

Internally Displaced Tribals affected by conflict Chhattisgarh who are living in Khammam district of Andhra Pradesh – A brief note

The conflict situation in Chhattisgarh has become the cause of concern for many human rights groups and humanitarian assistance groups within India and abroad for the past 5 years. The severity of violence was also reported by the National Commission for the Protection of Child Rights, as captured in its public hearing held in November 2007 in Chhattisgarh and in the border areas of Andhra Pradesh. 'Every testimony included a narrative of extreme violence committed against them, their families and property, by the Naxalites, Salwa Judum and the security forces (NCPCR p6). Many fact finding reports have found that the life of the tribals has completely been disrupted and destroyed in the conflict. They are forced either to choose the Maoists or the Salwa Judum. Official figures state that 644 out of 1153 villages or nearly 56% are affected by the conflict.

People fled to Khammam:



The victims of this conflict can be divided into three categories. One, those who have moved to the roadside camps. Two, those who continue to live in their forest habitations, out of reach of the Salwa Judum, but in constant fear of an attack. And three – perhaps **thousands - of families that have moved into Andhra Pradesh, mainly Khammam district.**

Number of families: Their number is not known because they have no desire to announce their presence and invite the wrath of the police and forest officials of Andhra Pradesh. Many independent fact finding reports put this figure at 50000. A report published in Down to Earth dated 31st October, 2006 has given their number as 20,000. As far as the number of these families is concerned, it may vary between 5000 and 10000 as per different reports. However, a joint survey of Government and NGOs could trace out about 4000 families (approximately 16000 population) in 20 Mandals of Khammam district alone. However, these figures are not comprehensive. We have not explored Warangal, Karimnagar, Vishakhapatnam, and East Godavari Districts. Recently during January-2011 we have rescued IDP workers from Hyderabad industrial area.

Shelter and security: Tribals made their temporary shelters in the Khammam forest areas and are living in perpetual fear, either that the Salwa Judum would find them out and attack or that the police or forest officials of Andhra Pradesh would attack and evict them from their settlements. There are consistent threats from the forest department, the police and the local

people. Forest department considers them as encroachers, police treat them as supporters of nexals, and the local people see them as threat to their livelihood.

Work and Livelihood: It was found that they are suffering from severe food shortage, due to lack of either land for cultivation or wage labour work. Wherever they tried to raise crops, there were attacks from the forest department and from the local people. In some cases they cleared off the forest and started cultivating ragi, jowar, paddy and other vegetables. But in about 4 to 5 cases, these hamlets were set afire by the forest department in order to evict them from the forest. As per the reports, Sunnamkatka (VR Puram Mandal), Terapadu and Kotturu (Chinturu Mandal) villages were burnt down many times. It was found that they are suffering from severe food shortage, due to lack of either land for cultivation or wage labour work.

Some of the settlements close to river bank are getting agricultural labour work. It was observed that these tribals are getting labour work in agricultural fields (chilly, paddy, tobacco and cotton) but the payment was low. They get Rs.40 to Rs.60 and work for about 9 to 10 hrs a day, while the local labour work for less hrs and for more wages. However agricultural season would end by February. Then the situation would be worse.

In the absence of the land and work, these families are suffering from severe food shortage. In one of the villages, we visited each family survives on selling of traditional alcohol (made up of rice) in local market which earns Rs.60/- per week. It was also observed that a 7 member family survives a day on gruel made out of 250 grams of broken rice.



Children and Women: The situation of the children is more pathetic where more than 95% of the children seem to be malnourished with pot bellies, skin patches, dry hair and thin hands and legs. As per the report of the Medical Sans Frontiers (MSF) 'many children were noticed to be obviously malnourished with pot bellies and wasting of their gluteal muscle'. Majority of the children have no schooling. The NGOs also collected information regarding their malnutrition status from 482 children (246 boys and 236 girls) in 16 settlements. It was found that 76.6% were reported in various grades of malnutrition while a significant number (27.2%) were suffering from severe malnutrition. The severe grade malnutrition among the children in tribal areas was reported at 9.9% in the state of Andhra Pradesh. It was quite shocking to note that the more than 50% of children were found with III grade malnutrition (severe) in some of these villages.

The situation of the women, especially pregnant and lactating women was dismal. In the absence of the sufficient food their health status was deteriorating. These people could not

have any access to the hospital and any medical service. MSF has found 'large number of people with disease conditions' like diarrhoea, malaria, skin diseases etc.

Basic amenities: Another major problem is drinking water. As most of the tribal areas do not have access to safe drinking water, these excluded habitations on fringes of the forest have no scope of getting safe drinking water. In some of the villages women have to walk 4 km to fetch water and they (women) stay back at home without going for work precisely just to fetch water. In the absence of regular bath, skin diseases are prevalent in villages. They presently are depending on the local streams and springs and consuming polluted water. With the onset of summer the drinking source would be scarce and these people are going to face severe drinking water problem. Majority of these villages have no electricity and road facilities. 'They are denied access to work under the NREGA and the PDS grain as well. *'These families are living a hand-to-mouth existence, verging on the brink of daily starvation'* (NCPCR p.7).

