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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 (AHCR, 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 "re-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 Lungtulien, 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 Khaplant 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 con-

flict 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 De-

cember 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 po-

lice 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 marginali-

sation 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 recom-

mended 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).

Note: This is a summary of the IDMC's Internal Displacement profile. The full profile is available online [here](#).

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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.

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