



India 

“This is our land”

Ethnic violence and internal displacement
in north-east India

Summary and recommendations

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November 2011

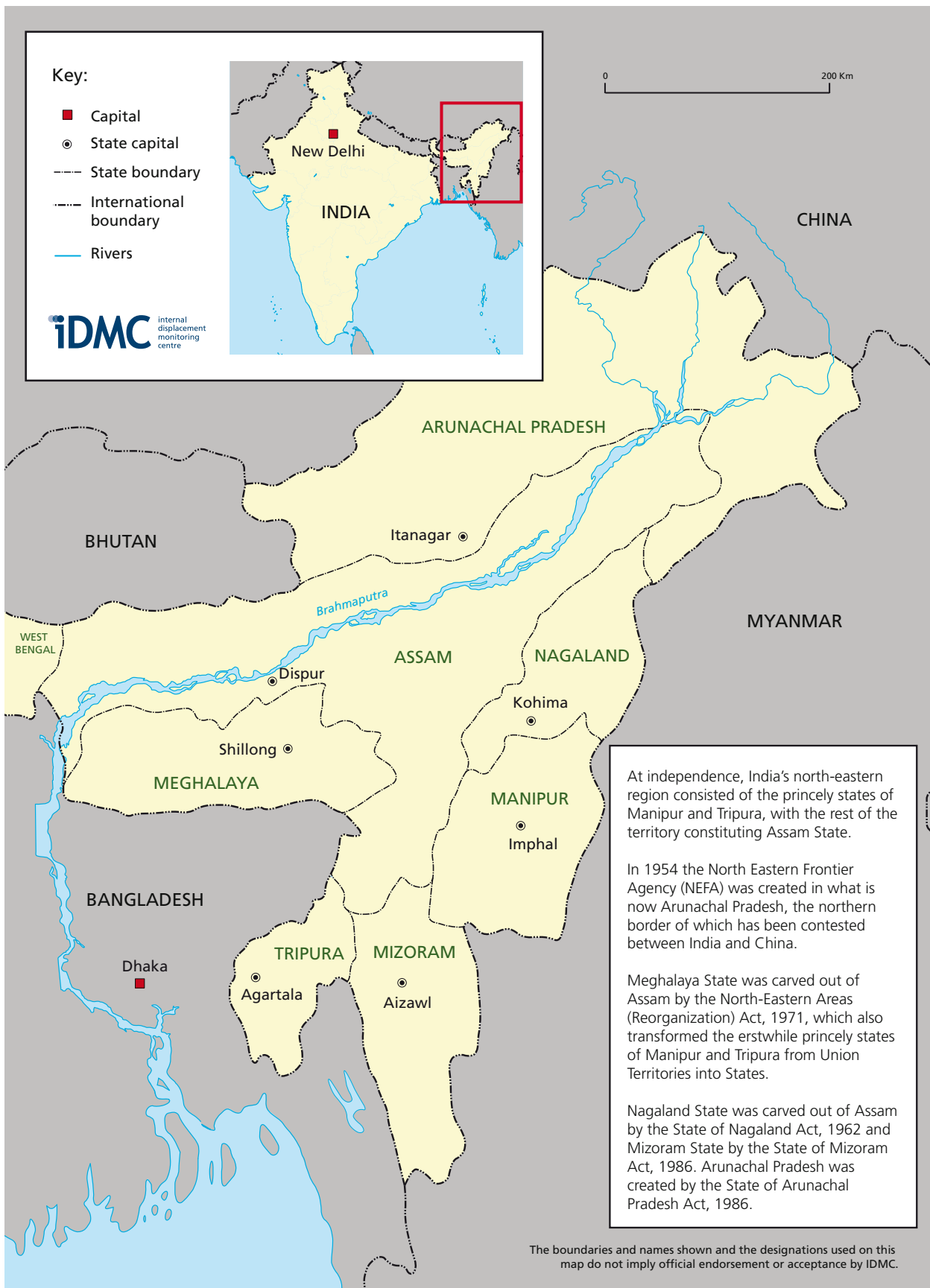
Acknowledgements:

