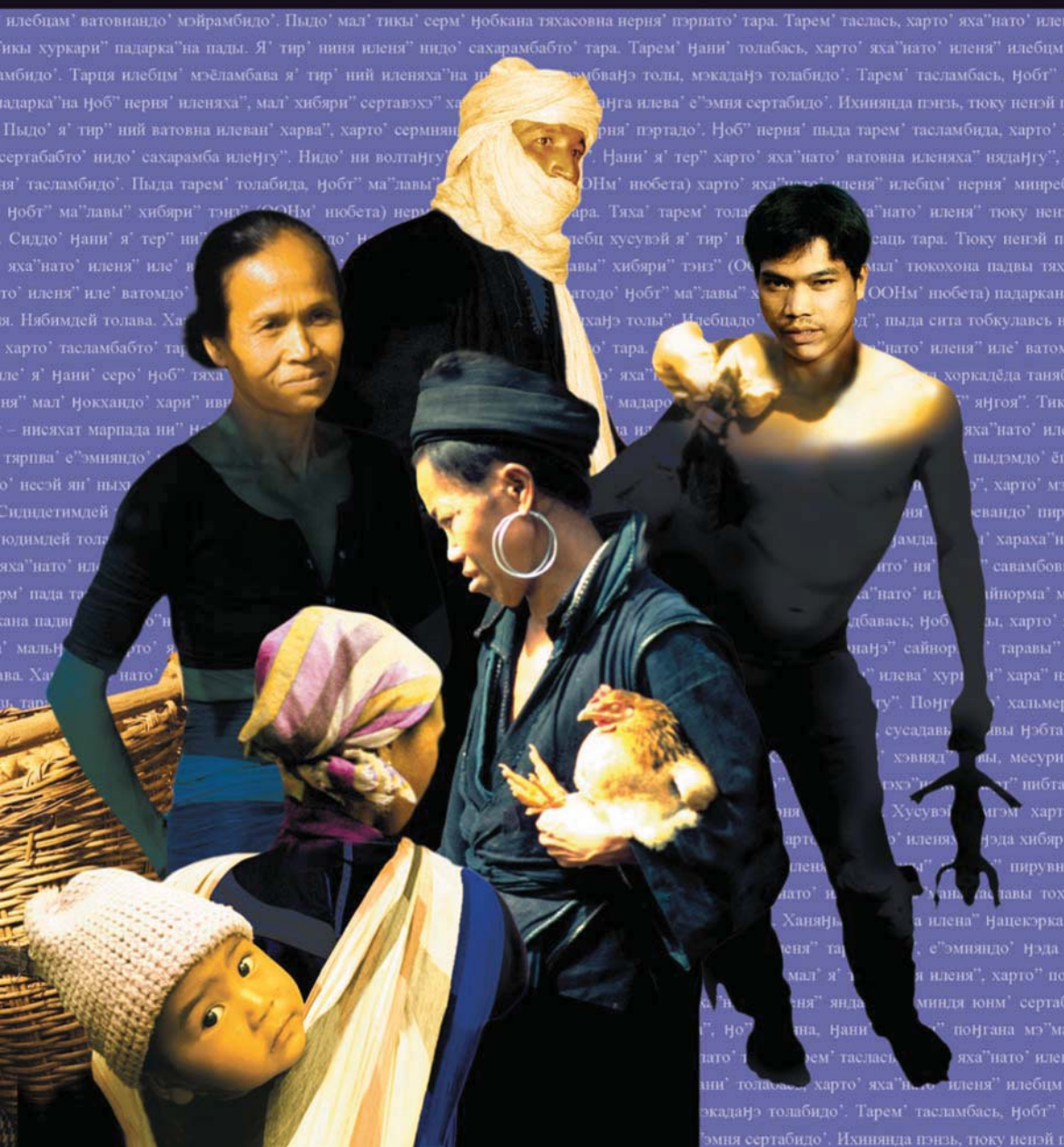


THE INDIGENOUS WORLD 2008



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CONTENTS

| | |
|------------------------|----|
| Editorial | 10 |
|------------------------|----|

| | |
|---|----|
| In Memory of Georg Henriksen | 16 |
|---|----|

PART I – COUNTRY REPORTS

The Circumpolar North

| | |
|---------------------|----|
| Greenland | 20 |
| Sápmi | |
| Norway | 24 |
| Sweden..... | 29 |
| Finland..... | 34 |
| Russia..... | 39 |
| Arctic Canada | 50 |

