state government agreed to release Rs 10 crore based on the proposal submitted by Health Minister Dr Bhumidhar Barman as the Chairman of the Cabinet Sub-Committee on rehabilitation of IDPs.

In October 2004, the government once again promised to release Rs 10 crore for their rehabilitation. The majority of the people have still not been rehabilitated.

Even the conditions of the border migrants, who were forced to flee their homes along the India-Pakistan border in Jammu and Kashmir, have been deplorable. Though 45,000 of them have returned to their ancestral villages and have enjoyed peace on the Line of Actual Control in the Jammu sector following the enforcement of the ceasefire with Pakistan, over 12,000 people, including women and children, continue to spend days in penury and misery at camps at the Devipur in the Akhnoor sector.

Those who returned to their villages were reportedly not provided cash assistance to repair the houses. Those living in the camps alleged that promises of allotting small plots and financial assistance for building houses in safer areas were never fulfilled.

On March 2, 2004, the Chairman of Border Migrant Action Committee, Chajju Ram of Nikkian village in Khour Block of Akhnoor Tehsil in Jammu District succumbed to the injuries he received from the police on February 27, 2004 during a lathi-charge on the protestors demanding rehabilitation."

### **Jammu and Kashmir: Government has launched an Action Plan for the return and rehabilitation of Kashmiri Pandits (April 2005)**

- The Jammu and Kashmir government is working on a relief and rehabilitation plan for 125,000 displaced Kashmiri Pandits to the Kashmir Valley.
- The Action Plan, which for the most part is not yet implemented, envisages return and rehabilitation in areas with a sizeable Kashmiri Pandit population and where security is already provided

#### **GOI 2002-2003, Chapter III, pp. 27-28:**

"3.84 In order to enable safe and honourable return of migrants to their native places in the Valley, the State Government constituted an Apex level Committee under the chairmanship of Revenue, Relief and Rehabilitation Minister to look into all aspect of this problem and suggest solutions. A Sub-Committee headed by Financial Commissioner (Planning & Development) was asked to prepare a plan for the return of the migrants.

3.85 The Sub-Committee finalized an Action Plan for the return and rehabilitation of Kashmiri migrants involving a total amount of Rs.2,589.73 crore to enable approximately 1.25 lakh Kashmiri migrants persons at presently residing in Jammu, Delhi and other States/Union Territories to return to the Valley. The Action Plan envisages rehabilitation grant per family @ Rs.1.50 lakh; grant for repair of houses @ Rs.1 lakh for houses intact and Rs.3 lakh for houses damaged; grant for household goods @ Rs.0.50 lakh and furniture @ Rs.0.50 lakh; interest free

loan @ Rs.1-2 lakh per person; compensation for loss of income from agriculture upto Rs.1.50 lakh per family; interest free loan of Rs.1.50 lakh per family for investment in agricultural operations and sustenance of Rs.2,000 per month for one year.

3.86 The National Conference Government had, in October 1999, approved the above Action Plan. To begin with, the State Government identified 166 houses forming 15 clusters in Srinagar and Badgam Districts, which were considered safe for the return of the owners of these houses. The list of these clusters was published in the newspapers and steps were taken to identify the families and find their willingness to return to their homes. About 50 families who were registered with the Relief Organisation, Jammu were contacted personally to give their consent for return to the Valley on the basis of the package announced by the Government. Interaction meetings with some of these families were also held, but none of the families agreed to return to the Valley.

3.87 The new State Government has indicated that it has identified the shrines in Mattan and Kheer Bhavani where the Kashmiri migrants displaced from these places could be settled temporarily by developing two model clusters (containing temporary shelters), until such time they can repair their existing residential houses. Ministry of Finance has provided a grant of Rs.10 crore to the State Government for the reconstruction/renovation of houses and shrines at Kheer Bhavani and Mattan. Govt. of J&K has also proposed construction of flats at Budgam and Anantnag for the rehabilitation of Kashmiri migrants. The central Govt. has approved the construction of 200 flats at Budgam on an experimental basis and has released a sum of Rs. 4 crore as advance in March, 2004."

#### **Communalism Combat, January 2004:**

"As per the latest proposal to set up cluster colonies for migrant families, the government claims that 1,100 migrant families have already been identified for return to the Valley. But whether this project, estimated at Rs. 55 crore and hoped to be funded by the Centre, turns out to be the proverbial case of a slip between cup and lip is yet to be seen. The Mufti government is more than optimistic and was seen as initiating a serious step towards the endeavour since at one of the meetings with Advani in Delhi, the rehabilitation proposal also came in for discussion.

[...]

In striking contrast is the scepticism of the relief commissioner, Jammu, RK Thussu. He says that the actual rehabilitation proposal began in 2000, when it was conceived as a composite, integrated project based on the recommendations of the former financial commissioner, ML Kaul. However, the Centre asked the state government to envisage the project (estimated at Rs. 2,500 crore) in phases, in view of the huge costs involved. It was considered too high a demand for the Centre to meet. Following the failure of this proposal, yet another Rs. 43 crore project, which envisaged the setting up of clusters and repair of houses, was formulated by the then divisional commissioner, Srinagar, in 2001 and sent to the Centre for approval. It was probably also approved by the Centre. However, the project remained in limbo until the new government took over.

The coalition government decided to pursue the proposal and go ahead with the project since the 'safe and dignified return of Kashmiri Pandits' was also part of its joint common minimum programme. But Thussu is categorical that no money has been released by the Centre so far and that the project stands frozen as of today. Regarding the employment package by the state government, he states there is nothing concrete to offer the migrants. It is merely that the government has maintained that in all appointments, migrants should also be given due consideration."

#### **Times of India, 12 February 2005:**

"The state government has submitted a fresh proposal seeking Rs 45 crore from centre for renovation and repairs of the migrant pandits' left-out property in Kashmir. This follows the proposal received by the government from pandits to return to the valley and settle in their own houses provided they are renovated and repaired besides other facilities are also provided.

Minister of revenue, relief and rehabilitation Hakeem Mohommad Yasin told KTNS that the government has received some proposals from migrant pandits who want to return to their ancestral houses. "But most of the houses are in dilapidated state. They need immediate repairs and renovation. So we have agreed that we will make these houses fit for living and renovate it as per the needs", he said.

Projected estimates worked out by the revenue department has put the cost of the renovation of migrant property at Rs 45 crore. This includes repairs and renovation of left-out houses and providing other facilities. Accordingly a project report was made which was submitted to the central government for clearance.

"The centre has agreed to provide the financial assistance to us so that we can go ahead with the renovation of migrant pandits property in Kashmir. Though, we have not received anything so far, the centre has agreed in principle to provide assistance. As and when we will receive the money, we will start work on this project immediately", Hakeem said.

The financial package of Rs 45 crore excludes the Rs 20 crore granted for the construction of safe houses at Sheikhpura in Budgam district. The fresh assistance also excludes the financial package approved under the centre's action plan of Rs 2589.73 crore for the relief and rehabilitation of Kashmiri pandit families living in exile.

[...]

It may be recalled that Kashmiri Pandits, who left the valley following the inception of militancy, have disposed off around 85 percent of their property here including their residential houses, agricultural and non agricultural land. This information was divulged after the revenue department conducted a survey in this regard.

"We cannot do anything to the property which has been sold. We will renovate the unsold houses and other property which are still in possession of the displaced pandits ", clarified Hakeem."

#### **Indian Express, 9 April 2005:**

"CHIEF Minister Mufti Mohammad Sayeed [of Jammu and Kashmir] has said that his government is taking concrete steps for the return of Kashmiri Pandits and does not believe in lip sympathy only. He said at various places in the Valley residential accommodations are being constructed for the migrant families where these would be rehabilitated.

[...]

The Chief Minister said the government has received 2000 written applications from migrant Pandit families expressing their desire to return to Kashmir. He said 200 residential quarters are under construction at Sheikhpura, Budgam and would be completed by May 15 this year. Similar accommodation is being raised at Khirbhawani, Mattan and Kupwara and also explored at Indira Nagar and Ganpatyar in Srinagar city.

He said the migrant families who return to Kashmir would be provided one job per family. He said alongside this, the community members who stayed back in Valley during the turmoil would have to be made comfortable."

**Jammu and Kashmir: More than two years after ceasefire with Pakistan, thousands of internally displaced from border areas along the Line of Control are still waiting for rehabilitation assistance (2005)**

- At least 60,000 displaced persons were still displaced from border areas along the Line of Control by the end of 2004 and at least 30,000 people remain displaced as of the end of 2005
- They are still waiting for relief and rehabilitation measures
- A rehabilitation package was finally adopted in August 2005, four years after the state government submitted the request

**ACHR, Human Rights Report 2005, Jammu and Kashmir:**

"[...] the conditions of the 60,000 displaced persons from border areas remained deplorable. [16] The State government had taken a few measures to resettle them. Chairman of Border Migrant Action Committee, Chajju Ram of Nikkian village in Khour block of tehsil Akhnoor in Jammu district died on 2 March 2004 after being beaten up on 27 February 2004 at Kot Ghari while protesting against the lack of their rehabilitation."

