

IWGIA URGENT ALERT

CONCERNING

GROSS HUMAN RIGHTS ABUSES TOWARDS ADIVASI FOREST DWELLERS IN JHARKHAND, INDIA

IWGIA is deeply concerned about the human rights violations that are currently happening in Jharkhand, India.

Short summary of the issue

In December 2016, a joint team comprising of the Jharkhand Forest Department, Local Police and men from the so-called Forest Mafia (people involved in wood smuggling) razed 47 houses of Adivasis (Indigenous People of India) in two villages – Sinjo and Gadia located in the forest region of Bhandaria block in Gadwa district of Jharkhand. The violations occurred on allegation of encroachment on the forest land – a method often used to get the Adivasis off the land, so that the natural resources in their areas can be taken advantage of (usually the Adivasi protect the forest areas from logging or other kinds of resource extraction). On 20th December 2016, 18 houses of Sinjo village were razed by earth mover machines and on 24th December 2016, 29 houses of Gadiya village were razed in the similar process affecting 220 villagers directly.



The Adivasis from these villages have been living in the region for years therefore, they are eligible to get entitlement of the land they live on and cultivate under the Forest Rights Act 2006.

Accordingly, they submitted the filled-in claim forms along with the recommendation of Gram Sabhas (Village Councils) to the Sub-divisional committee on Forest Rights through the Circle office, Bhandaria. Their claims are pending despite that the Forest Department razed their houses. The Forest Rights Act 2006 recognizes individual and community rights over the forest land and forest they cultivate and use to meet their daily need. These Adivasis belong to Korwa, Nayak, Chero and Oraon ethnic groups.

Presently, the affected villagers are living in temporary huts made of wood and plastic cover and try to earn a living as daily wage laborers, since their food-grains were destroyed, and new food from the field is not ready to harvest.



Human Rights violations committed

- a. 47 houses were razed without prior information.
- b. Food-grains and all belongings were covered with dirt when the houses were razed.
- c. There was nothing left to eat and no shelter/protection from the cold.
- d. 220 people were denied their right to food, shelter and clothing.

The testimonies from victims of the horrific events include the following example:

Mrs. Fuleshwari Lakra, wife of Brijlal Lakra resident of Gadiya village (under Bhandaria police station of Gadwa district in Jharkhand) was present during the action on 20th December. She explains: *Most of the*



villagers had gone to the market, but I was present in the village. It was 3pm when about 25 people belonging to the forest department, local police and forest mafia (local criminals involved in wood smuggling) arrived to the village along with an Earth Mover Machine. They started razing the houses without any information. They didn't even let the villagers to shift our food-grains, clothes, utensils and other belongings. Mrs. Lakra says, "I pleaded them to give us time to shift our belongings but they didn't listen to me. They destroyed my house and all belongings were covered with dirt. We were made houseless, resource-less and left to die with empty hands in this freezing winter."

The response from authorities and duty bearers so far has been minimal: When the news appeared in the Media, the state Government of Jharkhand ordered for an investigation but nothing has moved beyond the order.

IWGIA is seriously concerned about the situation and the lack of respect for the lives and belongings of Adivasis in Jharkhand, and we call on the international community to raise the issue with the Government of India as a matter of urgency. IWGIA has appealed to the following institutions to address the situation:

- The UN Special Rapporteur on the situation of Human Rights and Fundamental Freedoms of Indigenous Peoples.
- The National Institute for Human Rights in India.
- The International Labor Organization (ILO)
- The Danish Ministry for Development Cooperation
- The Embassies of Denmark, Norway, Sweden, Finland, Holland, Germany, England, and Switzerland
- The EU

IWGIA calls on these institutions to urge the Government of India to:

- Immediately stop the evictions
- Give the villagers entitlement to the land they reside and cultivate under the Forest Rights Act 2006.
- Register a criminal case against the officials, who were involved in forceful eviction and destruction of houses and other belongings.
- Conduct an investigation by an independent team
- Compensate the victims for destruction of their houses and belongings.
- Immediately provide humanitarian assistance to the victims
- Establish a constructive dialogue with the Adivasi communities and their representative organisations regarding their concerns.
- Guarantee that the land, natural resources and livelihood rights of the Adivasi communities are respected as per national and international law.

Copenhagen, February 2nd 2017