North America

| | |
|-------------------------------|----|
| Canada | 56 |
| United States of America..... | 66 |

Mexico and Central America

| | |
|-----------------|-----|
| Mexico | 78 |
| Guatemala | 90 |
| Nicaragua | 100 |
| Panama | 111 |

South America

| | |
|-----------------|-----|
| Suriname..... | 118 |
| Colombia..... | 125 |
| Venezuela | 139 |
| Ecuador..... | 147 |
| Peru | 157 |
| Bolivia | 170 |
| Brazil | 183 |

| | |
|---|-----|
| Paraguay..... | 195 |
| Argentina..... | 206 |
| Chile..... | 218 |
| Australia and the Pacific | |
| Australia..... | 232 |
| West Papua..... | 239 |
| East and South East Asia | |
| Japan..... | 248 |
| China..... | 256 |
| Tibet..... | 264 |
| Taiwan..... | 270 |
| Philippines..... | 278 |
| Indonesia..... | 287 |
| Malaysia..... | 296 |
| Thailand..... | 303 |
| Cambodia..... | 310 |
| Laos..... | 319 |
| Burma..... | 328 |
| Nagalim..... | 336 |
| South Asia | |
| Bangladesh..... | 342 |
| Nepal..... | 351 |
| India..... | 358 |
| Sri Lanka..... | 373 |
| North and West Africa | |
| Morocco..... | 382 |
| Algeria..... | 388 |
| Niger..... | 395 |
| Mali..... | 401 |
| The Horn of Africa and East Africa | |
| Ethiopia..... | 410 |
| Kenya..... | 415 |

| | |
|---------------|-----|
| Uganda | 426 |
| Tanzania..... | 432 |

Central Africa

| | |
|--|-----|
| Rwanda..... | 442 |
| Burundi..... | 449 |
| The Democratic Republic of Congo (DRC) | 456 |
| Republic of Congo (Congo Brazzaville) | 464 |
| Gabon..... | 472 |
| Cameroon | 479 |
| Central African Republic..... | 487 |

Southern Africa

| | |
|--------------------|-----|
| Angola..... | 496 |
| Namibia | 500 |
| Botswana..... | 509 |
| South Africa | 516 |

PART II - INTERNATIONAL PROCESSES

| | |
|--|-----|
| The UN Declaration on the Rights of Indigenous Peoples | 526 |
| The UN Permanent Forum on Indigenous Issues | 536 |
| The UN Human Rights Council..... | 548 |
| The Special Rapporteur | 554 |
| The Convention on Biological Diversity..... | 562 |
| The African Commission on Human and Peoples' Rights..... | 570 |

PART III - General Information

| | |
|------------------------------|-----|
| About IWGIA..... | 576 |
| Becoming a member | 577 |
| Subscription rates 2008..... | 578 |

Cover: The background text is the UN Declaration on the Rights of Indigenous Peoples in Nenets, an indigenous language spoken in northern Russia. Source: Yasavey Manzara.

INDIA

In India, 461 ethnic groups are recognized as *Scheduled Tribes*, and these are considered to be India's indigenous peoples. In mainland India, the Scheduled Tribes are usually referred to as *Adivasis*, which literally means indigenous peoples. With an estimated population of 84.3 million, they comprise 8.2% of the total population. There are, however, many more ethnic groups that would qualify for Scheduled Tribe status but which are not officially recognized. Estimates of the total number of tribal groups are as high as 635. The largest concentrations of indigenous peoples are found in the seven states of north-east India, and the so-called "central tribal belt" stretching from Rajasthan to West Bengal. India has several laws and constitutional provisions, such as the Fifth Schedule for mainland India and the Sixth Schedule for certain areas of north-east India, which recognize indigenous peoples' rights to land and self-governance. Indigenous peoples continue to face civil and political rights violations, land alienation, displacement and false prosecution for accessing minor forest produce. As India's booming economy requires more resources, indigenous peoples' land and resources have been grabbed, resulting in a strong sense of alienation among the indigenous peoples and further exacerbating conflicts. The laws aimed at protecting indigenous peoples have numerous shortcomings and their implementation is far from satisfactory. India has a long history of indigenous peoples' movements aimed at asserting their rights.



