

REPORT

OF HELL AND SALWA JUDUM

[A delegation sponsored by the International Association of People's Lawyers (IAPL) recently visited some regions of Chhattisgarh where Salwa Judum, a private army created by the persons in authority, has been terrorising ordinary tribals and violating human rights with impunity for quite some time. IAPL invited its members and formed a fact finding team with participants coming from Belgium, Brazil, the Netherlands, the Philippines, Turkey and India. It travelled and visited Raipur Jagdalpur, Dantewada and surrounding rural areas in October 2007 while talking to different stakeholders in the on-going civil strife and filed a preliminary report. Excerpts :]

The Salwa Judum campaign intends to concentrate tribal people in Dantewada in so-called "relief camps" with the acquiescence and even blessings of the Chhattisgarh state. Only a few villagers reportedly moved voluntarily to the camps. Those that refused to leave their villages have apparently been forced by Special Police Officers (SPO), militias from the Salwa Judum campaign that did not hesitate to use coercion, threats, intimidation, deception and violence for this purpose. Serious atrocities have been reportedly committed by these forces. The Indian state bears responsibility for these and should disallow paramilitaries or vigilante groups.

The IAPL Mission came to know of several reports of people that have been killed, threatened or harassed, of women violated, of children being recruited to the SPO, of houses being burnt, and of properties looted in villages.

The Salwa Judum campaign is characterized by widespread intimidation. The Mission observed a discernible fear by villagers and especially camp habitants to speak out freely. People are obliged to abandon their village under the threat of being considered a member or supporter of the armed group Naxalites and being treated that way.

Both the Indian state and representatives of the Salwa Judum seem to utilize arbitrary criteria of persecution. Critics and dissenters of the Chhattisgarh state regime and its policies are considered allies of the Naxalites and are therefore persecuted.

This is possible under the conditions of "terrorist laws" like the "Chhattisgarh Special Public Security act", "Unlawful Activities Prevention Act" and "National Security Act" which have wide definitions of what can be deemed "unlawful activity."

A well known case brought to the attention of the Mission is the one of Dr Binayak Sen, a socially-committed pediatrician and civil-rights activist, who is presently under detention for criticizing the state's policies. The IAPL delegation attempted to visit Dr Sen in jail to verify his condition and know whether his rights are being respected. The IAPL submitted a formal request to visit but was not allowed by the prison officials.

The simulation of "encounters" is reportedly another method widely used by the Salwa Judum. The IAPL Mission was able to speak to a victim of such practice of fake encounters like a certain Kowasi Baman and his brother who come from Nyapara village. [What is more] Central Reserve Police Force (CRPF) wear civilian attire during military operations in areas reportedly controlled by the Naxalites. This openly puts at risks civilians and non-combatants.

Life conditions in the “relief camps” are close to inhuman. Camp inhabitants are given small parcels on which they have to construct primitive and cramped houses. Before the tribal people were forcibly placed in these hamlets, their villages were well organized entities that benefited from a productive agricultural activity. But they were obliged by the Salwa Judum to leave their homes and fields for an uncertain life in the camps.

There are reports that a number of tribal people were forced or deceived to come to the camp. Camp inhabitants who attempt to leave the hamlets are intercepted, returned to the camp and even punished.

Camp life is a virtual detention.

The existence of the camps are violation of the rights to travel, to choose one’s abode and to live in their own villages, and their freedom of movement recognized under national and international laws and instruments.

The IAPL witnessed scores of children living in the camps, a high percentage of which are reportedly unaccompanied by their parents.

The inhabitants of Chhattisgarh are confronted with uncertainty in the long term. Several inhabitants of the IDP camps expressed their serious anxiety about their future. Although they are now temporarily being fed by the camp authorities, they have no certainty about how long ration cards will be provided. Their houses and farms are abandoned. They don’t know when to return to their villages and what they will find upon their return. Credible information that the Mission received indicates that most of them have lost the right to their lands since they do not register their lands.

In actuality, the conditions and programmes in the camps do not provide real and sustainable opportunities for empowerment. They even encourage indolence despite superficial showcase projects and gimmickry. The Salwa Judum is exploiting the poverty of the tribal people and their vulnerable state to entice them to join their ranks.

The Mission received information and data from various sources validating reports of atrocities committed especially by the militants of the Salwa Judum that constitute serious violations of human rights and international humanitarian law.

The IAPL wants to mention in particular the 1966 International Convention on Civil and Political Rights (ICCPR), the Convention on the Rights of Children, the 1949 Geneva Conventions, its 1977 Protocols as well as the universal principle of the inherent right of peoples to self-determination.

The IAPL strongly criticizes the aforementioned actions of the Salwa Judum campaign and the role of the Indian government in it. □□□