***The state government has on several occasions promised that rehabilitation assistance for repair of houses will be granted to all the remaining internally displaced from the Line of Control:***

**Times of India, 13 November 2004:**

"Speaker J&K Legislative Assembly, Tara Chand today assured the border migrants of Akhnoor tehsil that all possible assistance for their proper rehabilitation on account of their damaged houses and relief on account of tractorization of their land and cash relief.

He was addressing a series of public meetings in various border villages of Khour Block which included Hamirpur, Sainth, Badwal, Gigerial, Pallanwala, Dhar, Khour, Plattan, Panjtoot and Chaprial today.

He informed the gatherings that the state government has been making all out efforts to get a comprehensive relief package for the border migrants who have suffered a lot due to shelling from across the border. He hoped that some package would be announced by the Prime Minister during his forthcoming visit to the state, he added."

**The official website of the Jammu & Kashmir Government, 13 March 2005:**

"Speaker Legislative Assembly, Mr. Tara Chand today visited various far-flung areas of border located at zero line in Chhamb sector and took stock of the situation of the areas where people could not return even after normalcy at the border. He also reviewed the progress of development works under execution in the affected areas under border migrant rehabilitation programme.

The areas visited by the Speaker include Samoa Chaprial, Panjtoot, Khui Millan, Palanwala, Gigerial. A group of media persons and all district officers also accompanied him.

He distributed 183 cheques amounting to Rs.42.42 lakh to the people of village Budhwal for repair of houses under rehabilitation programme. He assured the people that all families whose names figuring in supplementary and variation list would be covered under this programme.

Addressing the gathering at Planwala, Speaker said that 6072 families are still living in the migrant camps as they could not return to their homes even after peace on the border as their house have been totally damaged and their land is not cultivable. He said that efforts are on to

send all the families to their homes soon. Their land mostly located across the ditch could not be used for cultivation due to some technicalities. The army has been asked to tractorize the land and hand over to the people under Sadhvabna programme so that the people could undertake the routine activities, he added.

Responding to the queries of the people, the Speaker said that Rs. 7 crore have been released by the Central Government under rehabilitation programme and efforts are on to get the balance amount of Rs. 71 crore released which will cover all the affected left over villages. Entire damaged infrastructure would be developed and areas will have new facelift. This also include purchase of oxen, repair of houses, allotment of plots at safer places, tractorization of land, repair of school and hospital buildings, clean drinking water supply and other related issues, the Speaker added."

***A rehabilitation package was finally adopted in August 2005, four years after the state government submitted the request:***

**Daily Excelsior, 10 August 2005:**

"The Centre has cleared a Rs 78 cr relief package for the border migrants involving allotment of plots of 5 marlas and compensation among nearly 6070 families of 21 villages in Chhamb and Akhnoor constituencies of district Jammu.

[...]

The sources in the Congress party said that the package was cleared in a Cabinet meeting held in the Union capital late last evening. Prime Minister Dr Manmohan Singh and Home Minister Shivraj Patil gave their nod to the package after the issue was strongly projected by Mr Azad. The State Government had sent the package to the Union Government about four years back. It had demanded the package for constructing alternative shelters at safer places, away from firing range near Akhnoor and Jourian for the border migrants.

[...]

Member Parliament Madan Lal Sharma, who hails from Akhnoor told the Excelsior that Mrs Gandhi is likely to visit Akhnoor tentatively on September 22 to distribute relief and land allotment papers among the border migrants in a function to be organised by Pradesh Congress Committee. Mr Sharma said the package got materialised with the constant and sincere efforts of Speaker Tara Chand, MLA Akhnoor, Sham Sharma besides himself. Meanwhile, Speaker Tara Chand has extended gratitude to Dr Singh, Mrs Gandhi, Mr Patil and Mr Azad for their support to the border migrants who were struggling for this package for the last more than five years. He pointed out that the previous NDA Government had rejected this package but due to the initiative of Mr Azad it was released. Responding to a question, the Speaker said that land for the plots has already been identified by the State Government. A component of Rs 8 cr compensation for land has been kept besides Rs 10 cr for raising infrastructure. Each family besides a plot would get Rs 50,000 cash relief and Rs 10,000 for house-hold items. A compensation of Rs 10,000 will be given for the cattle lost in shelling. He disclosed that Rs 7 cr was earlier released for repair of damaged houses by the Government."

**Tripura: 10,000 internally displaced demand rehabilitation (May 2005)**

**Deccan Herald, 22 May 2005:**

"Hundreds of displaced Tripura villagers, who have been leading painstaking lives under the open sky for the last seven years, came out on Friday with demands of rehabilitation. They assembled before Raj Bhawan and submitted an 11-points memorandum to the Governor Mr Dinesh Nandan Sahay.

All of them were displaced due to tribal insurgency from nearby villages of Agartala at different phases and are now camping alongside roads in makeshift houses. Around 10,000 people from 1576 families in the area have been staying in camps from 1997. Rajkumar Das, a middle aged refugee of Yujalkishorenagar area, told Deccan Herald that pre-monsoon shower and storms affected the refugees severely this year, forcing them to come out onto the streets.

[...]

At present, over a lakh non-tribals in the state have been evacuated following militant atrocities and violence during the last decade. Non-tribals threatened to bring the matter to the notice of the President if the governor fails to address their problem."

### **Assam: Government's plan to rehabilitate Santhal IDPs not ending their displacement (May 2008)**

- A state government rehabilitation program offers Santhal IDPs Rs. 10,000 as a housing grant and they are then "released" from the camps
- Release means that the relief rations of the IDPs have been stopped and they must fend for themselves
- No land compensation is offered to the released who cannot secure their livelihood with Rs. 10,000
- The IDPs are afraid to return to their villages where their land and property have been taken over by the Bodo community in their absence
- Many of the released IDPs end up living in displacement in areas around the camps

#### **PWESCR, May 2008:**

"The situation has got even more complicated since the state government started the second phase of the so-called "rehabilitation" in 2004. Families have been given Rs10,000 as housing grant and "released". Release means stopping relief rations and now the family must fend for themselves, not that they were not doing so before that. In Deosri camp, 1,014 families have been released in three batches, once in August 2006 and twice in 2007. In the haste to "rehabilitate" the camp inmates, the government has conveniently forgotten to ask where the Santhalis are supposed to go after being "released." No land compensation has been given to families and people wonder how they are supposed to secure their livelihoods with a mere Rs 10,000.

[...]

Moreover, with their homes, lands and villages having been appropriated by members of the majority Bodo community, with whom they had clashed, they are fearful to return home. Forest officials want them to stop clearing forest land and go back to their original villages. They have not been given job cards under the State's National Rural Employment Guarantee Act programme as they are not from that area. Many of the "released" families...have settled in and around the camp. They have cleared some land and started growing maize and other small cash crops. Deosri and most areas where the camps are located in Chirang district are reserved forest areas. People were living in forests even before they were displaced and came to the camps. Some were in recognized forest villages paying a tax while others have been forest encroachers from the days of their forefathers. They have become "encroachers" again after getting "released" from the camp. They are "encroachers" even if they go back to the land, which they fled during the violence. In their decade-long absence, some shrubs and small trees have grown and now that land has become forest land again. They are more vulnerable than ever, constantly living under the shadow of eviction and the terror of being displaced yet again."

### Assam: internally displaced face difficulties upon return from relief camps (April 2003)

- Returning families face severe economic and social problems
- The state government is making progress on allocation of land to returning families
- The government has requested the Lutheran World Service-India to implement a rehabilitation project

#### LWSI, Appeal 2003:

"LWSI has been approached by the District Commissioner (as well as the Sub Divisional Officer for Gossaigaon sub-division) to assist in rehabilitating those families who have returned to their own lands, by providing a variety of support – infrastructure (roads), housing, drinking water, education and livelihood. LWSI's Emergency Officer discussed the matter with government authorities during a recent visit to Assam, and further in-depth assessments were conducted by LWSI in late April.

There are requests coming from the riot victims and the government officials for rehabilitation that **LWSI should intervene substantially and without delay**, to address the severe economic and social problem being faced by the affected communities in the current situation. The families are pushed in to the current situation mainly due to their prolonged camp life with minimum support from outside. The government allocation of new land is in progress. LWSI plan to start the intervention where people resettled and extend to others as they move in to a permanent settlement.

Villages will be **selected** from the following list of recently rehabilitated villages and also from the existing camps, who are being rehabilitated into new areas within Kokrajhar district, based on further field investigations.