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Cover photo: An internally displaced woman in a makeshift relief camp in Kukurkata in Goalpara district of Assam state near the Assam-Meghalaya border. *(Photo: Ritu Raj Konwar, January 2011)*

Cover design by Laris(s)a Kuchina, laris-s-a.com

Map of North-east India, November 2011



Executive summary

The north-eastern region of India has seen many episodes of armed conflict and generalised violence since India's independence in 1947. Some of these situations caused massive internal displacement, of hundreds of thousands of people. In 2011, more than 76,000 people remain in internal displacement in the region due to such violence, according to conservative estimates.

This report focuses on the situation of people internally displaced by three situations of generalised violence, which between them caused the displacement of over 800,000 people within the region:

- violence and displacement in Assam and Meghalaya states in December 2010 and January 2011;
- violence and displacement in Western Assam during the 1990s and 2000s; and
- violence and displacement from Mizoram state to Tripura state in 1997 and 2009.

Conflict and violence in north-east India have had different causes. Rebel groups have fought for outright independence for their ethnic group or for some level of autonomy. Related, the increasing scarcity of collective land available to indigenous people has led some to instigate violence against people they regard as "outsiders" in order to change ethnic demographics in their favour. Inter-ethnic violence between indigenous groups has also led to internal displacement.

The Sixth Schedule of the Constitution of India has been a means for some groups to establish a de facto ethnic "homeland", as it provides special protection to some "tribes" in north-eastern states, by recognising "Tribal Areas" administered through Autonomous Councils. A demographic majority in an area is necessary for groups to seek

this status. This has created grievances among minorities living in territories falling under Autonomous Councils.

The hundreds of ethnic groups in north-east India do not live in distinct areas, and so their demands for ethnic homelands have often led to generalised violence and, in turn, internal displacement. The number of episodes of displacement shows that the Sixth Schedule does not lead to effective and stable protection of the north-east's many groups, but rather perpetuates potentially violent competition for land and political power.

There is no central government agency responsible for monitoring the situations and numbers of people internally displaced by armed conflict or generalised violence in India. Some data on IDPs in camps has been published by the authorities of districts hosting camps, but this information is usually not updated regularly. When an IDP camp is closed, its residents may no longer appear in official statistics. However, this does not necessarily mean that they have been able to return home and rebuild their lives there, or have reached a durable solution by integrating in the place they were displaced to or settling elsewhere in the country. There is no monitoring of the number of people in displacement outside camps, including in urban areas. Official figures are therefore likely to underestimate the scale of the actual situation.

In December 2010 and January 2011, violence between Garo and Rabha people in Assam's Goalpara District and Meghalaya's East Garo Hills District displaced about 50,000 people. The IDPs were housed in public buildings, mostly schools, in both districts. The authorities initially provided food rations and health services, but sanitation was a problem. Rs. 10,000 (\$200) and some

Table 1: Number of people currently living in displacement in north-east India

Situation	Reported numbers originally displaced	Reported numbers of IDPs as of 2011
Western Assam, displaced October 1993	More than 18,000	More than 10,000
Western Assam, May-June 1996	More than 200,000	More than 16,000
Western Assam, May 1998	Almost 315,000	Almost 20,000
Western Assam, October 2008	About 215,000	Unknown
Mizoram-Tripura, October 1997 or November 2009	More than 35,000	More than 30,000
Assam and Meghalaya, December 2010-January 2011	50,000	Unknown
Total	More than 830,000	More than 76,000



Bengtal camp in Chirang district, Assam. (Photo: Anjuman Ara Begum, March 2011)

building materials were given as compensation to those whose houses had been destroyed. The Indian Red Cross Society and NGOs provided additional assistance. The camps were closed in February and March, in spite of the fact that many people were reluctant to return for fear of further clashes. IDPs and returnees had difficulty accessing livelihoods, and the education of displaced children as well as local children in whose schools the camps were set up was interrupted.