Legal rights and policy developments

On 31 October 2007, the government published the National Rehabilitation and Resettlement Policy of 2007. The policy was supposed to be an improvement on the Draft National Rehabilitation Policy of 2006, addressing the failures of the 2004 National Policy on Resettlement and Rehabilitation for Project Affected Families. Unfortunately, the 2007 policy fails to address one of the key issues relating to conflicts: forcible acquisition of lands by the state in the name of the “public interest”. In India, the “public interest” has come to mean the forced acquisition of land for private companies whereby the state of-

ten silences protests by tribal peoples through the indiscriminate use of firearms and militarization. The 2007 policy upholds the sovereign power of the state to apply the concept of "eminent domain" in order to forcibly acquire any private property in any part of the country in the name of "public purpose" under the Land Acquisition Act 1894.

Although the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act was adopted in December 2006, it came into effect only on 31 December 2007. The Forest Rights Act continues to be marked by controversy, among other things because of the inclusion of "other traditional forest dwellers". Many of the "other traditional forest dwellers" are landlords who have been responsible for the pauperization of the Adivasis in many areas. In 2007, the Ministry of Tribal Affairs failed to deliver a final draft of the National Tribal Policy although a revised draft has been public since July 2006.

Indigenous peoples engulfed by armed conflicts

In 2007, the national government and various state governments of north-east India continued to engage in peace processes with a number of armed opposition groups seeking autonomy and the right to self-determination. However, although peace processes continue in the north-east, more and more indigenous peoples find themselves engulfed in low-intensity armed conflicts. At present, 20 out of 28 states of India are affected by armed conflicts (see details in *The Indigenous World 2007*).

The areas under pressure from the Naxalites, ultra-left wing armed opposition groups also known as Maoists and claiming to represent the poor, are inhabited mainly by indigenous peoples yet the Naxalite movement is neither an Adivasi movement nor is it led by the Adivasis, although Adivasis form a majority of its cadres. According to the Asian Centre for Human Rights (ACHR), at least 384 persons were killed in the Naxalite (Maoist) conflict over the period January to September 2007. These included 129 civilians, 162 security force personnel and 93 alleged Maoist cadres. The majority of the civilian victims were indigenous peoples. The state of Chhattisgarh continued to remain the epicenter of the Naxalite conflict, as a direct consequence of the coun-

ter-insurgency Salwa Judum campaign, which involved Adivasi civilians to counter the Maoists.¹

Human rights violations against indigenous peoples

According to the 2006 Annual Report of the National Crime Records Bureau of the Ministry of Home Affairs, a total of 5,791 cases of crimes against scheduled tribes were reported in the country as compared to 5,713 cases in 2005, showing an increase of 1.4%. This is notably less than the increase of 3.2% reported in the period 2004-2005. Of the 10,495 accused persons who stood trial after being charged with crimes committed against Scheduled Tribes, only 20.8% were convicted.² This is less than the conviction rate of 24.4% reported in the 2006 Annual Report.

Impunity

Impunity contributes to further torture by the security forces and denies justice to tribal victims. With regard to the extrajudicial killings of 14 Adivasis by the police in Orissa on 2 January 2006, the state government of Orissa set up a judicial commission headed by sitting Orissa High Court judge Justice A.S. Naidu. However, on 9 April 2007, the Supreme Court annulled the Commission on the ground that a sitting judge of a High Court could not head an Inquiry Commission. On 10 April 2007, the Orissa Chief Minister promised to set up a new commission headed by a retired judge. As of the end of 2007, the new commission had yet to be established.

Similarly, two judicial inquiry commissions were set up to inquire into the extrajudicial killings of at least nine tribal students in Meghalaya on 30 September 2005. The final reports were tabled in the State Assembly of Meghalaya on 19 April 2007. While the Justice D.N. Chowdhury Commission stated that security personnel fired from close range and that the security personnel started firing again when the people were moving away from the field,³ the Justice (Retd) D.N. Baruah Commission defended the police action as "just and proper"

and added that “the question of fixing responsibility does not arise at all”.⁴

Violation of humanitarian laws by the armed opposition groups

2007 continued to see armed opposition groups involved in gross human rights violations. Naxalites continued to kill innocent tribal peoples on the charge of being “police informers”, members of anti-Maoist civilian militias such as Salwa Judum, and for not obeying their rules. In Chhattisgarh, innocent tribal civilians were killed for participating in the anti-Naxalite Salwa Judum campaign, irrespective of whether they had participated of their own volition or had been forced to by the anti-Naxalite Salwa Judum.