#### Gossaigaon Subdivision

Previous Relief Camp	Rehabilitated Village	Community	Total Families
Sapkata Adivasi	Matiapara No. 1	Santhal	138
	Matiapara 2	Santhal	83
	Sapkata 2	Santhal	59
	Ramdeo	Santhal	178
	Barasara	Santhal	157
	Bhorpur	Santhal	119
	Lalpur	Santhal	39
Gurufela Adivasi	Nayanagar	Santhal	110
	Kanupara 2	Santhal	170
Balegaon Adivasi	Kursumari	Santhal	110
	Ramdeo	Santhal	170
	Jirampur	Santhal	99
	Arinagar	Santhal	90
	Haltugaon	Santhal	33
Kasiabari Boro	Balagaon Main	Santhal	110
	Bhorpur	Boro	53
	Burasara	Boro	128
	Sindrihora	Boro	36
Jambugiri Boro	Ramdeo	Boro	143
	Bhorpur	Boro	54
	Jambugiri	Rava	69



	Gaonsulka	Boro	95
	Jiaguri	Boro	172

*Kokrajhar Sub-division*

Athiabari Santhal	Athiabari	Santhal	77
	Longatula	Santhal	77
	Sarjomtola	Santhal	26
Harnaguri Boro Camp	Hornaguri	Boro	105
TOTAL			2476

[[link to internal document](#)]"

**Assam: Local organisations transport 4000 Santhal internally displaced from relief camps to villages after government fails to assist them (February 2005)**

**The Hindu, 16 February 2005:**

"About 4,000 Adivasi inmates of a relief camp in lower Assam's Kokrajhar district were today shifted to 12 forest villages of the district by the All-Adivasi Students' Association of Assam (AASAA) and Adivasi Cobra Militants of Assam(ACMA).

These inmates were put up in the Sapkata relief camp under Gossaigaon sub-division of the district where they had been staying in sub-human conditions since 1996 after they were displaced during riots between the Adivasis and the Bodos.

The chief organiser of AASAA, Basco Chermaco, told *The Hindu* over phone that the inmates of the relief camps were shifted in 19 trucks that were arranged by the student body and the Adivasi militant outfit, which has currently entered into a ceasefire agreement with the State Government. There were 32,000 inmates in the Sapkata relief camp.

Mr. Chermaco said that the two Adivasi organisations undertook the initiative to shift the inmates as the State Government went back on its promises to rehabilitate them."

**Assam: The government granted relief package to displaced from the anti-Bihari riots (December 2003)**

**The Hindu, 2 December 2003:**

"The Centre has decided to grant a relief package to the Assam Government for rehabilitating the displaced Hindi-speaking population in the recent anti-Bihari violence that rocked the State last month.

The Union Minister for Development of North East, C.P. Thakur, said the Prime Minister, Atal Bihari Vajpayee, had cleared the proposal to provide relief to those whose houses and shops had been burnt.

Dr. Thakur said the District Magistrates in Assam had been directed to make an estimate of the losses and forward it to the Centre for reimbursement. He said more than 18,000 people had taken shelter in about 40 camps and they would be rehabilitated at places of their choice."

### **Gujarat: State government abdicated its responsibility to rehabilitate the displaced (September 2008)**

- The task of rehabilitating IDPs in Gujarat fell to Muslim organisations as the state abdicated its responsibility to assist them
- A National Commission of Minorities fact-finding mission to Gujarat in 2006 contested the state government's claim that all those displaced by violence had been adequately rehabilitated
- While the state government returned funds to the centre on the grounds that there were no unfinished tasks of rehabilitation from the 2002 violence the Commission found this to be in contradiction to the situation of the IDPs living at the relief colonies
- In May 2008 the central government provided funds to the Gujarat government for disbursing to those affected by the 2002 riots including the displaced

### **MCRG, December 2005:**

"The task of rehabilitating the Internally Displaced was taken on mainly by three Muslim Organizations(Gujarat Sarvajanik Relief Committee, Islamic Relief Committee, Jamiat-e-Ulam-e-Hind) across the State of Gujarat, with Government completely abdicating its responsibility despite ecommendations from several levels including the NHRC. While the State Government provided Rehabilitation (housing) after the earthquake; in this huge humanitarian crisis no alternate land and homes were provided to the Refugees/ Internally Displaced Persons."

### **AI, 8 March 2007:**

"In October 2006, for the first time in five years, India's National Commission of Minorities (NCM) visited these "relief colonies" following an official complaint by Gagan Sethi from the Centre for Social Justice, an Ahmedabad-based human rights organization and Delhi-based social activist, Farah Naqvi. The NCM's findings contested the Government of Gujarat's claim that all those displaced by the violence had been adequately rehabilitated. The NCM's report submitted to the Government, pointed out that: large numbers of internally displaced Muslim families in Gujarat were living in sub-human conditions in colonies entirely constructed by NGOs; -abject poverty prevails in these colonies; these colonies lacked basic civic facilities including potable water, sanitation facilities, electricity, access to health services and education etc; the majority of families in the colonies were destitute but were given Above Poverty Line cards by the state authorities rather than being given Below Poverty Line cards which entitles them to food grains cereals, kerosene and other basic consumer items at subsidized rates; residents of these colonies were "frustrated by their inability to earn their own livelihood and to support themselves in the manner to which they were accustomed," and are finding it extremely difficult to survive; families were living there not by choice but because they were too frightened to return to their original place of habitation; even in these colonies, there was an air of insecurity and hostility from state agencies including the police; some of the residents of these colonies were witnesses in some of the key cases relating to the Gujarat violence. The NCM report went on to assert that: the Gujarat government had failed to provide a safe environment for these people or facilitate their return to their homes; there has been no support from the state to compensate them for their loss of habitual place of residence.

During its visit to the state in October 2006, the NCM raised the issue of compensation (an amount of Rs. 19.10 crores [approximately \$4,3million]) which the Government of Gujarat had returned to the Government of India on the grounds that there were no unfinished tasks of rehabilitation arising from the communal violence. Human rights activists and the NCM have highlighted that their observations in visits to the "relief colonies" very much contradict the state government's assessment.

The NCM also recommended that the Government of India: urgently provide a special economic package for the rehabilitation of those families living in camps and called on the Government of Gujarat to ensure that basic amenities are provided in the camps; formally recognize those displaced as a result of the violence as IDP's; draft a policy to deal with the displacement of individuals as a result of communal as well as other types of conflict."

**BBC News, 23 May 2008:**

"The Indian government has announced an \$80m relief package for the victims of anti-Muslim riots in the western state of Gujarat in 2002. The package is expected to benefit the families of 1,169 people who were killed in the riots, say officials. Over 2,500 people, who were wounded, will also be compensated. More than 1,000 people, mostly Muslims, died in the violence sparked by an attack on a train carrying Hindu pilgrims, killing 59 of them."

**The Hindu, 8 September 2008**

"Shabnam Hashmi of Act Now for Harmony And Democracy (ANHAD) said: "While a large number of people heard about the massacre of 2,000 Muslims during the Gujarat pogrom of 2002, a majority remains totally ignorant about the existence of thousands of second class citizens who have not been able to return to their homes even six years after the carnage. After the riots, we have been fighting for the rights of victims to provide them self-employment and rehabilitation. The Gujarat Government hasn't helped them in the rehabilitation programme." Ms. Hashmi said since the Gujarat Government was to disburse the Centre's rehabilitation package for the riot victims, one member from an NGO working in the State should have been included in disbursement committee."

**Gujarat: internally displaced face discrimination and inadequate rehabilitation measures (March 2007)**

- The Government has agreed to a relief package for victims after the riots in Gujarat in 2002, but the relief package is not including rehabilitation to the internally displaced
- While adequate compensation and detailed rehabilitation packages enabled victims of the earthquake in 2001 to rebuild their lives themselves, no such comprehensive measures were taken in 2002
- No physical and psychological rehabilitation was provided by the state
- Widows are particularly vulnerable, it has been reported that several have experienced that their requests for compensation have not even been answered

**The Hindu, 25 March 2007:**

"The Centre's latest relief package for the 2002 Gujarat carnage victims is "modest but long overdue and welcome," activist groups have said. However, specific attention needs to be paid to the plight of the 5,000 Muslim families who continue to live in temporary camps and colonies.

In a statement, the Aantarik Visthapit Hak Rakshak Samiti urged the Centre to expand the scope of the Rs.106.57-crore package "to bring into its framework the rights to relief, rehabilitation and reparation for the thousands who still remain internally displaced due to the violence in 2002 and who have really been in the forefront of this latest chapter in the struggle for recognition."

According to the activists, the package focussed primarily on payment of ex gratia for those who died or sustained injuries and only to a lesser extent on providing compensation for damage to residential and commercial properties or those still displaced.

The statement, signed by Samiti convener Yusuf Shaikh and activists Gagan Sethi, Shabnam Hashmi and Farah Naqvi, pointed to the October 2006 report of the National Commission for

Minorities, recommending that the Gujarat Government and the Centre provide basic amenities and livelihood to internally-displaced persons (IDPs) living in makeshift camps.

