

Urgent Appeal on Continued Eviction of Floating Hut Dwellers and Destruction of Their Floating Huts in North East India

DATE OF INCIDENT:

23 February 2013

PLACE OF INCIDENT:

Langolshabi area, Loktak Lake, Manipur, North East India

IDENTIFICATION OF VICTIMS:

1. 200 Floating hut dwellers/Fishing folks belong to the Meitei people of Loktak Lake living in forty (40) floating huts
2. Mr. Haobijam Premjit (33), s/o Haobijam Thonglen of Langolshabi Area, Loktak Lake, Manipur
3. Mr. Haobijam Bino (49), s/o Haobijam Roto Singh of Langolshabi Area, Loktak Lake, Manipur
4. Mrs. Salam (O) Memcha Devi (55) w/o Salam Bino, who collapsed due to police blank firings

IDENTIFICATION OF PERPETRATOR:

Loktak Development Authority (LDA) of the Government of Manipur, North East India and the Manipur Police from Moirang Police Station

EVENT DESCRIPTION:

The Government of Manipur has forcefully continued the dismantling of floating huts of floating hut dwellers/fishing communities belonging to the Meitei people of Manipur at Langolshabi Area, Loktak Lake in central part of Manipur on 23 February 2013. The Loktak Development Authority (LDA), under the Chairmanship of Chief Minister of Manipur, Mr. Okram Ibobi, commenced the destruction of phumdi-huts from Loktak Lake on 23

February 2013 around 9 A.M in the morning, defying the Gauhati High Court order of 25 January 2012 prohibiting clearance of phumdi-huts from Loktak Lake and subsequent contempt notice on 16 February 2013 to desist from causing further eviction in Loktak Lake.

The Gauhati High Court in the contempt notice made it clear that necessary legal actions would be initiated against the Chairman of Loktak Development Authority, the Project Director of LDA, Deputy Commissioner of Bishnupur district and the Superintendent of Police for any further eviction in Loktak Lake targetting the fishing communities.

A Manipur police team led by OC of Moirang Police and accompanied by officials of LDA arrived at Langolshabi area in Loktak Lake along with heavy machineries used for clearing floating vegetation mass in Loktak Lake, the Water Master Classic-3 at around 9 am on 23 February 2013 and began destroying the floating phumdi huts. At the time of dismantling the floating huts of the fishing communities, most of the phumdi dwellers/fisherfolks were out for their daily work, mostly fishing and collecting seasonable vegetable in Loktak Lake.

The fisherfolks resisted the eviction and the police had to fire several live rounds in the air to disperse the fisherfolks. A stand-off ensued today between evicted dwellers of Loktak Lake and officials of Loktak Development Authority as the latter accompanied by Moirang police personnel tried to carry out eviction drive forcefully. An elderly woman named Ms. Salam Memcha collapsed inside one of the canoes after a police personnel fired a shot in the air to disperse the locals, who gheraoed the eviction team.

A floating hut was destroyed and effort to further continue with another hut was aborted due to strong opposition from the floating hut dwellers. The hut destroyed belongs to one Haobijam Premjit while the one prevented by the locals is owned by one Haobijam Bino. The woman, who collapsed in firing, has been identified as one Salam (O) Memcha Devi (55) w/o Salam Bino. The eviction team's attempt to dismantle other adjacent hut was stiffly opposed by the floating hut dwellers who paddled towards the site and raised slogans against the eviction drive.

The Loktak Development Authority stopped the eviction only after the arrival of the media persons, who witnessed and documented the eviction.

When the affected villagers highlighted the restrictions by the Court, the LDA official warned that they will dismantle the houses with fresh orders of the Government. Before moving away from the site, media persons who reached the spot heard the LDA officials warning the lake dwellers that they would arrive another day and certainly burn down the thatched structures.

The LDA's eviction drive was carried out despite absence of any order for carrying out such eviction and they have failed to provide to the affected communities.

Among others, the eviction team comprised LDA Executive Engineers Marjit, Gunamani and Sivavon, and officer in-charge of Moirang police station.