Violence against indigenous women and children

Indigenous women are especially vulnerable to violence, including rape, from non-tribals, the security forces and members of the armed opposition groups. In its 2006 Annual Report, the National Crime Records Bureau recorded a total of 699 cases of rape of tribal women in 2006 as against 640 cases in 2005, showing an increase of 9.2% in 2006. Out of these 640 rape cases, 40.6% were reported from Madhya Pradesh alone.

The security forces continue to take part in violence against indigenous women and children. On 9 January 2007, the police arrested three Paharia tribal women and several tribal men in Godda, Jharkhand on charges of murder. While the men were detained in the police lock-up, the women were detained in the residential quarter of the police station’s officer-in-charge, where they were allegedly tortured and raped by the officer-in-charge and the assistant sub-inspector.⁵ On 24 May, a 16-year-old tribal girl was raped by two Home Guards in the Harda District Collector’s office in Madhya Pradesh. The accused have been arrested.⁶ And on 20 August, 11 tribal women were allegedly gang raped by Greyhound policemen during anti-Naxalite operations in Andhra Pradesh. According to the victims, 21 policemen entered the village, raided houses on the grounds that family members were associated with the Naxalites, and raped women.⁷ The police allegedly

tried to hush up the incident and failed to conduct an identification parade of the suspects, although the victims claimed they could identify the rapists. On 30 August, the National Human Rights Commission took *suo motu* cognizance of the incident and sent notice to the district Senior Superintendent of Police and the Director General of Police, Andhra Pradesh to submit a factual report within four weeks. To date, no action has been taken to identify and prosecute the rapists.

On 11 December, an under age tribal girl was allegedly raped by the sub-inspector in the Bisramganj police station in West Tripura. After a public outcry, the government suspended and arrested the accused police officer and handed the case over to the Criminal Investigation Department for investigation.

Non-tribals also continue to take part in violence against tribal women and girls. On 9 April, a tribal woman was raped by a priest of a Hanuman temple in Gwalior district of Madhya Pradesh.⁸ On 24 November, an Adivasi woman was stripped naked and beaten in public by non-tribal residents in Guwahati, the capital of Assam. The Adivasis were holding a procession demanding Scheduled Tribe status in Assam when it turned violent. As the police watched, local residents tortured at least one Adivasi youth to death.⁹

The armed opposition groups were also accused of the rape of indigenous women in 2007. On 9 July, a 20-year-old tribal woman was raped in her home by two alleged members of an unidentified militant group in Churachandpur district of Manipur.¹⁰

Land alienation

The rate of alienation of tribal land in India is alarming. In the state of Andhra Pradesh, non-tribals presently hold as much as 48% of the land in Scheduled Areas of the state. Since the Andhra Pradesh Scheduled Areas Land Transfer Regulation came into effect in 1959, 72,001 cases of land alienation have been detected involving 321,685 acres of land in the state. As of January 2007, around 300 cases were pending in Andhra Pradesh High Court, involving approximately 2,500 acres of

land under the Andhra Pradesh Scheduled Areas Land Transfer Regulation.¹¹

Similarly, the tribal group of All Assam Tribal Sangha has accused the state government of Assam of illegally transferring lands to non-tribals in violation of the Assam Land Revenue Regulation Act 1886. The non-tribals buy plots of land individually or in the name of private schools, societies or trusts and then subsequently use the plots for commercial purposes.¹² Furthermore, false cases have been filed against the tribals by non-tribals who try to forcibly grab tribal lands, and by police accusing the tribals of being "Naxalite sympathizers".¹³

For the poor and disadvantaged tribal peoples, the legal battles involving land are too difficult to be won. In February 2007, the Supreme Court allowed a tribal petitioner to file a fresh petition before the Jharkhand High Court for recovery of his land from a mining company. In its order, the Supreme Court held that the Jharkhand High Court was wrong to dismiss the petition of Surendra Dehri, a tribal who alleged that over 10,000 acres of "notified tribal land" had been usurped by mining contractors in connivance with government officials. The High Court had dismissed his petition saying that it involved only "private interest". However, the Supreme Court stated that blatant violation of the constitutional guarantees given to the tribals could not be held to be related to "private interest".¹⁴

In Jharkhand, cases of alienation of tribal land have been on the rise despite two state laws – the Chotanagpur Tenancy Act and the Santhal Paragan Tenancy Act to prevent the sale of tribal land to non-tribals. As of January 2007, 3,789 cases had been filed by tribals with the Special Area Regulation Court.¹⁵

