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## State of the World's Minorities and Indigenous Peoples 2015 -India

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National parliamentary elections in 2014 saw the victory of Narendra Modi and the Hindu nationalist Bharatiya Janata Party (BJP) in May. Modi has been criticized for his role in the 2002 Gujarat anti-Muslim riots, when he was chief minister of the state, and is accused of complicity in failing to halt the killings. Although an investigation backed by the Supreme Court found no prosecutable evidence against him, his close associates faced charges. His candidacy was supported by Rashtriya Swayamsevak Sangh (RSS), a right-wing Hindu organization that has continued to support a campaign of forced conversion against the Muslim population. Though Modi has generally avoided discriminatory language himself since taking office, he has been criticized by activists for failing to condemn the group's activities. The election was widely interpreted as a blow for minorities, particularly Muslims, who received the lowest number of seats in India's parliament, the Lok Sabha, in 50 years.

Even before the election, however, the Anti-Communal Violence bill passed by the cabinet in late 2013 – a groundbreaking piece of legislation that would have detailed reparations for victims of communal attacks and held politicians accountable for violent outbreaks – was dropped in parliament following strong opposition from a number of parties, including the BJP, which accused Congress of pandering to Muslim voters ahead of the election. As 2014 marked the thirtyyear anniversary of the Golden Temple massacre and the subsequent anti-Sikh riots that killed thousands, with no high-ranking officials prosecuted for their role in the violence, the bill would have been an important step for the families of victims in their search for justice.

Isolated pre-election violence occurred in the north-west state of Jammu and Kashmir, where an armed separatist struggle has been waged for decades by Muslim Kashmiris. In Kashmir, three people, including two village council chiefs, were killed in Pulwana District in mid-April, with separatists warning against voting in the elections and calling for their boycott. State assembly elections for Jammu and Kashmir were also held in November and December, again marking a spike in violence as shoot-outs in border camps killed both soldiers and gunmen. Despite more threats of violence and calls to boycott, the process was relatively peaceful and voter turnout was around 70 per cent.

The Assam state of north-eastern India was also affected by pre-election violence as a result of ongoing tensions between Muslims and indigenous communities – caused by land disputes and Muslim in-migration into indigenous territories. In early May, over 30 Muslims were killed in

multiple attacks on villages ahead of the national elections. The government blamed the Songbijit faction of the National Democratic Front of Bodoland (NDFB-S) for the attacks, an armed separatist organization of the Bodo indigenous people, though the NDFB-S denied responsibility and accused the government of attempting to stoke communal tensions.

Muslims in the area are assumed by many, including Modi, to be illegal migrants from Bangladesh, despite many being descendants of Muslims who moved to the area before partition. The elections resulted in the first ever non-Bodo parliamentarian winning the seat for Kokrajhar, headquarters of the Bodoland Territorial Council, an indigenous self-government body.

Similarly, Adivasi villages in Assam were also attacked later in the year, reportedly by Bodo separatists. Adivasis is the term used by the government to denote indigenous groups from central India, in this case largely tea-plantation workers, many of whom are descendants of migrants brought to Assam in the 1850s. In December at least 80 Adivasis were killed and another 250 reported missing in a series of attacks, again attributed to the NDFB-S faction, resulting in the displacement of tens of thousands of Adivasis escaping the violence. Several Bodos were reportedly killed in retaliatory killings. Within a few days, the government announced 'Operation All-out', with as many as 9,000 troops deployed in the province in an effort to eradicate NDFB-S fighters.

In Manipur, in north-east India, minority and indigenous groups including Kuki, Meitei and Naga face human rights abuses by both government forces and armed groups. The region is locked in a decades-long conflict rooted in land rights and political self-determination. Violence in Manipur continued in 2014 with the murder of indigenous district councillor Ngalangzar Malue by unidentified assailants on 12 July in Ukhrul. Following his death, hundreds of military personnel were deployed and limits on freedom of assembly imposed. On 16 July, the new BJP government restarted peace talks with the Isak-Muivah faction of the Nationalist Socialist Council of Nagaland (NSCN-IM), even though the Manipur government blamed NSCN-IM for the assassination of Malue. Public rallies held in August in Ukhrul district, calling for a resolution of negotiations, ended in the deaths of two protesters when police fired on the crowd.

The discrimination experienced by north-easterners in their home regions is also replicated when they move to large Indian cities such as Delhi, Mumbai and Bangalore for education or employment. Due to their distinct features and cultural practices, minority and indigenous migrants from the north-east often face verbal abuse and even violence. This was highlighted in January when Nido Tania, an indigenous university student from Arunachal Pradesh, died shortly after being beaten by a group of shopkeepers in Delhi who had reportedly shouted racist slurs and insulted Tania's hairstyle. Four adults were charged with his death, while minors were also detained. The police investigation recommended that charges be filed under the Scheduled Castes and Tribes Prevention of Atrocities Act, 1989 (SC/ST Act), a key piece of legislation intended to prevent violence against Dalits and indigenous peoples. In September this recommendation was declined by the trial court after it concluded that the racist element was not proven, though Nido's father, a member of the legislative assembly, is seeking to overturn this ruling. In the wake of this killing, the Bezbaruah Committee was formed to investigate remedial measures, and made a series of recommendations including criminalizing discrimination targeting north-easterners. By the start of 2015, the government had decided to add to its hate speech provision in Section 153 of the penal code to address their concerns.