The NCM also called upon the Centre to implement a comprehensive economic package that would address their concerns of livelihood as well as availability of credit and raw materials.

In a separate statement, Teesta Setalvad of the Citizens for Justice and Peace (CJP) described the package as the "first significant and concrete step and acknowledgement of the State-sponsored violence."

She said: "The fact that injured persons have also been granted some reparation is an acknowledgement of the extent of the violence. It is a shame that the Centre has been compelled to intervene in violence that was left uncontrolled by a State (Government) that failed to perform its constitutional commitments and duty."

The CJP stressed the need for a package for the IDPs. It expressed the hope that the Centre's package in its final form would provide reparation for victims of sexual violence and those who suffered complete damage to homes and businesses.

It accused the Gujarat Government of "mala fide intentions" in returning Rs.19 crore of relief monies to the Centre and not disbursing enough compensation for damage caused to houses.

"When the scheme announced Rs. 50,000 per house damaged, barely 20 per cent of those whose homes have been destroyed have received the full amount."

**Amnesty International, January 2005, 7.6.c:**

"The NHRC [the National Human Rights Commission] recommended that "adequate compensation be provided for those who have suffered. This will require an augmentation of the funds allocated thus far, through cooperative arrangements involving both the State and Central Governments"

[...]

Under pressure from civil rights groups, individuals and media, the state government announced some "aid, assistance and relief" measures. However, as the International Initiative for Justice in Gujarat has pointed out, the state used the terms "assistance" rather than "compensation" indicating that the state considered these payments not as a right or entitlement of the victims but as charitable measures.[...] The state reportedly explicitly refused foreign aid to supplement state funding for relief and rehabilitation.

On 4 April 2002, then Prime Minister A.B. Vajpayee announced during his visit to Gujarat the allocation of 150 crores of rupees (US \$32.6million) for the rehabilitation of victims but no official accounts are available on how the money was spent or how many people received assistance.[...] Supplementary measures were to be taken by state financial and development corporations. The Chief Minister announced that Rs two lakhs (about US \$4,350) would be paid in assistance to relatives of those killed in the Godhra incident and Rs 1 lakh (US \$ 2,175) to relatives of those killed in the later violence.

[...]

While compensation can never fully make up for loss of life, dignity, livelihood, sense of security and property of the victims, the state of Gujarat has made no effort to set up a mechanism whereby losses can be objectively assessed as a first step to providing adequate compensation. To avoid arbitrary assessments of property loss, the NHRC urged that the state government set up "credible mechanisms for assessing damages done to homes and items of property" to ensure just and speedy compensation disbursement and also suggested that national finance institutions be involved to facilitate special loans to the needy.[...]

In practice, compensation payments were grossly inadequate and arbitrary and bore no relation to actual losses or damage and left many displaced persons in acute destitution; nor were independent assessments undertaken. Though 50,000 rupees were to be given for the loss of homes, in practice this has not been done. According to the report of a non-governmental organisation, *Disha* of Wadali Camp in Dahod, most people received house compensation of only 200 to 500 rupees. At least 25 per cent of victims have received no compensation, and less than 10 per cent have received compensation of more than 30,000 rupees for the loss of their homes.

Many people deposing before the Nanavati Shah Commission complained about the inadequate amounts of compensation received by them. Mehrunissa Sheikh from Madhavpura, showed the Commission a cheque of 100 rupees which she had received for her house which was destroyed in the violence and which a government officer had assessed as worth 300,000 rupees. Justice Shah said, "It should shame both those who receive and those who award such compensation".[...] The amounts of compensation did not enable the recipients to rebuild their homes. "In many cases one cannot even buy a door for the house from the compensation amount paid", concluded a civil liberties group.[...]

The process of claiming compensation was not adjusted to the particular situation of the victims, making compensation or "assistance", while theoretically available, slow, insufficient and difficult to obtain for victim survivors. Many victims were too traumatized to fulfil the legal requirements in relevant forms and claims or lacked the will and ability to document and pursue their claims. Many ownership records were not clear, had been left behind, were destroyed or had not been adequately recorded in the first place, making claims impossible to substantiate. Much of the agricultural property was undocumented and made compensation claims for loss or damage virtually impossible. According to reports victims in some cases had to bribe officials to take note of their claims.[...]

[...]

Widows were in a particularly vulnerable situation as they were often overwhelmed by the responsibilities they had to shoulder and often were bereft of all means of livelihood. The International Initiative for Justice in Gujarat reported that in one locality they came across a dozen widows whose houses, possessions and crops had been destroyed and whose applications for a widow's pensions (500 rupees a month; US \$11) had not been answered. Compensation for the deaths of their husbands, if paid at all, had often been received by male relatives and did not benefit the widows.

The PUCL Vadodara reported that for women in the relief camps the issue of compensation had become a source of particular indignation and anger. Many reported suffering losses of several hundreds of thousands of rupees and being offered cheques of 10,000 rupees which they had refused on principle. Other women had accepted this as they were too desperate to refuse.

[...]

While adequate compensation and detailed rehabilitation packages enabled victims of the earthquake in 2001 to rebuild their lives themselves, no such comprehensive measures were taken in 2002. The government rejected responsibility for rehabilitation of the victims outright. During a meeting with a large delegation of representatives of the Muslim community, the Chief Minister rejected the demands of violence affected victims for resettlement in alternate resettlement sites and refused funds for rebuilding ransacked shrines despite clear NHRC recommendations in this regard.[...] Consequently, no survey of needs was conducted. After privately run relief camps were closed, no alternative housing was provided forcing those once again displaced to seek refuge with relatives or move into rented accommodation, provided they could pay for it. No physical and psychological rehabilitation was provided by the state.

The BJP-VHP call for a boycott of Muslims further aggravated this situation. Leaflets circulated even before, but especially after, February 2002 called for a systematic economic boycott of Muslims, urging Hindus not to buy from Muslims or to sell to them, not to use their services of any kind, not to employ them or be employed by them, with the clearly expressed objective to drive them from the state. It has been strictly enforced, with people who ignore the boycott call being threatened by right wing groups. Without work, many Muslim families have sunk into penury. Then Attorney General, Soli Sorabjee, while criticising the Modi government's reluctance to take necessary steps to restore confidence of the minority, reportedly particularly criticised its support for the social and economic boycott of minorities.[...]"

## **Gujarat: Women and children facing trauma due to violence did not receive any follow up (January 2005)**

- The government rehabilitation policy for traumatized women due to sexual violence has been grossly inadequate
- Women's sense of vulnerability has been enhanced by their loss of livelihood which was exacerbated by the economic boycott and they have not received any assistance in resuming their jobs
- The trauma experienced by children who had been exposed to or witnessed violence was not addressed except in some cases by NGOs offering group counselling

### **Amnesty International, January 2005, 7.6.c:**

"Neither the physical, psychological or economic rehabilitation needs of women survivors have been addressed by the state of Gujarat. Women's physical health needs, including the restoration of their reproductive and sexual health after being subjected to sexual abuse, were ignored. No attention has been paid to sexually transmitted diseases, injuries suffered in gang rapes, pregnancies and abortion. In relief camps, lack of privacy and medical care led many women to initially ignore such needs. MFC found many of the physical effects of the violence suffered by women victims of violence, including disrupted menstrual cycles, pain and vaginal infections apparently caused by the stress and trauma experienced which may have been aggravated by remaining untreated.[...]

[...]

Local observers have pointed out that "'overarching fear has become part and parcel of life for women'" for which no counselling was available.(315) This fear relates to fear of the future, for themselves, their families and community and includes the fear of sexual assault, sometimes further sexual assault, and abuse as well as fear for the safety of family members, including children. The government rehabilitation policy, in itself grossly inadequate, had no specific provisions for women victims of sexual violence such as safe spaces to which women could withdraw and recover. Women who were able to remain in their homes or to return to villages after agreeing to "'compromises'" may also daily face humiliation when they meet men in public who had forced them or their relatives to walk naked or who had raped them.

Doctors who had volunteered to work with victims in the relief camps told an MFC team [Medico Friends Circle, a voluntary organization of Indian health professionals] in April 2002 that post traumatic stress disorder, depression, anxiety, and other mental health problems were widespread, leading to withdrawal, sleep disturbances, nightmares and somatic complaints and would require long-term counselling and support. A study conducted by two doctors of B.J. Medical College Ahmedabad, found that 113 of 300 women who had been exposed to the violence had symptoms of disorder.[...]

The vast majority of women victims with mental problems caused by the violence did not receive adequate and systematic counselling. The MFC in its May 2002 report stated that "'there is no acknowledgment of the need to provide treatment for post traumatic stress disorder ... the only emotional support is provided by camp volunteers with no training or support for this work. ... Medical professional and camp volunteers had strikingly different attitudes to people's mental health needs. The MOs [medical officers] providing medical care at camps consistently undermined the importance of dealing with psychological trauma. Any sign that people were returning to a routine was taken as proof that they were not traumatized.'" In fact, the MFC found not only indifference but open disdain for displaced people amongst public health officers. The report quoted a senior government health administrator as saying, "'camp inmates do not have the brains to understand that they are suffering from stress and mental trauma'".