In Western Assam, more than 46,000 Adivasis, Bodos and Muslims remained in protracted displacement after several hundred thousand of them were forced to flee ethnic violence during the 1990s. The authorities stopped providing food rations in 2010 and distributed a rehabilitation grant of Rs. 50,000 (\$1,000) to many families. The IDPs had difficulty finding livelihoods, and children lacked access to education. Durable solutions seemed out of reach for these IDPs.

Some Adivasis who had returned to their homes were displaced yet again in late 2010, as they were evicted by the forest authorities without compensation for their losses and without being given alternative land. These evictions clearly failed to meet the conditions laid down in international treaties to which India is a State party, and therefore constituted forced evictions.

In March 2011, a fire affecting one-third of the more than 30,000 displaced Bru people from Mizoram staying in camps in Tripura brought new attention to their situation. They had been displaced by generalised violence involving Bru and Mizo people in 1997 or in 2009. They were lacking basic necessities such as access to drinking water, and had difficulty accessing livelihoods. Following the fire, the Tripura authorities and NGOs provided emergency assistance.

The return of the displaced Bru people had started in May 2010. The process has since stalled several times, with some IDP representatives concerned about the return-

ees' security and with Mizo groups remaining opposed to their return.

The responses by government authorities, including state and central government agencies, to the different displacement situations caused by generalised violence in north-east India have been ad hoc, inconsistent and often inadequate. Generally, state-level responses have not been based on comprehensive assessments of the needs of either recent or longer-term IDPs, but on political factors including local demographics, the variable interests of the central government, and different levels of media attention. In all cases their decisions were dominated by short-term considerations rather than an emphasis on long-term solutions.

National non-governmental organisations (NGOs) have been able to fill some of the gaps, but have generally lacked the capacity for sustained long-term support to the IDPs. International NGOs have played a limited role in the response to violence-induced internal displacement, mostly by funding the work of national NGOs, as the government restricts their access.

The lack of a systematic response by various government authorities to internal displacement caused by generalised violence, and their failure to monitor the various situations of internal displacement, reflects the absence of a national policy or legislation covering such situations. An IDP policy or law would provide a framework against which the respective authorities could be held accountable. If it was based on the Guiding Principles on Internal Displacement and the Framework on Durable Solutions, it would not only focus on emergency responses immediately after displacement, but would also include measures to facilitate durable solutions for the displaced, whether through sustainable return, local integration, or settlement elsewhere in India.

The states of the north-east have largely been dependent on funds allocated to them by New Delhi. Central government bodies are well placed to ensure that the funding they provide leads to economic and political opportunities for all. In this way the central government would help to address the long-standing grievances which have prevailed among many in north-east India, and which are too easily instrumentalised to instigate ethnic violence for political gain.

