

## **INDIA: URGENT APPEAL TO STOP FORCEFUL EVICTION AND INVOLUNTARY RELOCATION OF VILLAGERS AFFECTED BY MAPITHEL DAM IN MANIPUR**

**Incident:** Threats of forceful eviction and involuntary relocation of villages of Riha, Thawai, Lamlai Khullen, Chadong along the Thoubal River in Ukhrul District, Manipur by the Mapithel Dam of Thoubal Multipurpose Hydroelectric Project

**Perpetrator:** Government of Manipur & Government of India

**Victims:** Affected Villagers of Mapithel Dam along the Thoubal River in Mapithel Range and Valley

**Date and Month:** October 2012

**Source of Urgent Appeal:** Mapithel Dam Affected Villagers Organization and the Committee on the Protection of Natural Resources in Manipur, Keisampat, Imphal Manipur

**Event Description:** The Government of Manipur is threatening to forcefully evict and relocate the villagers of Chadong, Lamlai Khullen in Ukhrul District of Manipur by the ongoing Mapithel Dam construction of the Thoubal Multipurpose Hydroelectric Project using law enforcing agencies of Manipur and Indian military and silencing the voices of affected communities along the Thoubal River and Mapithel Range for demanding holistic impact assessment due to Mapithel dam, just rehabilitation and resettlement, full review of Mapithel dam construction and resumption of the Expert Review Committee formed on 18 January 2008. The controversial Mapithel Dam is being built over Thoubal River at the tri junction of Ukhrul, Senapati and Imphal East Districts of Manipur in India's North East.

The Government of Manipur issued an order on 28<sup>th</sup> September, 2012 constituting a "Joint Verification Team", comprising officials of Irrigation and Flood Control Department, Deputy Commissioner of Ukhrul District and Tribal Department of the Government of Manipur, to identify families affected by ongoing Mapithel Dam construction at Chadong and Lamlai Khunou villages in Ukhrul District in Manipur. The order is highly problematic as the order undermines an earlier order of the same Government forming the Expert Review Committee on 18 January 2008 to assess the socio-economic, environmental, health, cultural, human rights impacts of Mapithel dam and also to resolve the rehabilitation and resettlement of affected communities. The Government of India forcefully began verification at Lamlai Khunou and Chadong Village from 29<sup>th</sup> October 2012 with full security despite the protest and objections of affected communities. The 28 September order and implementation of the forced arbitrary verification process constitutes a serious breach of human rights as the verification process, which commenced from 29<sup>th</sup> October 2012 is being pursued with heavy military deployment. Villagers stiffly protested the verification moves as the Government relied on military to settle their outstanding issues due to impact of Mapithel dam and without their free, prior and informed consent. The militarization of Mapithel dam construction has been condemned widely. Indeed, the UN Special Rapporteur on Indigenous peoples, Mr. James Anaya, expressed strong reservation with the militarization of Mapithel dam construction and outlined that the deployment of security forces in Mapithel dam site area resulted in the intimidation of affected communities and the suppression of their

democratic demands<sup>1</sup>. Affected villagers who protested against the dam construction are rather subjected to threats and harassments. On 3rd November 2008, more than forty people protesting against impacts of Mapithel Dam were brutally tortured by Indian Reserve Battalion.

The Mapithel Dam construction commenced without taking free prior and informed consent of the affected villagers both in the downstream and upstream areas in 1978. No detailed Health, Environmental, Social, Cultural, Economic and seismic Impact assessment of the Dam on the peoples along the Thoubal River has ever been conducted. The Mapithel Dam will lead to submergence of huge tract of prime agricultural land along the Thoubal River and created severe water shortage and livelihood impacts in villages in both upstream and downstream of Thoubal River, such as Tumukhong, Itham, Moirangpurel, Laikhong, and Saichang etc<sup>2</sup>. Affected Villagers are worried that the completion of the controversial verification will lead to their forceful eviction and involuntary relocation even.

Undermining the Expert Review Committee with members from affected communities, Agriculture department, Irrigation and Flood Control Department, Environment and Ecology Wing, Manipur Pollution Control Board, Forest Department, Fisheries Department of the Government of Manipur etc, two notices, one cabinet memorandum of the Government of Manipur on 24 September 2011 and another an office memorandum of the Commissioner, Irrigation and Flood Control Department on 13 June 2011 wrongly claimed that only two villages, Lamlai Khullen and Chadong village, out of 16 villages only left for Rehabilitation and Resettlement. However, there is no independent assessment and verifications and no comprehensive Rehabilitation and Resettlement plan and policies in Manipur.