The Government of Gujarat claimed that 40 counselors had visited the camps regularly and worked with 3,824 children, 3,107 adolescents, 4,305 adult women and 4,635 aged persons. It stated that "a total of 17,285 persons were covered in trauma counselling and treatment." [...]

No retraining facilities or financial support were provided for women who had lost their work in the caring professions such as nurses, teachers and domestic workers. Most could not leave the camps or homes on account of safety concerns or lost their work due to the economic boycott. [...]

The trauma experienced by children who had been exposed to or witnessed violence was not addressed except in some cases by NGOs offering group counselling. [...]. "

### **Gujarat: Opportunities for livelihood for returning displaced Muslims is boycotted by local authorities (December 2003)**

- There are allegations of widespread discrimination against returning Muslims
- Displaced Muslims have lost access to their previous occupation
- Those who have attempted to return are frequently denied access to their previous jobs
- Many have seen a take-over of their occupations and businesses by the majority population
- The ghettoisation has also meant shrinking financial possibilities for the Muslim community

#### ***There are allegations of widespread discrimination against returning Muslims:***

##### **ALRC, 12 March 2003:**

"An economic and social boycott of the community was openly encouraged and continues in many parts of Gujarat to date. Agricultural land holdings of Muslims, small and large, have been taken over by dominant community and caste groups. The livelihoods of Muslims have been snatched away, and there is a clear-cut and ongoing design to economically cripple the community and drive out the community."

##### **International Initiative of Justice, December 2003, pp. 59-61:**

"For the Muslims in rural areas who own some lands, a vital means of economic rehabilitation is to return to their villages, take control of this land and begin cultivation. But in case after case they have been denied the right to return. Even in villages where they have been allowed to return under the humiliating "compromise" conditions discussed earlier, the IJJ team heard many instances of Muslims still being terrorized. Many were unable to cultivate their lands, were denied the right to use common canals or bore wells for irrigation, or were simply forced to leave their land fallow in the face of threats of physical violence.

[...]

Muslims working in schools, factories, small industry and business establishments – some of them for decades—are also being denied work. The IJJ team heard numerous examples of textile factory workers, construction workers, steel furniture workers, mechanics, and teachers who were fired after years of service as part of the economic boycott. In each case, the excuses differ but the end result is the same. The few Hindus who have tried to stand by their Muslim colleagues have met a similar fate.

[...]

The IJJ team heard many testimonies of the ways in which the forcible exit of Muslims is being accompanied by a take-over of their occupations and businesses by Hindus. This phenomenon can be seen in transport businesses, cassette shops, petty vending on hand carts and other small businesses.

[...]

Ghettoisation thus takes place at various levels and has meant the shrinking of all kinds of spaces. It not only determines the areas in which people can live, but also affects the overall economic situation of the community as its logic dictates where jobs can be taken and what kinds of jobs are available. In the case of trades, it means relying on an already impoverished community with less buying power which leads to a cycle of further deprivation for the community as a whole. This also means a shrinking of the sense of belonging, security and dignity."



## NATIONAL AND INTERNATIONAL RESPONSES

### **Lack of a national policy on conflict-induced displacement leading to inadequate and inconsistent response (July 2008)**

- India has no national policy for conflict-induced IDPs and while there is agreement that such a policy is needed the UN Guiding Principles on Internal Displacement have not been used as a blueprint to develop such a policy
- The lack of a policy has meant that most programs to address the needs of IDPs have been inadequate
- Central government response to IDPs remains best in the case of the Kashmiri Pandits and there remains a void for an even-handed and balanced policy towards all conflict-induced displaced persons in the country
- The absence of a national policy has allowed state governments to absolve themselves from their responsibilities to assist and protect displaced persons

### **SAHRDC, January 2006:**

“...While nobody appears to disagree on the need for a rehabilitation policy for displaced people, few have thought to urge Central and state governments to use the United Nations Guiding Principles on Internal Displacement as a blueprint for such a policy.

The UN Guiding Principles are a set of guidelines for national human rights institutions and governments to observe and incorporate into their national agendas, and also provides a more comprehensive framework within which existing human rights law should be appropriately interpreted.

The lack of a law or policy has meant that most resettlement programmes have been unable to adequately compensate the displaced. Project designers fail to consider alternative forms of livelihood for those being displaced and in most cases, the amount paid as compensation is arbitrarily decided, and is often inadequate. Delays in payment of compensation are common.”

### **ACHR, 30 January 2008:**

“On 23 January 2008, India’s Prime Minister ...reviewed the implementation of recommendations made by the Roundtable Conference on Jammu and Kashmir. A relief package for Kashmiri Pandits has been proposed and is expected to be implemented. Providing relief to Kashmir Pandits is a good first step but the authorities need to act not just in one case. There are now many many different displaced groups in India. With internal conflicts multiplying...India has a serious internal displacement problem; a problem that is set to get worse.

[There is a] disparity and lack of consistency in the treatment of displaced people in India. The package offered to the Kashmir Pandits highlights that the many other groups of displaced people have not fared so well and are getting far less than the package on offer to the Pandits.

ACHR recommends that the government needs to urgently establish a clear policy on the rights of internally displaced persons across India. In both theory and application the policy must be applied even handedly if is to avoid credible accusations of discrimination.

However, there is no need to re-invent the wheel. There is already a clear set of internationally agreed guidelines that the Indian government can draw from in establishing a national policy: the United Nations Guiding Principles on Internal Displacement.”

**HRW, July 2008:**

“Even after three years of the forcible displacement of people into camps and the exodus of people from Chhattisgarh to neighboring states (principally Andhra Pradesh) began, neither the Indian central nor the state governments of Chhattisgarh and Andhra Pradesh have developed a policy for protection of and assistance to displaced persons. Andhra Pradesh authorities claim that there is a need for a national policy on displaced persons. They further added that in the absence of such a policy they are powerless to make decisions to protect and assist such people. While there is certainly a need for a national policy, the absence of one does not absolve state governments from their responsibilities to protect and assist displaced persons.”

**International organisations face obstacles to aiding conflict-displaced in India (October 2008)**

- Access to conflict-induced displaced persons in India remains complicated for international humanitarian organisations
- In the North-East, international staff from humanitarian agencies can be denied entry and if they do receive access, they can be closely monitored and have their movements restricted
- Organisations such as the International Committee of the Red Cross have been allowed to assist IDPs in some cases, as in Jammu and Kashmir, but not in others as in Gujarat
- In August 2007, Medicines Sans Frontiers received orders from Chhattisgarh state officials to stop its programs assisting IDPs as its medical staff were believed to be treating Naxalites
- Soon afterwards the state government announced that there was no ban on Medicines Sans Frontiers and that the agency had only been issued an advisory to not travel to sensitive interior areas for the security of its staff

**Reuters Alertnet, 22 October 2008:**

“Over 50,000 people have died in the violence since 1947. Large numbers of people have been displaced by conflict. Exact numbers are not known, but there are thought to be hundreds of thousands of IDPs, with the greatest forced displacements in Assam, Manipur and Tripura. But there does not appear to have been any proper assessment of the displaced and their conditions by any governmental or non-governmental organisation. Access is tricky. International staff from humanitarian organisations are in general denied entry into the states. Those who do get in are closely monitored and their movements restricted.”

**ICRC, 2002:**

“In the first months of 2002, increased military activity near the Indo-Pakistani border and the line of control prompted the displacement, at least temporarily, of some 60,000 people. These IDPs were placed in camps and public buildings in the Jammu region. The ICRC and the Indian Red Cross worked together to assist people housed in overcrowded public buildings, where living conditions were poor. They distributed lentils, oil and sugar (to supplement staples given in government rations) and blankets. When hostilities intensified in May, there was another influx of IDPs, this time some 100,000, but the government declined the ICRC's offer of further aid, indicating that it was sufficiently prepared. Neither did it accept an offer to help people displaced by communal violence in Gujarat.”

**Indian Express, 11 August 2007:**

“Alleging that Medecins Sans Frontieres (MSF), an international medical and humanitarian movement, was providing medical aid to Naxalites, the Chhattisgarh Government has ordered the organisation to withdraw from the insurgency hit Dantewada district in Bastar. District Collector K R Pisda said that MSF has been barred because its doctors are treating Naxalite. “Our

investigations have revealed that Maoist insurgents who were injured in encounters with the security forces were being treated by MSF doctors,” he said. “MSF was asked not to provide medical aid to Naxalite cadres, but they didn’t heed our advice.”