Recommendations

To the Government of India

- Develop a national IDP legislation and policy in accordance with the Guiding Principles on Internal Displacement, so as to establish a comprehensive framework for responses to situations of internal displacement caused by generalised violence, and to ensure that the rights of people displaced are protected and their needs addressed.
- Provide oversight bodies such as the National Human Rights Commission (NHRC), the National Commission for Protection of Child Rights (NCPCR), the various State Commissions for the Protection of Child Rights, the National Commission for Scheduled Tribes (NCST), the National Commission for Women (NCW), the National Commission for Minorities (NCM) with sufficient capacity to regularly assess the situation and needs of people displaced due to violence.
- Ensure that state governments have the capacity to respond to internal displacement situations, and hold them accountable to the recommendations of the oversight bodies above.
- When assessing the needs of IDPs, focus on those who are particularly vulnerable, including women, children, older people, the disabled, and minorities. Ensure that the Right to Education (RTE) Act of 2009 is implemented in areas affected by violence-induced displacement, and implement the recommendations of the National Commission for Protection of Child Rights (NCPCR), including by developing a national policy for children in areas of civil unrest.
- Ensure that people displaced by violence receive adequate protection, assistance and compensation in accordance with the Guiding Principles on Internal Displacement and the Framework on Durable Solutions. This could be done, in collaboration with state governments, by:
 - implementing the interim orders on the right to food issued by the Supreme Court of India with particular attention to people internally displaced due to violence; and
 - specifically targeting displaced people when implementing pro-poor government schemes, and ensuring that IDPs are not excluded, due to their displacement, from such schemes including:
 - the Public Distribution System (PDS) for food and non-food items,
 - the *Indira Awaas Yojana* (IAY) housing scheme,
 - the National Rural Health Mission (NRHM),
 - the Total Sanitation Campaign (TSC),
 - schemes under the National Rural Employment Guarantee Act (NREGA),
 - the National Rural Livelihoods Mission (NRLM),
 - the *Rashtriya Krishi Vikas Yojana* (RKVY) scheme for accelerated agricultural growth,
 - Integrated Child Development Services (ICDS) including *Anganwadi* government-run crèches,
 - the *Sarva Shiksha Abhiyan* (SSA) programme for universal free primary education.
- Ensure that the Sixth Schedule of the Constitution of India is not implemented in a way that could create or exacerbate incentives to violence and displacement.
- Work with the authorities of states affected by violence-induced internal displacement to develop programmes to enable the IDPs in and from those states to achieve durable solutions. These programmes should be based on the Framework for Durable Solutions, and facilitate IDPs' preferred settlement choices, whether they wish to return to their homes, integrate locally in the place of their displacement, or settle elsewhere in India.
- Monitor the situation of IDPs who have returned to their places of habitual residence and of those who have sought to settle elsewhere or to integrate locally, and provide assistance where needed to ensure they are no longer disadvantaged or face discrimination as a result of their displacement. Ensure that IDPs continue to be eligible for assistance as long as they have needs related to their displacement, for example by not removing those who receive rehabilitation packages from databases.
- Observe and implement international law and guidelines prohibiting forced evictions, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Basic Principles and Guidelines on Development-Based Evictions and Displacement.

To all state governments in north-east India

- Ensure that members of all communities have equal access to economic opportunities and political power, while being able to preserve their specific cultural identities and practices. This would obviate separate “homeland” demands and prevent grievances that could be exploited by those who aim to incite violence.

To the governments of Assam and Meghalaya States

- Assess the situation of people displaced by the violence in Goalpara and East Garo Hills Districts in December 2010 and January 2011, including those who have returned, those who have chosen to integrate in the location of their displacement, and those who have settled elsewhere in the two districts, including their numbers and specific needs.
- Provide the displaced with support according to their needs, focusing particularly on livelihoods, skills development and education, in order to facilitate durable solutions.
- Provide adequate compensation to those among the displaced whose homes were partially or fully destroyed during the violence.

To the government of Assam State

- Systematically assess the situation of Adivasis, Bodos, Muslims and others displaced by violence during the 1990s and 2000s, and determine the number of people still living in displacement and their specific needs.
- Provide adequate support to the displaced according to their needs. This should specifically include housing and livelihood assistance as well as education and skills training.
- Prevent forced evictions of returnees and others by observing relevant international law and guidelines, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Basic Principles and Guidelines on Development-Based Evictions and Displacement.
- Provide adequate compensation to the returned IDPs who were evicted from their homes and land in Lung-sung (Kokrajhar District) in October and November 2010.

To the government of Mizoram State

- Facilitate the return of those displaced Brus who want to return to Mizoram, and provide security in their home areas.
- Foster durable solutions for the returned Bru IDPs by facilitating development and livelihood programmes in the areas where they live.



About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) was established by the Norwegian Refugee Council in 1998, at the request of the Inter-Agency Standing Committee, to set up a global database on internal displacement. A decade later, IDMC remains the leading source of information and analysis on internal displacement caused by conflict and violence worldwide.

IDMC aims to support better international and national responses to situations of internal displacement and respect for the rights of internally displaced people (IDPs), who are often among the world's most vulnerable people. It also aims to promote durable solutions for IDPs, through return, local integration or settlement elsewhere in the country.

IDMC's main activities include:

- Monitoring and reporting on internal displacement;
- Researching, analysing and advocating for the rights of IDPs;
- Training and strengthening capacities on the protection of IDPs;
- Contributing to the development of standards and guidance on protecting and assisting IDPs.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org

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