The steel project planned by Korean Pohang Steel Company (POSCO) in Jagatsinghpur district in Orissa is expected to displace 4,000 tribal families.¹⁶ On 29 November 2007, anti-POSCO tribal activists were attacked by supporters of the steel project in Jagatsinghpur district.¹⁷ The attackers hurled crude bombs, injuring 15 protestors and burning their tents.¹⁸ Instead of taking action against the attackers, the state government deployed armed policemen around Dhinkia village, where the tribal-led *POSCO Pratirodh Sangram Samiti* (Committee for Resistance Against POSCO) has its headquarters.¹⁹ By the end of 2007,

the villagers of Dhinkia were being detained in their homes, as all exits were manned by pro-POSCO activists and state armed police.²⁰

In November 2007, the ruling Communist Party of India (Marxists) (CPI-M) cadres in the state of Kerala forcibly took over land earmarked for distribution to indigenous peoples in Munnar. Some 200 tribal families had built makeshift huts on government land in protest at not being allocated land as promised in 2003 by the government.²¹ In the November incident, over 2,000 CPI-M cadres captured a 1,500-acre stretch of prime government land in Munnar's Chinnakkanal area and forced the 200 Adivasi families to flee. The huts of the Adivasis were destroyed and huts were constructed for the CPI-M cadres. On 27 November, an all-party meeting was called by the Munnar Additional District Magistrate, at which it was decided that both the CPI-M and Adivasis should move out of the area within 48 hours.²² After the meeting, Adivasi leader C.P. Shaji was attacked by alleged CPI-M cadres.²³

Development-induced displacement

Tribals make up the majority of development-induced displaced persons. According to a recent survey conducted by the NGO ActionAid and the Indian Social Institute, over 1.4 million people have been displaced in the four states of Andhra Pradesh, Chhattisgarh, Orissa and Jharkhand because of large-scale development projects such as mines, industrial plants and dams in the last decade. Out of all the displaced persons in these four states, 79% were tribals.²⁴

Although the Narmada Control Authority claimed that all 32,600 families affected by the Sardar Sarovar dam at a height of 121.92 metres in Maharashtra, Madhya Pradesh and Gujarat had been resettled, thousands including tribals had not been rehabilitated by the end of 2007. In November, the Narmada Bachao Andolan (the movement to save the Narmada River) claimed that more than 1,100 affected families were yet to be resettled in Maharashtra alone.²⁵

In Lohandiguda of Bastar district of Chhattisgarh, tribals have been protesting against the forcible acquisition of their land for the establishment of a steel plant by the Tata group. The state government of Chhattisgarh signed an MoU with Tata Steel in June 2005, requiring 1,784 hectares of private land and 278 hectares government land, in-

cluding ten villages in the Lohanigunda area.²⁶ On 10 December 2007, over 100 tribals were detained by the police in Bastar for protesting against the steel plant. Several other tribal activists were allegedly booked on false charges.²⁷

Apart from displacement, development projects also negatively affect the cultures and traditions of the tribals. On 23 November 2007, the Supreme Court of India barred the UK company Vedanta Resources Plc from mining bauxite in the sacred Niyamgiri hills in Orissa. The hills are considered sacred by the Dongria Kond tribe and 10,000 Dongria Kond tribals live by farming in the forests of the Niyamgiri.²⁸

The tribals of Jharkhand have been protesting against the implementation of Koel Karo hydroelectric project on the part of the National Hydroelectric Corporation. If implemented, the project would submerge as many as 256 villages, 50,000 acres of forest area, 40,000 acres of agricultural land, 300 forest groves (considered sacred by the tribals), 175 churches and 120 Hindu temples.²⁹

Conflict-induced displacement

Indigenous peoples constitute the majority of over 600,000 conflict-induced displaced persons (IDPs) in India. The conflicts include intra-indigenous peoples' conflicts, conflicts between different armed opposition groups and state governments' counter-insurgency operations and security measures.

Indigenous IDPs continue to face discrimination in terms of access to basic humanitarian services. Kashmiri Pandits³⁰ are currently provided with cash assistance of Rs 1,000 per head per month up to a maximum of Rs 4,000 per family per month both at Jammu and Delhi relief camps, in addition to basic dry rations. On the other hand, a Bru tribal adult gets only Rs 2.90 per day (i.e. Rs 87 per month (approx. US\$ 2) and 450 grams of rice per day. Furthermore, the central government has provided millions of rupees to construct concrete buildings for the Kashmiri Pandits in Jammu, while the Brus cannot get funds to repair their bamboo huts. In education, the benefits enjoyed by the Kashmiri migrant students include the reservation of seats in technical/professional institutions while Bru children only get primary education. In 2007, a survey³¹ in the six relief camps found that over 94% of the Bru

IDPs in the relief camps possessed documents issued by the state government of Mizoram to prove that they were residents of Mizoram. Yet, the government of Mizoram refuses to take them back.

