



INDIA

“Being Neutral is Our Biggest Crime”

Government, Vigilante, and Naxalite Abuses in India’s Chhattisgarh State

HUMAN
RIGHTS
WATCH



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IS OUR BIGGEST CRIME”**

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The Indian central government and Chhattisgarh state governments have deployed 10,000 government security personnel in the region to counter the Naxalite movement.
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Summary and Key Recommendations

We often wonder what sins we committed to be born at this time. Our lives are impossible. Naxalites come and threaten us. They demand food and ask us to help them with information about police movements. Then the police come. They beat us and ask us for information. We are caught between these people. There is no way out.

— A RESIDENT OF ERRABORE,
A GOVERNMENT-RUN CAMP, JANUARY 2008

In Chhattisgarh state in central India, a dramatic escalation of a little-known conflict since June 2005 has destroyed hundreds of villages and uprooted tens of thousands of people from their homes. Caught in a deadly tug-of-war between an armed Maoist movement on one side, and government security forces and a vigilante group called Salwa Judum on the other, civilians have suffered a host of human rights abuses, including killings, torture, and forced displacement.





The armed movement by Maoist groups, often called Naxalites, spans four decades and 13 states in India. They purport to defend the rights of the poor, especially the landless, dalits (so-called “untouchables”), and tribal communities. Their repeated armed attacks across a growing geographical area led Prime Minister Manmohan Singh in 2006 to describe the Naxalite movement as the “single biggest internal security challenge ever faced” by India.

Naxalites have maintained a strong presence in southern parts of Chhattisgarh since the 1980s. Although many indigenous tribal communities living in these areas support

An internally displaced child stands in the Dornapal camp, the largest government-run camp, housing around 17,000 villagers. Many villagers have been coerced by government security forces and Salwa Judum members to relocate to the camp.

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Naxalite interventions against economic exploitation, an escalating pattern of Naxalite abuses, including extortion of money and food, coerced recruitment of civilians, and killings of perceived police informants or “traitors,” has gradually alienated many villagers.



In June 2005 popular protests against Naxalites in Bijapur district in southern Chhattisgarh sparked the creation of Salwa Judum, a state-supported vigilante group aimed at eliminating Naxalites. Salwa Judum's activities quickly spread to hundreds of villages in Bijapur and Dantewada districts in southern Chhattisgarh. With the active support of government security forces, Salwa Judum members conducted violent raids on hundreds of villages suspected of being pro-Naxalite, forcibly recruited civilians for its vigilante activities, and relocated tens of thousands of people to government-run Salwa Judum camps. They attacked villagers who refused to participate in Salwa Judum or left the camps.

Naxalites have retaliated against this aggressive government-supported campaign by attacking residents of Salwa Judum camps, and abducting and executing individuals they identified as Salwa Judum leaders or supporters, police informers, or camp residents appointed as auxiliary police.

Neither the government nor Naxalites leave any room for civilian neutrality. Seeking protection from one side leaves area inhabitants at risk of attack by the other. Local journalists and activists who have investigated or reported abuses by Salwa Judum and government security forces have been harassed and described as "Naxalite sympathizers" by the



(left) The Chhattisgarh police recruited tribal youth from camps, including children, as special police officers (SPOs), to assist government security forces in the region in high-risk operations against Naxalites

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(below) The Chhattisgarh police point to areas of alleged Naxalite activity in southern Chhattisgarh.

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Chhattisgarh state government, and live in fear of arbitrary arrest under the Chhattisgarh Special Public Security Act, 2005.

Even though some officials acknowledge that Salwa Judum's activities have exacerbated the violence, resulting in loss of civilian life and property, the Indian central and Chhattisgarh state governments have failed to prevent or stop these abuses or hold those responsible accountable. In April 2008 the Supreme Court of India ordered the National Human Rights Commission (NHRC) to investigate complaints of abuse.

While there is hope that the NHRC will conduct a thorough investigation of abuses by both sides, many analysts believe that unless the Indian central and state governments acknowledge and remedy their failure to uphold the rights of tribal communities, the Naxalite movement will continue to grow. The governments must immediately address the human rights and humanitarian catastrophe that has resulted from their policies in Chhattisgarh and hold all those responsible accountable.



Government security forces receive training in the Jungle Warfare College in Kanker in Chhattisgarh to counter Naxalite forces in the area.