Police officials said MSF teams weren’t reporting their daily movement plans in the area. Health secretary P Ramesh Kumar said such permission was a “mandatory requirement.” An MSF spokesperson said the humanitarian organisation maintained strict neutrality in providing medical treatment in camps for displaced people in Dantewada. MSF has 15 doctors and about 50 paramedics to run health services in the insurgency-hit area. MSF also supports a feeding centre in Dornapal Salwa Judum camp and has two bases in Sukma and Dantewada.”

**The Hindu, 12 August 2007:**

“The Chhattisgarh Government has clarified that there is no ban on the representatives of the Medicine Sans Frontiers (MSF), a global non-governmental organisation, from functioning in the naxalite-affected areas of Bastar. A statement by an official spokesperson said on Saturday that the administration in Bastar had only issued an advisory to the local MSF representatives asking them to avoid travelling to sensitive interior areas. This was issued out of concern for their security.

The NGO was free to carry out its humanitarian activities according to the norms of Medical Council of India, the spokesperson said. Describing as “factually incorrect” the news items that suggested that the MSF had been banned, he said the Government had not even contemplated barring the NGO from working in any part of the State.”

**National and international responses to conflict-induced internal displacement in India (April 2007)**

The prime responsibility for assistance to internally displaced lies with the Ministry of Home Affairs. During 2003 and 2004 the federal state budget included funding for relief and rehabilitation to internally displaced in Jammu and Kashmir, Kashmiri Pandits elsewhere in India and the North East (GOI, Annual Report 2003-2004; GOI, Notes on demands for grants 2005-2006). During 2005, a rehabilitation package has also been adopted for the rehabilitation of internally displaced along the Line of Control (LoC) in response to a request from the state government which was sent more than four years ago (Daily Excelsior, 10 August 2005).

However, the overall response to the internal displacement situation is criticised for being inconsistent and ad-hoc, based on requests for support from state governments. In fact, India has no national IDP policy, and the responsibility for IDP assistance and protection is frequently delegated to the state governments. The lack of credible information on numbers and subsistence needs of the displaced in India leaves thousands unassisted and unaccounted for (IPCS, Routray, 17 January 2004).

One of the main criticisms against the current national response to internal displacement is that it favours some groups as opposed to others. For example, the government’s response to displaced Kashmiri Pandits has been much more generous than the response to displaced elsewhere in the country, especially compared to the internally displaced of tribal origin. According to a local rights group, while a displaced Kashmiri Pandit from Jammu and Kashmir receives 750 rupees per person per month, an adult Bru receives only 80 rupees. Also, while the Indian government has allocated funding to improve conditions in relief camps for Kashmiri Pandits in Jammu, it has not funded such activities elsewhere in the country (National Network for Human Rights Treaty Monitoring in India, 19 February 2007). Despite of the assistance being allocated to them, living conditions in Kashmiri Pandit settlements are still poor and the National

Human Rights Commission (NHRC) has on several occasions stated that compensation to the Pandit community is inadequate (The Tribune, January 2006).

Some assistance has been provided to relief camps for internally displaced from the international border and the LoC, but on a much lower scale than to Kashmiri Pandits. Most of the displaced from the international border have returned home after a ceasefire between Pakistan and India was concluded in November 2003, but thousands of families displaced from the LoC are still in need of rehabilitation assistance. The state government of Jammu and Kashmir has repeatedly promised that such assistance will be given, but in the meantime the families are still living under deplorable conditions in relief camps (The official website of the Jammu & Kashmir Government, 13 March 2005; Times of India, 13 November 2004).

In the Northeast, where most of the displaced are from indigenous groups, the government has largely delegated the protection and assistance responsibility to state and local authorities. The low priority accorded the plight of IDPs and the limited resources provided by the central government for them have largely resulted in substandard conditions for these populations (Cohen 2000, The Case of India). Internally displaced Santhals, Bodos and Reangs in relief camps in Assam and Tripura receive some food and medical aid through funding from the Ministry of Home Affairs, although the level of assistance is reported to be far from sufficient. There have been reports of starvation and disease in relief camps both in both states. There is no information on efforts to resettle and provide land to those who can not return to their home areas. The internally displaced in Assam have been given some cash rehabilitation assistance in order to be able to move out of the relief camps, but the amount is insufficient in most cases, thus the beneficiaries tend to remain internally displaced.

The Indian government has been accused of failing to adhere to standards laid out in the UN Guiding Principles on Internal Displacement and to international human rights standards in its response to displacement in Kashmir and Gujarat (AI, January 2005; HRW July 2003, p.38; ORF September 2003). In Gujarat, human rights organisations blame local authorities as well as the state government for failing to address the needs of the displaced altogether, despite promises made by the government with regard to rehabilitation (IIJ, December 2003; HRW, July 2003, September 2004; AI January 2005). Also, the government has ignored the rights of thousands of people displaced due to the building of a fence along the Bangladesh border designed to curb illegal immigration and activities by insurgent groups believed to be hiding on the Bangladeshi side of the border. In Tripura alone, 70,000 people have been evicted due to the building of the fence, but have reportedly been refused any compensation from the Indian government (Deccan Herald, 4 December 2005).

The Government has appointed an inter-ministerial group for Naxal-affected states where one of the tasks will be to formulate and implement a resettlement and rehabilitation policy for displaced persons (GOI- Ministry of Home Affairs, 2006-07, p.31).

Only anecdotal information has been found about the support of local NGOs to internally displaced, although it is likely that thousands of internally displaced survive thanks to the assistance they get from these organizations. In March 2005, civil society organizations working in Assam formed an umbrella organization called the Peoples' Committee for Peace Initiative in Assam. The organization was active in calling for attention to the crisis of displacement unfolding in Assam during the last months of 2005 and co-ordinating assistance to the affected population (PCPIA, 21 October 2005). Also, Several Kashmiri Pandit organisations advocates and lobby for an improvement to their situation.

Among awareness raising initiatives, it should be mentioned that the Calcutta Research Group (CRG) - a network of academics, lawyers, journalists and gender specialists in the South Asian region - has translated the Guiding Principles into Assamese and made available a toolkit for addressing internal displacement in the region. CRG also organizes annual courses on forced migration and has edited a book on internal displacement in South Asia and the relevance of the

UN's Guiding Principles in co-operation with the Brookings Project on Internal Displacement. The National Human Rights Commission (NHRC) has occasionally appealed for an improvement in the situation for IDPs in India. A local rights group, the Asian Centre for Human Rights, is also actively putting a spotlight on the deplorable situation facing displaced in relief camps and the need to develop a national IDP policy.

### **International response**

India receives 60 percent of its aid from multilateral donors and decided in 2003 to stop receiving bilateral assistance from all but six countries, including the United States, the United Kingdom, and Russia (HRW World Report 2004).

India frequently denies international humanitarian actors access to internally displaced populations, arguing that local governments take full care of the affected people. Most of the North-East, for example, is off-limits to foreigners (GOI, 4 November 2003; GOI, 21 July 2000; USCR, January 2000, p.4).

The UN Country Team in India is headed by the Resident Co-ordinator and consists of the following organizations: [APCTT](#), [FAO](#), [IFC](#), [ILO](#), [IMF](#), [WSP](#), [UNODC](#), [UNDP](#), [UNAIDS](#), [UNESCO](#), [UNFPA](#), [UNHCR](#), [UNIC](#), [UNICEF](#), [UNIDO](#), [UNV](#), [UNIFEM](#), [WFP](#), [WHO](#) and the [WorldBank](#).

The international community has largely failed to address issues of internal displacement in India. One exception was the case of Gujarat where the then United Nations High Commissioner for Human Rights, Mary Robinson, called on the Government of India to provide assistance for internally displaced after the riots (UN, 4 September 2002). However, this call was not followed up by any international initiative and Amnesty International accuses the UN and other international aid agencies of failing either to put sufficient pressure on the state to provide relief to thousands of internally displaced victims, many of them women and children, or of providing adequate assistance themselves. Governments around the world by and large ignored the humanitarian crisis in Gujarat, providing no relief to the thousands of displaced persons in the state (AI, January 2005, 7.6.a).

Kashmir has received some attention and funding from international organizations. The Asian Development Bank (ADB) has granted a loan of USD 243 million for Indian-controlled Kashmir, including assistance to the internally displaced population, while the EU in 2003 granted EUR 1.95 million in humanitarian aid for vulnerable groups affected by conflict in Jammu and Kashmir (COE-DMHA, 19 March 2004; EU, 30 June 2003).

UNHCR has acknowledged that it faces a major challenge of dealing with the growth in the number of internally displaced persons, but it also maintains that the responsibility lies with the government and the civil society:

"The issue of growing number of IDPs has become a bigger problem than refugees for India. While the refugee problems seem to become less acute over the years, the problem related to IDPs is growing." (PTI, 30 August 2003)

In June 2006, Carol Batchelor, Chief of Mission of UNHCR in New Delhi, stated that the office in India has almost negligible role as it is not being allowed to come forward actively and work for the displaced in any part of the country, particularly in Jammu and Kashmir.