Repression under forest laws

Due to delays in implementing the Forest Rights Act of 2006, tribals were deprived of their forest and land rights throughout 2007. In Jharkhand alone, around 12,000 cases had been filed by the state's Forest Department against tribals as of 12 August 2007. Most of these cases relate to claims of land rights by tribals, guaranteed under the Scheduled Tribes (Recognition of Forest Rights) Act.³²

Tribal peoples are often arrested on false charges and, at times, have to pay a heavy price for accessing minor forest produce. For example, on 17 June 2007, a 35-year-old tribal was allegedly beaten to death by forest officials in the Hazaribagh National Park accused of cutting a tree to make a bed.³³

On a positive note, in April 2007, the government of Chhattisgarh decided to drop criminal charges against 108,890 Scheduled Tribes and 36,298 Scheduled Castes registered under various forest and wildlife protection laws.³⁴ Similarly, on 12 August 2007, the government of Jharkhand ordered the release of tribals who had been held in various jails in the state in connection with cases registered by the Forest Department, and for compensation to be paid to all the villagers who had lost paddy fields and vegetable farms due to the forcible plantation undertaken by the state's Forest Department.³⁵

The indigenous peoples continue to face eviction from their traditional habitat under the Forest Conservation Act of 1980. On 13 March 2007, as many as 118 Adivasi families were evicted by the Forest Department from reserve forest land under Haltugaon Forest Division in Kokrajhar district of Assam. The state government failed to provide alternative resettlement.³⁶ On 19 April 2007, the state government of Madhya Pradesh tried to evict tribals from forestland in Rewa district. The state government served notice on around 3,000 tribals who were allegedly encroaching on forestland.³⁷ When the tribals resisted the

eviction drive, the police opened fire injuring many, including women and children.³⁸

Affirmative actions

Affirmative action programmes for Scheduled Tribes and Scheduled Castes exist in India, including reservation in parliament, education and employment. Although affirmative action has been instrumental in bridging the social, political and economic disparities, experts believe they could have shown better results had officials been committed to implementation.

The tribals continue to lag behind in educational achievements. The literacy rate among tribals in India was only 47.1% against the national average of 65.38%, according to the 2001 census of India. Literacy among scheduled tribal women (34.8%) is approximately 20% lower than among the female population in general (53.7%).³⁹ In September 2007, a report released by the National Council for Educational Research and Training (NCERT) found “institutionalized discrimination” against students belonging to Scheduled Tribes and Scheduled Castes in schools. This is resulting in their alienation from schools and high levels of child labour.

The NCERT report provides examples of how tribal students face discrimination, e.g. teachers in Madhya Pradesh felt that teaching the “Korku” tribal children was equivalent to “teaching cows”.⁴⁰ Earlier, the Thorat Committee headed by University Grants Commission (UGC) Chairperson S. K. Thorat also found gross discrimination against Scheduled Tribe and Scheduled Caste students and doctors at the premier medical institute, the All India Institute of Medical Sciences (AIIMS) in New Delhi.

Due to non-issuance of Scheduled Tribe certificates to tribal peoples, many tribals are not only denied their right to access affirmative action programmes but also their rights under the Constitution. With no tribal certificate, human rights violations against tribals are not registered by the police as cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989.

The Madhya Pradesh government has refused to issue tribal certificates to the tribal children of the Barela, Bhil, Bhillala, Patelia and Nagwanshi tribal communities living in 13 villages of Chhattarpur district and three villages of Damoh district, although they are recognized as Scheduled Tribes in the state of Madhya Pradesh. In 2007, a survey⁴¹ in these villages found that the majority of the tribals possessed legal documents such as ration cards, voter identity cards, land *patta* (deed) issued by the government, educational certificates, and even in some cases court documents proving their land ownership (documents establishing that they are residents of Madhya Pradesh). However, the state government has turned down several pleas for the issuing of tribal certificates.

