



UNITED NATIONS

Press Release

HUMAN RIGHTS EXPERTS EXPRESS CONCERN ABOUT IMPACT OF RAISING OF HEIGHT OF DAM IN NARMADA RIVER, INDIA

13 April 2006

The following statement was issued today by the Special Representative of the Secretary-General on the situation of human rights defenders, Hina Jilani; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Miloon Kothari, and the Special Rapporteur on the human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen

We are concerned about the recent decision of the the Narmada Control Authority (NCA) to further raise the height of the Sardar Sarovar Dam on the Narmada River from the present 110.64 metres to 121.92 metres and reports indicating that this will result in the submergence of villages and displacement of over 35,000 families.

According to a Supreme Court judgement in 2000 any further increase with respect to the height of the Sardar Sarovar Dam should be preceded by the implementation of resettlement and rehabilitation measures. However, according to reports received, adequate rehabilitation has not yet been provided for those affected at the current dam-height, many of them indigenous peoples and farmers. Official estimates say that an additional 24,421 families in 177 villages of Madhya Pradesh are to be displaced at the dam height of 121.92 metres. We are concerned about information indicating that in Madhya Pradesh rehabilitation sites are still not ready and none of the sites have sufficient house plots for affected families and that this may leave people homeless when affected villages are submerged. Furthermore, alternative agricultural land is reportedly not being provided, and where land has been allotted as in Maharashtra and Gujarat, it is uncultivable and inadequate.

We are aware of the indefinite sit-in (dharna) by the over 300 dam-affected and activists of the Narmada Bachao Andolan (NBA – Save Narmada Movement) in New Delhi since 17 March, demanding a halt to construction at the Sardar Sarovar dam. We are also aware of the three NBA activists who

have been on an indefinite fast since 29 March, recently joined by other human rights defenders. We are seriously concerned about recent information according to which on the night of 5 April, a large police force allegedly used indiscriminate force against the protestors, arrested and hospitalised Ms Medha Patkar and Mr Jamsing Nargave on the eighth day of their fast and detained another 25 NBA activists. Testimonies suggest that the use of force was excessive and disproportionate.

In view of the above, we urge the Government of India to release the report of the findings of the three Union Ministers who visited the Narmada Valley on 7 April to assess the status of resettlement and rehabilitation, as reportedly announced by the Minister of Water Resources in a statement dated 4 April. We also urge the Government of India and appropriate authorities to take immediate steps to ensure that any further raising of the dam height will not result in the violation of the human rights of those affected, including to ensure that just and proper resettlement and rehabilitation of all the affected is provided in accordance with international human rights instruments, including the right to food and adequate housing as enshrined, for example, in the International Covenant on Economic, Social and Cultural Rights. Such measures could include the undertaking of a comprehensive assessment of the entire resettlement and rehabilitation experience in the areas affected by the Sardar Sarovar dam in Gujarat, Maharashtra and Madhya Pradesh, possibly through the setting up of an independent inquiry. Until the human rights of those affected can be guaranteed we recommend that the construction of the dam is halted.

We are also deeply concerned regarding the situation of those carrying out peaceful protest to demonstrate their opposition to the raising of the dam-level. We remind the Government that the United Nations Declaration on Human Rights Defenders protects the right to peacefully react or oppose any action detrimental to human rights or fundamental freedoms. We, therefore, recommend that the allegations of indiscriminate and excessive use of force by the police against activists engaged in the protest is properly investigated and that action is taken against the responsible officers, as appropriate. In this context it is also recommended that proper and swift investigation is undertaken with respect to allegations of false charges, if any, against Ms Medha Patkar and other NBA activists.