National Commission for Protection of Child Rights (NCPCR) during 2009 (July) visited the IDPs in Khammam district and described the living conditions of IDPs, as an issue of national concern and directed the administration to enumerate the IDPs and provide basic amenities, health and education services to the IDPs in Khammam. As a result, the **state conducted a survey and provided some facilities like residential bridge course centres, alternative learning schools and provision of supplementary nutrition to children in some of the settlements.**

Efforts of Civil Society:

In response to the entire conflict and crisis many human rights organizations and other civil society organizations responded by way of visiting the affected areas, brought out the reports, working with the people on ground to ensure basic security and entitlements etc. Following is a list of organizations who had come out with fact finding reports.

1. Human Rights Forum, Andhra Pradesh
2. CPI, Chhattisgarh State wing
3. An All India team comprising of PUCL, PUDR, Delhi, APDR, West Bengal and IAPL
4. Asian Centre for Human Rights (ACHR), Delhi
5. Members of Medico Friend Circle & Jan Swasthya Abhiyan
6. Independent Citizens Initiative
7. All India Women's Team, Committee Against Violence On Women (CAVOW)
8. Human Rights Watch, New York

Each of these groups reported widespread coercion, killings, arson and other forms violence by the Salwa Judum and also to some extent by the Maoists.

Further other civil society organizations like CG Net, Campaign for Peace and Justice in Chhattisgarh, MSF, Red Cross, UNICEF, Actionaid, Vanavasi Chetana Ashram, MV Foundation, ASDS, MORE, Siri and SEWA and have been making efforts to address the problem.

Recommendations:

1. There is a necessity for a comprehensive survey of the internally displaced tribals fled to borders states of Andhra Pradesh, Maharashtra and Orissa. This process needs to be initiated and managed under the supervision of central government wherever displacement happens across state borders.
2. Till the normalcy is achieved, the state should provide all basic amenities and entitlements to the displaced adivasis **as per the UN Guidelines on Internally Displaced Persons**. The UNO principles reaffirm that "national authorities" have the obligation to ensure that IDPs' basic rights to food, water, shelter, dignity and safety are met. Concerned states need to ensure the protection of life, security of the person, physical integrity and dignity of Internally Displaced People affected by conflict induced displacement.
3. State must ensure access to the basic necessities like Public Distribution System, education, health services and work under NREGS, as well as social- economic recovery and reconstruction. Providing access to food, shelter and water needs to be looked in with a perspective of Human Right rather than charity work.
4. The central government needs to ensure that the National Development plans give adequate priority and required attention with allocating required funds and assigning a designated special officer to ensure recovery and reconstruction needs of internally displaced people. Towards This direction, Member States needs to agree and deploy adequate human, financial and material resources to support the return, reintegration and rehabilitation of IDPs and the receiving communities. Member States also have to recognize the need for support to IDPs at hosting state.
5. The immediate priority would be to ensure that these displaced persons are enabled to go back and live in their habitations, and earn their livelihood in the forests and the lands that have been theirs. This is also important in the context of recent Forest Rights Act.
6. Safe return of the adivasis to their villages would be possible only when the Salwa Judum is dismissed and wound up. This should accompany demanding Maoists not to resort to any retaliatory methods. This means a ceasefire where efforts for a dialogue should be initiated. In case of no possibility for a ceasefire, binding by the rules of warfare as outlined in the Additional Protocol II, should be pursued.
7. An independent and impartial inquiry into the nature and magnitude of violence to ensure justice to the victims.

As emphasised by the report of the *Planning Commission*, it is time the Government devised a policy to provide minimal security to such displaced populations, considering the widespread phenomenon of internal displacement in the country. The report also comments that ‘while the official policy documents recognize that there is a direct correlation between what is termed as extremism and poverty, or take note of the fact that the implementation of all development schemes is ineffective, or point to the deep relationship between tribals and forests, or that the tribals suffer unduly from displacement, the governments have in practice treated unrest merely as a law and order problem. It is necessary to change this mindset and bring about congruence between policy and implementation. There will be peace, harmony and social progress only if there is equity, justice and dignity for every one (P.32).

“Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced” and these Principles are without prejudice to individual criminal responsibility under international law, in particular relating to genocide, crimes against humanity and war crimes”.

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 lack of response mechanism, the responsibility for assisting and protecting the displaced has frequently been neglected by governments and the response by concerned state governments remains reluctant.

In light of the above, we request all national and state authorities and National Planning Commission for appropriate action to support and safeguard internally displaced persons (IPDs)

National Planning Commission needs to ensure and endorse the Guiding Principles on Internal Displacement as a clear restatement of the international humanitarian and human rights law principles that apply to internally displaced persons.