In Andhra Pradesh, many villages are still not recognized as tribal areas for inclusion in the Fifth Schedule to the Constitution despite being tribal-majority villages. Because of the non-inclusion of tribal-dominated villages under the Fifth Schedule, nearly 200,000 Adivasis spread over 805 villages in nine districts of Andhra Pradesh do not enjoy Constitutional protection.⁴²

Mismanagement of tribal welfare funds continues to be a serious problem. While various state governments do not use the funds meant for the tribals, the tribals across the country remain without basic needs. As of 31 August 2006, the state government of Assam had failed to utilize Rs 706 million (approx. US\$ 17,500,000) of a total of almost Rs 3.4 billion (approx. US\$ 84,900,000) released by the Ministry of Tribal Affairs from 1999-2000 to 2006-2007.⁴³ Similarly, the state government of Delhi reportedly siphoned off Rs 9.6 billion (approx. US\$ 239,90,000) meant for the welfare of the Scheduled Castes and Scheduled Tribes of Delhi during 2006-2007. This was revealed to the public through the Right to Information Act in 2007.⁴⁴

Vulnerable tribal communities

Seventy-five tribal communities have been identified as "Primitive Tribal Groups" by the government of India in 17 states and one Union Territory with a registered total population of 2.4 million in 1991.⁴⁵ Although the central government allocates assistance to these vulner-

able communities through the Tribal Sub-Plan and Special Central Assistance, the communities have not benefited substantially.

Today, many tribal communities such as the Singphos of Assam;⁴⁶ the Birhores, Chero, Paharia and Malpahari in Jharkhand; the Abuj Madias and Baigas of Chhattisgarh; the Karbongs of Tripura, the Great Andamanese, Onges, Shompens, Jarawas, and the Sentinelese of the Andaman and Nicobar islands are on the verge of extinction due to the government's apathy. By the end of 2007, the government had still failed to implement the directive of the Supreme Court of 2002 to close down the Andaman Trunk Road that runs along and through the Jarawa Tribal Reserve. The trunk road continues to threaten the survival of vulnerable Jarawa tribals.

On 13 September 2007, ten persons belonging to the nomadic tribe of Kureris were beaten to death by a mob at Dhelapurwa village in Vaishali district of Bihar for alleged stealing. An inquiry conducted by the National Commission for Denotified and Nomadic Tribes found that the tribal victims were innocent. In a letter to the Bihar Chief Minister, the Commission stated that: "They (the tribals) were not caught red-handed, in fact the scene of theft was nearly five kilometres away from the scene of mob violence."⁴⁷ The police neither conducted post-mortems nor did they ensure that last rites were carried out. Instead, the half-burnt bodies were reportedly dumped into the Ganga River by the police.⁴⁸

Denial of voting rights to Chakmas and Hajongs

In June 2007, the state government of Arunachal Pradesh formed a high-level committee to find an amicable solution to the Chakma-Hajong issue⁴⁹ (see *The Indigenous World 2007*). Both the All Arunachal Pradesh Students' Union (AAPSU) and the Committee for Citizenship Rights of the Chakmas and Hajongs of Arunachal Pradesh (CCRCAP) have welcomed the formation of the high-powered committee.

However, despite specific guidelines from the Election Commission of India on how to revise the electoral rolls in the areas, the electoral officers in question have not yet enrolled all eligible Chakma and

Hajong voters. Consequently, the Election Commission of India has suspended the publication of the electoral rolls of Changlang, Lohit and Papumpare districts since 2005. Although a team from the Election Commission of India visited the four Chakma/Hajong-inhabited Assembly Constituencies in December 2007 to resolve the issue, the Chakmas and Hajongs, whose total population is estimated at 65,000, continue to be denied enrolment. □