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GOVERNMENT AND SALWA JUDUM ABUSES

The Indian central and Chhattisgarh state governments claim that Salwa Judum is a “voluntary and peaceful initiative by local people against Naxalites.” Human Rights Watch, however, found overwhelming evidence of direct state involvement in Salwa Judum and the group’s involvement in numerous violent abuses.

Over a period of approximately two-and-a-half years, between June 2005 and the monsoon season of 2007 (June to September), government security forces joined Salwa Judum members on village raids, which were designed to identify suspected Naxalite sympathizers and evacuate residents from villages believed to be providing support to Naxalites. They raided hundreds of villages in Bijapur and Dantewada districts, engaging in threats, beatings, arbitrary arrests and detention, killings, pillage, and burning of villages to force residents into supporting Salwa Judum. They forcibly relocated thousands of villagers to government-run makeshift Salwa Judum camps near police stations or paramilitary police camps along the highways. They also coerced camp residents, including children, to join in Salwa Judum’s activities, beating and imposing penalties on those who refused.

Although Salwa Judum’s raids were most frequent between June 2005 and mid-2007, they continue to carry out violent attacks in reprisal against former camp residents who have returned to their villages. There have also been reports of government security forces executing persons suspected of being Naxalites and labeling the executions “encounter killings,” falsely implying that the deaths occurred during armed skirmishes.

Police arbitrarily detain individuals as suspected Naxalites, interrogate them, and in some cases, subject them to torture. Chhattisgarh police have recruited camp residents including children as special police officers (SPOs), an auxiliary police force, and deploy them with other paramilitary police on joint anti-Naxalite combing operations. This has exposed underage SPOs to life-threatening dangers, including armed attacks by Naxalites, explosions due to landmines and improvised explosive devices (IEDs), and Naxalite reprisal killings.

Since 2006 local nongovernmental organizations (NGOs) have reported the recruitment of underage SPOs by the Chhattisgarh police. The Chhattisgarh state government maintains that it has now removed all children from its ranks. Some officials claim that the recruitment occurred because many villagers did not have proper age records. However, Human Rights Watch found that there continues to be no procedure or scheme for systematically identifying, demobilizing, and reintegrating underage SPOs. The lives of underage SPOs who have not been identified and reintegrated remain at risk.



These ongoing human rights abuses have resulted in a massive internal displacement crisis that is yet to be addressed by the Indian central or concerned state governments. By December 2007 around 49,000 villagers had been relocated to at least 24 camps in Bijapur and Dantewada districts, while many others had fled to safer parts of Chhattisgarh. An estimated 65,000 villagers had fled to the adjoining states of Maharashtra, Orissa, and Andhra Pradesh to escape the conflict. Roughly 30,000-50,000 have settled in Andhra Pradesh.



Naxalite cadres receive weapons training. Children as young as age 12 may be trained in the use of weapons, including landmines and IEDs.

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A group of villagers armed with household articles as weapons (spears, axes, sticks, daggers, and bows and arrows) attend an anti-Naxalite Salwa Judum meeting. Many villagers were coerced to join Salwa Judum.

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Three years after the forcible relocation of local populations into camps and the exodus from Chhattisgarh to neighboring Andhra Pradesh began, neither the Indian central nor the Chhattisgarh and Andhra Pradesh state governments have developed a comprehensive policy to provide these displaced persons with protection and assistance. Most displaced persons have lost their homes, their land, most of their livestock, and their primary means of livelihood—agriculture. Those living in government-run Salwa Judum camps survive in cramped conditions and typically lack even the most basic sanitation and health care facilities. There are few opportunities for employment in the camps, leaving many residents with little or no income. While the Chhattisgarh state government initially provided regular free food rations to residents in some of the camps, in some instances those rations have been cut back or eliminated. Human Rights Watch also found that additional displaced persons live in unofficial settlements and so-called government permanent housing in Bijapur and Dantewada districts, which have access to fewer services than camps that are acknowledged by the Chhattisgarh government.

Villagers who fled to Andhra Pradesh also often live in dire circumstances. Many had no financial resources to purchase or rent land when they fled, and thus settled in forested areas. Saying that these settlements are illegal, Andhra Pradesh forest officials have repeatedly evicted villagers, often using excessive force and destroying their homes and personal belongings. One hamlet that Human Rights Watch visited has been destroyed nine or ten times since January 2007. Forest officials have forcibly relocated many displaced families without prior consultation with them. As a matter of policy, the Andhra Pradesh government denies to these displaced persons the benefit of government welfare schemes such as food subsidies and rural employment guarantees on several grounds, including that they are not “local residents.”