FOLLOW UP ACTION:

An FIR has been lodged with the Bishnupur Police Station for causing harm, injury and destruction of peoples' property with 24 February 2013 Mr. Haobijam, Salam Memcha and Premjit Bino on behalf of the victims of eviction drive of 23 February 2013.

BACKGROUND INFORMATION:

The State Government of Manipur has started burning down floating huts, Khangpokshang, built over Phumdis (floating plant mass) of the fishermen living in Loktak Wetlands from 15 November 2011. The officers from the Loktak Development Authority and the Manipur state police carried out the deliberate burning down of the floating huts. The Loktak Development Authority had issued an eviction notice to the residents on 11 November 2011. More than 500 floating huts were already burnt in November 2011. There were more than 5,000 persons living in the floating huts earlier located in Khuman Yangbi, Nambul Machin and Karang Sabal within the Loktak Lake.

The burning down of the floating huts took place under the controversial Loktak Lake (Protection) Act, 2006, in particular Section 19 and 20 of the Act, which divides the 236.21 sq. km Loktak Lake into two zones - a core zone comprising 70.30 sq. km, which is a 'no development zone', or 'totally protected zone', and a buffer zone of other areas of the lake excluding the core zone. A vital aspect of this division is the prohibition on building huts or houses on Phumdis inside the lake, or Athaphum fishing, a destructive form

of fishing using vegetation enclosures in the core area. The implementation of the Act has adversely affect over 10,000 people living in Phumdi huts, as well as others dependent on the Lake.

The Government of Manipur, through its Loktak Development Authority has been blaming the indigenous peoples dwelling in Loktak Lake for polluting and causing contamination of the Lake. However, the impact of the Ithai Barrage of the Loktak Multipurpose Hydroelectric Project, commissioned in 1984, which led to a huge scale devastation of the Loktak wetlands ecosystem, loss of indigenous plant and faunal species, disturbance of the wetlands' natural balance and cleansing system leading an accumulation of pollutants in the lake, has been ignored and deliberately sidelined.

Each household was offered Rs. 40,000 as compensation before their huts were burned. However, most of the villagers rejected this amount as too meager, and not able to compensate their livelihood and survival needs. Moreover, there is no process to rehabilitate the affected villagers and their right to free, prior and informed consent has not been complied with. Affected peoples on several occasions had been raising vehement opposition to the introduction of the controversial Loktak Protection Act, 2006, which they feared would break the age-old bond between the lake and its people. Indigenous peoples depending on the Loktak Lake for survival continue to demand the complete scrapping of the Act.

HUMAN RIGHTS VIOLATIONS:

The burning of the floating huts and the destruction of livelihood of the indigenous people dwelling in Loktak Lake constitute a serious violation of the “right to life”, “right to adequate housing” as guaranteed by the Constitution of India and the International Covenant on Civil and Political Rights and also the International Covenant on Economic, Social and Cultural Rights, both of which India is party to and has pledged to uphold and practice. The failure to obtain consent of the affected communities also constitutes a serious form of discrimination targeting the marginalized communities and violates the UN Declaration on the Rights of Indigenous Peoples, 2007 and the UN Convention on the Elimination of all forms of Racial Discrimination.

URGENT CALL AND RECOMMENDATION:

That the Government of India and the Government of Manipur to:

- Stop all forms of Eviction in Loktak Lake targeting the fisherfolks/floating huts dwellers of Loktak Lake.
- The Government of Manipur and the Government of India should respect the Gauhati High Court Order of 25 January 2012
- Repeal the Manipur Loktak Lake Protection Act, 2006
- Review the Loktak Multipurpose Hydroelectric Project commissioned in 1984.
- Investigate and prosecute all officials of the Loktak Development Authority, the Manipur Police involved in forced eviction in Loktak Lake on 23 February 2013 and for violating the Gauhati High Court Order of 25 January 2013.
- Respect Indigenous Peoples rights as per the UN Declaration on the Rights of Indigenous Peoples, 2007 in all development initiatives in Manipur and Ramsar Conventions in management of Loktak and other wetlands.

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