Some international NGOs work in relief camps for internally displaced in Assam, such as the Médecins Sans Frontières ([MSF](#)) and the [Lutheran World Service-India](#). In Jammu and Kashmir, [ICRC](#), MSF and [OXFAM](#) have also assisted internally displaced. MSF also assists internally displaced in Chhattisgarh (MSF, 2 February 2007).

In 2001, the Global IDP Project- Norwegian Refugee Council organized a [workshop](#) on the Guiding Principles in co-operation with the Center for Refugee Studies, Javdapur University.

## **Policy and Recommendations**

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### **Draft Policy on Internal Displacement does not include conflict induced displaced (March 2007)**

- still no policy for the conflict induced IDPs
- new Draft National Policy of 2006 pertains only to land displacement due to development imperatives

#### **AHRC, January 2007, p.vii:**

"A country which witnessed one of the largest displacement of people in human history because of conflict during its birth in 1947 has no policy for the conflict induced IDPs. Therefore, whenever communal riots or pogroms took place whether in Gujarat or Manipur, conflict induced displaced persons were not provided adequate protection, security and/or basic humanitarian assistance. It all depended on the whims of the government of the day. The conflict induced IDPs are different from development induced IDPs. The rights of the conflict induced IDPs are not about prolonging any conflict as many tend to suggest. Under international humanitarian laws, it implies right to physical safety, security and liberty and access to basic humanitarian services - adequate housing, food, health care, education and protection. At national level, it is about the duty of the State to protect its citizens and the right of the citizens to enjoy the right to life with dignity. Access to equal standard of basic humanitarian services that ensure human dignity is fundamental.

India must develop a policy for the conflict induced IDPs."

#### **AVHRS, 23 March 2007:**

"The preamble of the new Draft National Rehabilitation Policy 2006, (NRP 2006) which incorporates recommendations made by the National Advisory Council, provides a precedent and sensitive understanding of how displacement due to any reason affects people. It describes displacement in the following terms, "... displacement of people, depriving them of their land, livelihood and shelter, restricting their access to traditional resource basis and uprooting them from their socio-cultural environment. These have traumatic psychological and socio-cultural consequences on the displaced population..." However, NRP 2006 pertains only to land displacement due to development imperatives. When displacement takes place due to mass violence, entailing loss of life, property, family and loved ones and the total destruction of the fabric of a socio-economic and cultural community, then the rehabilitation of the internally displaced populations calls for a new framework of understanding.

When displacement takes place under conditions of fear and under constant direct threat of violation of Article 21 of the Constitution, the trauma and conditions under which survivors face the future is considerably worsened. Further, when the threat of violence is perceived to be continuing (as it currently is in the State of Gujarat), in the absence of justice and in a situation of discrimination and exclusion, the protection of people's constitutional rights can only be sought through a national policy which clearly lays out a non-negotiable framework of entitlements. Any

national policy on internal displacement due to violence must be designed to include provisions for immediate compensation and rehabilitation. A national policy on internal displacement due to violence must further take into account the displaced population's aspirations of 'return to their home' and make provisions to facilitate the return, if it is possible under conditions of safety and security, and to restore the displaced families to their original conditions of living.

A national policy on internal displacement due to violence must also lay down specified time frames for implementation of a rehabilitation plan, as well as include an effective grievance redressal and monitoring mechanism."

### **Kashmir Pandits submit a memorandum to the UN (2006)**

- A sit-in-protest organized by a Kashmiri Pandit IDPs on the occasion of the celebration of Human Rights Day
- A memorandum submitted to the UN Secretary General to raise awareness about the status and living conditions of the Pandit IDPs

#### **GHRD, December 2006:**

"The Kashmiri Pandit refugees submitted a memorandum to the UNO this week. Their frontline organization, the Panun Kashmir Movement (PKM) organized a sit-in-protest demonstration at Dogra Chowk, Jammu (outside the Press Club of Jammu) on 10th December 2006, the International Human Rights Day, to protest against the State Policy of Apartheid against the Kashmiri Pandit community presently living in exile.

The Demonstration was attended by a number of intellectuals of the community and the activists of the organisation. Earlier, a memorandum addressed to the Secretary General, UNO was submitted through his office at Jammu by the Human Rights Committee of the Panun Kashmir Movement (PKM). The Office bearers of the organisation handed over the memorandum to the Chief de Mission of the UN MILITARY OBSERVER GROUP FOR J&K. Prof. M.L.Raina and Mr. S.N.Dulloo, the Chairman and Vice Chairman respectively of the Human Rights Committee of the PKM signed the memorandum. Mr. Ashwani Kumar Chrungoo, President of PKM and a human rights activist, in his address to the demonstrators, made a scathing attack on the attitude of callousness and deliberate neglect of the Government of India towards the grave human rights situation of the Pandit community and other minorities in the J&K state. He said that the minorities of Jammu and Kashmir State were facing State Policy of Apartheid in their own country. The demonstrators raised slogans against the governments for their failure to improve the human rights situation of the minorities in the State. The members of the Sikh refugees community of Kashmir, presently living in exile, also joined the protesters and spoke on the occasion."

### **The Supreme Court of India issues notices on the Kashmiri Pandit issue (2006)**

- The Supreme Court of India asks the government to
- - file a status report on the condition of the displaced
- - demands Internally Displaced Status for the community in line with the Guiding Principles
- - wants the government to issues a white paper on the exodus of the community
- National Human Rights Commission earlier declared that the IDPs subject to grave human rights violations

#### **GHRD, November 2006:**

"The Supreme Court of India issued notices to the Government of India and the J&K Government on the Kashmiri Pandit issue. On a plea of AIKS the Court directed the governments to file status report on the conditions of the displaced community.

On an appeal which besides demanding Internally Displaced Persons status for the community under the guiding principles of the United Nations High Commissioner for Human Rights also wants the government of India to issue a white paper on the exodus of the community. It is pertinent here to note that the community had earlier also under the banner of PKM approached the National Human Rights Commission of India for relief under the provisions of the constitution of India. The Commission had declared that the community has been a victim of grave human rights violations and acts akin to genocide have been committed against the community. It also said that a genocide type design might exist against them in the minds and utterances of the terrorists and militants in Kashmir. The court has given the governments a four weeks time to file the reply."

### **Amnesty International urges Indian authorities to provide adequate assistance and rehabilitation to internally displaced in Gujarat (January 2005)**

#### **Amnesty International, January 2005, 7.6.c:**

"Amnesty International urges the government to draw up clear and concrete statutory provisions for the setting up and running of relief camps including strict guidelines that such camps may not be closed unless peace is fully restored in the affected areas, and relief and rehabilitation measures are fully implemented enabling the displaced to return to secure and dignified lives. Nobody should be expelled against their will. Until the voluntary closure of camps, all the food, clothing, health and security needs of the people in the camps should be fully met by the state. The Government of India should ensure that it respects its obligations under international law to provide appropriate and adequate reparation to all victims of human rights abuses and their families. This should include the provision of rehabilitation services to victims and their families. Compensation and rehabilitation for victims of the 2002 violence, where incomplete or inadequate, should be urgently dealt with to enable these victims to rebuild their lives."

### **Recommendations from New Delhi Conference on internally displaced Kashmiri Pandits (September 2003)**

- A conference on the issue of internally displaced Kashmiri Pandits in New Delhi in September 2003 concluded that central and state government assistance was inadequate
- One of the immediate objectives adopted was to ensure that the displaced families living in camps and temporary accommodations should be able to live in human conditions of habitation, occupation, education and health care
- The conference recommended a countrywide census of the displaced Kashmiri Pandit population to assess the magnitude of displacement and socio-economic conditions
- It was also recommended to set up a committee comprising representatives of National Monitory Commission, National Human Rights Commission and Kashmiri Pandits, the majority community and State Government to determine the time, condition and pace of the return of displaced persons

#### **ORF, Recommendations Sep. 2003:**

"A THREE-PRONGED APPROACH TO RESOLVE THE PROBLEMS OF KASHMIRI PANDITS WERE AGREED UP ON:

**Long term:** Return of displaced Kashmiri Pandits to Kashmir. .



**Medium term:** To ensure that those Kashmiri Pandits still living in the Valley are not compelled to leave.

**Short-term and Immediate:** To ensure that the displaced families now living in various camps and in other temporary accommodations are able to live in human conditions of habitation, occupation, education and health care.

