



To:
Honourable Mr. Justice Swatanter Kumar,
Chairperson,
National Green Tribunal,
Van Vigyan Bhawan,
Sector-V, R K Puram,
New Delhi-110022

July 9, 2013

RE: Suspend the POSCO-India project and cease all forcible acquisition of land in Jagatsinghpur District, Odisha

Dear Justice Swatanter Kumar,

We are writing to you to share the [video testimonies](#) we have collected documenting the serious human rights violations that have gone on in Odisha to facilitate South Korean steel giant POSCO to set up an integrated steel plant and captive port in Jagatsinghpur District Odisha.

The testimonies re-iterate the findings of the report- [The Price of Steel: Human Rights and Forced Evictions in the POSCO-India Project](#) - produced and released by International Human Rights Clinic (IHRC) at NYU School of Law and the International Network for Economic, Social and Cultural Rights (ESCR-Net) based on a year-long investigation. This organization has also sent an open letter to the CM, Odisha bringing these violations to his attention.

The video evidence and report come at a critical juncture of on going protests against the POSCO project. On the 4th of July the district administration of Odisha declared that one phase of land acquisition for the proposed steel plant was completed.

While the state authorities claim that those whose betel vines have been demolished have been compensated, reports and testimonies from the ground make it clear that these were forced on the people. Project affected communities tell us that there has been No informed consent for land acquisition as claimed by the state.

The affected communities and those against the project however continue to hold on hope till the National Green Tribunal's verdict on 11th of July regarding the final clearance of the 2,700 acres of land. We urge you to take into consideration the above violations of the people's rights and withhold the permission to clear the said area for the following reasons.

The area earmarked for the project is home to a flourishing and sustainable local economy. Should the project come through, 22,000 people in Jagatsinghpur district stand to lose the livelihoods on which they have depended for generations. The proposed compensation and economic benefits will in no way match the existing levels of sustainability of the people.

The communities are therefore against the diversion of the forestland for the purpose of the project and have passed several resolutions stating this. Under the Forest Rights Act, 2006, the forest dwelling communities have a final say with regards to use of their land. The resolutions have in effect been ignored by the Indian government, which has gone on to forcefully evict the people of the land.

The Government of Odisha's attempts to forcibly evict people stand in violation of not just domestic laws but also international laws. International legal standards require that India exhaust all feasible alternatives to forced evictions; engage in genuine consultation with project-affected communities; ensure the provision of adequate compensation for affected properties; and follow procedures established by law. The Government of India has systematically failed to live up to each and every one of these standards.

Those who have spoken up against the project have been repeatedly targeted by the Indian authorities with undue violence, arbitrary arrests and detentions. There are hundreds of fabricated charges against members of the anti-POSCO movement. In addition to targeting the protestors, the authorities have also failed to protect the people from consistent and often fatal attacks by private actors motivated by POSCO's and the state's interests.

Over the past eight years, those living in the project-affected area have been living under siege-like conditions hampering their access to healthcare, schools, markets and crops. In trying to protect their livelihoods they have faced violations of their rights to freedom of movement; of protection from arbitrary arrests; to be free from discrimination- especially on the basis of political or other opinions.

After questions raised by the Office of the High Commissioner for Human Rights (OHCHR), the Union Ministry of Home Affairs has reportedly sought a response from the State Government on its plan to forcibly evict about 20,000 people in Jagatsinghpur district to facilitate the proposed steel project of POSCO.

Video Volunteers and other human rights groups therefore call on:

- Withhold any environmental clearance to the POSCO-India project until and unless it complies with national and international environmental standards and laws.
- Suspend the POSCO-India project until and unless it complies with international

human rights standards and domestic law.

- Ensure full implementation of the Forest Rights Act and cease all attempts at forced evictions and land acquisition until and unless the rights claims of forest-dwelling communities are adjudicated and recognized rights-holders consent to the diversion of forest land

Thank you for your attention to these urgent matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Stalin K.", followed by a horizontal line and two small circles.

Stalin K.
Director, Video Volunteers