The Cabinet Memorandum of 24 September 2011 is also highly misleading. The completion report of Rehabilitation and Rehabilitation of Louphong, Phayang and two other villages which have been intimidated by the state government is a distorted report. Four villages, Chadong, Lamlai Khullen, Lamlai Khunou, Lamlai Monbung would be completely submerged by the Dam and another Six villages, Sikiphung, Thawai, Thawai (K), Zalengbung, Sankai, Riha those living in the upstream of the dam will be affected. Altogether Sixteen villages will be directly and indirectly affected by Mapithel Dam. Limiting impacts to only six villages indicates there are no proper impact assessments and surveys.

The arbitrary process of secretly negotiating with the government has already created division, conflict and chaos within the affected villages. The Government of Manipur with its efforts to forge secret agreement with few affected people without the consent of all affected communities, only violates right to free prior and informed consent of indigenous peoples, which the UN Special Rapporteur on Indigenous Peoples, Mr. James Anaya urged the Government of India for full adherence in his communication on Mapithel Dam on 24 June 2009<sup>3</sup>. India responded to Mr. James Anaya's letter on 4 June 2010, maintaining that the Government had instituted the Expert Review Committee<sup>4</sup>.

The formation of the Expert Review Committee already raises high hopes among all affected peoples that the Mapithel Dam construction will be fully reviewed to address all their grievances and in securing

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<sup>1</sup> See Concluding Observations of the Human Rights Committee: India. 04/08/97. CCPR/C/79/Add.81; Concluding Observations of the Committee on the Elimination of Racial Discrimination: India (5 May 2007); CERD/C/IND/C0/19; Concluding Observations of the Committee on Economic, Social and Cultural Rights: India (May 2008) E/C.12/IND/CO/5.

<sup>2</sup> "Mapithel Dam amidst Militaristic Development in Manipur", The Sangai Express, 14 December 2008 <http://sinlung.blogspot.in/2008/12/mapithel-dam-amidst-militaristic.html>

<sup>3</sup> A/HRC/15/37/Add.1 <http://unsr.jamesanaya.org/PDFs/Communications%20report-FINAL.pdf> (page 92-103)

<sup>4</sup> A/HRC/15/37/Add.1 <http://unsr.jamesanaya.org/PDFs/Communications%20report-FINAL.pdf> (page 92-103)

social and environmental justice. It is crucial that there's a complete review of the Project from the social, health, cultural, ecological, seismic, human rights, downstream point of view etc with due participation of all affected communities. The government of India should promote and protect the human rights of all indigenous peoples in its territories.

**DEMANDS:** The Mapithel Dam Affected Villagers Organization and the Committee on the Protection of Natural Resources in Manipur would like to urgent upon the Government of Manipur and government of India to ensure:

- Review Mapithel Dam construction for holistic impact on indigenous communities along the Thoubal River and stop Mapithel dam construction till completion of such reviews
- The Expert Review Committee on Mapithel dam formed on 18 January 2008 should be revived and resumed as per the wishes of all villagers affected by Mapithel dam with full reference for implementation of the provisions of the UN Declaration on the Rights of Indigenous Peoples
- The notifications of Government of Manipur on 28 September 2012 and the Cabinet Memorandum and Secret negotiations on 24 September 2011 for Rehabilitation and Resettlement of Mapithel Dam affected villagers should be revoked immediately.
- Implement the recommendations of the UN Special Rapporteur on Indigenous Peoples, Mr. James Anaya on Mapithel Dam, especially to take the free, prior and informed consent of indigenous peoples for any decision on Mapithel dam construction and to stop militarization
- No forcible eviction and relocation of all communities affected by Mapithel Dam without their free, prior and informed consent as outlined in International Laws.
- Implement the Recommendations of the World Commission on Dams for review of ongoing dam construction for its compliance with human rights, development and indigenous peoples' rights
- Fully implement all the provisions of the UN Declaration on the Rights of Indigenous Peoples,

PLEASE WRITE FOR REVIEW OF MAPITHEL DAM CONSTRUCTION AND TO STOP FORCEFUL EVICTION AND INVOLUNTARY RELOCATION OF AFFECTED VILLAGERS TO:

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