#### **STEPS RECOMMENDED FOR ACHIEVING THESE OBJECTIVES**

1. Set up a high-power committee comprising representatives of National Minority Commission, National Human Rights Commission and Kashmiri Pandits, the majority community and State Government to determine the time, condition and pace of the return of displaced persons.
2. Conduct a countrywide census of the displaced Kashmiri Pandit population by the National Minorities Commission to assess the magnitude of displacement and socio-economic conditions.
3. Conduct a comprehensive health survey of displaced population living in camps. The survey should be completed in three months and the reports should be made public.
4. Regularise salary structures and provide other benefits that accrue to other government employees of the State to the displaced Kashmiri Pandit staff.
5. Create a comprehensive employment scheme for 20,000 youth from the Kashmiri Pandit community.
6. Provide reservations in educational, technical and professional colleges in various States, Universities and Institutions.
7. Institute National scholarships for talented students of displaced community.
8. Construct habitable two-room apartments for the displaced families as a temporary measure.
9. Provide better medical facilities like hospitals, pathological labs et al at the camps.
10. Repair and rebuild Hindu shrines and properties in Kashmir valley.
11. Set up a custodian of properties to take charge of abandoned shrines and properties of displaced Kashmiri Pandits and undertake renovation and repairs.
12. Set up a commission to address all aspects of the problems including distress sale and illegal encroachment of the properties and land of displaced Kashmiri Pandits.
13. Raise the migrant monthly cash compensation to Rs. 6000.
14. Provide interest free loans and other financial aid to farmers and traders amongst the displaced Kashmiri Pandits.
15. Create a Cultural Centre for protection of valuable manuscripts, sculptures, architecture and books.
16. Awards and scholarship should be instituted for Kashmiri Hindus writing books in Kashmiri language.
17. Provide grants and aids to educational and other welfare institutions of Kashmiri Pandits.
18. Provide immediate employment opportunities and security to Kashmiri Pandits who continue to stay in the valley.
19. Involve Non Governmental Organisations to initiate dialogue with Kashmiri civil society leaders, religious and other prominent personalities of the Muslim community about creating conditions for permanent return of the displaced Pandits.
20. Organise neighborhood dialogue amongst displaced persons and others living in the same village and localities."

**The Asia Centre for Human Rights calls for a national IDP Policy**

**Chakma, the Tribune, 1 January 2006:**

"The Government of India has been debating for the adoption of a National Rehabilitation Policy for the persons displaced by development projects. However, there are no such policies on the conflict-induced IDPs. This despite the fact that there is large number of displaced persons across the conflict-afflicted states.

The Government of India must develop a policy for providing humanitarian assistance and access to essential food and potable water, basic shelter and housing, appropriate clothing and essential medical services and sanitation to the conflict induced internally displaced persons. There is a need to develop early warning mechanisms to prevent such conflicts.

The proper rehabilitation of conflict induced displaced people must form the centre of peace building programmes in these areas. Otherwise, these displaced persons are most likely to become easy targets of recruitment by the insurgent groups. The human and material costs of addressing the insurgencies have always been exponentially high."

**Call for a database on internal displacement in the North-East (January 2004)**

- The state governments avoid projecting figures on displacement
- Head counting of the people who find their way to the relief camps does take place, but there is no effort to assess the number of people fleeing outside camps
- The situation is further complicated by the lack of an IDP policy on part of the Union Government
- The absence of accurate data affects the validity of current research on the various conflicts in the region
- The creation and maintaining a database on displacement in the North-East would be an important initial step in understanding the gravity of the situation

**IPCS, Routray, 17 January 2004:**

"Compared to the gravity of the problem, attempts to map the internal wars in terms of the impact of militancy, inter-ethnic or even intra-ethnic clashes on the livelihood aspect of people remain limited. The state governments display a tendency to shy away from projecting figures, lest it will reflect on their (in)capability to handle the situation. No estimate is available on the recent flight of the Hindi-speaking people from the northeast, particularly from Assam. Even years after the Bodo-Santhal clashes in the districts of lower Assam, neither the government nor the private agencies possess accurate data on the number of people displaced from their original villages. A standard and perhaps convenient practice has been to adopt a head counting of the people who ultimately find their way to the relief camps. However, such approach closes its eyes on the population who choose to migrate out of the locale of violence to the urban centres of the state and mingle with the general populace.

The lack of effort on part of the government has also been a reason for the circulation of seemingly inaccurate displacement figures. The information on IDP by the Norwegian Refugee Council, made available through its database on the 'Global Displacement Figures: 2000-2003' is a useful compilation in that it lists IDP figures under two special categories: Lowest and the Highest estimates of IDPs found in sources. According to the database, in the year 2003, the lowest estimate of IDPs in Assam is 87,000 Santhals, where as the highest estimate touches the

200,000 mark. Separately, for the same year, the lowest estimate of displaced Bengali population in Tripura is 28,000 (state government data) whereas the highest estimate is to the tune of 150,000, a figure that circulates among the local media.

The root of the problem, however, is not the sourcing of the figures, which remain grossly fabricated, promoted as they are either by various parties having a stake in the conflict situation, or even by ignorant news agencies lies in the absence of a correct estimate of the IDP situation in the region.

Of late, there has been considerable research activity on various aspects of conflict in the region. However, all such analysis, in the absence of accurate data, run into the danger of reinforcing stereotypes. The situation is further complicated by the lack of an IDP policy on part of the Union Government. As a result, concerns of the displaced lot are subjected to the whims and the fancies of the concerned state governments.

No doubt, the nature, frequency and extent of the causes of internal displacement in the region are too varied to be monitored and recorded systematically. However creating and maintaining a database on IDP in the northeast is an important initial step in understanding the gravity of the situation."

### **The International Crisis Group recommends return of Kashmiri Pandits to the Kashmir Valley (2002)**

**ICG, 21 Nov. 2002, p. 26:**

"India should also encourage the return of Kashmiri Pandits to their homes in the valley. Some have continued to live in their own homes in Srinagar through the *Tahrik*. Kashmiri Muslim neighbours have protected the property of most who left. No significant sub-population or party in Kashmir opposes the return of Pandits, although many are doubtful this will happen. It would, however, facilitate healing and peace in Kashmir, and at a minimum, the government should devise incentive packages to make a return to the valley economically viable for Pandit families. "

## **References to the Guiding Principles on Internal Displacement**

### **Known references to the Guiding Principles (as of May 2005)**

- Training on the Guiding Principles

### **Reference to the Guiding Principles in the national legislation**

None

### **Other references to the Guiding Principles**

None

### **Training on the Guiding Principles**

**NRC training workshop: The Global IDP Project of the Norwegian Refugee Council (NRC) together with the Centre for Refugee Studies of Jadavpur University (Calcutta) held a training**

~~workshop on the Guiding Principles in the city of Calcutta, India. The workshop was part of a global NRC effort to disseminate and explain the Guiding Principles to representatives of governments, NGOs, the UN agencies and the displaced themselves, in order to ensure better protection and assistance to internally displaced persons.~~

Date: 28-30 November 2001

Documents: Norwegian Refugee Council, Workshop on the UN Guiding Principles on Internal Displacement: Calcutta, India 28-30 November 2001

[Link to document](#)

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Banerjee/ Chaudhury/ Das: Internal Displacement in South Asia, The Relevance of the UN's Guiding Principles (Sage Publications, India, 2005)

### **The Indian Government sees no role for the international community on the issue of protection and assistance to IDPs (2000)**

- The Indian Government argues that international attention to IDPs has to remain within the bounds of the concept of national sovereignty and that
- international actors have no role in displacement caused by development projects
- The Government also argues that the Guiding Principles on Internal Displacement do not have intergovernmental approval

#### **Government of India, Statement to the UN General Assembly, 25 November 2002:**

"The Secretary General has, in his report, referred to the guiding principles on Internal Displacement as 'legal' principles. We must again point out that these principles were not negotiated in an inter-governmental process but drafted by a team of technical experts and NGOs. This process does not qualify them to be referred to as 'legal' principles.

[...]

We would, in conclusion, refer to the Guiding Principles for Humanitarian Assistance which have been so clearly outlined in section 1 of the annex to resolution 46/182. These notably are those of humanity, neutrality and impartiality, with full respect for sovereignty, territorial integrity and national unity of States. They also state that humanitarian assistance should be provided with the consent of the affected country and on the basis of an appeal made by it. These principles are valid, time-tested and their continued application would contribute towards success in relieving pain and suffering."

#### **Permanent Mission of India to the United Nations Office – Geneva April 2000, p.5-6:**

"...the primary duty and responsibility of protecting and assisting the IDPs is that of the State concerned. International action with regard to IDP should remain within the bounds of the concept of sovereignty, which should not be diluted in any manner. [...] Within countries, the law of the land has to prevail, and what is important is to ensure that these laws reflect a high level of protection for the human rights of all persons. With regard to displacement occurring on account of development projects, my delegation is of the view that in democratic societies, such decisions are made by the elected representatives of the people. We do not believe that external agencies have a role in this."

#### **Permanent Mission of India to the United Nations Office – New York July 2000, p.1-3:**

"International action must be at the request of the governments concerned. We do not share the opinion [...] that some governments might not have the capacity or be willing to discharge their

responsibilities. No evidence has been presented for this sweeping charge. [...] There are also the Guidelines on IDPs, prepared by the SG's Representative, which do not have intergovernmental approval; however, it is these that the UN system seems to find most attractive."

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