The experience of some villagers from Etagatta illustrates the nature of the Salwa Judum campaign and its impact. Government security forces and Salwa Judum members raided Etagatta, a 50-household village in Dantewada district, in the summer of 2006. One eyewitness told Human Rights Watch that the attackers came without warning, beat villagers, and took away their belongings, including their livestock. Salwa Judum members and government security forces then burned all the 50 houses in the village. According to the eyewitness,

Salwa Judum people and police killed about 15 people from the village—5 women and 10 men. All of them were adults, about my age—in their 30s. They slit the throats of five people, one was a woman. I knew these five people well ... There was no reason why they should have killed them. They attacked whoever fell into their hands ... I cremated two of them. They raped and killed Ungi who was about 13 years old. They also repeatedly raped [name withheld]. First they raped her in the village and then they took her to the police station, raped her, and then released her.



The same villager reported that Salwa Judum members and government security forces also forcibly took about four men and ten women from his village. He said that while all the women later returned, the men did not. He never learned what happened to them.



Displaced villagers live in cramped and unhygienic conditions in camps, waiting to return to their home villages and reclaim their lands and resume cultivation. Before the government provided tin roofs to many of the displaced persons in Dornapal camp, they lived in makeshift tarpaulin shelters.

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Frightened, many villagers hid for several days in the jungle. Salwa Judum members and government security forces returned, found them there, and attacked them again. Finally, the villagers fled to Andhra Pradesh with the hope of reaching safe ground.

As soon as they settled in Andhra Pradesh, however, forest officials burned their hamlet, saying that it was illegal because it was located on forestlands. Describing the treatment meted out by forest officials in Andhra Pradesh, the villager said,

Forest officials used to beat us. About 12 to 20 of them would come in their vehicles, drag us out from our huts, and beat us. They beat both men and women, and abused us—“choothiya, bhosda, sala [derogatory terms], you have come here and cut forests.” Sometimes, they used to come two or three times a day ... They burned our huts about five or six times and each time we rebuilt them. Until we rebuilt the huts, we used to live under the trees in the forests.



(left) Displaced persons settled in a village in Khammam district of Andhra Pradesh reconstruct their homes with burned logs. The Andhra Pradesh forest department officials repeatedly burned their hamlet in attempts to evict them.

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(below) A displaced villager settled in Khammam district in Andhra Pradesh holds the remnants of his life's savings. Saying that their hamlet is illegal, the Andhra Pradesh forest department officials repeatedly burned the villager's hamlet and everyone's personal belongings in attempts to evict them.

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“See this [holding burned currency notes] ... They put all our belongings in the fire and burned it. First time I had 7,700 rupees [roughly US\$192] and they burned it. When I begged them and told them all my savings were there, the [forest] ranger said, “Let it burn. We will burn everything else.”



Eventually, with the help of local residents, those displaced from Etagatta resettled to a safer part of Andhra Pradesh. However, much to their dismay, they found that Salwa Judum members from across the state boundary tracked them down. Salwa Judum members came to their new hamlet in mid-2007 in search of villagers from Chhattisgarh. The local sarpanch (village official) misled the Salwa Judum members by telling them there were no recent arrivals in the area. Still, displaced villagers from Etagatta live in constant fear.





As part of Salwa Judum, armed villagers prepare to go on a padyatra (rally) with government security forces. Padyatras were usually violent raids against villages alleged to be pro-Naxalite.

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ABUSES BY NAXALITES

The Naxalites are responsible for numerous serious abuses. They claim to be leading a popular “people’s war,” including by seeking equity and justice for the poor, especially tribal communities. Nevertheless, their methods include intimidation, harassment, threats, beatings, looting, summary executions, and other punishment of villagers who either refuse to cooperate with them or are suspected of being police informers. They also forcibly demand money, food, and shelter from villagers, recruit children as soldiers for use in military operations against government forces, and use landmines and IEDs that have caused numerous civilian casualties.

