



PRESS RELEASE

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**Forced Land Acquisition for POSCO Project and Attack against Villagers in Odisha –
Illegal and Unconstitutional**

Housing and Land Rights Network (HLRN), Delhi, strongly condemns the brutal attack against villagers and the process of forced land acquisition for the proposed steel plant of POSCO India Pvt. Ltd. in Gobindpur Village, Dinkia Gram Panchayat, Odisha.

A police force of twelve platoons along with senior government officials entered Gobindpur Village at **4 am** this morning (**Sunday**) and used force against the villagers. Such an action clearly violates all international norms and procedures. The police officials indiscriminately hit women and children with *lathis* (sticks), cut many trees and destroyed several betel-vines – the main source of livelihood and income of the villagers. The police violence has resulted in more than 50 persons receiving injuries; of them three women and one old man are severely injured. The police also arbitrarily arrested and detained several men and women who tried to resist the action, including one of the leaders of the anti-POSCO movement. Despite the heavy presence of police in the area and an alleged threat of more violence tomorrow (4 February 2013), more than 4,000 villagers continue to silently and peacefully demonstrate against the action.

This violent act of the Government of Odisha and police appears to be a result of the announcement on 28 January 2013 of the Commerce Minister Anand Sharma, that the Government of India will review delays in South Korean steel giant POSCO's Rs 60,000 crore (USD 12 billion) plant in Odisha, as it is committed to ensuring "smooth off-take" of the project, the highest Foreign Direct Investment (FDI) in India. He also affirmed that, "Prime Minister Manmohan Singh is personally monitoring the POSCO project, which is being followed up by the Prime Minister's Office (PMO)." The announcement was made in a meeting with South Korean Minister of Knowledge Economy – Sukwoo Hong – in Agra, on the sidelines of the Confederation of Indian Industry (CII) organised Global Partnership Summit 2013.

On 20 January 2013, it was reported that the Board of Approval for Special Economic Zones (SEZs) agreed to give POSCO one more year to start work on its proposed multi-product SEZ in Odisha.

In June 2005, POSCO announced setting up a 12 million tonne per annum steel plant in Jagatsinghpur, Odisha. Since then, villagers have been resisting the project on the grounds that it would destroy their lives and livelihoods. Several studies have confirmed that the project will have large-scale, irreversible socio-economic and environmental impacts. The proposed plant and port will adversely affect 11 villages and hamlets in three *Gram Panchayats* (village councils) in Jagatsinghpur District, namely – Dinkia, Nuagaon and Gadakujang. It is estimated that more than 4,000 families and a population of around 22,000 will be affected by the project. Despite this, the state government with support from the police has forcefully acquired around 2,000 acres of land

in the area. Today's forceful actions aim to acquire another 700 acres of land to fulfil the company's requirement of 2,700 acres of land for the establishment of the steel plant.

Housing and Land Rights Network is concerned with the complete disregard for the rule of law by the government. *Miloon Kothari, former UN Special Rapporteur on adequate housing and Executive Director, HLRN*, stated that, "The lack of transparency, accountability and due process in acquiring land for POSCO and moving ahead with the project is alarming. It is clear that the recent action in Odisha is a result of the PMO's obsession to promote FDI, even though it violates the Constitution of India, international law, and the human rights of the local villagers. We strongly condemn this undemocratic action that also defies reports of independent and government-appointed committees cautioning against environmental and human rights abuses of the project."

The actions by the Government of Odisha with the support of the police and POSCO, clearly violate several international human rights treaties, including the *International Covenant on Economic, Social and Cultural Rights*, the *International Covenant on Civil and Political Rights*, the *Convention on the Rights of the Child*, and the *Convention on the Elimination of All Forms of Discrimination against Women*, all of which India has ratified. They also infringe international standards and guidelines, including the *UN Basic Principles and Guidelines on Development-based Evictions and Displacement* – which lay down obligations of both state and non-state actors.

HLRN denounces the recent actions as illegal, given that the Memorandum of Understanding (MoU) between POSCO and the Government of India expired in June 2010, and that the National Green Tribunal – on March 30 2012 – suspended the green clearance for the project.

The non-violent resistance of local villagers to the project has been met – for the last seven years – with force, violence, implication of false charges, and arbitrary arrests and detention of men and women. This systematic attack against human rights defenders has been highlighted by the international community, including by the United Nations Special Rapporteur on human rights defenders who visited India in 2011.

The destruction of local livelihoods and the forced acquisition of land will further marginalise villagers in Odisha and result in greater impoverishment. These actions of the state directly contravene the recommendations of the UN Human Rights Council accepted by India during its second Universal Periodic Review in September 2012.

POSCO is involved not just in human rights and environmental violations. On 30 January 2013, the Directorate of Revenue Intelligence (DRI) reportedly issued a penalty of around Rs. 10 crore (USD 2 million) on one of its associate companies in India, POSCO India Delhi Processing Centre (IDPC), for alleged tax evasion. The customs department has also ordered the confiscation of goods worth about Rs. 200 crore (USD 40 million) imported by the company.

According to *Shivani Chaudhry, Associate Director of HLRN*: "The POSCO project is yet another example of the failure of governance in the country. On one hand, the Government of India claims it is committed to protecting the rights of women and children but on the other it engages in direct attacks of violence against them. Given the enormous damage already evident to the lives and livelihoods of villagers in the POSCO-affected area, the persistent circumvention of local governance bodies (*gram/palli sabhas*) and democratic procedures, and the multiple violations of human rights, the project should be cancelled."

Housing and Land Rights Network calls for:

- Immediate halt to the land acquisition process currently underway in Gobindpur Village;
- Immediate release of all villagers who have been arbitrarily arrested and detained on false charges;
- Immediate investigation and prosecution of officials responsible for perpetuating violence against men, women and children in Gobindpur Village;
- Investigation into the decision to forcefully acquire land from villagers without any adherence to rule of law and institutional norms;
- A statement from the Government of Odisha and the PMO explaining the action that violates several legal provisions, including the Constitution of India;
- Implementation of the National Green Tribunal order and recommendations of other independent and government-appointed committees (including the NC Saxena Committee and Meena Gupta Committee), all of which question the viability of the project and the process of implementation;
- Restitution, including compensation for injury and the destruction of property, trees and betel-vines of local villagers;
- An objective ‘social impact/eviction impact assessment’ of the project, as per the requirements of the *National Rehabilitation and Resettlement Policy 2007*, and the *UN Basic Principles and Guidelines on Development-based Evictions and Displacement*; and,
- Suspension of the project in light of the multiple violations of human rights and environmental law.

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