Violence against Dalits is also widespread and continued throughout 2014, driven by the persistent effects of India's caste system and the lack of justice for victims. One of the most shocking incidents occurred in October in Bihar, when a Dalit boy was beaten and burned to death for letting his goat graze on the grass of an upper-caste landholder. The landholder was subsequently taken into police custody. Though attacks on Dalits are common throughout the country, the

situation is particularly difficult in Bihar, often cited as India's most lawless province, where the population is overwhelmingly rural and often located in remote areas. Some activists believe that the appointment of Jitan Ram Manjhi, a Dalit, as Bihar's chief minister in May sharpened tensions as Manjhi's calls for greater rights for the Dalit community were resented by upper-caste members. Manjhi resigned from his post in February 2015 just before he was to face a vote of confidence in the state assembly, claiming his decision was intended to avert violence after he and his supporters allegedly received death threats.

Though the majority of Dalits still reside in rural areas, with just over 20 per cent based in urban areas, cities are often seen as a positive force in reducing caste divisions. While Dalits still face violence and discrimination in cities, strict social hierarchies are harder to enforce and violence generally is not as pervasive and brutal. Severe inequalities persist, however, with Dalits making up a large proportion of those engaged in the urban informal labour sector as domestic workers, rickshaw-pullers, street vendors and other poorly paid sectors. While many choose to migrate voluntarily for employment, many also end up in urban areas as a result of forcible displacement or evictions – issues which affect marginalized minorities disproportionately and continue to drive migration to urban areas. Of the 60 million or more people displaced by development projects since independence in 1947, 40 per cent are Adivasis and another 40 per cent are Dalits or other rural poor.

The challenges are especially acute for Dalit women, who are further exploited due to castegender prescriptions. Manual scavenging, for instance – the practice of removing human waste – is often 'reserved' for Dalit women, particularly in rural areas but frequently in urban centres as well, including by local government and municipal corporations who pay menial wages for this degrading and unsanitary task. This is despite the Supreme Court reaffirming in March 2014 that the practice was prohibited. In some cases, certain Dalit castes are expected to do the job and may be pressured or intimidated if they attempt to access alternative livelihoods. Nevertheless, urban areas can also offer women from excluded castes the opportunity to improve their lives.

The garment manufacturing industry in Tamil Nadu, for example, has attracted Dalit women into cities like Tirupur and Coimbatore through the Sumangali Scheme. Set up in the early 2000s, the scheme targets young women and girls, 60 per cent of whom are Dalits. Girls migrate on the promise of decent wages and a bonus after their contracts are finished, hopeful to escape poverty and discrimination in the villages – though many unfortunately end up in situations of exploitation and bonded labour.

While India is visibly struggling with general urban poverty and the growth of informal settlements, minorities experience these challenges more acutely. One in every five urban slum dwellers is Dalit, compared to only one in ten for urban India generally, and urban Dalits continue to report discrimination in access to housing and employment. Rapid urban expansion and urban beautification programmes for international events or upmarket housing have led to the destruction of many urban slums, including marginalized minority settlements. Expanding urban areas can even swallow former rural settlements, with little regard for their existing residents. In Maharashtra in 2012, for instance, the Malegaon municipality attempted to requisition outlying Dalit and Adivasi villages for a slum relocation project, claiming that their existing land certificates were no longer valid under the city's jurisdiction. 25 houses were demolished without warning, though a sustained campaign managed to save 75 Dalit and Adivasi homes in the adjacent village.

Though lower-caste groups are especially vulnerable to land grabbing, many communities have also successfully resisted attempts by local authorities and companies to forcibly displace them. During 2014 the Dalit Ekta Camp in New Delhi, a slum community of 4,000 Dalits and Muslims, faced the threat of demolition due to claims of encroachment on protected green space, despite

residents having lived there for decades. Critics argued that the real motivation was local politics rather than environmental protection, as in May the local member of the legislative assembly had written to local authorities to request demolition of the slum: he stood to profit from evicting 900 voters who supported the opposition Aam Aadmi Party candidate in the upcoming assembly elections. At the end of November, once the upcoming elections were set to be announced, Dalit Ekta Camp was informed that their homes would be destroyed in less than 12 hours. They filed a case before the Delhi High Court and managed to get a stay of the demolition. On 4 December the court issued an order that the Delhi Development Authority must produce evidence that the eviction is in accordance with existing policy.

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