Naxalites conduct public trials in what they call jan adalats (people’s courts) to punish, including by execution, suspected police informers or alleged traitors. The accused are denied any right to legal counsel, independent judges, or right to appeal. Jan adalats are also used to target village leaders and wealthy landowners. For example, Naxalites bring landowners before such a court and ask them to hand over a portion of their assets for redistribution among poorer villagers; those that dare to oppose the ruling are beaten.

The most frequent complaint against Naxalites is their extortion of food and money. Some villagers reported that Naxalites forced them to donate food grains even when it left them unable to feed their own families. In other cases, Naxalites have threatened to kill villagers who refused demands for money. They also collect “fines” from villagers who refuse to attend their meetings.

Naxalites recruit and use children in military operations. It is CPI (Maoist) (a prominent Maoist political party) policy and practice to use children from age 16 in their army. Children between ages six and twelve are enlisted into bal sangams (children’s associations), trained in Maoist ideology, used as informers, trained in the use of non-lethal weapons like sticks, and gradually “promoted” to other Naxalite wings—chaitanya natya manch or CNMs (street theater troupes), sangams (village-level associations), jan militias (armed informers), and dalams (armed squads) before age 18. Some children who are able-bodied and fit are directly recruited into dalams. Children in sangams, jan militias, and dalams are trained in the use of weapons, including landmines.

Children in jan militias and dalams directly participate in armed exchanges with government security forces. Children in bal sangams, CNMs, and sangams do not directly participate in hostilities, but are nevertheless open to armed attacks by government security forces during anti-Naxalite combing operations. Naxalites attack and sometimes kill family members and friends of armed cadre members who desert.

Naxalites have retaliated violently against the operation of Salwa Judum. They have attacked Salwa Judum camps, killing many civilians. Individuals who participate in Salwa Judum, particularly Salwa Judum leaders and camp residents appointed as SPOs, are also vulnerable to Naxalite reprisals. Naxalite retribution against SPOs is particularly vicious. In some cases, Naxalites have reportedly mutilated the eyes and genitals of SPOs killed during their attacks.

Naxalites have abducted, tortured, and executed villagers whom they believed were Salwa Judum supporters or their family members. Villagers who left voluntarily or were forced into Salwa Judum camps fear being assaulted or killed by Naxalites in retaliation if they attempt to return to their villages. Human Rights Watch has information about 45 people who were killed for allegedly supporting Salwa Judum.

The Naxalites use landmines and IEDs frequently to attack government security forces. These attacks escalated after Salwa Judum began in June 2005. Between June 2005 and December 2007, Naxalites carried out at least 30 landmine and IED explosions, often using remote trigger mechanisms. Although these explosions are largely targeted against government security forces, they also killed and injured civilians on numerous occasions.

They have deliberately destroyed dozens of schools, ostensibly to prevent their use for police operations. Human Rights Watch gathered information about 20 schools that Naxalites destroyed, most of them after Salwa Judum started.





(above) School in southern Chhattisgarh destroyed by Naxalites. The Naxalites often destroy schools to prevent government security forces from using them during military operations.

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(right) In February 2006 a Naxalite landmine blew up one of several trucks packed with many civilians who were coerced into participating in Salwa Judum meetings and rallies. The blast killed around 27 people and severely injured another 30.

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KEY RECOMMENDATIONS

THE NEED FOR PROTECTION AND ACCOUNTABILITY

The Indian central and Chhattisgarh state governments have an obligation to provide for the security of the population against crimes by Naxalites. However, government measures to maintain law and order must be in accordance with international human rights law. Instead of combining principled security measures with effective steps to address problems faced by tribal communities and the resentments that have made it easier for the Naxalite movement to recruit supporters, government authorities have subverted international human rights norms. Authorities have not only supported abusive Salwa Judum vigilantes but also have provided effective immunity from prosecution to persons responsible for abuses. This has perpetuated widespread human rights abuses for over three years, and has led to a growing displacement and humanitarian crisis, especially for tribal communities.

The internationally recognized United Nations Guiding Principles on Internal Displacement (UN Guiding Principles) state that government authorities have the primary responsibility to establish conditions, as well as provide the means, which allow displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. They also state that government authorities should develop resettlement and reintegration packages in consultation with the displaced population.