Notes and references

- 1 The Naxals get lethal. Chhattisgarh continues to be the epicenter of the conflict, *Naxal Conflict Monitor*, Vol-II, Issue-III, Asian Centre for Human Rights, 3 October 2007
- 2 2006 Annual Report of National Crime Records Bureau, Chapter 7: Crime Against Persons Belonging To SCs / STs, available at <http://ncrb.nic.in/cii2006/cii-2006/CHAP7.pdf>
- 3 Probe holds Tura firing "irresponsible", *The Assam Tribune*, 20 April 2007
- 4 Probe holds Tura firing "irresponsible", *The Assam Tribune*, 20 April 2007
- 5 Gang rape slur on Godda cops, *The Telegraph*, 29 January 2007
- 6 Teenager raped in Collector's office premises, *The Pioneer*, 26 May 2007
- 7 Eleven Girijan women allege gang-rape by policemen, *The Hindu*, 21 August 2007
- 8 Tribal woman raped, *The Pioneer*, 11 April 2007
- 9 Shame on Guwahati streets, *The Telegraph*, 27 November 2007
- 10 Gunmen rape housewife in Churachandpur, *The Kanglaonline*, 10 July 2007
- 11 Half of tribal land grabbed, *The Deccan Chronicle*, 29 January 2007
- 12 Concern over transfer of tribal lands to non-tribals, *The Assam Tribune*, 1 February 2007
- 13 Cases against tribals withdrawn, *The Hindu*, 15 August 2007
- 14 SC snubs land order, *The Telegraph*, 12 February 2007
- 15 Tribal land grab cases on rise in Jharkhand, *The Pioneer*, 14 February 2007
- 16 Atrocities at Singur, India: A matter of rights of the dispossessed, *ACHR Review* No. 144/06, Asian Centre for Human Rights
- 17 Opposition to POSCO mounts, *The Hindu*, 1 December 2007
- 18 Divide over Posco plant turns violent, yet again, *The Telegraph*, 1 December 2007
- 19 Uneasy calm at POSCO project site, NDTV, 9 December 2007
- 20 Posco protesters held hostage, *The Hindustan Times*, 10 December 2007
- 21 After CPM men attack activist, tribals refuse to vacate Munnar land, *The Indian Express*, 29 November 2007
- 22 After Nandigram, red terror in Munnar, *The Indian Express*, 28 November 2007
- 23 After CPM men attack activist, tribals refuse to vacate Munnar land, *The Indian Express*, 29 November 2007

- 24 79 per cent land oustees tribals, *The Hindustan Times*, 20 December 2007
- 25 NCA admits illegality of Sardar Sarovar Dam Height Increase to 121.92 m, Narmada Bachao Andolan, press release dated 14 November 2007, <http://www.narmada.org/nba-press-releases/november-2007/Nov14.html>
- 26 Trouble at Tata Bastar plant, now survey team attacked, *The Indian Express*, 1 March 2007
- 27 CPI says tribals being ousted for Tata plant, *The Indian Express*, 12 December 2007
- 28 Supreme Court bars British company from mining sacred hills, Survival International, 29 November 2007, <http://www.survival-international.org/news/2696>
- 29 Koel Karo: Tribal surge that stalled a dam, *The Times of India*, 5 June 2007
- 30 Person from Kashmir belonging to a Hindu sect. Many Kashmiri pandits have fled because they are targeted by militants in Kashmir.
- 31 Survey conducted by AITPN, 2007.
- 32 Relief nod after forest eviction, *The Telegraph*, 13 August 2007
- 33 Man cuts tree to make cot, beaten to death, *The Deccan Chronicle*, 19 June 2007
- 34 Tribal-friendly, eco-unfriendly, *The Indian Express*, 5 April 2007
- 35 Relief nod after forest eviction, *The Telegraph*, 13 August 2007
- 36 118 Adivasi families evicted from Saralpara, *The Sentinel*, 15 March 2007
- 37 Tribals, police clash in Rewa district, *The Pioneer*, 20 April 2007
- 38 Governor's intervention sought in Rewa firing, *The Pioneer*, 24 April 2007
- 39 2006-2007 Annual Report of the Ministry of Tribal Affairs, Government of India, page 27-28.
- 40 Tribals face bias in schools, *The Asian Age*, 24 September 2007
- 41 Survey conducted by AITPN, 2007.
- 42 Apathy denies tribals statutory rights, *The Deccan Herald*, 16 October 2007
- 43 Over Rs 70 crores Central fund for tribals unspent, *The Assam Tribune*, 7 December 2007
- 44 Rs 965 crores for SCs/STs misused: RSP, *The Tribune*, 9 November 2007
- 45 Annual Report 2006-2007, Ministry of Tribal Affairs, Government of India
- 46 Singphos, an aboriginal tribe nearing extinction, *The Shillong Times*, 11 June 2007
- 47 Probe doubts guilt of 10 lynched for stealing, *Rediff News*, 23 September 2007, <http://www.rediff.com/news/2007/sep/23bihar.htm>
- 48 Bihar Street Justice - Fingerprints of victims not taken, *The Tribune*, 19 September 2007, <http://www.tribuneindia.com/2007/20070919/nation.htm>
- 49 The Chakma and Hajong tribals in Arunachal Pradesh have been denied registration on the electoral roll because the state government has not processed their citizenship applications.

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