In keeping with its international human rights obligations:

- The Indian central and Chhattisgarh state governments should take all necessary and appropriate measures to end unlawful Salwa Judum activities, end all government support to Salwa Judum, including the provision of weapons, and end all participation by government security forces in Salwa Judum operations, including raids and reprisals.
- The Chhattisgarh state government should initiate serious and independent investigations of individuals responsible for carrying out or ordering human rights abuses, regardless of rank, and prosecute as appropriate.
- Consistent with its constitutional obligation to ensure state compliance with the Constitution, the Indian central government should call upon the Chhattisgarh state government to immediately investigate and prosecute individuals, including senior government officials, implicated in serious human rights abuses in Dantewada and Bijapur districts. The Indian central government should also express its willingness to conduct an investigation upon a request by the Chhattisgarh state government.
- The Chhattisgarh state government should end deployment of special police officers for paramilitary operations against Naxalites.

- **The Indian central, Chhattisgarh, and Andhra Pradesh state governments should ensure, in accordance with the UN Guiding Principles, that internally displaced persons are protected against attacks or other acts of violence, and that they are provided without discrimination, safe access to essential food and potable water, basic shelter and clothing, and essential medical services and sanitation.**
- **The Indian central, Chhattisgarh, and Andhra Pradesh state governments should establish conditions for and facilitate the safe return or resettlement of camp residents and other displaced persons who voluntarily choose to return to their villages or relocate to another part of the country, and restore or provide government facilities in these villages.**
- **The Indian central government should ensure that Andhra Pradesh government officials immediately stop the destruction of IDP hamlets, illegal forced evictions, forced relocation of displaced persons, and confiscation of their property.**
- **The Indian central government should immediately develop a national scheme for identification, release, and reintegration of children recruited by armed groups or police, in consultation with governmental, nongovernmental, and intergovernmental organizations, and in accordance with the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.**

The CPI (Maoist) party should immediately:

- **End abuses—such as killings, threats, extortion, and the indiscriminate use of landmines and IEDs—against civilians, including individuals who have participated in Salwa Judum, camp residents who served as SPOs, and police informers.**
- **Issue and implement policies guaranteeing safe return for villagers who wish to leave Salwa Judum camps and return to their villages.**
- **Stop recruitment of children under age 18 into Naxalite wings including armed wings. Release all children and give those recruited before age 18 the option to leave.**

“Being Neutral is Our Biggest Crime”

Government, Vigilante, and Naxalite Abuses in India’s Chhattisgarh State

Indigenous tribal communities in the central Indian state of Chhattisgarh walk an impossible tightrope. Caught between armed Maoist rebels (Naxalites) on the one hand, and Salwa Judum, a state-supported anti-Maoist vigilante group and government security forces on the other, they are subject to the wrath of all parties.

“Being Neutral is Our Biggest Crime” describes widespread human rights abuses by all parties to the conflict against civilians in the Bijapur and Dantewada districts of southern Chhattisgarh state, and in the neighboring state of Andhra Pradesh. It draws on the testimony of 150 victims, many of whom provided in-depth accounts, gathered during Human Rights Watch research in the region in late 2007 and early 2008, as well as interviews with officials, lawyers, local journalists, and representatives of citizens’ groups.

Since mid-2005 government security forces and Salwa Judum have conducted a scorched-earth policy, killing and abducting villagers, and looting and razing hundreds of villages in southern Chhattisgarh in an attempt to eliminate the Naxalites and their support among the population. They have forcibly evacuated and resettled villagers in makeshift camps near police stations and along highways. Naxalites have often retaliated violently, attacking perceived supporters of Salwa Judum. This cycle of violence has resulted in widespread human rights abuses, and the displacement of over 100,000 people, many of them to Andhra Pradesh.

While there is evidence practices have improved, Chhattisgarh state police have recruited civilians residing in the camps, including children, as auxiliary police to assist government security forces. Naxalites continue to recruit children among their ranks and do not deny the practice. They have destroyed dozens of schools used by government security forces for military operations, severely disrupting education in the region.

“Being Neutral is Our Biggest Crime” calls on the Indian central and Chhattisgarh state governments to end all support to Salwa Judum and to investigate and prosecute abuses by government security forces, Salwa Judum members, and Naxalites. Naxalites should halt attacks on civilians, immediately end recruitment of children into their various wings, and demobilize children from their ranks. The report also calls upon the central and state governments to develop a plan to facilitate the safe return and rehabilitation of displaced persons who want to return to their home villages.

A displaced tribal woman in Errabore Salwa Judum camp. Since mid-2005 over 100,000 villagers have been displaced by the conflict in southern Chhattisgarh.

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